



## 15 Historical cultural heritage

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15.1 OVERVIEW

This chapter provides an assessment of the potential historic heritage impacts associated with construction and operation of the proposed Mordialloc Bypass (Freeway) (the project). It is based on the impact assessment presented in Appendix I: *Historical heritage impact assessment*. Potential impacts on Aboriginal cultural heritage are considered in Chapter 14: *Aboriginal cultural heritage* and Appendix H: *Aboriginal cultural heritage impact assessment* of this Environment Effects Statement (EES).

After European settlement, the land within the project area was primarily used for agricultural and pastoral activities (e.g. market gardens and animal husbandry), commercial and industrial purposes (such as sand mining and sewage treatment), and construction of infrastructure. Over time, the land has been cleared of vegetation and hydrologically modified through the draining of Carrum Carrum Swamp and the creation of artificial wetlands. Two sites of local historic significance were identified adjacent to the project area and are listed under the Schedule to Clause 43.01 Heritage Overlay (HO) of the Kingston Planning Scheme: the Braeside Park Precinct (HO104) and the Former Christ Church of England (HO3). The Former Christ Church of England is also found on the Victorian Heritage Register (VHR) (reference H0225 – Former Christ Church of England).

During the archaeological assessment, it was noted that the project boundary extended into the Braeside Park Precinct (HO104), however, the reference design has been re aligned to avoid impact on its administration building and chlorine store’s built fabric. The project may affect ancillary infrastructure of the former sewage treatment plant (e.g. sewage pipes, access pits and the metal ventilation stack), but these are of low historical archaeological significance.

The archaeological assessment did not identify any other artefacts of historical significance within the alignment.

The Former Christ Church of England, listed on the VHR (reference H0225 – Former Christ Church of England) under the *Heritage Act 2017* (Vic), is located outside the project area and would not be directly or indirectly affected by the project.

Contingency measures would be included in the Construction Environmental Management Plan (CEMP) to manage the unexpected discovery of previously unrecorded historic heritage sites and features.

15.2 EES OBJECTIVES AND REQUIREMENTS

The draft evaluation objective for cultural heritage is defined in the *Scoping Requirements for the Mordialloc Bypass Environment Effects Statement* (scoping requirements) (DELWP 2018).

Table 15.1 summarises key issues for historic heritage as identified in the scoping requirements. It should be noted that this chapter only addresses requirements related to historic heritage. Aspects of Aboriginal cultural heritage are addressed in Chapter 14: *Aboriginal cultural heritage*.

**DRAFT EVALUATION OBJECTIVE**

*To avoid or minimise adverse effects on Aboriginal and historic cultural heritage values.*

Table 15.1 EES key issues – historic heritage

Key issues
Potential for adverse effects on known and unknown Aboriginal and non-Aboriginal cultural heritage values.
Potential for permanent loss of significant heritage values.

### 15.3 LEGISLATION AND POLICY

Victoria has several regulatory bodies that record and protect objects and places of historical heritage. The relevant legislation and policy relating to historical heritage is summarised in Table 15.2.

**Table 15.2 Legislation and policy - historic heritage**

Legislation/policy	Description
<b>Commonwealth</b>	
<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) (EPBC Act)	Details provisions for the protection of Aboriginal and post-contact, non-Aboriginal cultural heritage places with national heritage value. Places protected under the Act are registered on the National Heritage List, Commonwealth Heritage List or the World Heritage List and include natural, historic and Aboriginal places of outstanding heritage value.
<b>State</b>	
<i>Heritage Act 2017</i>	<p>The Act serves to protect all categories of historical cultural heritage relating to non-Aboriginal settlement of Victoria that includes historic buildings, shipwrecks and archaeological sites. The main purposes of the Act are to provide protection, conservation and registration for all archaeological artefacts and sites as well as the establishment of the Heritage Council, VHR and Victorian Heritage Inventory.</p> <p>The VHR exists under the <i>Heritage Act 2017</i> and provides protection to places or objects of state significance. Under Section 87 of the Act, it is an offence to damage, disturb or alter a place that is listed on the Victoria Heritage Register. Permits for works that have the potential to affect heritage places are granted under section 102 of the Act.</p> <p>The Victorian Heritage Inventory lists all places or objects identified as historical archaeological sites, areas or relics on the register under the <i>Archaeological and Aboriginal Relics Preservation Act 1972</i>, as well as all known areas where artefacts are located or occur and any private collections that include archaeological artefacts. It provides blanket protection for all historical archaeological places in Victoria that are 75 years old or older.</p>
<i>Planning and Environment Act 1987</i> (Vic) (P&E Act)	Places of heritage significance to a municipality are identified in the HO of a relevant planning scheme. Statutory heritage controls apply to HO places under the P&E Act and the relevant Planning Scheme.
<b>Local</b>	
<i>Kingston and Greater Dandenong Planning Schemes</i>	<p>Places of heritage significance to a locality can be protected by a HO. HOs are contained within local council planning schemes and assist in protecting the heritage of a local government area. The City of Kingston has developed a Schedule to the HO, which identifies places of cultural heritage significance at a local level within its governing boundaries.</p> <p>A planning permit is generally required for sites included within the Schedule to the HO.</p>

## 15.4 METHODOLOGY

The methodology for the historic heritage impact assessment included:

- establishing the existing conditions through desktop analysis and archaeological assessment
- identifying sites of historic heritage importance
- undertaking a risk assessment process in accordance with the process described in Chapter 4: *EES assessment framework and approach*
- identifying potential impacts on sites of historical heritage importance
- recommending mitigation measures to minimise and avoid impacts on historic heritage
- establishing environmental performance requirements (EPRs) to protect historic heritage values.

### 15.4.1 Historical archaeological assessment and survey

A pedestrian and vehicular survey of the study area was undertaken to confirm and assess areas of archaeological potential:

Three investigation areas were defined and assessed:

- IA-A – between Centre Dandenong and Lower Dandenong Roads
- IA-B – between Lower Dandenong and Governor Roads
- IA-C – between Mordialloc Creek and Springvale Road.

Only areas that were determined to have undergone minimal previous ground disturbance and/or areas relating to the existing Braeside Park Precinct HO (HO104) within the study area were investigated. The areas surveyed were confined to property parcels where the desktop assessment determined the archaeological potential to be moderate-to-high. The investigation areas are shown in Figure 15.1.

#### ARCHAEOLOGICAL POTENTIAL

A term used to identify locations within the study area that have the potential to contain archaeological deposits. Archaeological potential is an unrealised, latent form of sensitivity that defines the spatial extent of known historical activity sites.

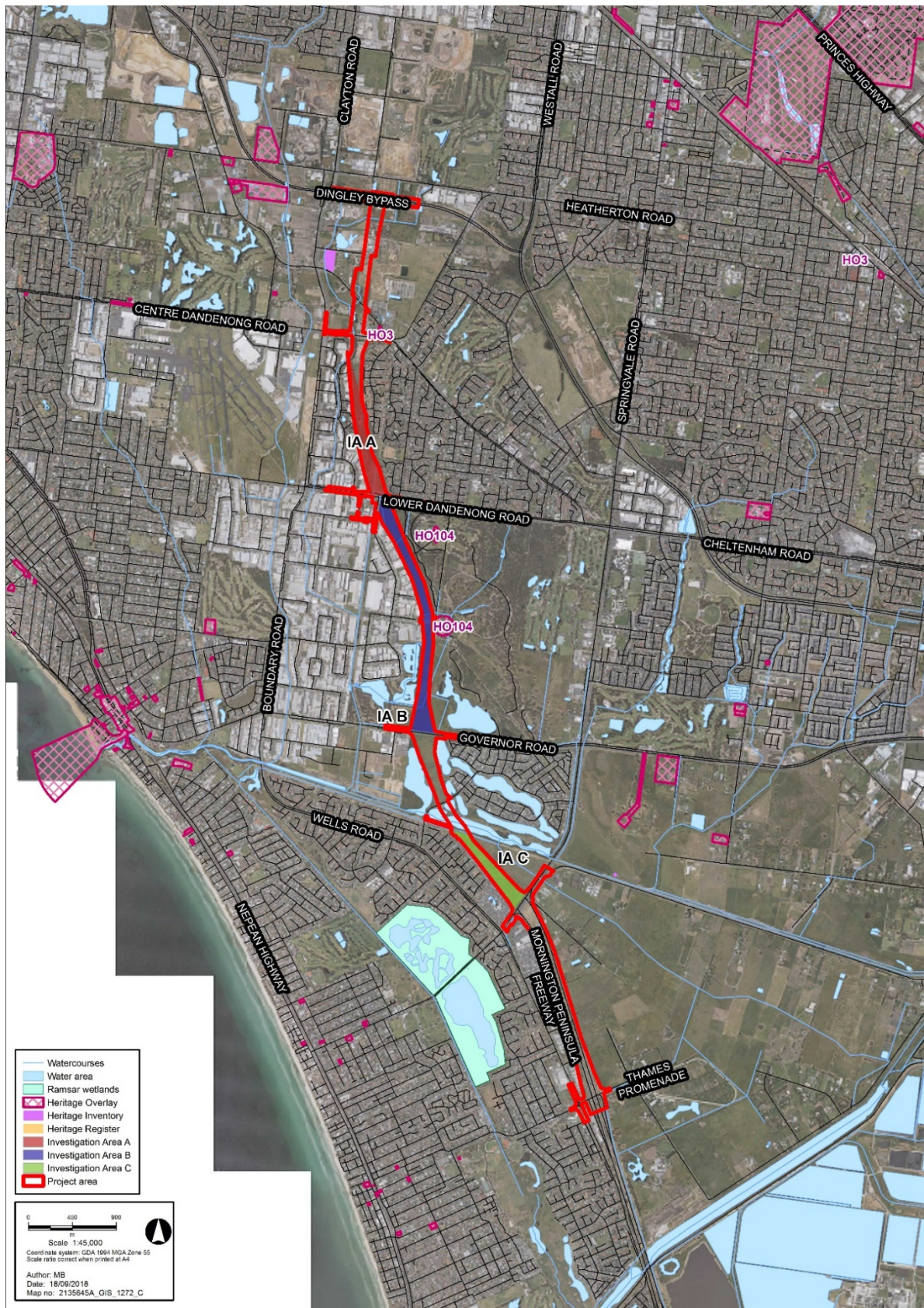
The historical archaeological assessment aimed to:

- determine the presence and extent of archaeological site preservation across the study area
- determine the overall archaeological potential of the study area.



## 15.5 STUDY AREA

The study area is outlined in Figure 15.1. The study area is defined by the project boundary, which covers all areas of work.



**Figure 15.1 Study area including investigation areas and location of registered heritage sites**

## 15.6 EXISTING CONDITIONS

### 15.6.1 Historical context of the study area

The first Europeans arrived in the region in 1802, with squatters settling in the Carrum Carrum Swamp area in the 1830s (McGuire 1965a). Land was cleared, subdivided and pastoral runs established. During the 1850s, specialised farming in the form of market gardens developed. In late 1865, land was sold for settlement (McGuire 1965b).

Carrum Carrum Swamp caused drainage issues, with settlers noting waterlogging in the area. In the 1880s, a scheme was built to reclaim the swamp and drain waters from Eumemmerring and Dandenong creeks into Mordialloc and Kananook creeks. The scheme, alongside drainage and flood protection works, significantly altered the local landscape.

The changes in hydrology allowed the region to expand and urbanise, and residential subdivisions increased alongside pastoral leases and market gardens. Roads, railways and utilities were constructed to improve access to the region and support the growth of commercial and industrial enterprises. Development included the commissioning of Braeside Treatment Plant and sand mining sites. Sand mines operated from the 1930s and were later used for landfill (from the 1960s).

### 15.6.2 Registered historic heritage sites

Table 15.3 lists the historical heritage sites within, or adjacent to, the study area based on the review of the historical heritage registers and inventories outlined in Table 15.2.

A description of each site is outlined in Table 15.4 and the locations are illustrated in Figure 15.1.

**Table 15.3 Registered historical heritage sites within or adjacent to the study area**

Historical heritage register	Relevance to the project
Victorian Heritage Register (VHR)	No listings present within the study area, however one listing is adjacent to the study area. This site is the 'Former Christ Church of England (VHR reference H0225)'. This site is also listed on the Kingston Planning Scheme as HO3.
Victorian Heritage Inventory	No listings in the study area.
Heritage Overlay (HO) (City of Kingston)	Two listings are recorded adjacent to the study area. These are the Braeside Park Precinct (HO104) and the Former Christ Church of England (HO3).
National Heritage List	No listings present in the study area.
Commonwealth Heritage List	No listings present in the study area.
World Heritage List	No listings present in the study area.



**Table 15.4 Heritage sites within and adjacent to the study area**

Heritage site	Registration listing	Identifier	Description	Approval authority	Proximity to project
Braeside Park Precinct	Heritage Overlay (HO)	HO104	<p>The project abuts the HO – Braeside Park Precinct (HO104) under the Kingston Planning Scheme.</p> <p>This site comprises two components including a settling pond (north) and the Melbourne and Metropolitan Board of Works (MMBW) buildings and equipment (south) (see Figure 15.1). The site is of historical and technological significance at a local level.</p> <p>The Braeside Park Precinct retains historical heritage elements from its early history as a pastoral property, racetrack, and the MMBW sewage treatment plant. There is potential for previously unidentified sewage treatment plant equipment to exist within the study area.</p> <p>Figure 15.2 is an aerial photograph of the Braeside Treatment Plant from around 1955. It operated for 35 years until 1975 when it was redeveloped as a public park. Today the site forms part of Braeside Park, managed by Parks Victoria. Parks Victoria uses the red brick administration structures as the Braeside Park office (refer to Archaeological Feature 1 in Figure 15.4).</p>	City of Kingston	Adjacent to the study area (Note: potentially subject to change - see Section 15.6.3)
Former Christ Church of England	Victorian Heritage Register (VHR)	VHR H0225, HO3	<p>The Former Christ Church of England (registered as HO3 under the Kingston Planning Scheme and H0225 on the Victoria Heritage Register) is located adjacent to the study area at the intersection of Old Dandenong and Centre Dandenong Roads (see Figure 15.1).</p> <p>The church was designed by Charles Webb and constructed in 1872-1873. It was officially opened and dedicated in 1873 by the (then) Bishop of Melbourne, Bishop Perry. In the 1960s, the National Trust of Victoria classified the church as a building worthy of preservation for its historical value.</p> <p>A current photo of the church is shown in Figure 15.3</p>	Heritage Victoria	Adjacent to the study area (approx. 200m)





Source: (State Library of Victoria 2018)

**Figure 15.2 Aerial photograph of the Braeside Treatment Plant (c1955) (orientation south-west)**



Source: Jay Knight

**Figure 15.3 Former Christ Church of England (HO3)**

### 15.6.3 Planning scheme amendment (PSA)

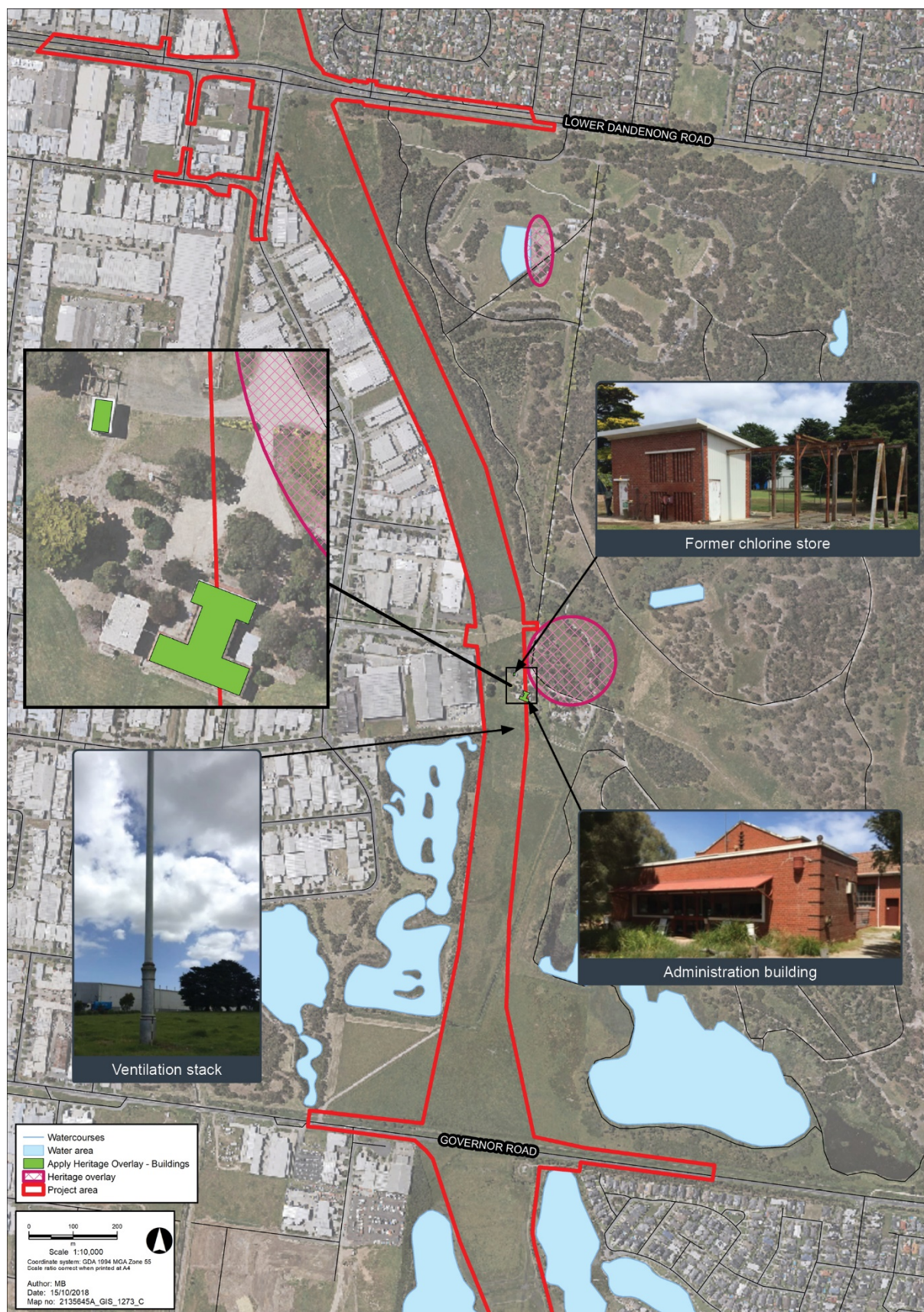
A review of the *Kingston Heritage Study* (2001) and correspondence with Heritage Victoria determined that the mapped extent of the Braeside Park Precinct (HO104) is currently inaccurately represented in the Kingston Planning Scheme. The current extent of HO104 is identified on Figure 15.4. Figure 15.4 shows the features identified during the survey. The brick administration building (AF1) remains from the Braeside Treatment Plant, and an associated former chlorine store (AF2) sits to the north of the administration building. The metal ventilation stack (AF3) is a prominent feature, but it has low research value (associated with a broad-scale use of sewage infrastructure).

As outlined in the City of Kingston Heritage Place Identification Form (2001), a HO has been recommended for selected sites throughout the precinct, including: the former settling pond and its associated outlet and inlet, the former pumping station building, the substation shed, and other remnant MMBW equipment. These sites are located to the south and south-east of the current HO104 mapped extent (Figure 15.4).

As part of the proposed PSA to the Kingston Planning Scheme (see Chapter 3: *Legislative framework and approval requirements*), Major Road Projects Authority (MRPA) proposes to amend the extent of the HO (HO104) to more accurately reflect the location of the Braeside Park Precinct (HO104). The exact location of the above features will require detailed analysis (including survey) to fully refine the extent of the HO adjustment. MRPA proposes to include an amended HO104 map and associated support documentation into the PSA after further consultation with the City of Kingston and Heritage Victoria.

These changes would potentially result in HO104 extending into the study area (i.e. the project area). The potential impacts of the project, if the HO104 overlay is extended, are discussed in Section 15.8 of this chapter.





**Figure 15.4 Archaeological features of HO104**

### 15.6.4 Archaeological assessment

The archaeological assessment included a pedestrian and vehicular survey of three individual areas (IAs), as listed below and identified in Figure 15.1:

- **IA-A (Centre Dandenong Road to Lower Dandenong Road):** Previous pastoralism and no substantial historical development or modern disturbances suggests a low likelihood of historical archaeological features and/or deposits occurring within IA-A. Should any exist, they are likely to be of low significance.
- **IA-B (Lower Dandenong Road to Governor Road):** The survey re-identified known historical features within the area of HO104, and identified additional features including ancillary sewage treatment infrastructure that would likely be below ground. These were not considered to be of high archaeological significance. There is high potential for the area to retain features from the former Braeside Treatment Plant, however, these are likely to be ancillary infrastructure (e.g. sewage pipes and access pits), which are of low historical archaeological significance. Some of the features identified during the survey are shown in Figure 15.4.
- **IA-C (Mordialloc Creek and Springvale Road):** Previous pastoralism and no substantial historical development or modern disturbances suggests a low likelihood of historical archaeological features and/or deposits occurring within IA-A. Should any exist, they are likely to be of low significance.

## 15.7 RISK ASSESSMENT

An environmental risk assessment (ERA) was undertaken to identify environmental risks associated with the construction and operation of the project. Where initial risks were rated as 'medium' or higher (with standard controls in place) these issues were further assessed and investigated in Historic Heritage Impact Assessment Report. Where necessary, additional controls were identified as part of the Impact Assessment to reduce the identified risks to acceptable levels. These controls have been incorporated into the environmental performance requirements (EPRs) for the project. The initial risks were then re-assessed following application of the environmental performance requirements to derive the residual risk ratings. The methodology for the risk assessment has been described in Chapter 4: *EES assessment framework and approach*.

Table 15.5 provides a summary of the key historic heritage related risks.

During early project risk evaluations, the only historic heritage related risk that was seen to be potentially significant (medium risk) related to the potential for construction activities to impact on culturally significant places. Importantly, as the design was progressed, and the alignment avoided the brick buildings at Braeside park, the initial risk rating was reassessed as low. The assessment determined that compliance with the proposed EPRs - notably H3, which requires that the project must be designed to avoid damage to the Braeside Park Precinct brick buildings - would avoid or minimise adverse effects on historic cultural heritage values. The residual risk of the project having an impact on historic heritage features is therefore low.

A range of other potential impacts were identified, all of which were assessed to be of low risk. These risks include the potential that the historical heritage assessment misses areas in assessment or does not cover the whole project area, resulting in a non-compliance with *Heritage Act 2017*; geotechnical investigations impact on culturally significant places; and maintenance activities impact on culturally significant places.

A full list of all historic heritage related primary risks, and further information on potential impacts determined to be low risk, are contained in Appendix I: *Historical heritage impact assessment* and Attachment I: *Environmental risk assessment report*.

**Table 15.5 Historic heritage risk**

Risk	Impact pathway	Primary impact	Project phase	Initial risk rating	EPR ref.	Residual risk rating
R-HH3	Uncovers/damages matters of cultural significance.	Construction activities impact on culturally significant places.	C	Low	H2, H3	Low



## 15.8 IMPACT ASSESSMENT AND MITIGATION

Project impacts on historical heritage were assessed on the understanding that there is:

- one heritage place within the project area (arising from the potential for HO104 to extend into the project area subject to amendment of the planning scheme)
- one heritage place within 200m of the project area (Table 15.4).

The potential impacts on these places are discussed in the following sections.

### 15.8.1 Construction

#### Impact on known heritage sites (risk R-HH3)

Impacts on Braeside Park Precinct associated with the former Braeside Treatment Plant were considered when developing the Reference Design.

The archaeological assessment determined that the built fabric of the brick-based administration building is of high significance at a local level, and that the chlorine store is of moderate significance at a local level. In accordance with these determinations, the Reference Design has included the realignment of the project to retain the built-fabric of the administration building and chlorine store. Detailed design of the permanent and temporary works will avoid damage to the Braeside Park Precinct brick buildings (EPR H3).

While there is a high potential for impacts on ancillary historical archaeological features relating to the former Braeside Treatment Plant, these features would likely be infrastructure such as sewage pipes, access pits and the metal ventilation stack, which are of low historical archaeological significance. The destruction of these features, if encountered, would therefore have a low impact on historical heritage in the area.

The project will not impact on the Former Christ Church of England (HO3, VHR H0225) as it is located adjacent to, but not within, the project area. Figure 15.5 shows the proximity of works next to Christ Church Dingley (located in the centre of the figure), where median works are required to separate the road.



Figure 15.5 Road design at Christ Church Dingley (VHR H0225)



### Impacts on previously unknown historic heritage sites (risk R-HH3)

The archaeological survey findings demonstrated a low potential for archaeological features and/or deposits of significance to be present within the surveyed areas of the study area (Section 15.5).

An archaeological discovery protocol would be developed for the project to minimise impacts on previously unknown historical sites (EPR H2). The archaeological discovery protocol would be developed in consultation with Heritage Victoria and consistent with the *Heritage Act 2017*. It would include a procedure for ceasing work if remains are discovered, notifying Heritage Victoria, obtaining consent, and dealing with remains. It would include measures such as:

- consulting with Heritage Victoria to ensure appropriate archaeological investigation is implemented and/or a site is recorded in the Heritage Register
- ensuring material is managed by a qualified and experienced archaeologist in accordance with the *Heritage Act 2017* and associated guidelines, and in consultation with Heritage Victoria.

If the project is likely to impact heritage items, all relevant approvals would be obtained in consultation with City of Kingston and/or Heritage Victoria before any works commence.

### 15.8.2 Operation

The risk assessment found that potential impacts during the operation/maintenance phase of the project were of negligible risk. This included the potential that maintenance activities could uncover or cause damage to items of cultural heritage significance. For a full list of all historic cultural heritage-related risks, refer to Appendix H: *Aboriginal cultural heritage impact assessment*.

## 15.9 ENVIRONMENTAL PERFORMANCE REQUIREMENTS (EPRs)

Table 15.6 outlines the EPRs developed to direct historic cultural heritage management. These EPRs establish requirements for avoiding impacts where possible and for developing and implementing management plans to achieve acceptable outcomes where avoidance is not possible.

**Table 15.6 Environmental performance requirements (EPRs)**

EPR reference	Environmental performance requirements	Project phase
H2	<b>Unidentified historical archaeological sites</b> Prior to the start of construction an archaeological discovery protocol must be included within the CEMP that specifies measures to avoid and minimise impacts on any previously unidentified historical archaeological sites and values discovered during construction. The management protocol must be consistent with the requirements of the <i>Heritage Act 2017</i> and must be developed in consultation with Heritage Victoria. The protocol must include procedures for ceasing work if human remains or archaeological artefacts are discovered, notifying Heritage Victoria of the find, obtaining consent to deal with the remains or artefact, and dealing with the remains or artefact in accordance with the consent.	Design, Construction
H3	<b>Heritage sites</b> The project must be designed to avoid damage to the Braeside Park Precinct brick buildings.  Prior to commencement of works that have the potential to impact on heritage structures or places, appropriate heritage protection plans must be developed for inclusion in the CEMP and implement physical protection measures to avoid or mitigate potential impacts.	Design, Construction

## 15.10 CONCLUSIONS

At the time of publication of this EES, there were no registered historical heritage sites within the study area. However, a proposed amendment to the Kingston Planning Scheme HO extend Braeside Park Precinct (HO104) into the project area.

Based on this possibility, the impact assessment was completed on the basis that there is one site of local significance within the project area. The Reference Design developed for the project has accommodated this through design realignments to avoid the administration building and chlorine store's built fabric.

There is still a high potential for impact on historical archaeological features related to the Braeside Treatment Plant, but such features are likely to be of low historical archaeological significance (e.g. sewage pipes, access pits and the metal ventilation stack). Detailed design of the permanent and temporary works would avoid damage to the Braeside Park Precinct brick buildings (EPR H3), and avoid or minimise impacts, where practicable, on other features in the Braeside Park Precinct.

Kingston City Council will be consulted on matters related to this assessment's implications for HO104 (Braeside Park Precinct) to obtain the necessary approvals pursuant to the P&E Act. MRPA proposes to include this proposed amendment into the PSA after further investigation and consultation with the City of Kingston and Heritage Victoria.

An additional site of state and local heritage significance occurs within 200m of the project area (Former Christ Church of England – VHR H0225, HO3). The project is not expected to directly or indirectly impact on this site.

Compliance with the EPRs outlined in this chapter would avoid or minimise adverse effects on historic cultural heritage values.