

BERWICK WATERWAYS GROWTH AREAS AUTHORITY PRECINCT STRUCTURE PLAN 9

**Report to
Growth Areas Authority**

Completed 23 January 2012

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BERWICK WATERWAYS GROWTH AREAS AUTHORITY PRECINCT STRUCTURE PLAN 9 HISTORIC CULTURAL HERITAGE ASSESSMENT

Name and Location of Activity:	Berwick Waterways – GAA PSP 9, Centre, Greaves, Homestead and Ward Roads, Berwick, Victoria.
HCHA Identifier:	3792
Commissioning Agent:	Growth Areas Authority
Heritage Advisors:	Andrea Murphy and Dale Owen Archaeology At Tardis Pty Ltd
HCHA Authors:	Andrea Murphy, Dale Owen & Louise Blake
Report Date:	23 January 2012

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EXECUTIVE SUMMARY

This historic cultural heritage assessment (HCHA) has been conducted for the purposes of informing the Berwick Waterways Precinct Structure Plan (PSP 9; activity area; Map 1) currently being prepared by the Growth Areas Authority. The activity area includes a total of 27 properties located immediately east and north of the southern extent of Berwick Town Drain, north and south of Centre and Homestead Roads, and east and west of Ward Road (activity area; Map 2). This report has been sponsored by Growth Areas Authority and the activity areas owners are presented in Table 1.

This activity area was once permanent wetland/swamp which was part of the western extremities of the Eumemmerring Swamp. Drainage works began in the late 1870s of this swamp, thereby precluding the activity area from one which was targeted early in the European settlement of the Berwick area. The land, even after drainage works, was always considered marginal and proved difficult to farm on a small scale.

The background investigation conducted as part of this assessment indicated that the PSP has been subject to archaeological survey for historic sites on two previous occasions (Murphy 2004, Bell 2006) and part of several previous desktop based assessments. Neither of the previous assessments found any evidence for extant or historic archaeological features.

As part of the assessment process for this report, the area was again subject to a brief field investigation, the results of which confirming previous conclusions that the area contains no potential for significant historic or archaeological sites or historic vegetation.

This research conducted for this report has however gone into more detail regarding the history of land ownership than that of previous investigations. Land title information for each lot has been reviewed. This research has discovered that this PSP was once part of the Hallam Valley Settlement Scheme, which was purchased by the government as part of the Closer Settlement Scheme in 1922 and subdivided in 1927 for the purposes of market gardening. The Australian Jewish Settlement Trust purchased some of the land in the Hallam Valley Settlement Scheme and some of the initial settlers of the scheme were also funded by the Trust. Whilst Government Closer Settlement Schemes were common throughout Victoria, there is only one other Jewish Settlement Scheme in Victoria, which was located in Shepparton.

There are no recommendations for any further historic assessment for this PSP. However, it is considered appropriate that the GAA provide some recognition to the historic land use of being part of the Hallam Valley Settlement Scheme, which included Jewish Refugees. This aspect is the strongest historic theme for this activity area. This recognition could be achieved by:

- Include interpretive material into open space;
- Naming of streets *etc.* of prominent persons associated with the trust or individual lease holders or owners within the PSP.

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ACKNOWLEDGEMENTS

Archaeology At Tardis Pty Ltd would like to thank the following people for their assistance during the study:

Alexandrea Malishev – Growth Areas Authority
Brandi Bugh, Jeremy Smith – Heritage Victoria

ABBREVIATIONS

AHD	Australian Heritage Database
asl	Above Sea Level
BPHS	Berwick-Pakenham Historical Society
CHA	Cultural Heritage Assessment
DEWHA	Department of the Environment, Water, Heritage and the Arts
DSE	Department of Sustainability and Environment
DPCD	Department of Planning and Community Development
DSE	Department of Sustainability and Environment
EVC	Ecological Vegetation Classes
GAA	Growth Areas Authority
HCHA	Historic Cultural Heritage Assessment
HO	Heritage Overlay
HV	Heritage Victoria
HVI	Heritage Victoria Inventory
LV	Land Victoria
mya	Million Years Ago
NLA	National Library of Australia
NT	National Trust
PROV	Public Record Office Victoria
PSP	Precinct Structure Plan
RLZ2	Rural Living Zone Schedule 2
SLV	State Library of Victoria
VHR	Victorian Heritage Register

** Throughout this report several technical terms are used that may not be familiar to some readers. An extensive glossary has been included as Appendix 3 and should be referenced for an explanation of terms.*

*** It should be noted that archaeological reports relating to historic archaeological sites/places and the recommendations contained therein, may be independently reviewed by Heritage Victoria. Although the findings of a consultant's report will be taken into consideration, recommendations by an archaeological consultant for actions in relation to the management of a site should not be taken to imply automatic approval of those actions by Heritage Victoria.*

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1 INTRODUCTION

This historic cultural heritage assessment (HCHA) has been conducted due to a proposed precinct structure plan (PSP 9; activity area; Map 1). The activity area includes a total of 27 properties located immediately east and north of the southern extent of Berwick Town Drain, north and south of Centre and Homestead Roads, and east and west of Ward Road (activity area; Map 2). This report has been sponsored by Growth Areas Authority and the activity areas owners are presented in Table 1.

Table 1 Owners/Occupiers of the Activity Area

Owner	Lot #	Plan #	Address
Joan Quigley	21	Section 4	137 Homestead Road, Berwick
David & Joan Kimberley	3	LP52810	373-375 Centre Road, Berwick
Henmal Nominees P/L	4	LP52810	100-104 Homestead Road, Berwick
Darnel P/L	5	LP52810	369-371 Centre Road, Berwick
Mark & Isobel Caulfield	6	LP52810	106-110 Homestead Road, Berwick
Darnel P/L	7	LP52810	365-367 Centre Road, Berwick
David & Judith Button	8	LP52810	112-116 Homestead Road, Berwick
Modesto & Anna Fazio	9	LP52810	361-363 Centre Road, Berwick
Kok Tee	10	LP52810	118-122 Homestead Road, Berwick
Rosehill Corporation	11	LP52810	357-359 Centre Road, Berwick
Kok & Hui Tee	12	LP52810	124-128 Homestead Road, Berwick
Caterina Velardo, Angela Orlando & Mariano Clemente	13	LP52810	353-355 Centre Road, Berwick
Nupro Developments P/L	14	LP52810	130-132 Homestead Road, Berwick
Nupro Developments P/L	16	LP52810	136-138 Homestead Road, Berwick
Gristall P/L	1	PS314788	342-350 Centre Road, Berwick
Buddhist Vihara Victoria Inc.	1	PS323945	125 Homestead Road, Berwick
Orient Trading P/L	2	PS323945	117-123 Homestead Road, Berwick
Orient Trading P/L	3	PS323945	109-115 Homestead Road, Berwick
Nader P/L	4	PS323945	1 Ward Road, Berwick
Gregrob Investments P/L	1	PS336088	322-340 Centre Road, Berwick
Melbourne Water Corporation	Res 1	PS336088J	340I Centre Road, Berwick
Petro & Mila Lazarovski	1	PS338577	352-356 Centre Road, Berwick
Nene Properties P/L	A	PS437692	358-364 Centre Road, Berwick
Henmal Nominees P/L	1	TP85701	94-98 Homestead Road, Berwick
Hendrina Korte	1	TP213106	349-351 Centre Road, Berwick
Stateview Enterprises P/L	1	TP748354	335-347 Centre Road, Berwick
City of Casey		Roadway	Centre Road, Berwick
City of Casey		Roadway	Homestead Road, Berwick
City of Casey		Roadway	Ward Road, Berwick

Archaeology At Tardis Pty Ltd (ABN 12 151 540 662) key personnel Andrea Murphy (project manager) and Dale Owen (project archaeologist) prepared this HCHA (No. 3524). Andrea Murphy holds an Honours degree in archaeology and has over twenty years experience in all facets of cultural heritage management. Dale Owen has an Honours degree in archaeology and over seven years experience in archaeological and heritage management (Appendix 5). Additionally, historic background has been conducted by Louise Blake who holds a Masters in Biography and Life Writing, a Graduate Diploma in Cultural Heritage Management and a Bachelor of Arts in Professional Writing. Louise also

has over 15 years experience in the cultural heritage sector in the ACT and Victoria (Appendix 9).

This HCHA has been conducted under the guidance of the *Guidelines for Conducting Historic Archaeological Surveys* (Department of Planning and Community Development [DPCD] 2008) and any historic artefacts/material has been managed in accordance with the *Archaeological Artefacts Management Guidelines* 2004 as published by Heritage Victoria (HV) – DPCD, Melbourne. All historic values have been assessed and managed with consideration for *The Australian ICOMOS Charter for Places of Cultural Significance* (The Burra Charter; Australia ICOMOS 1999) and *Australian Historic Themes* (Australian Heritage Commission 2001) standards.

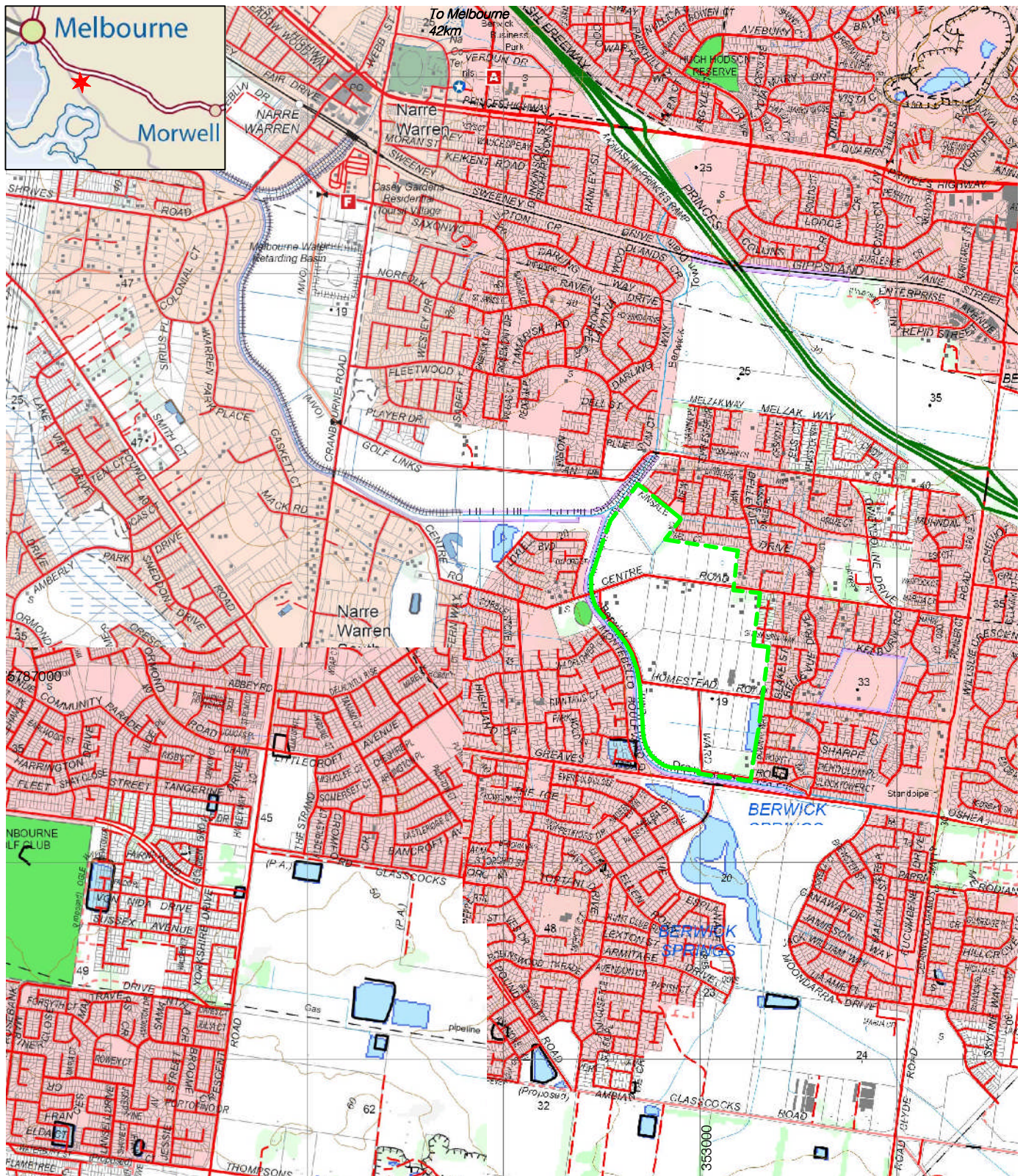
The activity is an urban development consisting of, but not limited to: a retail hub, community centre, open space/parks/reserves, low, medium and high density residential development, non-retail/commercial areas, a large drain and associated infrastructure such as pathways, roads and utility installations (see Section 2 for a detailed description of the activity).

In summary, to address project brief conditions (Appendix 1), the aims and objectives of this HCHA are to:

- Review historic cultural heritage databases, inventories, registers and/or other historical information depositories relevant to the activity area to establish potential historic heritage values;
- Establish a land-use history of the activity area to identify potential areas of historic cultural heritage value and/or significant disturbance that may have affected potential values;
- Collate relevant information relating to the history and/or historic figures associated with the activity area;
- Conduct field reconnaissance/survey of Berwick Waterways for the purpose of identifying historic heritage values that may not be identifiable via investigation of documentation;
- Determine whether historic archaeological values exist, or potentially exist within the activity area;
- Determine the historic cultural heritage sensitivity of the activity area;
- Devise appropriate management of any historic cultural heritage values.

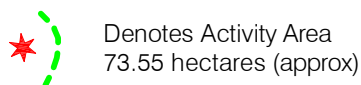
Background research (project inception works) conducted for this HCHA proceeded from 6 May 2010 and field reconnaissance of the activity area was conducted on 4 June 2010.

GAA representative Alexandria Malishev was consulted throughout this HCHA with regards to the activity.



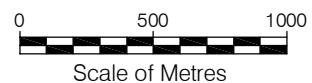
Topographic map used for Location Plan: 1:30,000 Number T7922-1-4-1

Legend:



Denotes Activity Area
73.55 hectares (approx)

Parish: *Berwick*
LGA: *Casey*



Map 1 Activity Area Location (Melway Ref: 130 J1)



Parish: *Berwick*
LGA: *Casey*



Map 2 Lot Plan of the Activity Area
(Melway Ref: 130 J1)

2 ACTIVITY AREA

The 85 hectare (approximate) activity area is located in the local Government area of the City of Casey, Parish Berwick, County Mornington and includes the addresses of 322 to 364 and 335 to 375 Centre Road, 94 to 138, 109 to 125 and 137 Homestead Road and 1 Ward Road, Berwick. Centre Road is oriented approximately east/west through the northern section of the activity area; Homestead Road extends east/west from the eastern boundary of the activity area south of Centre Road to the northern boundary of the activity area where it then extends northerly to Centre Road; and Ward Road extends from Homestead Road southerly to the southern activity area boundary where it further extends easterly to the south-eastern corner of the activity area (Maps 1 & 2; Table 1).

The activity area is bound to the north by a Melbourne Water Retarding Basin (at the north-western corner of the activity area) and residential allotments. To the east, the activity area is also bound by residential allotments and another Melbourne Water Retarding Basin. The eastern boundary also crosses Centre, Homestead and Ward Roads. To the south and west the activity area is bound by Berwick Town Drain, and this boundary also crosses Centre Road (Map 2). Within these boundaries, the activity area is between 18m and 20m above sea level (asl; low-lying).

Within the activity area boundaries, there is a total of 26 land parcels and three sections of roadway (Table 1).

The present conditions and salient features of the activity area consist of:

- Low-Lying ground (the entire activity area; 18-20m asl);
- Mostly grassed rural paddocks. These paddocks have been repeatedly ploughed;
- 15 residences;
- A Buddhist Church/Temple;
- Three properties being used for industrial purposes.

3 ACTIVITY DESCRIPTION

The activity is a proposed Precinct Structure Plan that will sub-divide the activity area into low, medium and high density residential allotments, retail and commercial properties, parks/reserves, transport terminals and a community area/hub(s). These proposed sub-divisions will also require infrastructure such as the undergrounding of services (gas, water, power, phone *etc.*), roadways, footpaths and drains.

No plans have been finalised for the activity. However, for the purposes of this HCHA, potential future works are considered. Such works are likely to include (but may not necessarily be restricted to):

- Landscaping;
- Fences;
- Pathways;
- The construction of residences and commercial buildings.
- Car parks;
- Erection of signage;
- Residential swimming pools;

All of these activities will disturb the ground surface within the activity area to varying degrees, and all have the potential to affect any historic cultural values that may exist.

The entire activity area is within the City of Casey Planning Scheme's Rural Living Zone and is subject to the zones Schedule 2 (RLZ2). Information relating to conditions of the Rural Living Zone and its Schedule 2 is presented in Appendix 7.

4 DOCUMENTATION OF CONSULTATION

The notice of the Heritage Victoria assessment identifier number (3792) for this assessment is presented in Appendix 2. Additionally, all correspondence made during the course of this assessment is presented in Appendix 6.

The following were consulted and/or had their cultural heritage information/collections reviewed as part of this assessment:

- National Trust Register (National Trust 2010);
- Australian Heritage Database (DEWHA 2010);
- State Library of Victoria (SLV 2010a);
- National Library of Australia (NLA 2010);
- Land Victoria (Accessed June 2010);
- Picture Victoria (2010);
- Public Records Office (PRO 2010);
- Heritage Victoria Inventory (HVI; Accessed 7 June 2010);
- Victorian Government Gazette (SLV 2010b);
- Victorian Heritage Register (Heritage Victoria 2010);
- City of Casey Planning Scheme Heritage Overlays (DSE 2010a).

5 PROJECT AIMS

The object of HCHA is to determine potential historic cultural heritage and/or archaeological values within the activity area through review of historic documentation (e.g. maps, plans, databases, previous reports, historical documents etc.) and, if possible, discussion with persons who may have historic knowledge of the area.

Such investigation will establish areas of historic cultural heritage sensitivity/potential and, in turn, inform of where further investigation via survey and/or subsurface testing may be required.

If any such values exist, this HCHA aims at developing appropriate management of those values.

These aims are conducive to the Project Brief (Appendix 1) from the Sponsor and meet the requirements of the *Guidelines for Conducting Historical Archaeological Surveys* (DPCD 2008).

6 GEOGRAPHY AND ENVIRONMENTAL BACKGROUND OF THE ACTIVITY AREA

This section reviews the geology, landform, geomorphology and environmental aspects of the activity area.

6.1 Review of Landforms and Geomorphology of the Activity Area

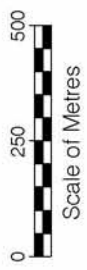
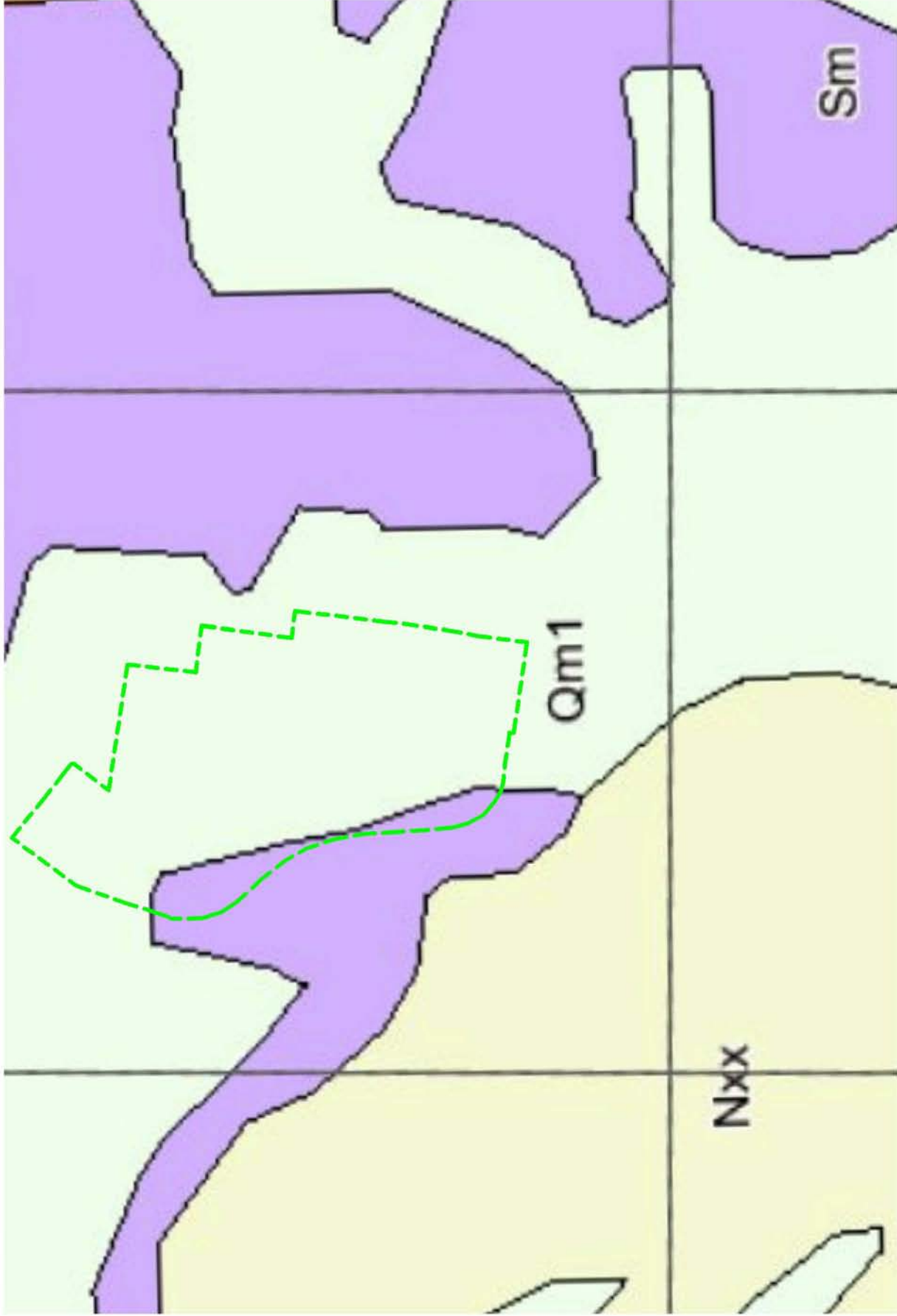
Understanding the environment prior to European settlement brings an understanding of what ground disturbance works Europeans may have conducted to be able to settle the area. Additionally, investigation of the environment after European settlement allows knowledge of the type of settlement that occurred. This information is used in conjunction with investigation of available data such as land acquisition records to produce a site prediction model specific to the activity area.

The majority of the activity area is made up of swamp and lake deposits with a section along the western boundary consisting of the geological formation called the Murrindindi Supergroup (Sm; Map 3). The swamp and lake deposits (Qm1) consist of Holocene (<10,000 years old) fluvial (i.e. produced by or found in a stream) gravel, sand and silt deposits. The older Murrindindi Supergroup consists of undifferentiated marine mudstone and sandstone from the Silurian to Devonian Periods (~440mya to 360mya; Queenscliff SJ 55-9 – 1:250,000 Geological Mapsheet Series).

To the southwest, Baxter Sandstone is present. This geological formation is of early Pliocene age (i.e. ~5mya) and consists of Aeolian (i.e. carried or produced by the wind) dune deposits of sand, clay and calcareous sands (Queenscliff SJ 55-9 – 1:250,000 Geological Mapsheet Series; Geoscience Australia 2010).

The activity area is around 18m to 20m above sea level and is situated within what was likely once a drainage line from the Eastern Uplands into the Great (more specifically, Dalmore) Swamp to the southeast. This drainage line appears to have been formed due to the Selwyn (active since early Tertiary times – 65 to 1.8mya) and Tyabb Faults as it is

located between their southern extents, and has since been filled during the Holocene with the fluvial deposits discussed above. These faults created a horst (i.e. an elevated block of the Earth's crust forced upwards between faults) which separates the Port Phillip and Westernport Sunklands which is now Mornington Peninsula (Birch 2003: 354-355; Hills 1964: 159-164).



- Denotes Activity Area
- Nxx Baxter Sandstone
- Sm Murrindindi Supergroup
- Qm1 Unnamed Swamp & Lake Deposits

Legend:


Map 3 Geology of the Activity Area

Archaeology At Tardis Pty Ltd, *cultural heritage advisors*



Aerial Photograph courtesy of DSE Website

Legend:

 Denotes Activity Area
73.55 hectares (approx)

Parish: *Berwick*

LGA: *Casey*

0 100 200
Scale of Metres




Zone 55

Photograph 1 Aerial 2006 Photograph of the Activity Area
(Melway Ref: 130 J1)

6.2 Climate

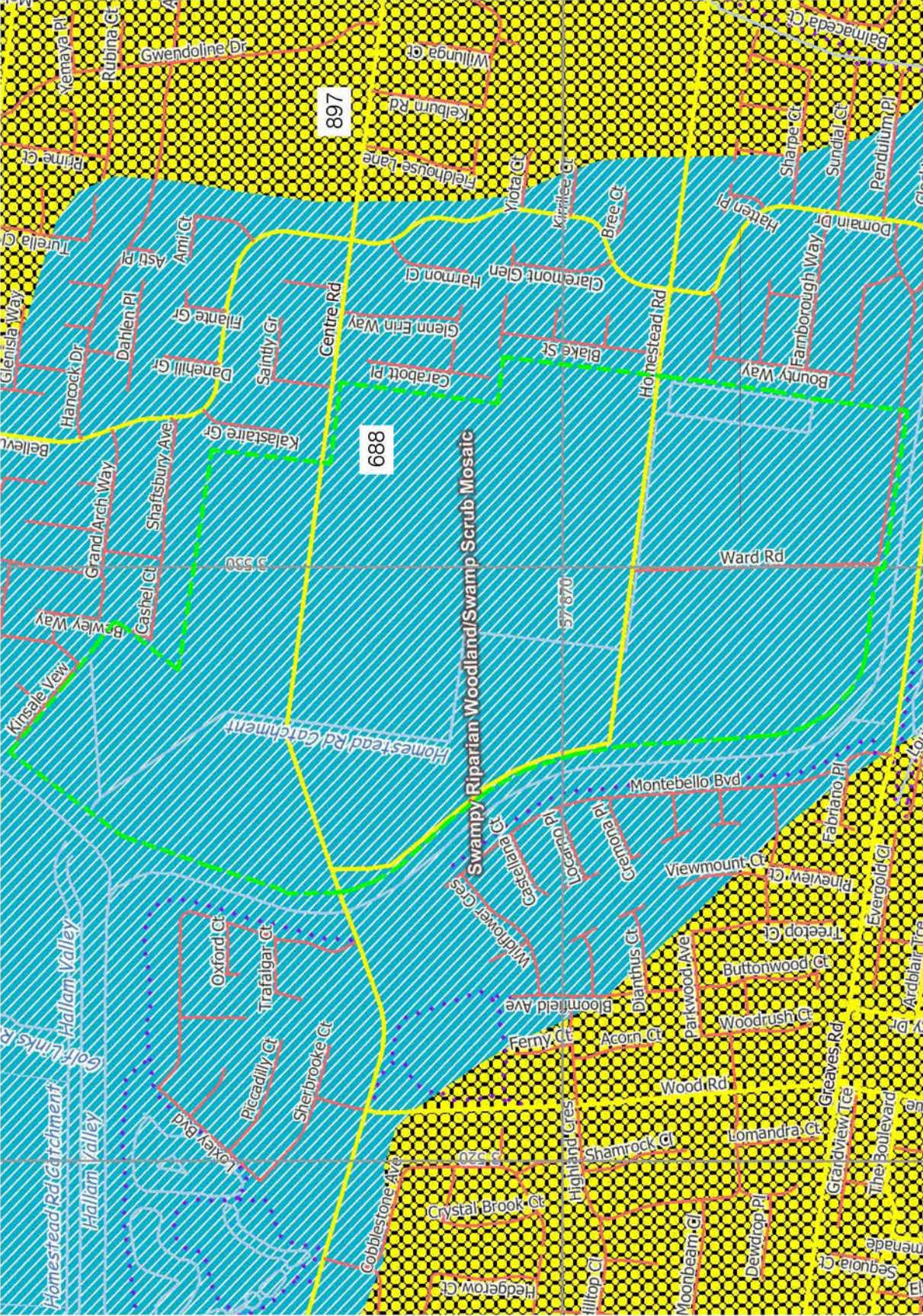
Berwick is characterized by cool winters and warm summers with temperatures ranging between 12° and 18° celcius. Rainfall for the area averages 600mm to 800mm per day annually and the relative humidity is between 50% and 60% percent annually (Bureau of Meteorology 2010).

Although the climate would not have restricted settlement of the broader area, the combination of 125 to 150 days exceeding 1mm of rain annually and the low-lying nature of the activity area would have made the location undesirable due to regular inundation (Bureau of Meteorology 2010). The extensive drain network found throughout the region today is evidence of the works that were required to make the area habitable for settlement.

6.3 Vegetation

The vegetation within the activity area in 1750 (& on European arrival to the area) consisted of the Ecological Vegetation Class (EVC): Swampy Riparian Woodland/Swamp Scrub Mosaic (Map 4). The Swampy Riparian Woodland is described as woodland generally occupying low energy streams of the foothills and plains. The lower strata are variously locally dominated by a range of large and medium shrub species on the stream levees in combination with large tussock grasses and sedges in the ground layer; whereas Swamp Scrub is made up of closed scrub at low elevations on alluvial deposits along streams or on poorly drained sites with higher nutrient availability. This EVC is dominated by Swamp Paperbark *Melaleuca ericifolia* (or sometimes Woolly Tea-tree *Leptospermum lanigerum*) which often forms a dense thicket, out-competing other species. Occasional emergent eucalypts may be present. Where light penetrates to ground level, a moss/lichen/liverwort or herbaceous ground cover is often present. Dry variants have a grassy/herbaceous ground layer (DSE 2010c).

Such an environment, consisting of swampy scrub and thicket would have been restrictive to early settlement. However, due to the want for additional settlement and pastoral areas by European settlers, major and minor drainage of the swamplands has been conducted since the mid-1800s (See section 6.2.1). Since being drained (since around 1870s to 1880s; Roberts 1985: 9-10), the activity area has been cleared and repeatedly ploughed. As a result, no original vegetation exists.



- Denotes Activity Area 688 Swampy Riparian Woodland 897 Plains Grassland
Swamp Scrub Mosaic Plains Grassy Woodland Mosaic

Legend:

Map 4 1750 Ecological Vegetation Classes of the Activity Area (after DSE 2010b)

Archaeology At Tardis Pty Ltd, cultural heritage advisors

7 HISTORIC CULTURAL HERITAGE ASSESSMENT

7.1 Background

The background research conducted for this HCHA has been assembled by Louise Blake (Archaeology At Tardis Pty Ltd Historian) to investigate the history of the activity area and surrounds via Title searches and other available documentation, most of which is presented below (with minor edits). The entire Blake report is presented in Appendix 8.

This research has been conducted using previously published material, as well as a range of public records, including land titles. The activity area was not inspected for the purposes of this report and current landowners did not need to be contacted.

7.2 Land Use History of the Activity Area

7.2.1 Thematic History

Pastoral Era

Permanent settlement began in the Port Phillip district in the mid 1830s following the arrival of the first ‘overlanders’ droving stock from New South Wales. Squatters began flooding into the district, bringing with them sheep and cattle to occupy what seemed like an abundant supply of grazing land. Squatting was legalised in 1836 with squatters being charged a license fee of £10 for a ‘run’. Dingle (1984: 25) writes that these runs were often quite large and were determined by the number of stock that could be grazed on them with minimal labour. The runs had few fences or buildings, apart from a hut and fencing around holding yards, and the land wasn’t cultivated. By 1840, 481 people held pastoral licenses in Port Phillip. By 1845, less than half these people remained (Dingle 1984: 27).

Squatters began taking up pastoral runs in the Western Port District, of which Berwick was a part in the late 1830s and early 1840s. Access to water was an important factor in the location of runs, and Cardinia Creek bordered several runs in the district. The activity area is located in part of the 3,200 acre Garem Gam run (Figure 1) which had been settled around 1837, but not licensed until 1841 by Dr James Bathe and TJ Perry (Berwick-Pakenham Historical Society [BPHS] 1982: 2). Parts of the run were subsequently leased by a number of parties until the 1850s.

From 1847 lease holders were given the option of taking up a pre-emptive right on their land - a long term lease - at the end of which lease holders could purchase up to 640 acres of the run, which usually included a homestead and adjoining land (Nelson & Alves 2009: 29). Several pre-emptive rights were taken up on land in the vicinity of the activity area but not in the activity area itself.



Following these first sales a series of *Land Acts* were passed opening up land in Port Phillip for selection. The most successful of these was the 1869 *Land Act*. Selectors held the land under license to the Crown for three years and in that time they had to undertake a range of improvements, including fencing, cultivation and construction of a permanent residence (Nelson & Alves 2009: 32). At the end of the three years the selector could either buy the land outright or apply for a seven year lease, and continue paying rent towards the purchase price of £1 per acre. The combination of these conditions and the security that a long term lease provided saw the land transformed. In the first Crown Land sales the allotment now part of the activity area was Crown Allotment 26, which was purchased by William John Turner Clarke in 1854 together with allotments 25, 35, 36, 37 and 38 (Figure 2).

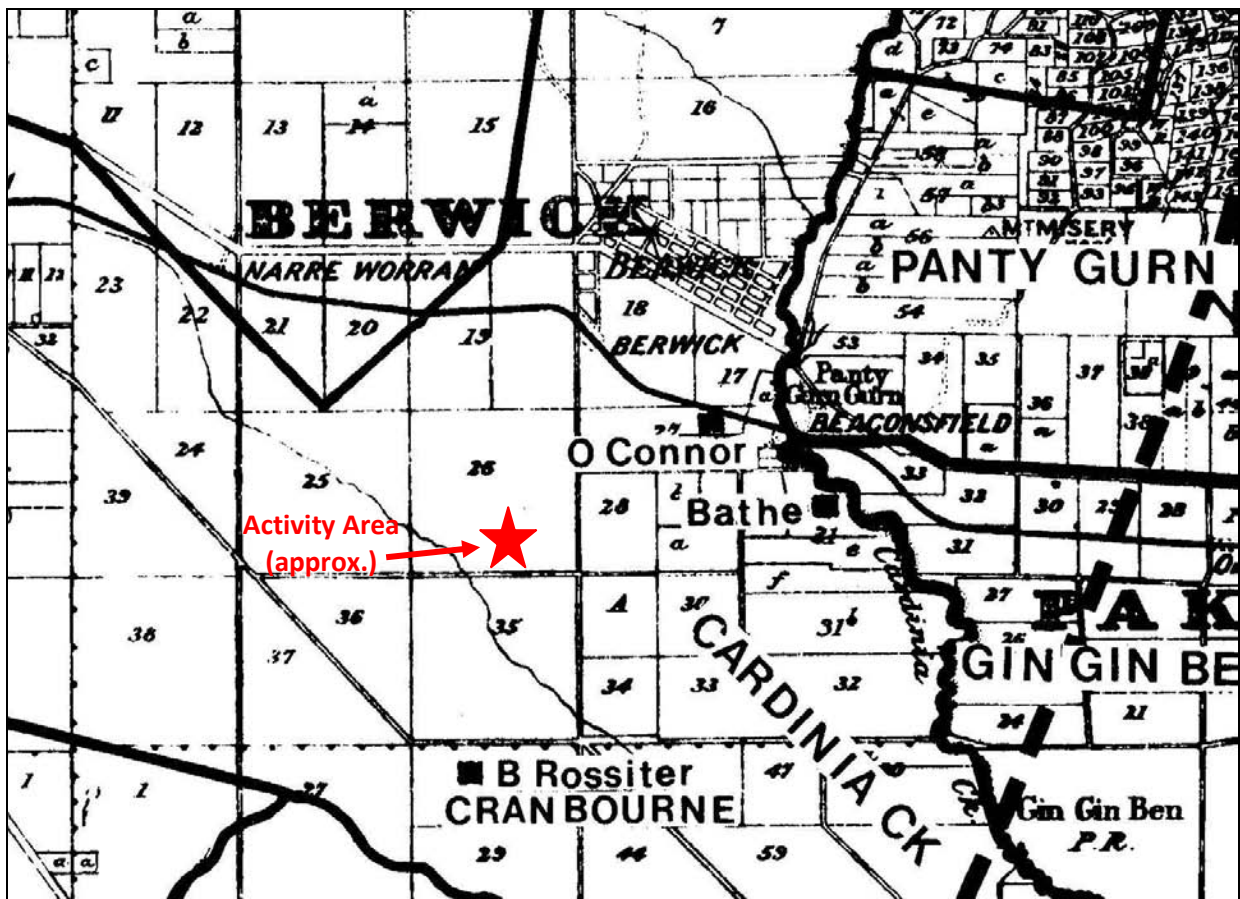


Figure 2 Run Plan Showing Crown Allotments in the Activity Area Region (after Spreadborough & Anderson 1983: 335)

It was after the introduction of these Land Acts that drainage works began in the broader region. The first works on the main channel on western side of the Great (Koo-Wee-Rup) Swamp were commenced in February 1876 by land owners. This channel, located in the vicinity of Cardinia Creek, was 8m wide at the surface, 1.2m deep and 6m wide at the bottom. From this time, a multitude of drains have been, and are continuing to be constructed. It is unclear precisely when the drain along the western and southern boundaries of the activity area was constructed. However, from available maps, it can be determined that it was constructed between January 1892 and December 1936 (NLA 2010 – Photo Lithograph at the Department of Lands and Survey Melbourne 20.1.92). By 1940, many smaller drains had been constructed within the activity area (Figure 3).

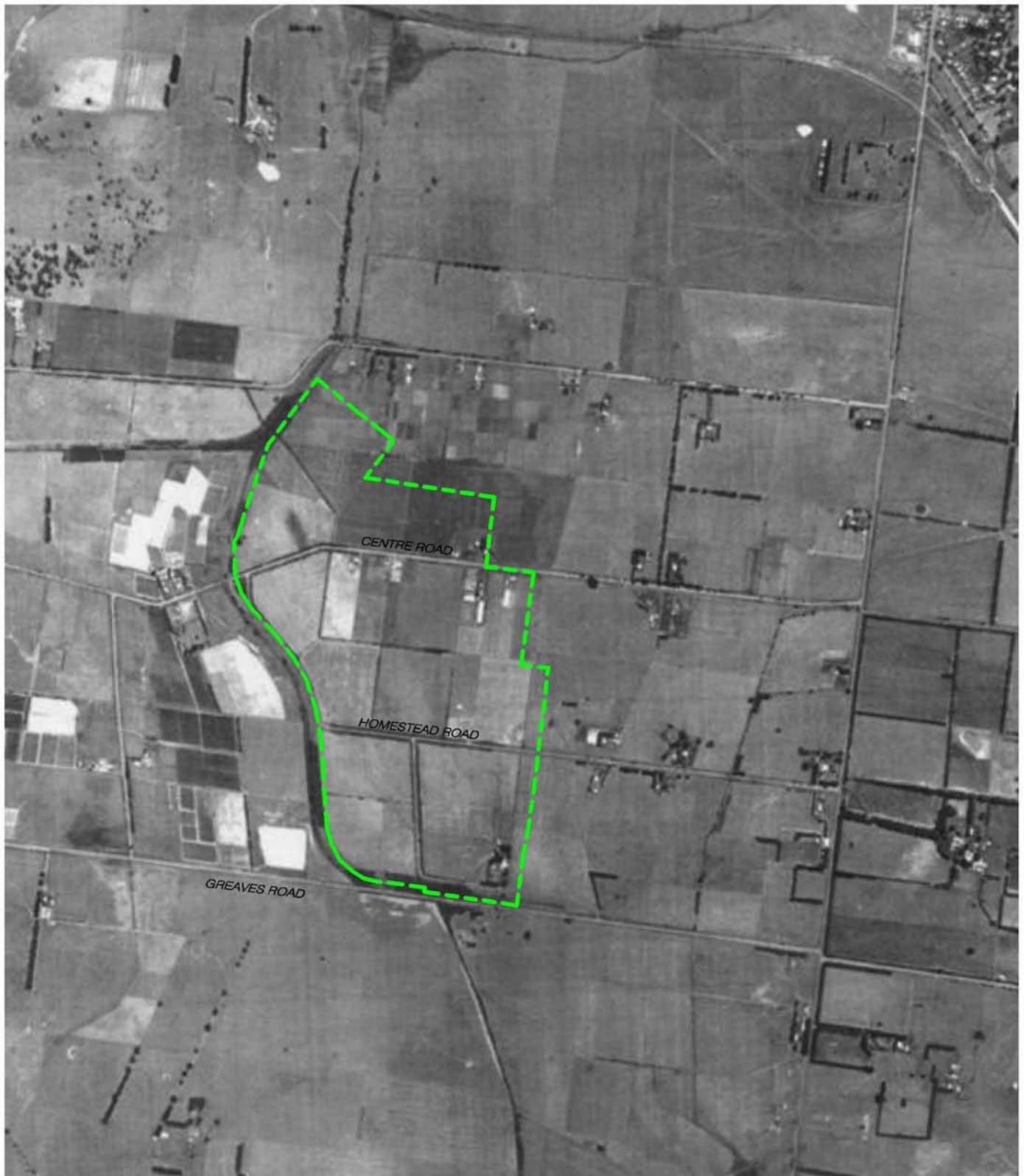
Note: Tables 2 to 7 detail the history of landownership in the activity area, based on the evidence available. They do not represent a comprehensive list and there may be other landowners that are yet to be located. In some cases the names of leaseholders are listed.

Closer Settlement


In 1922 part of the Springfield estate (see Section 6.2.3) was purchased by the Government as part of the Closer Settlement scheme. The scheme was a response to an increased demand for agricultural land following the 1890s depression and government concerns that those seeking land might move to other colonies. The *Land Act 1898* enabled the Government to purchase large estates and subdivide them into smaller farming allotments, allowing more people to settle on the land (Nelson & Alves 2009: 285).

Settlers acquired the allotments under a conditional purchase lease, eventually enabling them to apply for a Crown Grant to the land. Following the end of World War I Soldier Settlement schemes were established with the same principles but with more generous conditions. Settlers in both schemes were expected to live on the land, fence it, destroy vermin and weeds, and undertake other improvements before they were entitled to the Crown Grant. This scheme had mixed success, in some areas due to the unsuitability of the land and inexperience of the settlers.

As shown in photograph 2, in 1966 the study area was used for pastoral and some market garden activities, possibly continuing its land use established during the closer settlement scheme. Market gardens were once common within sandy areas of Berwick, in 1966 west of the Hallam Main Drain contained extensive market gardens. Regrowth Ti-Tree has colonized both sections of the drain embankments and roadside reserves. The study area has been subject to repeated ploughing and exotic species have been planted as windbreaks. Comparison between Photograph 1 & 2 shows that the vast majority of extant structures post date 1966, and those that do remain have been subject to redevelopment. There are no locations where structures existed in 1966 and could now be potential in an historic archaeological context – all locations have been developed. The only consistent element between the two periods is a line of vegetation that extends from north of Centre Road both within the road reserve and along fence lines (windrow) to Homestead and Ward Road.



Legend:

-  Denotes Activity Area
73.55 hectares (approx)

0 0 500
Scale of Metres




Zone 55

Photograph 2 1966 Aerial Photograph of the Activity Area
(Melway Ref: 130 J1)

7.2.2 Specific History

The following section provides details of the land ownership and use of each allotment in the activity area since the first Crown Land sales in the 1850s.

Crown Allotment 26 (CA 26)

CA 26 was purchased by William John Turner Clarke in 1854 as part of a larger estate that included CA 25, 35, 36, 37 & 38. Clarke was born on 20 April 1805 in Somerset, England and immigrated to Tasmania in 1829. Prior to his purchase of the Berwick land he had acquired land in Tasmania and New South Wales, as well as land elsewhere in the Port Phillip district. Anderson (Australian Dictionary of Biography 2010) writes that Clarke was known “generally as ‘Big’ Clarke and ‘Moneyed’ Clarke, he was widely feared for his ruthless land hunger, but respected for consummate ability in pursuit of fortune. He never meddled with agriculture but stuck to the ‘raising of sheep’ as a ‘better paying game’, and to his great profit he introduced the Leicester breed of sheep into Australia”. Clarke lived in Tasmania until 1850 and between 1856 and 1870 almost continuously represented the Southern Province in the Victorian Legislative Council. He died at his home ‘Roseneath’ in Essendon on 13 January 1874. His son Sir William John Clarke inherited his father’s Victorian properties, worth approximately £1,500,000, as well as estates in Tasmania, South Australia and New Zealand (Australian Dictionary of Biography 2010).

Following the purchase of the Berwick estate, initially known as ‘The Springs’, a homestead was built on the property. Springfield Homestead is the earliest remaining building associated with Clarke’s estate and, together with the Old Cheese Factory (approximately 500m east of the activity area) constructed in 1875, is listed on the Victorian Heritage Register, Register of the National Estate and is subject to the City of Casey Planning Scheme Heritage Overlay (see Section 10). One of the first tenants on the property is said to have been Robert Henry, who had previously managed Clarke’s properties at Cape Schank and Orbost (Henry 1966: 29). Henry is credited with discovering an outbreak of pleuro-pneumonia amongst the Shorthorn cattle on the Berwick property, which resulted in the slaughter of the herd near the corner of Greaves and Pound Roads (Henry 1966: 30). After Henry the property was occupied by the McDonald brothers who took up the lease in the 1860s and ran it as a dairy farm complex. Murdoch McDonald managed the farm and cheese factory until the 1880s. During McDonald’s tenure the property is believed to have been used as a holding paddock for Clarke’s Gippsland cattle (Rocke 1994: 7). During the 1880s other tenants took up other sections of the Clarke estate. In the Shire of Berwick Rate Book for 1889/90 grazier Frederick Poole is listed as a tenant on 640 acres valued at £140, while Edwin Greaves and his wife were leasing 314 acres and the house (PROV: VPRS 16166/P1, Unit 11). Greaves later took over the lease of the entire property.

In 1904 the Clarke property was sold by Sir Rupert Havelock Turner Clarke and his mother Lady Janet Marion Clarke, the executors of Sir William John Clarke’s estate. William Wilson (the younger) purchased CA 26, which included Springfield Homestead, the cheese factory, and 652 acres 2 roods and 30 perches (Certificate of Title 3184/625). John Sweeney purchased the allotment that adjoined his property. Edwin Greaves purchased the remainder of the Clarke property and built a brick home in the Queen Anne style. Greaves’ property, known as ‘The Springs’ is also listed on the Victorian Heritage Register and subject to the City of Casey Planning Scheme Heritage Overlay (see Section 10).

It is not known to what extent the land specifically within the Berwick Waterways activity area was used during its ownership and occupation by the Clarke family and its tenants. Springfield Homestead and the Old Cheese Factory, now preserved as a Historic Interest Reserve, are well documented but the use of the surrounding land has not been ascertained beyond its use for grazing and perhaps as part of the dairy farm complex.

After William Wilson the younger purchased his portion of the property in 1904 it was leased to James Moore Macartney for a period of three years (PROV: VPRS 460/P0, File 34782), followed by the Anderson brothers. The last tenants were the Willmott family who used the property to train ponies and run dairy cattle (Heritage Victoria 2010).

Table 2 Selection and Early Freehold – Crown Allotment 26

Date	Name	Comments	Reference
18 July 1854	William John Turner Clarke	Granted CA 25, 26, 35-38. Leased by various tenants	AP34782
1874	Sir William John Clarke	WJT Clarke died 1874; son acquires real estate. Leased by various tenants	ADB
1897	Sir Rupert Havelock Turner Clarke & Lady Janet Marion Clarke	WJ Clarke dies 1897; probate to son and widow	PROV, VPRS 28/P2, Unit 471, 66/038, Probate
1904	William Wilson the younger	Clarke family sell estate, Wilson acquires CA 26, Sweeney and Greaves purchase remaining allotments	AP34782
1924	Crown	Purchased for Closer Settlement	Certificate of Title 3184/625

Closer Settlement Allotments

The Closer Settlement scheme on the Springfield estate (part of the Hallam Valley Settlement Scheme) was managed by the State Rivers and Water Supply Commission, who were responsible for schemes in irrigation areas. The land was purchased in 1922 and subdivided in 1927 and was intended to be used for market gardening (Context Pty Ltd 2004: 16). Crown allotments 18-32 (Figure 2) in the activity area were part of this scheme, which also included the land occupied by Springfield Homestead and the Old Cheese Factory. Some of the initial settlers of the scheme were funded by the Australian Jewish Land Settlement Trust, which had its beginnings in the Jewish Agricultural Settlement Trust established by members of Melbourne's Jewish community in 1913 (Turnbull 1995: 42-43). The Trust petitioned the Closer Settlement Board to allow Jewish refugees to purchase allotments under the scheme and in 1913 funds were used to support a scheme at Orrvale in Shepparton. Following the success of the scheme in Shepparton, the Trust purchased land in the Hallam Valley Settlement Scheme in Berwick. Turnbull (1995: 46-47) writes that there were several reasons why the Trust selected Berwick. The area's proximity to Melbourne meant that the Trust executive could be more involved in the establishment and management of the settlement, as well as providing greater access to Closer Settlement and Land's Department personnel. The Trust felt that market gardening would enable them to establish more settlers on the land – more value for their funds – than other forms of farming; and access to water was promising.

Within the activity area, closer settlement allotments 18-21 were among those initially occupied by settlers funded by the Australian Jewish Land Settlement Trust (Figure 3). Some had moved to Berwick from Shepparton, where the Shepparton settlers had initially given them work experience (Turnbull 1995: 39). Files kept by the Closer Settlement Board (later known as the Closer Settlement Commission) indicate there was a high turnover of settlers on these allotments. Some had made improvements on their land in accordance with the conditions of their lease; others had their leases cancelled for 'non-compliance'. Scholars have noted that the Hallam Valley Settlement Scheme was not a success, due "to the inexperience of the settlers not used to running small farms, and to the lack of suitable markets" (Context Pty Ltd 2004: 16). Turnbull notes that when prices dropped the Jewish settlers simply left their properties. "These settlers were too inexperienced to compensate for their losses with greater and greater productivity, to cope with the lower and lower prices...In despair, the farmers simply left their crops to rot in the ground, and departed for the city" (Turnbull 1995: 51).

This was quite a change from the idyllic picture painted in 1928 by the 'Australian Jewish Herald': bright settlers keen to settle on their land; government-built houses surrounded by vegetables, and the "cackling sounds of pedigreed poultry (Turnbull 1995: 50-51). The flood prone nature of the area may have also inhibited success.

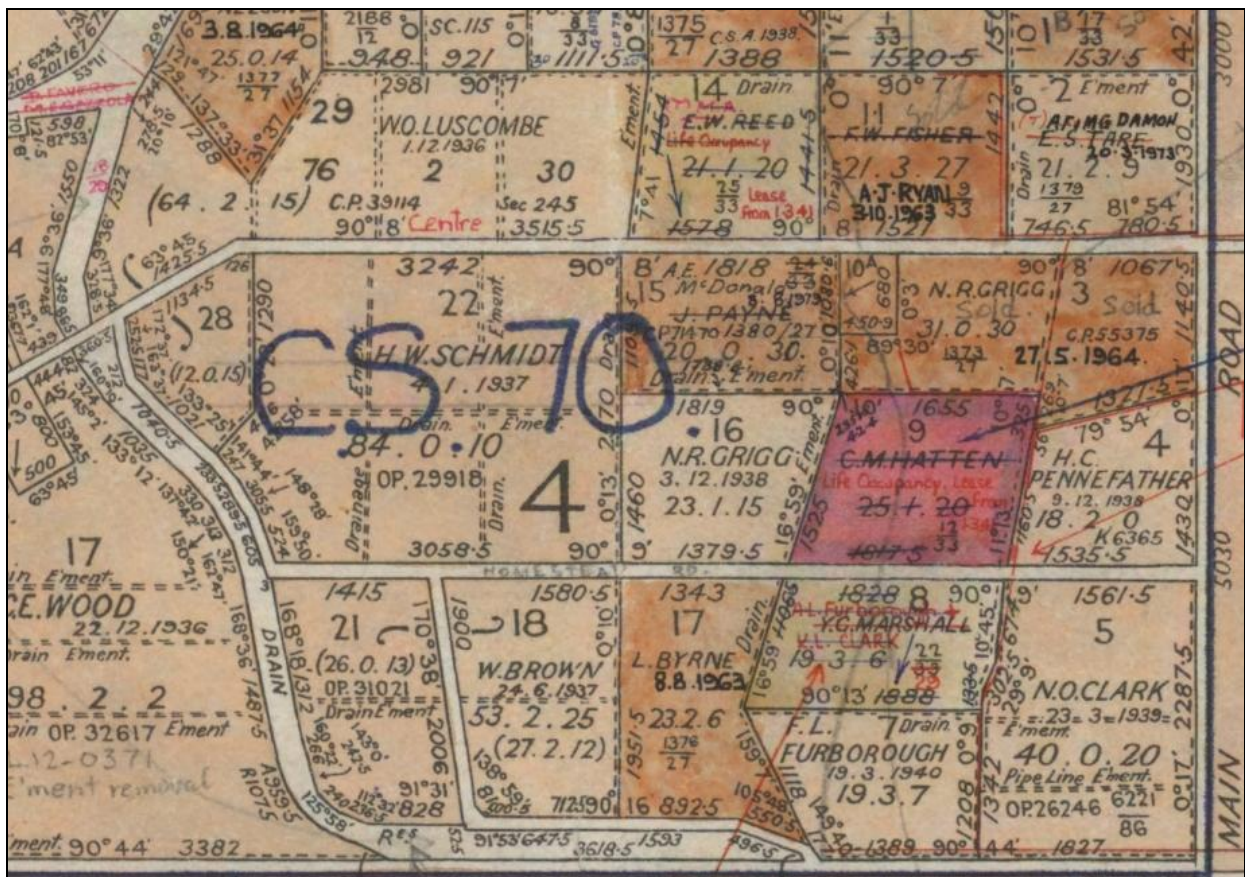


Figure 3 Berwick Parish Plan – Closer Settlement Allotments
(PROV: VPRS 16171/P1, Imperial Measure B2131, c. 1940)

Details of the occupation of these allotments are discussed below.

Allotments 18-21 (Table 3)

In 1927 Roy Taylor, a carpenter with a house in Northcote, applied for several allotments in the settlement including Allotment 18, but this was later cancelled due to “inadaptability”. Morris Firer, another Jewish settler from Shepparton then applied for Allotment 18. When he inspected the property he noted that some of the iron had been removed from the shed, the copper had been broken and there were no pipes to the troughs. A Closer Settlement Board memo dated 6 March 1930 noted the value of the improvements on the allotment, which included water piping and outbuildings, but also noted that the dwelling on the holding that was insured for £340 was destroyed by fire on 5 February 1930. Firer’s lease was later cancelled and transferred to Allotment 31 in an adjoining section of the settlement. The file notes that Firer took some of the materials from one of the sheds with him to his new allotment (PROV: VPRS 5714/P0, Unit 2435, File 241).

Another Jewish settler applied for a conditional purchase lease on Allotment 19 but this was cancelled for “non compliance”. Mordeka Eizenberg, also funded by the Trust, applied for Allotment 20 but his lease was later cancelled (PROV: VPRS 5714/P0, Unit 2435, File 241).

Chiel Goldberg was the first to apply for a conditional lease on Allotment 21. On the application he stated that he was 38 years old and married with one child. He had been a boot-maker and saddler in Poland, but had done some market gardening in Germany while a prisoner of war. He wanted to settle on the Berwick land “to get near Polish friends”. Goldberg occupied the land between 20 November 1927 and 18 January 1928 and in that time had laid piping and fittings and cultivated the land with a ½ acre of beans and 3 acres of potatoes. A memo on file noted that “through neglect of cultivation and provision for surface drainage, both these crops were not worth harvesting”. Goldberg was followed by Jacob Hayat, whose father Abraham had also settled at Berwick. When Jacob Hayat applied for the land on 11 June 1928 he indicated that he had already been working the allotment, had planted 6 acres of oats, ½ acre of mixed vegetables and was preparing the land for orcharding. He added that if he was granted the land he would also run poultry. It is not clear how long Hayat remained on the allotment but Turnbull (1995: 43) notes that by 1938 he and his father were back in Shepparton (PROV, VPRS 5714/P0, Unit 2435, File 241).

In 1937 Herbert Lippold put in a tender for Allotments 18-21. Lippold stated he was a real estate agent in Dandenong and wished to purchase the lease for £910. The property would be worked by a friend on his behalf. A letter to the Closer Settlement Commission dated 29 June 1937 noted that the “house and sheds” on the allotments had been insured by Liverpool London and Glove Insurance Company. Over a year later AL Gardiner of Berwick indicated he had purchased the lease from Lippold at the same price. However on 1 January 1940, William Brown of ‘Glenburnie’ in Berwick wrote to the Closer Settlement Commission enquiring about leasing nearby paddocks for grazing. Brown stated that he was based in the Hallam Valley estate on Allotments 18-21. Brown was later granted the allotments totaling 53 acres 2 roods and 25 perches (PROV: VPRS 5714/P0, Unit 2435, File 241).

Table 3 Closer Settlement – Crown Allotments 18-21

Date	Allots	Name	Comments	Reference
1927	18	Roy Taylor	lease cancelled	PROV, VPRS 5714/P0, Unit 2435, File 241
c1929	18	Morris Firer	lease transferred to allotment 31	PROV, VPRS 5714/P0, Unit 2435, File 241
1927	19	Boris Brown	lease cancelled	PROV, VPRS 5714/P0, Unit 2435, File 241
1927	20	Mordeka Eizenberg	lease cancelled	PROV, VPRS 5714/P0, Unit 2435, File 241
1927	21	Chiel Goldberg	Occupied the land for 2 months	PROV, VPRS 5714/P0, Unit 2435, File 241
1928	21	Jacob Hayat	Was back at Shepparton scheme in 1938	PROV, VPRS 5714/P0, Unit 2435, File 241
1937	18-21	Herbert Lippold		PROV, VPRS 5714/P0, Unit 2435, File 241
c1840	18-21	William Brown	Granted land in 1941	PROV, VPRS 5714/P0, Unit 2435, File 241

Allotments 22-27

These allotments were in the Hallam Valley Settlement Scheme but files relating to their occupation have not been examined. On 4 January 1937, all six allotments (amalgamated as Allotment 22) were granted to Henry Walter Schmidt of Sandringham (Certificate of Title 6313/470).

Allotments 28-32 (Table 4)

Frank Riggio, another settler who may have been supported by the Jewish Trust, applied for Allotment 28 in 1927, but by 1936 he was no longer living on the property. A valuer who inspected the property prior to its sale noted the house, sheds and fencing on the property, but recommended that these be sold and removed and the land amalgamated with the adjoining property. The valuer also noted that the land was wet and subject to flooding (PROV: VPRS 5714/P0, Unit 2423, File 245).

From approximately 1927 to 1934 Allotment 29 was occupied by Ian Lomax Baird and his mother Mary, who had both previously lived at Apollo Bay. At the end of Baird's lease the Closer Settlement Commission Inspector for Narre Warren noted that the property had a five-roomed weatherboard house, cow shed, pig sty and chicken house. The property was fenced and there were six paddocks. The Inspector described the farm as "flat black clay soil reclaimed from a swamp area and comparatively well drained. Although having a measure of fertility it is lacking in humus and consequently remains wet in winter and dries out in summer" (PROV: VPRS 5714/P0, Unit 2423, File 245).

Walter Frederick Burrage, a carpenter from East Preston, applied for Allotment 31 but this was later cancelled. Abraham Hayat applied for Allotment 32 in 1927 but this was also cancelled due to “non-compliance” (PROV: VPRS 5714/P0, Unit 2423, File 245). As mentioned previously, Hayat and his son later returned to Shepparton.

William Oswald Luscombe acquired the lease to allotments 28-32 around 1936. In November 1938 he contacted the Closer Settlement Commission regarding interest payments that were due and described how he was using the land. He had 15 milking cows, 7 heifers, 3 horses, 1 bull, 1 brood sow and 9 porkers ready for sale. He was growing hay for stock feed, and maize. The file indicates that Luscombe struggled to keep up his interest payments, particularly during the late 1930s and 40s. Inspector Chippindall noted in 1940 that the property was operating as a dairy farm milking about 16 cows, but was not “being worked to its fullest capacity due to lack of capital”. Chippindall’s annual reports indicate Luscombe struggled on during the 1940s, earning a ‘good’ or ‘fair’ assessment, but was suffering from poor health. In 1947 he was issued with the Crown Grant to allotments 28 and 29, amounting to 76 acres 2 roods and 30 perches (PROV: VPRS 5714/P0, Unit 2423, File 245).

Table 4 Closer Settlement – Crown Allotments 28-32

Date	Allots	Name	Comments	Reference
1927	28	Frank Riggio	Lease cancelled 1936	PROV, VPRS 5714/P0, Unit 2423, File 245
1927	29	Ian Lomax Baird		PROV, VPRS 5714/P0, Unit 2423, File 245
c1927	31	Walter Frederick Burrage	Lease cancelled	PROV, VPRS 5714/P0, Unit 2423, File 245
1936	28-32	William Oswald Luscombe	Granted land in 1947	PROV, VPRS 5714/P0, Unit 2423, File 245

7.2.3 Post-Closer Settlement

By the late 1930s there were three landholders in the activity area: William Brown, allotments 18-21; Henry Walter Schmidt, allotment 22; and William Oswald Luscombe, allotment 28 and 29. Gradually, each property was sold and further subdivided into the smaller allotments occupied at the present time.

Allotments 18-21 (Table 5)

Following Brown’s acquisition of the Crown Grant in 1937 the allotments were acquired by Cedric George Ward in 1943, followed by Terence and Doreen Rutherford. In the 1980s allotments 18 and 19 appear to have been subdivided into four separate allotments, while 20 and 21 remained together.

Table 5 Post Closer Settlement – Crown Allotments 18-21

Date	Allots	Name	Comments	Reference
1943	18-21	Cedric George Ward	Farmer	Certificate of Title 6489/783
1973	18-21	Terence & Doreen Rutherford	Terence's occupation is carrier	Certificate of Title 6489/783
1996	Lot 1 18-19	Gangodawila Soma	Buddhist monk	Certificate of Title 10124/981
2004	Lot 1 18-19	Buddist Vihara Victoria Inc	Established Buddhist temple	Certificate of Title 10124/981
1993	Lot 2 18-19	Saida Ayoub Salama El-Hennawy		Certificate of Title 10124/982
2004	Lot 2 18-19	Orient Trading Company Pty Ltd		Certificate of Title 10124/982

Allotment 22 (Table 6)

Schmidt's allotment was purchased by Rupert Ryan and Ethel Marion (Maie) Sumner Casey of 'Edrington' in 1940. Maie Casey (Lady Casey) was married to Richard Casey (Lord Casey) and Rupert Ryan was her brother. It is not known what use Rupert and his sister made of the land. After they had inherited 'Edrington', it was Rupert who settled on the main property and built it up into one of the largest Romney Marsh studs in the State (Australian Dictionary of Biography 2010). Maie and her husband split their time between Canberra, Berwick and East Melbourne. At the time of the purchase, Maie was overseas with her husband, who had been posted to Washington and later Cairo (Australian Dictionary of Biography 2010). In purchasing this section of the former Clarke estate, Rupert and Maie had returned it to the family. Their father, (Sir) Charles Snodgrass Ryan, was cousin to Lady Janet Marion Clarke, wife of Sir William John Clarke. After Rupert died in 1952 Maie became the sole proprietor for a number of years. Around 1960 the land was subdivided into 16 smaller allotments.

Table 6 Post Closer Settlement – Crown Allotment 22

Date	Allots	Name	Comments	Reference
1940	22	Rupert Sumner Ryan & Ethel (Maie) Marion Sumner Casey	Maie Casey became sole proprietor in 1958	Certificate of Title 6313/479
1958	22	John & Katheryne Keane	John listed as farmer. Land subdivided in 1960s into 16 smaller allotments	Certificate of Title 6313/479

Allotments 28-32 (Table 7)

Following Luscombe's acquisition of the Crown Grant, the allotments appear to have remained in single ownership until at least the 1970s. Most of the proprietors during this time gave their occupation as farmer.

Table 7 Post Closer Settlement – Crown Allotments 28-32

Date	Allots	Name	Comments	Reference
1950	28-32	Ira Arthur John	Farmer	Certificate of Title 6971/051
1951	28-32	Alexander McKay Bransgrove	Dairy farmer	Certificate of Title 6971/051
1953	28-32	Arthur & Pearl Cook	Arthur listed as farmer	Certificate of Title 6971/051
1955		John Walsh	Farmer	Certificate of Title 6971/051
1969		Ronald & Heather Stephens	Ronald listed as farmer	Certificate of Title 6971/051

8 EUROPEAN IMPACT ON THE ACTIVITY AREA

Prior to closer settlement of the activity area, the general region was utilised for grazing livestock. It is unclear whether the activity area was used for this purpose specifically, but it can reasonably be expected that this was the case; though likely only during drier periods due to its swampy nature.

During the closer and soldier settlement periods, market gardening was conducted within the activity area with what appears to be little success. A high turn-over of settlers within the activity area has been cited as being due to a number of reasons such as farming inexperience, lack of suitable markets, destruction by fire, neglect of cultivation, poor drainage and lack of funds. However, it was also during this period, around the early 1920s, that the first structures were noted within the activity area. Also, by 1940, numerous drains had been constructed throughout the activity area including the main drain along the western and southern boundaries (Figure 3).

From around the 1930s onwards, the land has mostly been utilized for farming, with later subdivision attracting some small industry and recently a Buddhist Church/Temple.

Activities associated with settlement that have impacted the activity area include:

- Clearing of vegetation;
- Drainage works;
- Long term grazing;
- Repeated ploughing;
- Construction of dwellings and industrial buildings;
- Installation of associated infrastructure (e.g. power, water, electricity *etc.*); and
- Road and path construction.

Of the above activities, all of the above activities have potential to damage or destroy historic cultural heritage and/or archaeological values that may have previously existed. However, it is considered unlikely that any such values were/are present due to the swampy nature of the activity area.

9 PREVIOUS HISTORIC CULTURAL HERITAGE REPORTS

The presentation of previous assessments aims to inform of known archaeological sites and resources of the broader region and assist in establishing a site prediction model for the activity area. Summaries of previous relevant assessments in the Berwick area are presented below.

A search of the Heritage Victoria Register indicates that the activity area has been subject to previous historic cultural heritage assessment on two separate occasions (Bell 2006; Murphy 2004). Following is a summary of both of these reports.

In addition, there have been 19 assessments conducted within the Berwick area. These assessments are summarized in Table 8.

In **2004**, **Murphy** conducted a cultural heritage assessment of land around **Centre, Ward and Homestead Roads, Berwick** where a residential development was proposed. Murphy's assessment area included the entire activity area as well as the Melbourne Water Retarding basin land north of the north-western corner of the activity area (Map 2). As part of her assessment, Murphy conducted ground surface survey; however, no historic archaeological sites or areas of archaeological potential were identified. In conclusion, Murphy stated that no further historic or archaeological investigations are required prior to re-development.

Lots 1 (TP85701) and 4 (LP52810) Homestead Road, Berwick (Map 2), located adjacent to and within the eastern activity area boundary, were subject to desktop assessment in **2006** by **Bell**. The review of historic plans and local histories that bell conducted did not identify any potential historic sites. This result prompted Bell to conclude that the location has low potential for historic sites and that no constraints on the proposed residential development relating to historic cultural heritage values exist.

Table 8 Previous Historic Cultural Heritage Assessments in the Berwick Area

Author & Date	Assessment Type	Location	Areas of Historic Archaeological Potential	Historic Heritage Sites Identified
Historic Buildings Council 1989	General survey	Land either side of a 44km section of Princes Highway between Berwick and Pakenham (within 2km north of the activity area).	Historic precincts including: Main Road, Bunyip; Main Street and Railway Avenue, Garfield. Also, Doveton's industrial strip and timber tramway remains.	110 buildings and sites were identified and included 6 buildings of national or state significance, 21 buildings of regional or local significance and 88 buildings of architectural or historic importance to the local area.
Hicks 1991	Desktop	Berwick to Pakenham Growth Corridor	None within Activity area – numerous within corridor (Appendix 8)	None within Activity Area
Sciusco 1996	Ground surface survey	Land bound by O'Shea, Soldiers, Grices and Clyde Roads, Berwick (1km southeast of the activity area).	None	None
Cekalovic 1999a	Ground surface survey	Fairholme Boulevard, Berwick (2.2km east-northeast of the activity area).	None	None
Nicolson 1999	Ground surface survey	Corner of Princes Highway and Bryn Mawr Boulevard, Berwick (3km east-northeast of the activity area).	None	None
Cekalovic 1999b	Ground surface survey	Canning Drive, Berwick (2.4km east-northeast of the activity area).	None	None
Di Fazio 2001	Ground surface survey	Canning Drive, Berwick (2.4km east-northeast of the activity area).	None	None
Haley & Weaver 2001	Ground surface survey	Moondarra Drive, Berwick (800m south-southeast of the activity area).	None	None
Stone 2002	Desktop assessment	Gum Scrub Creek and Officer Drain Catchments, Officer (4km east of the activity area).	None	None

Author & Date	Assessment Type	Location	Areas of Historic Archaeological Potential	Historic Heritage Sites Identified
Murphy 2002	Ground surface survey	Corner of Princes Highway and Bryn Mawr Boulevard, Berwick (3km east-northeast of the activity area).	None	D7921-0057 – brick and cement rendered trough; 4 mature English Oak and several cypress trees (not recorded).
Bell 2003	Desktop	Monash University Berwick Campus Clyde Road, Berwick	None	None
Murphy & Amorosi 2003	Subsurface testing and monitoring	Corner of Princes Highway and Bryn Mawr Boulevard, Berwick (3km east-northeast of the activity area).	None	D7921-0060 – historic artefact scatter.
Muir 2003a	Ground surface survey	500m wide corridor of land either side of Clyde Five Ways Road between Grices and Ballarto Roads, Clyde North (2km south-southeast of the activity area).	A site of a structure immediately south of the proposed Camms Road, west of Berwick-Cranbourne Road indicated by Hawthorn bushes, tree rows associated with the Carcoola and Tulliallan properties, and numerous cypress rows and Hawthorn hedges.	An historic artefact scatter, cypress trees and a weatherboard cottage were noted but not recorded.
Muir 2003b	Ground surface survey and subsurface testing	South side of Berwick Cranbourne Road where the former South Gippsland Railway crosses – Casey Fields, Cranbourne East (7km south of the activity area).	Near a corrugated iron dwelling and associated sheds on a hill in the eastern half of the study area.	Timber stock yard, corrugated iron dwelling, Hawthorn bushes and artefacts were noted but not recorded.
Hyett and Myers 2004	Ground surface survey	396-430 Centre Road, Berwick (400m east of the activity area).	The area around site H7921-0085	H7921-0085 – a house site consisting of exotic trees, raised mounds and artifact scatters.
Hyett and Myers 2005	Subsurface testing	396 Centre Road, Berwick (350m east of the activity area).	None	Features and artefacts associated with site H7921-0085.
Muir 2005	Subsurface testing	Pound and Berwick-Cranbourne Roads intersection, Clyde North, Victoria (2km southeast of the activity area).	None	None

Author & Date	Assessment Type	Location	Areas of Historic Archaeological Potential	Historic Heritage Sites Identified
Murphy 2006	Ground surface survey	800 South Gippsland Highway, Lynbrook (11.5km south of the activity area).	Northern area of property	None
Murphy & Dugay-Grist 2007	Ground surface survey	2 to 30 Golf Links Road, Berwick (500m northeast of the activity area).	None	None

D – Heritage Victoria Inventory Site *not* requiring a permit to disturb; H – Heritage Victoria Inventory Site requiring a permit to disturb

10 PREVIOUSLY RECORDED HISTORIC SITES/PLACES

There are seven historic sites previously recorded on various registers within 2km of the activity area. Summaries of these sites are presented in Table 9. Only one of these, Springfield Homestead and The Old Cheese Factory (AHD 5865, HO 5 & 6, NT B3134) is associated with the activity area. This Homestead and Cheese Factory were within the estate known as 'The Springs' which also included the activity area. Although uncertain, it is possible that the activity area was utilized as pasture for cattle during the period (c. 1870's to 1880s) when it was associated with the Homestead (see Section 7.2.3).

Further afield (within 3km of the activity area) there are a further 42 previously recorded historic sites. These include: 22 houses/homesteads, 5 trees, 3 schools, 2 churches, 2 hotels, 2 Mechanics Institutes, a church and school, a quarry and park, a Post Office, a Post Office and courthouse, a hall and a group of shops.

Table 9 Registered Historic Sites/Places within 2km of the Activity Area

Site No. & Name	Site Type	Location	Significance Assessment*
AHD 5865; HO5 & HO6; NT B3134 Springfield Homestead & The Old Cheese Factory	A single- storey house with detached kitchen (homestead), servants quarters & hand-made brick double storey brick building (Cheese Factory)	34 Homestead Road, Berwick	State historic
AHD 19800; HO24; NT T11388 Rusty Gum Myrtle Tree/ <i>Angophora costata</i>	Rusty Gum Myrtle/Smooth-Barked Apple Myrtle/ <i>Angophora costata</i> tree	Reserve Street, near Gloucester Avenue, Berwick	State aesthetic
AHD 19800; HO25 Rusty Gum Myrtle Tree	Rusty Gum Myrtle Tree	Near Clyde Road intersection with Reserve Street, Berwick	Regional aesthetic
H 7921-0085 House Site, Centre Rd, Berwick	Remains of house structure & associated flora	Corner of Centre Road & Gwendoline Drive, Berwick	Local - moderate
HO3 The Springs	1906 Homestead with associated cottage, stables & blacksmith's shed	97-99 Greaves Rd, Narre Warren South	Not assessed
HO79 Glencairn	Homestead & associated plantings?	159-165 Greaves Road, Narre Warren South	Local historic & aesthetic

* As attributed by original recorder; ? – Information not conclusive; H – Heritage Victoria Inventory Site requiring a permit to disturb; HO – City of Casey Planning Scheme Heritage Overlay; NT – Register of the National Trust; RNE – Register of the National Estate; Note: The RNE has been frozen since 2006. This means that no sites can be added to the Register and all sites currently listed are to be considered for other State and Territory or Commonwealth heritage listings.

The number of historic archaeological and heritage sites that have been previously recorded within the region should be seen to reflect the extent and nature of past archaeological and heritage investigations rather than an accurate indication of historic site distribution. The majority of the previously recorded and registered historic archaeological sites within the activity area region have been identified via specific site inspections that focused on extant historic features.

11 HISTORIC SITE PREDICTION MODEL

A site prediction model, based on background information, aims at determining potential for historic heritage and/or archaeological values within the activity area and where those values may exist. Investigation of historic maps, plans, photographs and literature can inform of such information and therefore assist in determining where further investigation via survey is needed; or where subsurface testing, where extant evidence may not be evident, may be required.

However, based on the research conducted for this HCHA, it is considered unlikely that any historic cultural heritage and/or archaeological sites exist within the activity area. This is mainly due to the low-lying, swampy nature of the activity area that hindered early settlement of the area. The occupation history of the activity area attests to this conclusion as it indicates the difficulties that the earliest settlers encountered.

Regionally, there have been multiple historic sites previously recorded; however most are large settlement houses and buildings, and associated floral plantings. There is no potential for any such values within the activity area.

12 AREAS OF HISTORIC CULTURAL HERITAGE SENSITIVITY

In summary, in terms of potential historic sites, these are limited to three allotments.

Allotment 18 once contained a dwelling and several outbuildings; the location of these structures may be those shown in photograph 2 1966 as being in the south eastern corner. However, file notes on this property indicate that the dwelling was destroyed by fire during the 1930s and the outbuildings/sheds were dismantled and removed by a subsequent owner Morris Firer. Allotment 18 is also known to have a house and sheds when tendered for by Herbert Lippold in 1937, indicating re-development of this property.

Allotment 28 was also known to have had structures. A house, sheds and fencing had been established by Frank Riggio sometime after 1927. The valuer recommended that these structures be sold and removed from the allotment. In 1966 there are no structures extant on this allotment, suggesting that the valuer's recommendations were carried out.

Allotment 29 was occupied by Lomax Baird from 1927 to 1934, during which time he established a five roomed weatherboard house, cow shed, pig sty and chicken house in 1934. This property was in use as a dairy farm in 1938 by William Luscombe. In 1966 a small group of structures are evident just north of Centre Road in the south eastern corner of allotment 29; in 2006 the same location shows significant redevelopment and no longer contains the original layout.

The land ownership and history indicates that none of the allotments are now likely to contain significant historic archaeological deposits.

13 GROUND SURFACE SURVEY

Despite the background research indicating that the activity area has little potential for historic cultural heritage or archaeological values, it was considered pertinent to conduct a survey of the activity area to confirm this conclusion.

The methodology and results of the survey are presented below.

13.1 Ground Survey Methodology

The survey consisted of vehicle reconnaissance throughout the activity area by the HCHA authors (Andrea Murphy & Dale Owen) on 4 June 2010. This reconnaissance was considered a preliminary survey which aimed at identifying potential areas and/or features of historic cultural heritage and/or archaeological potential. Any such areas and/or features would then be marked on a map of the activity area and photographed so that they could then be relocated for further investigation if necessary.

The reconnaissance included observing the activity area from the vehicle which was driven along all roads through and around the activity area that afforded visibility. If areas needed closer inspection, the surveyors would then undertake pedestrian survey.

Notes were also taken during the survey where considered necessary.

13.2 Survey Coverage

The vehicle from which the survey took place was driven along all roads within the activity area (i.e. Centre, Homestead & Ward Roads) as well as Motebello Boulevard opposite the main drain along the western boundary of the activity area. From these roads, the entire activity area (100%) was observed.

Due to the 'open' nature of the activity area, limited development and no historic cultural heritage or archaeological potential as identified in the background research conducted for this HCHA, the vehicular reconnaissance was considered to be sufficiently (100%) effective, and that no further investigation is required.

13.3 Ground Survey Results

The vehicular survey is considered to have established the potential historic cultural heritage and archaeological values of the activity area and confirmed the site prediction model (Section 11). That is, the activity area has no specific historic archaeological value.

No existing structures within the activity area were considered to have historic or archaeological value and no areas were identified as having potential to contain subsurface historic deposits. There is also no vegetation that can be attributed as having specific heritage value.

It is evident from the low-lying nature of the activity area, that it is not a location that would have been susceptible to early settlement, particularly considering the higher land within 1km to the east (where the Old Cheese Factory is located) and southwest. These raised, dryer areas would have been much more attractive to earlier settlers than the swampy activity area.

In summary, the ground surface survey has confirmed the site prediction model and established the lack of historic cultural heritage and archaeological value of the activity area. Therefore, no further investigation is required and no historic cultural heritage or archaeological constraints apply to the proposed Berwick Waterways structure plan.

14 HISTORIC CULTURAL HERITAGE ASSESSMENT METHODOLOGY

As no historic cultural heritage or archaeological values or material has been identified during this HCHA, no assessment methodology is presented as part of this report.

15 INTERPRETATION AND DISCUSSION

The results of this HCHA have conclusively determined that the activity area is not sensitive for historic cultural heritage or archaeological values. This conclusion also concurs with the previous assessments that included ground survey of the activity area (Murphy 2004; Section 9).

The low-lying, swampy nature of the activity area was not conducive to early settlement and, rather, would have deterred early settlers from attempting to occupy the location. This is evident from the background research which indicates the first attempted permanent occupation within the activity area did not occur until the early 1920s which was approximately the same period when drainage works began in the area (Section 7.2.3). Further attempts were made following this period to, generally, a lack of success. Previously recorded historic sites in the region are generally located on land of higher altitude.

Even today, very little settlement is present with most of the activity area consisting of grassed paddocks.

16 FACTORS AFFECTING THE RESULTS OF THIS ASSESSMENT

There were no obstacles encountered that impeded the results of the HCHA.

17 CULTURAL HERITAGE MANAGEMENT RECOMMENDATIONS

As no historic cultural heritage or archaeological values exist within the activity area, no management recommendations are required.

However, it is recommended that the brief historic activity associated with the lands former use as the Hallam Valley Settlement be taken into consideration. This (ultimately unsuccessful) scheme was funded by the Australian Jewish Land Settlement Trust, (which had its beginnings in the Jewish Agricultural Settlement Trust established by members of Melbourne's Jewish community in 1913) and as such is the only Jewish settlement scheme apart from Shepparton. Appropriate consideration to this heritage value would be to:

- Include interpretive material into open space;
- Naming of streets *etc.* of prominent persons associated with the trust or individual lease holders or owners within the PSP.

APPENDIX 1 – PROJECT BRIEF



PROJECT BRIEF

1. SCOPE

This request for tender seeks a contractor to prepare a Post-Contact Heritage assessment/report for the areas known as:

PSP 5 - Officer Employment Area;

PSP 9 - Berwick Waterways;

PSP 11 - C21 Business Park;

PSP 12 - Casey Central Town Centre.

The location and boundaries are as per the **attachment** to this specification.

The purpose of this engagement is for the Contractor to provide advice with regard to the post-contact heritage values and management recommendations within the study area.

2. BACKGROUND

CONTRACT DOCUMENTS - RFQ

This contract is one of a group being let for background investigations for PSP preparation. The most critical constraint is time and the contracts must commence April 2010 and be complete June 2010. Time constraints have determined RFQ documents must be in a draft format, at first issue. Therefore RFQ's are 'base case' scenarios, with background information either unavailable or not collated at the time of issue. Consultants must work around this constraint and this will require a refinement of the brief during the tender process (as necessary) and beyond (notionally up to inception and finalisation of the scope of works).

PLANNING CONTEXT

The planning background for the PSPs varies considerably. Some PSPs such as Casey Central Town Centre have significant existing studies and planning associated with them, including previous cultural heritage investigations. Likewise PSP 9 has a partially complete heritage review. Others such as PSP 11 have had little or no work done on them, except for high level planning. It is the responsibility of consultants to inform themselves about the planning context of the individual PSPs as much as possible during the tender process.

SITE CONTEXT

Very little information is available to be issued on the site and local context. This is due to time constraints associated with the tender.

APPENDIX 2 – NOTICE OF THE HERITAGE VICTORIA IDENTIFIER



Department of Planning and Community Development

Ref: 10/015848-01
14 July, 2010

Barry Green
Tardis Enterprises
PO Box 776
Beaconsfield VIC 3807

PO Box 2392
Melbourne 3001
Level 4, 55 Collins Street
Melbourne 3000
Telephone (03) 8644 8800
Facsimile (03) 8644 8811
www.heritage.vic.gov.au

Dear Mr Green

RE: PROPOSED SURVEYS

Thank you for forwarding the completed Notice of Intent to Carry Out an Archaeological Survey forms advising of your intent to conduct historical archaeological survey at the below sites. All future correspondence, including the final reports, must quote the project numbers listed below.

3787	LOT 1, 80 WOODS ROAD, TRUGANINA
3788	LOT 1 AND LOT 2 BAYVIEW ROAD, TOORADIN
3789	254 POUND ROAD & 103 SHRIVES ROAD, HAMPTON PARK
3790	ARARAT WIND FARM
3791	CNR COGHLAN, COWES-RHYLL & SETTLEMENT ROAD, COWES
3792	PSP 9 BERWICK WATERWAYS
3793	PSP 12 CASEY CENTRAL TOWN

Section 131 of the *Heritage Act 1995* requires that copies of all documentation resulting from a survey or investigation must be lodged with Heritage Victoria for management, reference and archival purposes (in the form of site cards and archaeology reports). Comprehensive documentation provides the basis for appropriate management of Victoria's historical archaeological resource. Please note that site cards can now be submitted electronically in most cases.

The technical guide *Guidelines for Conducting Historical Archaeological Surveys* provides details on the statutory processes and required documentation in conducting a survey, completing a Heritage Inventory Site Card and producing the archaeology report. Any incomplete, inaccurate or illegible documentation will be returned for appropriate completion. **As detailed in the technical guide, a report must be submitted even if no new historical archaeological sites have been located during the course of the survey or desktop study. Site cards are due within one month of the completion of an archaeological survey. Archaeology reports are due from the archaeology consultant within one year of the date of completion of the archaeological survey.**

In accordance with Section 132 of the *Heritage Act*, this office must be notified if a historical archaeological site or relic is identified during a survey. This a requirement for all surveys, including those commissioned for Aboriginal cultural heritage investigations.

Should you have any queries or require any further assistance please call Anne-Louise Muir, Acting Heritage Victoria Archaeologist, on (03) 8644 8901.

Yours sincerely

Jim Gard'ner
Executive Director
HERITAGE VICTORIA

APPENDIX 3 - GLOSSARY

Archaeological Site: A place/location of either Aboriginal or non-Aboriginal origin.

Artefact: Any product made by human hands or caused to be made through human actions.

Artefact Horizon: A discernable horizontal distribution of artefacts within an environmental deposit. An artefact horizon has generally suffered a degree of post depositional disturbance that has affected the spatial and temporal integrity of the deposits and associated artefact assemblage.

Artefact Scatter: A surface scatter of historic artefacts of any material type.

B.P.: Before present. The 'Present' is defined as 1950.

Cultural Heritage: Something that is inherited or passed down because it is appreciated and cherished. Categories of cultural heritage include; built structures and their surrounds, gardens, trees; cultural landscapes; sites; areas; precincts; cemeteries; ruins and archaeological sites; shipwrecks; sites of important events; commemorative sites; contents of buildings and significant relics, objects artefacts and collections of objects.

Cultural Landscape Integrity: The level of which the local landscape reflects the environment in which pre-contact Aboriginal people or early European settlers lived. The integrity includes all relevant aspects such as level and type of vegetation cover, hydrology, landforms and structures. A site located in a landscape of high cultural integrity has greater heritage value as it remains in context, and is therefore able to impart a greater level of information to the broader community.

Environmental Deposit: A stratigraphic layer formed by the laying down of deposits by environmental agents such as wind and water. These may bury human artefacts to form stratigraphic layers but do not form occupation deposits.

Ethnography: The scientific description of living cultures.

Heritage Place/Site: An area or region of land that represents a particular focus of past human activity or concentration of *in situ* cultural material. A place includes any structures, buildings or works upon or integral with the land, and any artefacts or other physical relic associated with the land, or it may have no visible evidence of human activity, being rather the site of a past event of importance or the embodiment of a particular belief or legend. Examples might range from an Aboriginal ceremonial ground, a pioneers house and contents, a shop, the remains of an early whaling station or a recent fish farm, Captain Cook's landing place, a 40,000 year old Aboriginal campsite or a 1990s brick-veneer house, a shipwreck, an industrial or mining landscape, a bus stop, a Macassan trepanger campsite or the Surfer's Paradise Caravan Park, a garbage dump, the local war memorial, a garden, an Aboriginal rock painting or a band rotunda.

Historic Archaeological Site: These are places where non-Aboriginal activities have occurred, and which little extant (standing) features remain. The bulk of evidence for historic occupation/utilisation is comprised of remains (artefacts/foundations etc) that are located on the ground's surface or in a sub-surface context. The primary heritage value of an archaeological site is scientific.

Historic Site: Sites/Areas that contain extant (standing) remains of pre-1950 non-Aboriginal occupation. Historic sites may or may not also contain archaeological remains (Aboriginal and/or historic).

Holocene, Recent or Postglacial Period: The time from the end of the Pleistocene Ice Age (c. 10,300 BP) to the present day.

Horizon: A term used to describe a layer of archaeological material that is *in situ*.

Implement: A general term for tools, weapons, *etc.* made by people.

In Situ: Refers to cultural material that is discovered as being undisturbed and considered to be in its original context. That is, material which, when identified is considered to be in the same location when the site was abandoned.

Integrity: The completeness of the place or site. Sites/places of high integrity will adequately demonstrate the significance of a place/site. Integrity is reduced by the disturbance of fabric/deposits or the introduction of unrelated materials/sediments.

0%	No Integrity
0-10%	Very Poor
11-30%	Poor
31-50%	Fair
51-75%	Good
76-95%	Very Good
96-100%	Excellent

Mechanical Salvage: Controlled mechanical removal of ground surface by excavator and trimming bucket in 5 to 10cm layers to record sites using at a minimum a handheld GPS.

Obtrusiveness: refers to how conspicuous a site is within a particular landscape, and thus the possibility of positive identification within a field environment. Some site types are more conspicuous than others are. Thus a surface stone artefact scatter is generally not obtrusive, especially in areas of low ground surface visibility, while a scarred tree is (Bird 1992).

Occupation Deposit: The laying down of deposits (artefacts and/or sediments) by human activities that bury artefacts to form distinct stratigraphic entities such as layers (e.g. dense lens of stone artefacts & bone between environmental deposits, stratified shell deposits) or features (hearths, occupation mounds). Occupation deposits have a high degree of spatial and temporal integrity.

Occupation Surface: A distinct layer or interface between depositional strata upon which human activities were carried out and artefacts/features deposited. Most commonly this may be a prior land surface (e.g. soil horizon) that has been subsequently buried by later environmental deposits (e.g. dune deposits).

Potential: Based on collated existing data and site inspection an area or specific site may contain the potential for extant or archaeological deposits. Background research will present the most likely site types, contents and state of preservation. Relative levels of potential are described as Low (10-30% probability), Moderate (40-60% probability) and High (70% and above probability).

Representativeness: the regional distribution of a particular site type. It is assessed on whether the site type is common, occasional or rare in a given region. Current knowledge of the distribution and numbers of archaeological sites in a region subjectively biases assessments of representativeness. Current knowledge varies from place to place depending on the extent of previous archaeological research. Consequently, a site, which is, assigned low significance values for contents and/or condition, but a high significance value for its representativeness, can only be regarded significant in terms of current knowledge of the regional archaeology. Any such sites should be subject to further re-assessment as further archaeological research is carried out.

Assessment of representativeness also takes into account the contents and condition of a particular site. For example, in any region, there may only be a limited number of sites of any type which have suffered minimal disturbance. Such undisturbed sites would therefore be given a high significance rating for representativeness, although they may occur commonly within the region.

The **representativeness** ratings used for archaeological sites are:

- 1 Common occurrence
- 2 Occasional occurrence
- 3 Rare occurrence

Retain Site: Site is to be retained in open space with strict management controls on the future use of the land to prevent damage to subsurface archaeological deposits. For sites rated moderate to high some of the less significant portions of the site may be destroyed in conjunction with continuous monitoring, mechanical salvage and salvage excavation.

Salvage Excavation: Salvage excavation involves controlled hand excavation to recover a representative sample of sites.

Site Inspection: Weekly or fortnightly site visits during clear, cut, grade and level.

Slope Wash: A term used to describe a specific process of re-deposition of cultural material. Cultural material (most often stone artefacts) that is situated on any sloping land is vulnerable to the affects of slope wash. The term relates to the downward movement of cultural material primarily due to erosion of their original context. This downward movement is most often caused by clearing of vegetation that exposes the ground surface to the affects of water erosion. The result is that cultural material will move down the slope over a period of time. How far material may move is dependent on the gradient and the intensity of the erosion.

Stratigraphy: Layering

Visibility: Refers to the degree to which the surface of the ground can be observed. This may be influenced by natural processes such as wind erosion or the character of the native vegetation, and by land use practices, such as ploughing or grading. It is generally expressed in terms of the percentage of the ground's surface visible for an observer on foot (Bird 1992). For example 10% visibility equates to 10cm² per 1m² of ground surface that is not covered by vegetation or soil deposit. The following applies to descriptions of ground surface visibility within this report.

0%	No visible ground surface
0-10%	Very Poor
11-30%	Poor
31-50%	Fair
51-70%	Good
71-90%	Very Good
91-100%	Excellent

REFERENCES

- | | | |
|-----------------------------|------|--|
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N Stern | 2004 | <i>A Record in Stone: the Study of Australia's Flaked Stone Artefacts</i> . Museum Victoria and Aboriginal Studies Press, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra. |

APPENDIX 4 – SUMMARY OF LEGISLATION

STATUTORY REQUIREMENTS

This section relating to the statutory requirements associated with archaeological sites has been included to inform users of this report of the legal obligations regarding heritage sites. Any breach of this legislation is cause for prosecution.

Historic Heritage Legislation

Non-Aboriginal archaeological sites in Victoria are protected by the *Heritage Act 1995*. The following is a summary of the latest statutory obligations regarding non-Aboriginal historic archaeological sites:

- All historical archaeological sites in Victoria (not included on the Heritage Register) are protected under Section 127 of the *Heritage Act 1995*. 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 129;
- Under Section 64 of the *Heritage Act 1995* it is an offence to damage, disturb, excavate or alter a place or object on the Heritage Register, unless a permit is granted under Section 67;
- Under Section 132 of the *Heritage Act 1995* any person discovering or uncovering an archaeological relic is required to report the discovery to the Executive Director of the Heritage Council;
- Schedule 5 of the Heritage (General) Regulations 2005 prescribes fees to undertake specified activities with respect to archaeological relics. These are currently \$225.00 for Consent to uncover or excavate a relic; \$420.00 for Consent to damage or disturb less than 50% of a relic or site \$635.00 for Consent to damage or disturb more than 50% of a relic or site. Fees for permits to carry out works etc to a registered place or object are detailed in Schedule 3 of the Regulations. These fees range in scale from \$100.00 to \$7,160.00, depending on the nature of the works involved and the cost of the proposed works.

In addition, Heritage Victoria requires that funds be made available by developers to ensure the responsible management of all significant artefacts that are recovered during an excavation. As a condition on any consent or permit, there will be a requirement that a specified sum of money is submitted to Heritage Victoria prior to the commencement of works. The funds will be used to ensure the cataloguing and conservation of any significant artefacts that are recovered. Any unexpended funds will be returned to the client, minus a 15% levy that is used for the management of all excavation projects in Victoria.

Written application to disturb such sites should be lodged as early as possible in the planning stages of any works program, and must be directed to:

Mr Jim Gard'ner
The Director
Heritage Victoria

Department of Sustainability and Environment
Level 7/8 Nicholson Street
East Melbourne
Victoria 3002

Ph: (03) 9637 9476

Enquires relating to the *Heritage Act 1995*, works, site management *etc.* should be directed to:

Jeremy Smith
Senior Archaeologist
Heritage Victoria
Department of Sustainability and Environment
Level 7/8 Nicholson Street
East Melbourne
Victoria 3002

Ph: (03) 9637 9773

General enquires relating to sites, the Heritage Inventory/Register, reports, permits or consents, including application procedures and fees should be directed to:

Brandi Bugh
Heritage Victoria
Department of Sustainability and Environment
Level 7/8 Nicholson Street
East Melbourne
Victoria 3002

Ph: (03) 9637 9470

Heritage Victoria has also recently requested that the following statements relating to sites listed on the Heritage Inventory be included within consultant's reports.

All archaeological sites in Victoria are protected by the *Heritage Act 1995*. All known archaeological sites are listed in the Heritage Inventory. Regardless of whether they are listed in the Inventory no one can knowingly excavate or disturb an archaeological site without the consent of the Executive Director.

Prior to the *Heritage Act 1995* sites were protected under the *Archaeological and Aboriginal relics Preservation Act 1972*. Thus since 1972 there has been protection in Victoria for archaeological sites. The protection was not about the preservation and conservation of all sites. Under the AARP there was provision for archaeological areas to be declared an archaeological area that was intended to protect and conserve an archaeological site (S15). Activities for the remainder of archaeological sites were controlled through the requirement to gain a permit (S22).

With the advent of the *Heritage Act 1995* archaeological sites continued to be protected in two ways. Sites, which were considered to be of significance to the State, were

recommended to be placed on the Victorian Heritage Register (VHR). The VHR exists to protect and conserve places and objects. All other archaeological sites are protected through the requirement to gain consent from the Executive Director to disturb, destroy, or excavate an archaeological site.

Thus the Victorian Heritage Register enables Heritage Victoria to preserve and conserve archaeological sites which are of significance to the State of Victoria while the Heritage Inventory enables Heritage Victoria to record and monitor sites which are not considered to be of State significance or where the significance is unknown. Heritage Victoria also registers sites under a 'D' listing, which accommodates sites of very low archaeological value though they may have local historic value. 'D' listed sites are typically those that have little structural or artefactual features such as earthen formations (i.e. dams, railway formations). Sites registered under this system do not require Consent prior to any proposed development, but apart from this are managed in the same way as Heritage Inventory sites. 'D' Listed sites therefore, may be subject to a variety of conditions prior to impact, such as detailed recorded, additional historic research and archaeological monitoring.

The two levels of protection enable two different principles in issuing consents and permits to be followed. The guiding principal for places on the Register is to protect and conserve as much of the fabric of the place and the relics/artefacts as is possible. While for places listed in the Heritage Inventory recording, excavating and monitoring are the usual methods of assessing and managing the heritage values of a site.

Consultation with Heritage Victoria, Department of SE, should occur at least 4 months prior to lodgement of a permit application to disturb or destroy a historic archaeological site. In the event of a site or relic being uncovered or discovered during works, any works that would damage the relic object or place should cease and either the consulting archaeologist or Heritage Victoria be notified.

Other Acts governing cultural heritage issues within the State of Victoria are:

State

- *Aboriginal Heritage Act 2006;*
- *Coroner's Act 1985;*
- *Mineral Resources (Sustainable Development) Act 1990;*
- *Planning and Environment Act 1987;*
- *Planning and Environment (Planning Schemes) Act 1996*

Commonwealth

- *Australian Heritage Council Act 2003;*
- *Environment Protection and Biodiversity Conservation Act 1999;*
- *Environment and Heritage Legislation Amendment Act (no.1) 2003;*
- *Native Title Act 1993.*

APPENDIX 5 - HERITAGE ADVISORS' SHORT CURRICULUM VITAE'S

ANDREA MURPHY
cultural heritage consultant

AWARDS

Winner of the 2003
UNESCO Asia-Pacific
Cultural Heritage
Conservation Award

QUALIFICATIONS

Bachelor of Arts
(Prehistory) – La
Trobe University

Masters Preliminary of
Arts (Historic
Archaeology) – La
Trobe University

AFFILIATIONS

Member of:
Australian Society of
Historic Archaeology

Australian Association
of Consulting
Archaeologists (Office
Bearer)

Australian
Anthropological and
Archaeological
Society

Historic Gardens
Society

National Trust

Royal Historical
Society

Andrea Murphy is a Senior Cultural Heritage Consultant with extensive experience and qualifications in both indigenous and non-indigenous cultural heritage assessment and management, including EES and EIS projects, major urban excavations, desktop assessments, site survey, excavation, monitoring and production of site management strategies. Andrea has been the manager of Archaeology At Tardis Pty Ltd, cultural heritage consultants for over 10 years and a heritage professional for more than 20 years. Andrea has personally authored more than 350 cultural heritage assessment reports.

RECENT RELEVANT EXPERIENCE

MAJOR CULTURAL HERITAGE PROJECTS IN VICTORIA

- Pipeline Routes
- Telco Cable Routes
- Road and Highway/Freeway Infrastructure
- Rail Infrastructure – Urban and Regional Fast Rail
- Urban Developments
- Waterway Rehabilitation Works
- Wind Farms
- Archaeological Excavations
- Local Government Advisor and Project Manager
- Defence Advisor and Project Manager
- Parks Advisor and Project Manager

DALE OWEN
cultural heritage consultant

QUALIFICATIONS

Bachelor of
Archaeology,
Honours – La Trobe
University, 2006

Victorian Construction
Industry Induction –
Red Card

Dale Owen is an archaeologist having graduated with an Honours Degree in Archaeology. Dale has extensive experience in excavation, survey, archaeological testing, archaeological research, and artefact analysis. Although Dale completed his degree in 2006, he has been actively involved in cultural heritage fieldwork and laboratory work from 2002 to the present. Dale has developed an array of excavation, survey and laboratory experience, having worked on projects in Tasmania, New South Wales, Victoria, Western Australia, Queensland and China.

RECENT RELEVANT EXPERIENCE

AFFILIATIONS

Member of:

Australian
Archaeological
Association

The Archaeological
and Anthropological
Society of Victoria

MAJOR CULTURAL HERITAGE PROJECTS

- Toxic Harvest Research Project, Far North Queensland (2003 – 2006)
- Cloudbreak Mine Site Survey, Western Australia
- Mitcham-Frankston Freeway (Eastlink) Project, Victoria
- Herrnhut Historical Excavation, Penshurst, Victoria
- Cowpasture Road Salvage Excavation, Western Sydney
- Hunter Street Excavation, Hobart
- 'Little Lon' Excavation, Melbourne
- Cuddie Springs Excavation, New South Wales
- Lancefield Swamp Excavation, Victoria
- Armistead Archaeological Project, Sheffield, Tasmania
- Titans Rock Shelter Excavation, South West Tasmania
- St Philips Church Excavation, Melbourne
- Port Arthur Historic Site Excavation, Tasmania
- College of Surgeons Excavation, Melbourne
- Chinese Bronze Age Stone Spade Research Project
- 'The Sisters' Aboriginal and Historic Site Excavations, Sorrento
- Macarthur Wind Farm Project, Western Victoria

SUMMARY OF EXPERIENCE

- Site Survey, Excavation and Recording
- Archaeological Fieldwork Supervision
- Archaeological Testing
- Archaeological Photography, Planning & Mapping
- Artefact Conservation, Cataloguing & Analysis
- Archaeological Background Research
- Excavation & Analysis of Faunal Assemblages
- Excellent Written & Communication Skills
- High Level of Computer Literacy

APPENDIX 6 - RECORD OF CORRESPONDENCE

Date	Type	Sender	Recipient	Regarding	Action	Outcome
14.5.2010	Meeting	NA	NA	GAA PSP 9	Meeting at GAA offices to discuss project	Tardis to proceed with project as a priority & provide templates as discussed
14.5.2010	Email	GAA	Tardis	Meeting	GAA forwarded minutes of meeting	NA
19.5.2010	Email	Tardis	GAA	Report templates	Tardis provided report templates as requested	NA
24.5.2010	Email	GAA	Tardis	Consent letters, Aerials and property title searches	GAA sent consent letters, Aerials and property title searches as requested	Tardis to use if required
	email	GAA	Tardis	Drainage report	GAA sent report of proposed drainage for the activity area	Tardis to consider
25.5.2010	email	GAA	Tardis	Site access summary	GAA supplied numbered lot map of the activity area	NA
30.6.2010	email	Tardis	GAA	Draft for review	Comments required within 2 weeks	Tardis to address GAA comments

APPENDIX 7 - PLANNING SCHEME INFORMATION

CASEY PLANNING SCHEME

15/09/2008
VC49**SCHEDULE 2 TO THE RURAL LIVING ZONE**

Shown on the planning scheme map as RLZ2

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares).	All land	2 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares).	All land	2 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).	None specified	
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	None specified	
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	
Minimum setback from a road (metres).	None specified	
Minimum setback from a boundary (metres).	None specified	
Minimum setback from a dwelling not in the same ownership (metres).	None specified	

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary.	All land
Earthworks which increase the discharge of saline groundwater.	All land

35.0315/09/2008
VC49**RURAL LIVING ZONE**

Shown on the planning scheme map as **RLZ** with a number.

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To provide for residential use in a rural environment.

To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.

To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

35.03-119/01/2006
VC37**Table of uses****Section 1 - Permit not required**

USE	CONDITION
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Carnival Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 35.03-2.
Dwelling (other than Bed and breakfast)	The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares. Must be the only dwelling on the lot. Must meet the requirements of Clause 35.03-2.
Home occupation Informal outdoor recreation Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.

USE	CONDITION
Minor utility installation Natural systems Railway Road	
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19.
Tramway	

Section 2 - Permit required

USE	CONDITION
Accommodation (other than Dependent person's unit and Dwelling) Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry and Timber production)	
Animal boarding	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Community market	
Convenience shop	The leasable floor area must not exceed 80 square metres. The site must not have direct access to a rural freeway.
Dependent person's unit - if the Section 1 condition is not met Dwelling (other than Bed and breakfast) - if the Section 1 condition is not met	Must meet the requirements of Clause 35.03-2.
Freeway service centre	Must meet the requirements of Clause 52.30.
Hotel	The site must not have direct access to a rural freeway.
Leisure and recreation (other than Informal outdoor recreation and Motor racing track) Medical centre Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone) Place of assembly (other than Amusement parlour, Carnival, Circus, and Nightclub)	
Plant nursery Postal agency Primary produce sales	

USE	CONDITION
Restaurant	The site must not have direct access to a rural freeway.
Rural industry (other than Abattoir and Sawmill)	
Service station	<p>The site must either:</p> <ul style="list-style-type: none"> • Adjoin a business zone or industrial zone. • Adjoin, or have access to, a road in a Road Zone. <p>The site must not exceed either:</p> <ul style="list-style-type: none"> • 3000 square metres. • 3600 square metres if it adjoins on two boundaries a road in a Road Zone. <p>The site must not have direct access to a rural freeway.</p>
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Tavern	The site must not have direct access to a rural freeway.
Timber production	Must meet the requirements of Clause 52.18.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Abattoir
Amusement parlour
Brothel
Cinema based entertainment facility
Industry (other than Rural Industry)
Intensive animal husbandry
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Community market, Convenience shop, Hotel, Plant nursery, Postal agency, Primary produce sales, Restaurant and Tavern)
Saleyard
Sawmill
Transport terminal

USE**Warehouse (other than Store)****35.03-2**19/01/2006
VC37**Use of land for a dwelling**

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person's unit.

35.03-319/01/2006
VC37**Subdivision**

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 8 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots and the number of lots is not increased. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots. The agreement must be registered on title.
- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots. The agreement must be registered on title.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

35.03-415/09/2008
VC49**Buildings and works**

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.03-1. This does not apply to:
 - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres. Any area specified must be more than 50 square metres.
 - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres. Any area specified must be more than 50 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in the schedule to this zone or, if no area is specified, 50 square metres. Any area specified must be more than 50 square metres. The building must not be used to keep, board, breed or train animals.
- A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
 - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in the schedule to this zone or, if no setback is specified, 30 metres.
 - The setback from any other road or boundary specified in the schedule to this zone.
 - The distance from a dwelling not in the same ownership specified in the schedule to this zone.
 - 100 metres from a waterway, wetlands or designated flood plain.

35.03-5

19/01/2006
VC37

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

Agricultural issues

- The capacity of the site to sustain the agricultural use.
- Any integrated land management plan prepared for the site.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.

Environmental issues

- The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The need to protect and enhance the biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.

- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use or development will require traffic management measures.

35.03-6

19/01/2006
VC37

Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 3.

Notes:

Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.

APPENDIX 8 - HISTORIANS REPORT

**BERWICK WATERWAYS
PRECINCT STRUCTURE PLAN 9**

A Historic Report to Archaeology At Tardis Pty Ltd

**Prepared by Louise Blake
Blake Hyland Group Pty Ltd**

June 2010

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1. INTRODUCTION

This report has been prepared for Archaeology At Tardis Pty Ltd and investigates the history of land ownership and land use in the activity area known as Berwick Waterways.

This research has been conducted using previously published material, as well as a range of public records, including land titles. A detailed list of references is included in the bibliography. The activity area was not inspected for the purposes of this report and current landowners did not need to be contacted.

2. THEMATIC HISTORY

2.1 Pastoral era

Permanent settlement began in the Port Phillip district in the mid 1830s following the arrival of the first „overlanders’ driving stock from New South Wales. Squatters began flooding into the district, bringing with them sheep and cattle to occupy what seemed like an abundant supply of grazing land. Squatting was legalised in 1836 with squatters being charged a license fee of £10 for a „run’. Dingle [1984: 25] writes that these runs were often quite large and were determined by the number of stock that could be grazed on them with minimal labour. The runs had few fences or buildings, apart from a hut and fencing around holding yards, and the land wasn’t cultivated. By 1840, 481 people held pastoral licenses in Port Phillip, with less than half these people remaining in 1845 [Dingle 1984: 27].

Squatters began taking up pastoral runs in the Western Port District, of which Berwick was a part in the late 1830s and early 1840s. Access to water was an important factor in the location of runs, and Cardinia Creek bordered several runs in the district. The activity area is located in part of the 3,200 acre Garem Gam run (Figure 1) which had been settled around 1837, but not licensed until 1841 by Dr James Bathe and T.J. Perry [BPHS 1982: 2] Parts of the run were subsequently leased by a number of parties until the 1850s.

From 1847 lease holders were given the option of taking up a pre-emptive right on their land - a long term lease - at the end of which lease holders could purchase up to 640 acres of the run, which usually included a homestead and adjoining land. [Nelson & Alves 2009: 29] Several pre-emptive rights were taken up on land in the vicinity of the activity area but not in the activity area itself.

[Insert Figure 1 – Early Cattle Runs of the Port Phillip District, as reproduced in Tardis’ report „Clyde North & C21 Precinct Structure Plan’]

2.2 Selection & early freehold

In the 1850s government surveys of land within Port Phillip were undertaken and pastoral runs were divided into smaller allotments prior to sale at auction. The first government land sales in Berwick were held in 1853 and 1854 [Context 2004: 11]. Some settlers who had previously purchased pre-emptive rights purchased additional land at these auctions, while other allotments were purchased by land speculators and wealthier landholders. Fahey writes that “the process of acquiring land through sale was stacked against the settler of small financial means. Sale was at competitive auction at a minimum price of £1 per acre. In populated areas, where the demand was high, prices rose above £1” [Nelson & Alves 2009: 30].

Following these first sales a series of Land Acts were passed opening up land in Port Phillip for selection. The most successful of these was the 1869 Land Act. Selectors held the land under license to the Crown for three years and in that time they had to undertake a range of improvements, including fencing, cultivation and construct a permanent residence [Nelson & Alves 2009: 32]. At the end of the three years the selector could either buy the land outright or apply for a seven year lease, and continue paying rent towards the purchase price of £1 per acre. The combination of these conditions and the security that a long term lease provided saw the land transformed. In the first Crown Land sales the allotment now part of the activity area was CA 26, which was purchased by William John Turner Clarke in 1854 together with allotments 25, 35, 36, 37 & 38.

2.3 Closer Settlement

In 1922 part of the Springfield estate was purchased by the Government as part of the Closer Settlement scheme. The scheme was a response to an increased demand for agricultural land following the 1890s depression and government concerns that those seeking land might move to other colonies. The Land Act 1898 enabled the Government to purchase large estates and subdivide them into smaller farming allotments, allowing more people to settle on the land [Nelson & Alves 2009: 285]. Settlers acquired the allotments under a conditional purchase lease, eventually enabling them to apply for a Crown Grant to the land. Following the end of World War I Soldier Settlement schemes were established with the same principles but more generous conditions. Settlers in both schemes were expected to live on the land, fence it, destroy vermin and weeds, and undertake other improvements before they were entitled to the Crown Grant. This scheme had mixed success, in some areas due to the unsuitability of the land and inexperience of the settlers.

3. SPECIFIC HISTORY

The following section provides details of the land ownership and use of each allotment in the activity area since the first Crown Land sales in the 1850s. For a simplified summary of this ownership see Tables 1- 6 in the Appendix.

3.1 Crown Allotment 26 [CA 26]

CA 26 was purchased by William John Turner Clarke in 1854 as part of a larger estate that included CA 25, 35, 36, 37 & 38. Clarke was born on 20 April 1805 in Somerset, England and immigrated to Tasmania in 1829. Prior to his purchase of the Berwick land he had acquired land in Tasmania and New South Wales, as well as land elsewhere in the Port Phillip district. Anderson [Australian Dictionary of Biography] writes that Clarke was known “generally as „Big’ Clarke and „Moneyed’ Clarke, he was widely feared for his ruthless land hunger, but respected for consummate ability in pursuit of fortune. He never meddled with agriculture but stuck to the „raising of sheep’ as a „better paying game’, and to his great profit he introduced the Leicester breed of sheep into Australia”. Clarke lived in Tasmania until 1850 and between 1856 and 1870 almost continuously represented the Southern Province in the Victorian Legislative Council. He died at his home „Roseneath’ in Essendon on 13 January 1874. His son Sir William John Clarke inherited his father’s Victorian properties, worth approximately £1,500,000, as well as estates in Tasmania, South Australia and New Zealand [Australian Dictionary of Biography].

Following the purchase of the Berwick estate, initially known as „The Springs’, a homestead was built on the property. Springfield Homestead is the earliest remaining building associated with Clarke’s estate and, together with the Old Cheese Factory constructed in 1875, is listed on the Victorian Heritage Register [Heritage Victoria]. One of the first tenants on the property is said to have been Robert Henry, who had previously managed Clarke’s properties at Cape Schank and Orbost [Henry 1966: 29]. Henry is credited with discovering an outbreak of pleuro-pneumonia amongst the Shorthorn cattle on the Berwick property, which resulted in the slaughter of the herd near the corner of Greaves and Pound Roads [Henry 1966: 30]. After Henry the property was occupied by the McDonald brothers who took up the lease in the 1860s and ran it as a dairy farm complex. Murdoch McDonald managed the farm and cheese factory until the 1880s. During McDonald’s tenure the property is believed to have been used as a holding paddock for Clarke’s Gippsland cattle [Rocke 1994: 7]. During the 1880s other tenants took up other sections of the Clarke estate. In the Shire of Berwick Rate Book for 1889/90 grazier Frederick Poole is listed as a tenant on 640 acres valued at £140, while Edwin Greaves and his wife were leasing 314 acres and the house [PROV, VPRS 16166/P1, Unit 11]. Greaves later took over the lease of the entire property.

In 1904 the Clarke property was sold by Sir Rupert Havelock Turner Clarke and his mother Lady Janet Marion Clarke, the executors of Sir William John Clarke’s estate. William Wilson the younger purchased CA 26, which included Springfield Homestead, the cheese factory, and 652 acres 2 roods and 30 perches [Certificate of Title 3184/625]. John Sweeney purchased the allotment that adjoined his property. Edwin Greaves purchased the remainder of the Clarke property and built a brick home in the

Queen Anne style. Greaves' property, known as „The Springs' is also listed on the Victorian Heritage Register [Heritage Victoria].

It is not known to what extent the land specifically within the Berwick Waterways activity area was used during its ownership and occupation by the Clarke family and its tenants. Springfield Homestead and the Old Cheese Factory, now preserved as a Historic Interest Reserve, are well documented but the use of the surrounding land has not been ascertained, beyond its use for grazing and perhaps as part of the dairy farm complex.

After William Wilson the younger purchased his portion of the property in 1904 it was leased to James Moore Macartney for a period of three years [PROV, VPRS 460/P0, File 34782], followed by the Anderson brothers. The last tenants were the Willmott family who used the property to train ponies and run dairy cattle [Heritage Victoria].

3.2 Closer Settlement allotments

The Closer Settlement scheme on the Springfield estate (part of the Hallam Valley Settlement Scheme) was managed by the State Rivers and Water Supply Commission, who were responsible for schemes in irrigation areas. The land was purchased in 1922 and subdivided in 1927 and was intended to be used for market gardening [Context 2004: 16]. Crown allotments 18-32 (Figure 2) in the activity area were part of this scheme, which also included the land occupied by Springfield Homestead and the Old Cheese Factory. Some of the initial settlers of the scheme were funded by the Australian Jewish Land Settlement Trust, which had its beginnings in the Jewish Agricultural Settlement Trust established by members of Melbourne's Jewish community in 1913 [Turnbull 1995: 42-43]. The Trust petitioned the Closer Settlement Board to allow Jewish refugees to purchase allotments under the scheme and in 1913 funds were used to support a scheme at Orrvale in Shepparton. Following the success of the scheme in Shepparton, the Trust purchased land in the Hallam Valley Settlement Scheme in Berwick. Turnbull [1995: 46-47] writes that there were several reasons why the Trust selected Berwick. The area's proximity to Melbourne meant that the Trust executive could be more involved in the establishment and management of the settlement, as well as providing greater access to Closer Settlement and Land's Department personnel. The Trust felt that market gardening would enable them to establish more settlers on the land – more value for their funds – than other forms of farming; and access to water was promising.

Within the activity area allotments 18-21 were among those initially occupied by settlers funded by the Australian Jewish Land Settlement Trust. Some had moved to Berwick from Shepparton, where the Shepparton settlers had initially given them work experience [Turnbull, 1995: 39] Files kept by the Closer Settlement Board (later known as the Closer Settlement Commission) indicate there was a high turnover of settlers on these allotments. Some had made improvements on their land in accordance with the conditions of their lease; others had their leases cancelled for „non-compliance'. Scholars have noted that the Hallam Valley Settlement Scheme was not a success, due “to the inexperience of the settlers not used to running small farms, and to the lack of suitable markets” [Context 2004: 16]. Turnbull notes that when prices dropped the Jewish settlers simply left their properties. “These settlers were too inexperienced to compensate for their losses with greater and greater productivity, to cope with the lower and lower prices...In despair, the farmers simply left their crops to rot in the ground, and departed for the city” [Turnbull, 1995: 51].

Such a change from the idyllic picture painted in 1928 by the „Australian Jewish Herald’: bright settlers keen to settle on their land; government-built houses surrounded by vegetables, and the “cackling sounds of pedigreed poultry [Turnbull 1995: 50-51]. The flood prone nature of the area may have also inhibited success.

[Insert Figure 2 PROV, VPRS 16171/P1, Berwick Parish Plan, Imperial Measure B2131]

Details of the occupation of these allotments are discussed below.

3.2.1 Allotments 18-21

In 1927 Roy Taylor, a carpenter with a house in Northcote, applied for several allotments in the settlement including Allotment 18, but this was later cancelled due to “inadaptability”. Morris Firer, another Jewish settler from Shepparton then applied for Allotment 18. When he inspected the property he noted that some of the iron had been removed from the shed, the copper had been broken and there were no pipes to the troughs. A Closer Settlement Board memo dated 6 March 1930 noted the value of the improvements on the allotment, which included water piping and outbuildings, but also noted that the dwelling on the holding that was insured for £340 was destroyed by fire on 5 February 1930. Firer’s lease was later cancelled and transferred to Allotment 31 in an adjoining section of the settlement. The file notes that Firer took some of the materials from one of the sheds with him to his new allotment [PROV, VPRS 5714/P0, Unit 2435, File 241].

Another Jewish settler applied for a conditional purchase lease on Allotment 19 but this was cancelled for “non compliance”. Mordeka Eizenberg, also funded by the Trust, applied for Allotment 20 but his lease was later cancelled [PROV, VPRS 5714/P0, Unit 2435, File 241].

Chiel Goldberg was the first to apply for a conditional lease on Allotment 21. On the application he stated that he was 38 years old, and married with one child. He had been a bootmaker and saddler in Poland, but had done some market gardening in Germany while a prisoner of war. He wanted to settle on the Berwick land “to get near Polish friends”. Goldberg occupied the land between 20 November 1927 and 18 January 1928 and in that time had laid piping and fittings and cultivated the land with ½ acre beans and 3 acres of potatoes. A memo on file noted that “through neglect of cultivation and provision for surface drainage, both these crops were not worth harvesting”. Goldberg was followed by Jacob Hayat, whose father Abraham had also settled at Berwick. When Jacob Hayat applied for the land on 11 June 1928 he indicated that he had already been working the allotment, had planted 6 acres of oats, ½ acre of mixed vegetables and was preparing the land for orcharding. He added that if he was granted the land he would also run poultry. It is not clear how long Hayat remained on the allotment but Turnbull [1995: 43] notes that by 1938 he and his father were back in Shepparton [PROV, VPRS 5714/P0, Unit 2435, File 241].

In 1937 Herbert Lippold put in a tender for Allotments 18-21. Lippold stated he was a real estate agent in Dandenong and wished to purchase the lease for £910. The property would be worked by a friend on his behalf. A letter to the Closer Settlement Commission dated 29 June 1937 noted that the “house and sheds” on the allotments had been insured by Liverpool London & Glove Insurance Company. Over a year later A. L. Gardiner of Berwick indicated he had purchased the lease from Lippold at the same price. However on 1 January 1940 William Brown of „Glenburnie’ in Berwick wrote

to the Closer Settlement Commission enquiring about leasing nearby paddocks for grazing. Brown stated that he was based in the Hallam Valley estate on Allotments 18-21. Brown was later granted the allotments totaling 53 acres 2 roods and 25 perches [PROV, VPRS 5714/P0, Unit 2435, File 241].

3.2.2 Allotments 22-27

These allotments were in the Hallam Valley Settlement Scheme but files relating to their occupation have not been examined. On 4 January 1937 all six allotments (amalgamated as Allotment 22) were granted to Henry Walter Schmidt of Sandringham [Certificate of Title 6313/470].

3.2.3 Allotments 28-32

Frank Riggio, another settler who may have been supported by the Jewish Trust, applied for Allotment 28 in 1927, but by 1936 he was no longer living on the property. A valuer who inspected the property prior to its sale noted the house, sheds and fencing on the property, but recommended that these be sold and removed and the land amalgamated with the adjoining property. The valuer also noted that the land was wet and subject to flooding [PROV, VPRS 5714/P0, Unit 2423, File 245].

From approximately 1927 to 1934 Allotment 29 was occupied by Ian Lomax Baird and his mother Mary, who had both previously lived in Apollo Bay. At the end of Baird's lease the Closer Settlement Commission Inspector for Narre Warren noted that the property had a five-roomed weatherboard house, cow shed, pig sty and chicken house. The property was fenced and there were six paddocks. The Inspector described the farm as "flat black clay soil reclaimed from a swamp area and comparatively well drained. Although having a measure of fertility it is lacking in humus and consequently remains wet in winter and dries out in summer" [PROV, VPRS 5714/P0, Unit 2423, File 245].

Walter Frederick Burrage, a carpenter from East Preston, applied for Allotment 31 but this was later cancelled. Abraham Hayat applied for Allotment 32 in 1927 but this was also cancelled due to "non-compliance" [PROV, VPRS 5714/P0, Unit 2423, File 245]. As mentioned previously, Hayat and his son later returned to Shepparton.

William Oswald Luscombe acquired the lease to allotments 28-32 around 1936. In November 1938 he contacted the Closer Settlement Commission regarding interest payments that were due and described how he was using the land. He had 15 milking cows, 7 heifers, 3 horses, 1 bull, 1 brood sow and 9 porkers ready for sale. He was growing hay for stock feed, and maize. The file indicates that Luscombe struggled to keep up his interest payments, particularly during the late 1930s & 40s. Inspector Chippindall noted in 1940 that the property was operating as a dairy farm milking about 16 cows, but was not "being worked to its fullest capacity due to lack of capital". Chippindall's annual reports indicate Luscombe struggled on during the 1940s, earning a „good' or „fair' assessment, but was suffering from poor health. In 1947 he was issued with the Crown Grant to allotments 28 & 29, amounting to 76 acres 2 roods and 30 perches [PROV, VPRS 5714/P0, Unit 2423, File 245].

3.3 Post Closer Settlement

By the late 1930s there were three landholders in the activity area: William Brown, allotments 18-21; Henry Walter Schmidt, allotment 22; William Oswald Luscombe, allotment 28 & 29. Gradually each property was sold and further subdivided into the smaller allotments occupied at the present time. For a simplified summary of ownership see Tables 4-6.

3.3.1 Allotments 18-21

Following Brown's acquisition of the Crown Grant in 1937 the allotments were acquired by Cedric George Ward in 1943, followed by Terence and Doreen Rutherford. In the 1980s allotments 18 & 19 appear to have been subdivided into four separate allotments, while 20 & 21 remained together.

3.3.2 Allotment 22

Schmidt's allotment was purchased by Rupert Ryan and Ethel Marion (Maie) Sumner Casey of „Edrington' in 1940. Maie Casey (Lady Casey) was married to Richard Casey (Lord Casey) and Rupert Ryan was her brother. It is not known what use Rupert and his sister made of the land. After they had inherited „Edrington' it was Rupert who settled on the main property and built it up into one of the largest Romney Marsh studs in the State [Australian Dictionary of Biography]. Maie and her husband split their time between Canberra, Berwick and East Melbourne. At the time of the purchase Maie was overseas with her husband, who had been posted to Washington and later Cairo. [Australian Dictionary of Biography]. In purchasing this section of the former Clarke estate, Rupert and Maie had returned it to the family. Their father, (Sir) Charles Snodgrass Ryan, was cousin to Lady Janet Marion Clarke, wife of Sir William John Clarke. After Rupert died in 1952 Maie became the sole proprietor for a number of years. Around 1960 the land was subdivided into 16 smaller allotments.

3.3.3 Allotment 28-32

Following Luscombe's acquisition of the Crown Grant the allotments appear to have remained in single ownership until at least the 1970s. Most of the proprietors during this time gave their occupation as farmer.

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Land Victoria

Register of Historic Maps and Plans
Land Titles

Public Record Office Victoria

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VPRS 16166, Shire of Berwick Rate Books,
VPRS 5714, Closer (and Soldier) Settlement Files
VPRS 28, Probate & Administration Papers
VPRS 460, Applications for Certificate of Titles

Casey Cardinia Local History Archive

Files on Springfield Homestead and the Old Cheese Factory, some of which were compiled by Cameron Rocke as part of a work program in 1994

Appendix

5.1 Landowners in activity area Berwick Waterways

The tables below detail the history of landownership in the activity area, based on the evidence available. It is not a comprehensive list and there may be other landowners that are yet to be located. In some cases the names of leaseholders are listed.

Table 1 - Selection and early freehold CA 26

Date	Name	Comments	Reference
18 July 1854	William John Turner Clarke	Granted CA 25, 26, 35-38. Leased by various tenants	AP34782
1874	Sir William John Clarke	W J T Clarke died 1874; son acquires real estate. Leased by various tenants	ADB
1897	Sir Rupert Havelock Turner Clarke & Lady Janet Marion Clarke	W J Clarke dies 1897; probate to son and widow	PROV, VPRS 28/P2, Unit 471, 66/038, Probate
1904	William Wilson the younger	Clarke family sell estate, Wilson acquires CA 26, Sweeney and Greaves purchase remaining allotments	AP34782
1924	Crown	Purchased for Closer Settlement	Certificate of Title 3184/625

Table 2: Closer Settlement CA 18-21

Date	Allots	Name	Comments	Reference
1927	18	Roy Taylor	lease cancelled	PROV, VPRS 5714/P0, Unit 2435, File 241
c1929	18	Morris Firer	lease transferred to allotment 31	PROV, VPRS 5714/P0, Unit 2435, File 241
1927	19	Boris Brown	lease cancelled	PROV, VPRS 5714/P0, Unit 2435, File 241
1927	20	Mordeka Eizenberg	lease cancelled	PROV, VPRS 5714/P0, Unit 2435, File 241
1927	21	Chiel Goldberg	Occupied the land for 2 months	PROV, VPRS 5714/P0, Unit 2435, File 241
1928	21	Jacob Hayat	Was back at Shepparton scheme in 1938	PROV, VPRS 5714/P0, Unit 2435, File 241
1937	18-21	Herbert Lippold		PROV, VPRS 5714/P0, Unit 2435, File 241

c1840	18-21	William Brown	Granted land in 1941	PROV, VPRS 5714/P0, Unit 2435, File 241
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Table 3: Closer Settlement CA 28-32

Date	Allots	Name	Comments	Reference
1927	28	Frank Riggio	Lease cancelled 1936	PROV, VPRS 5714/P0, Unit 2423, File 245
1927	29	Ian Lomax Baird		PROV, VPRS 5714/P0, Unit 2423, File 245
c1927	31	Walter Frederick Burrage	Lease cancelled	PROV, VPRS 5714/P0, Unit 2423, File 245
1936	28-32	William Oswald Luscombe	Granted land in 1947	PROV, VPRS 5714/P0, Unit 2423, File 245

Table 4 – Post Closer Settlement CA 18-21

Date	Allots	Name	Comments	Reference
1943	18-21	Cedric George Ward	Farmer	Certificate of Title 6489/783
1973	18-21	Terence & Doreen Rutherford	Terence's occupation is carrier	Certificate of Title 6489/783
1996	Lot 1 18-19	Gangodawila Soma	Buddhist monk	Certificate of Title 10124/981
2004	Lot 1 18-19	Buddist Vihara Victoria Inc	Established Buddhist temple	Certificate of Title 10124/981
1993	Lot 2 18-19	Saida Ayoub Salama El-Hennawy		Certificate of Title 10124/982
2004	Lot 2 18-19	Orient Trading Company Pty Ltd		Certificate of Title 10124/982

Table 5 – Post Closer Settlement CA 22

Date	Allots	Name	Comments	Reference
1940	22	Rupert Sumner Ryan & Ethel (Maie) Marion Sumner Casey	Maie Casey became sole proprietor in 1958	Certificate of Title 6313/479
1958	22	John & Katheryne Keane	John listed as farmer. Land subdivided in 1960s into 16 smaller allotments	Certificate of Title 6313/479

Table 6: Post Closer Settlement CA 28-32

Date	Allots	Name	Comments	Reference
1950	28-32	Ira Arthur John	Farmer	Certificate of Title 6971/051
1951	28-32	Alexander McKay Bransgrove	Dairy farmer	Certificate of Title 6971/051
1953	28-32	Arthur & Pearl Cook	Arthur listed as farmer	Certificate of Title 6971/051
1955		John Walsh	Farmer	Certificate of Title 6971/051
1969		Ronald & Heather Stephens	Ronald listed as farmer	Certificate of Title 6971/051

APPENDIX 9 - HISTORIANS SHORT CURRICULUM VITAE

LOUISE BLAKE, BLAKE HYLAND GROUP PTY LTD
historian

QUALIFICATIONS

MA in Biography &
Life Writing – Monash
University 2004

Graduate Diploma in
Cultural Heritage
Management –
University of Canberra
1996

Louise Blake is a historian with over 15 years experience in the cultural heritage sector in the ACT and Victoria across federal, state and local government. Louise has extensive experience in historical research, with an interest in local and family history, and biography, and has published in a number of journals. She has also used her research and communication skills on a number of heritage interpretation projects in Melbourne.

RECENT RELEVANT EXPERIENCE

MAJOR HISTORICAL/CULTURAL HERITAGE PROJECTS

AFFILIATIONS

Member of:

Professional
Historians Association

Oral History
Association of
Australia

- Suburban Heartland: a history of the City of Whitehorse, project officer & research assistant
- Schwerkolt Cottage & Museum, research and interpretation of orcharding history
- Crime & Justice Experience, Old Melbourne Gaol, research & interviews
- Public Record Office Victoria, reference officer
- City of Whitehorse Heritage trail, research & interpretation

SUMMARY OF EXPERIENCE

Interpretation
Australia
Association

- Archival & Image Research
- Oral History Interviews
- Interpretation of Heritage Sites
- Excellent Written & Communication Skills
- High Level of Computer Literacy
- Strong Administrative & Organisational Skills

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