

# Attachment M

## Historic Heritage Desktop Assessment

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# Melbourne Airport Jet Pipeline Project

Historic Heritage Desktop Assessment

**Viva Energy Australia**

Reference: 521511

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# Contents

<b>1</b>	<b>Introduction</b> .....	<b>1</b>
<b>2</b>	<b>Project description</b> .....	<b>2</b>
<b>3</b>	<b>Relevant legislation</b> .....	<b>4</b>
	3.1 Victorian state legislation.....	4
	3.1.1 <i>Pipelines Act 2005</i> .....	4
	3.1.2 <i>Heritage Act 2017</i> .....	4
	3.1.3 <i>Planning and Environment Act 1987</i> .....	5
	3.2 Commonwealth legislation .....	5
	3.2.1 <i>Environment Protection and Biodiversity Conservation Act 1999</i> .....	5
<b>4</b>	<b>Historic heritage</b> .....	<b>7</b>
	4.1 Historic heritage requirements .....	7
	4.1.1 Are any historic heritage values or elements present within the Project area? .....	7
	4.1.2 Predictive statement .....	12
<b>5</b>	<b>Conclusions and recommendations</b> .....	<b>14</b>
	5.1 Historic heritage recommendations.....	14
	5.1.1 Requirement for further historic heritage assessment .....	14
	5.1.2 Unexpected discoveries of historic archaeological sites .....	14
<b>6</b>	<b>References</b> .....	<b>16</b>

## Figures

Figure 2-1 Proposed pipeline location (Source: ESRI)

Figure 4-1 Historic places within 1 kilometre of the Project Area

Figure 4-2 Aerial imagery of approximate Project area, c. 1945 (DELWP 2022)

Figure 4-3 Aerial imagery of southern section of approximate Project area, c. 1985 (Landata 2022)

Figure 4-4 Satellite imagery of approximate Project area, c. 2022 (Department of Jobs, Precincts and Regions 2022)

## Tables

Table 4-1 Results of the historic heritage register search

# 1 Introduction

Viva Energy Australia (Viva Energy) is proposing to construct and operate a new jet fuel pipeline to support the growing fuel needs at Melbourne Airport.

As Australia's second largest airport, annual passenger numbers for Melbourne Airport are expected to almost double by 2042 – increasing from 37 million to more than 76 million per year<sup>1</sup>. In line with this projected increase in passenger numbers, the requirement for jet fuel is expected to increase significantly and is expected to exceed the capacity of the existing fuel supply infrastructure. Notwithstanding future growth, jet fuel supplied via the existing pipeline system is already being supplemented by trucking operations from Geelong and Melbourne's inner-city suburbs. The development of the new pipeline will provide faster replenishment of fuel stocks, provide an alternative to current and escalating dangerous goods vehicle movements and provide a more robust fuel supply chain.

The proposed pipeline aims to:

- help meet the increasing demand for jet fuel and support future growth at Melbourne Airport
- increase the supply security of jet fuel which will contribute to the Victorian state economy
- reduce the reliance on road transport for jet fuel supply with fewer trucks required to deliver fuel to the airport.

The purpose of this report is to assess the existing registered historic heritage sites in the Project Area, potential for unregistered historic sites, assess the potential impacts of the Project and to outline the mitigation measures to be implemented to minimise these impacts. It should be noted that this report is a desktop review only, no site inspections were undertaken.

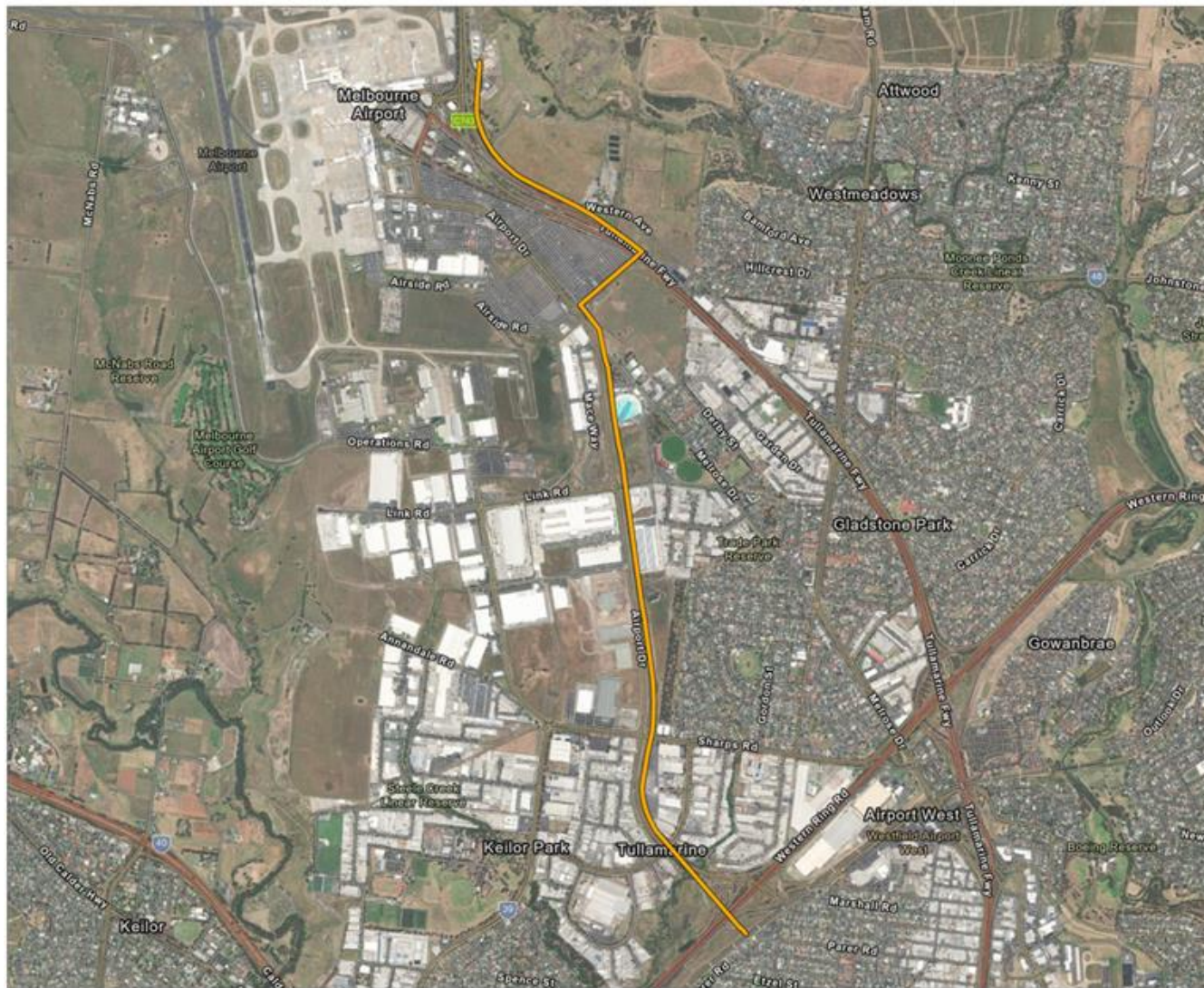
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<sup>1</sup> Melbourne Airport Preliminary Draft Master Plan 2022

## 2 Project description

The Project proposes the construction and operation of a new pipeline to form a direct connection between the jet fuel storage infrastructure at Melbourne Airport and the existing Altona to Somerton pipeline that follows the southern boundary of Tullamarine (located south of the Western Ring Road (M80)).

The pipeline would commence at a section of the Altona to Somerton pipeline located south of the Western Ring Road (M80) (near the Airport Drive exit) and link into the existing Melbourne Airport joint user hydrant installation (JUHI) facility (located at Marker Road, Tullamarine). Figure 2-1 below shows the proposed pipeline alignment.



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Legend

— Proposed Pipeline Route

Source:  
ESRI (2023)  
Aurecon (2023)  
VicMap (2023)

Date: 28/02/2023

Version: 1

Melbourne Jet Pipeline



Job No: 521511  
Coordinate System: GDA2020 MGA Zone 55

Figure 2-1 Proposed pipeline location (Source: ESRI)

## 3 Relevant legislation

### 3.1 Victorian state legislation

#### 3.1.1 *Pipelines Act 2005*

The *Pipelines Act 2005* is the primary Act governing the construction and operation of pipelines in Victoria. Under Section 49, the Act states that when determining a licence application to construct and operate a pipeline, the potential environmental, social, economic and safety impacts of the proposed pipeline will be considered. Historic heritage must be considered. If applicable, the conditions on a licence may include conditions concerning the protection of historic heritage.

#### 3.1.2 *Heritage Act 2017*

The *Heritage Act 2017* (Heritage Act) is administered by Heritage Victoria (HV), Department of Environment, Land, Water and Planning (DELWP). The main purpose of the Heritage Act is to 'provide for the protection and conservation of the cultural heritage of the State'. The Heritage Act protects all categories of cultural heritage relating to the non-Aboriginal settlement of Victoria including shipwrecks, buildings, structures, objects and archaeological sites.

There are two categories of listing provided for under the Heritage Act:

- Victorian Heritage Register (Section 23), and;
- Victorian Heritage Inventory (Section 117).

#### **Victorian Heritage Register**

This category provides protection for those places, objects, archaeological places, archaeological artefacts or shipwrecks assessed as being of outstanding cultural significance within the State of Victoria. The Heritage Act establishes a Heritage Council, an independent statutory authority which determines which heritage places/objects are included on the Victorian Heritage Register (VHR). Nominations to the VHR can be made to the Executive Director (HV) who will review the nomination and make recommendations to the Heritage Council for inclusion on the VHR.

Under Section 87 and 88 of the Heritage Act it is an offence to knowingly, or negligently, remove, relocate, demolish, damage, despoil, develop, alter or excavate any part of a registered place on the VHR, unless a Permit is granted under the Heritage Act. Permit applications must be submitted to the Executive Director for consideration and determination of the matter. There is a review process for the decisions or conditions of permits through the Heritage Council. Fees for permits to carry out works to a registered place or object are detailed in Section 13 and 14 of the Heritage Regulations 2017 and range in scale depending on the nature and costs of the works involved.

#### **Victorian Heritage Inventory**

The Victorian Heritage Inventory (VHI) includes all known archaeological sites (other than those determined to be of low archaeological value). Archaeological sites are defined as a place (other than a shipwreck) which:

- Contains an artefact, deposit or feature which is 75 or more years old; and
- Provides information of past activity in the State; and
- Requires archaeological methods to reveal information about the settlement, development or use of the place; and
- Is not associated only with Aboriginal occupation of the place.



Under Section 123 of the Heritage Act it is an offence to knowingly or negligently deface, damage, or otherwise interfere with an archaeological site, whether it is included in the VHI or not, without a Consent. A Consent under Section 124 is required from the Executive Director for works or activities, including excavation, in relation to an archaeological site. Fees for consents are detailed in Section 23 of the Heritage Regulations 2017 and range in scale depending on the nature and scale of the works involved.

## **‘D’ listing**

Heritage Victoria has introduced a ‘D’ classification in the VHI for places that don’t meet the definitions and requirements for inclusion in the VHI as an archaeological site or those with no cultural heritage significance. There is no requirement to obtain Consent from HV for removal or damage to relics or sites provided with a ‘D’ classification although HV request they are notified in writing.

## **Discovering archaeological sites**

Under Section 127 of the Heritage Act, if an archaeological site is discovered during an investigation or survey of land for a relevant survey purpose (including survey for an Aboriginal Cultural Heritage Management Plan), the person undertaking the survey or investigation must provide a site card to HV within 30 days after the discovery. Even if the survey does not reveal an archaeological site, HV must be notified and a survey report provided, in accordance with Section 31 of the Heritage Regulations 2017.

If an archaeological site is discovered during construction or excavation on any land, the person in charge of the construction or excavation must as soon as practicable report the discovery to HV.

### **3.1.3 Planning and Environment Act 1987**

The Project area is located largely within Hume City Council, with a small portion situated within Brimbank City Council. In accordance with the *Planning and Environment Act 1987*, Hume City and Brimbank City Councils have developed a Planning Scheme and as part of their Planning Scheme, have produced a Schedule to the Heritage Overlay (HO), which identifies heritage places within the Local Government Area (LGA). The purpose of the Heritage Overlay and Schedule is to conserve and enhance places of natural or cultural significance and those elements which contribute to their significance (both historic and Aboriginal heritage places).

Under Section 85 of the Pipelines Act ‘if a licence is issued under this Act for the construction and operation of a pipeline, nothing in a planning scheme under the *Planning and Environment Act 1987* (Planning and Environment Act) requires a permit under the Act for the use or development of land or the doing or carrying out of any matter or thing for the purpose of the pipeline’. While it removes the requirement for approval under the Planning and Environment Act, regard must be had for planning and heritage matters in the areas traversed by the pipeline to ensure consistency with the planning policy.

## **3.2 Commonwealth legislation**

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

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) includes ‘national heritage’ as a Matter of National Environmental Significance and protects listed places to the fullest extent under the Constitution. It also establishes the National Heritage List (NHL) and the Commonwealth Heritage List (CHL).

For proposed actions situated on Commonwealth land or which may impact on Commonwealth land, the guidelines *Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies* (*Significant Impact Guidelines 1.2*) apply. The guidelines require the proponent to undertake a self-assessment process to decide whether or not the action is likely to have a significant impact on the environment, including the heritage value of places. If an action is likely to have a significant impact, an EPBC Act referral must be prepared and submitted to the Minister for approval.

The following is a description of each of the heritage lists and the protection afforded places listed on them.

## **Commonwealth Heritage List**

The CHL is established under the EPBC Act. The CHL is a list of properties owned by the Commonwealth that have been assessed as having significant heritage value. Any proposed actions on CHL places must be assessed for their impact on the heritage values of the place in accordance with Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies (Significant Impact Guidelines 1.2). The guidelines require the proponent to undertake a self-assessment process to decide whether or not the action is likely to have a significant impact on the environment, including the heritage value of places. If an action is likely to have a significant impact an EPBC Act referral must be prepared and submitted to the Minister for approval.

## **National Heritage List**

The NHL is a list of places with outstanding heritage value to Australia, including places overseas. Any proposed actions on NHL places must be assessed for their impact on the heritage values of the place in accordance with Matters of National Environmental Significance (Significant Impact Guidelines 1.1). The guidelines require the proponent to undertake a self-assessment process to decide whether or not the action is likely to have a significant impact on a matter of National Environmental Significance, including the national heritage value of places. If an action is likely to have a significant impact an EPBC Act referral must be prepared and submitted to the Minister for approval.

## **Register of the National Estate**

The Register of the National Estate (RNE) was formerly compiled as a record of Australia's natural, cultural and Aboriginal heritage places worth keeping for the future. The RNE was frozen on 19 February 2007, which means that no new places have been added or removed since that time. From February 2012 all references to the RNE were removed from the EPBC Act. The RNE is maintained on a non-statutory basis as a publicly available archive.

## 4 Historic heritage

### 4.1 Historic heritage requirements

#### 4.1.1 Are any historic heritage values or elements present within the Project area?

##### Register search

The following heritage registers were searched on 15 June 2022 by Alexandra Squires (Senior Archaeologist, Aurecon) to determine whether any known historic heritage places were present within one kilometre of the Project area:

- World Heritage List (WHL)
- National Heritage List (NHL)
- Commonwealth Heritage List (CHL)
- National Trust (NT)
- Register of the National Estate (non-statutory) (RNE)
- Victorian Heritage Register (VHR)
- Victorian Heritage Inventory (VHI)
- Hume City Council Planning Scheme Heritage Overlays (HOs)
- Brimbank City Council Scheme Heritage Overlays (HOs)
- Moonee Valley City Council Scheme Heritage Overlays (HOs). Note: while the Project area is not located within this council area, the register search included a 1 kilometre buffer which also includes Moonee Valley City.

There are no registered historic heritage places located within the Project area (see Figure 4-1). There are no historic heritage places or values adjacent to the Project area. A total of four VHI sites and six heritage overlays are located within 1 kilometre of the Project area. These are largely confined to homesteads or farm structures, bridge or embankment infrastructure, and community buildings. The closest registered historic heritage place is situated approximately 165 metres north of the Project area, 'Victoria Road Homestead Ruins' which is listed on the VHI. The details of heritage places within 1 kilometre of the Project area are shown in Table 4-1.

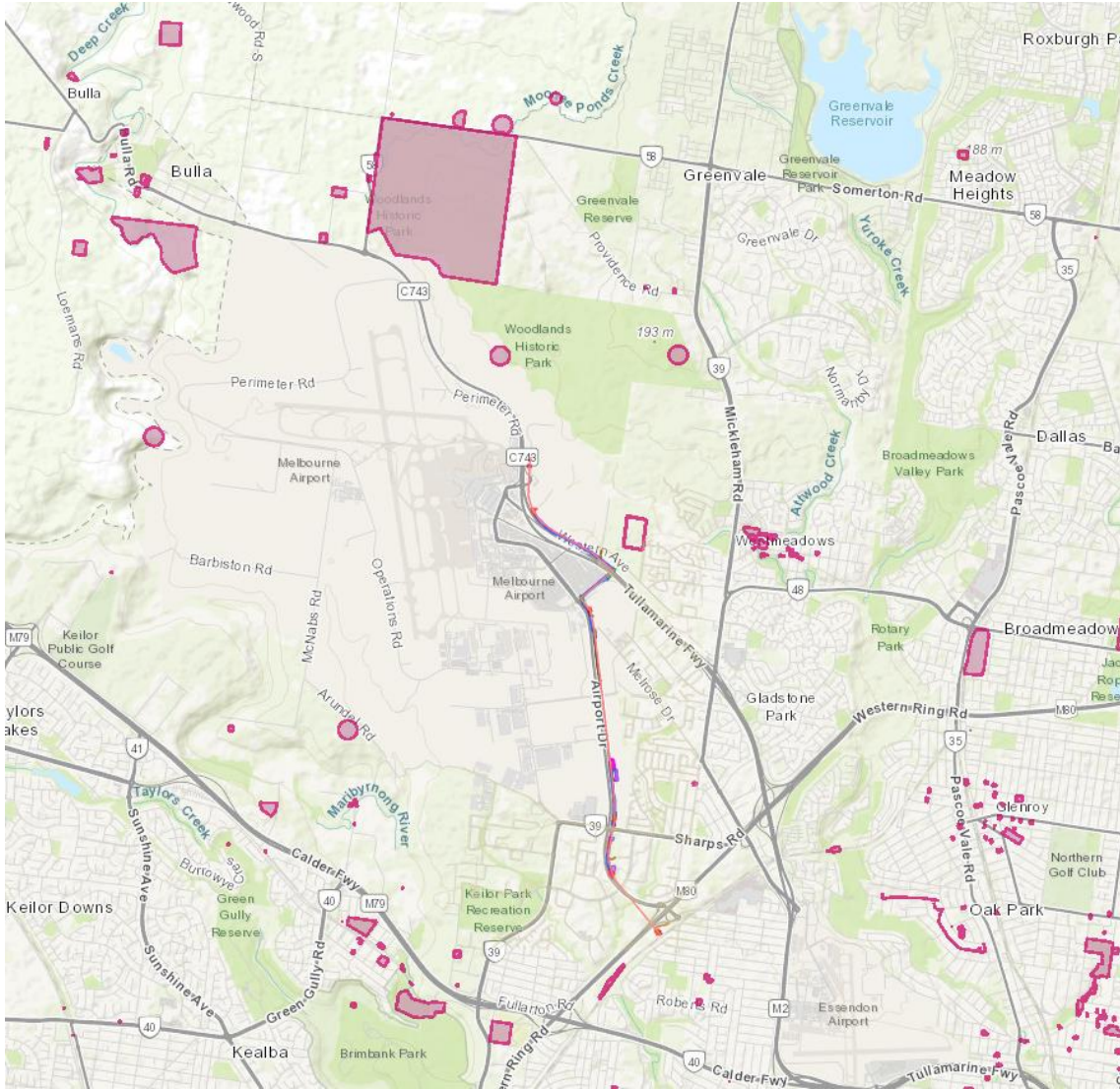


Figure 4-1 Historic places within 1 kilometre of the Project Area

Table 4-1 Results of the historic heritage register search

Register	Listing	Site ID	Proximity to Project area
VHI	Victoria Road Homestead Ruins	H7822-0352	Outside of the Project area, approximately 165 metres north
VHI	Wright Street Homestead Ruins	H7822-0353	Outside of the Project area, approximately 440 metres northeast
VHI	Steele Creek Tributary Bridge Ruin	H7822-0338	Outside of the Project area, approximately 420 metres west
VHI	Annandale Homestead Ruins	H7822-2322	Outside of the Project area, approximately 720 metres west
Hume City Council Planning Scheme Heritage Overlay	Farm Hedges and Dry Stone Walls Off Victoria Street and Wright Street, Westmeadows	HO384	Outside of the Project area, approximately 290 metres northeast
Hume City Council Planning Scheme Heritage Overlay	War Memorial (adjacent Primary School) Broadmeadows Road, Tullamarine	HO370	Outside of the Project area, approximately 965 metres east
Brimbank City Council Planning	<i>Steel Creek Rail Embankment</i> off Roberts Road, Keilor	HO37	Outside of the Project area, approximately 450 metres southwest

Register	Listing	Site ID	Proximity to Project area
Scheme Heritage Overlay			
Moonee Valley City Council Planning Scheme Heritage Overlay	St Christopher's Roman Catholic Church, 34 Roberts Road, Airport West	HO344	Outside of the Project area, approximately 875 metres southeast
Moonee Valley City Council Planning Scheme Heritage Overlay	Airport West Pre-School and Infant Welfare Centre 97 McNamara Avenue, Airport West	HO387	Outside of the Project area, approximately 810 metres southeast
Moonee Valley City Council Planning Scheme Heritage Overlay	R.G. Ratcliff Community Centre 1A South Road, Airport West	HO388	Outside of the Project area, approximately 735 metres southeast

## Land use history

The land north of Melbourne was first explored by Europeans Hume and Hovell when their 1824 expedition from Sydney to Port Phillip led them southward towards the junction of the Maribyrnong River and Jackson's Creek, past Redstone Hill in Sunbury before travelling to the western side of Port Phillip Bay (Harcourt, 2001). The landscape at this time was dominated by plains grassland and plains grassy woodland on the volcanic plains (NatureKit 2022).

The Project area is located within the currently named suburbs of Tullamarine and Westmeadows, both of which are northeast of Melbourne's CBD which underwent extensive land clearance and pastoral activities during the past 200 years, as a result of non-Aboriginal settlement. The Tullamarine and Westmeadows region is part of a large basalt plain created from volcanic lava that spread across the country in the Pliocene/Pleistocene era (Presland, 2009, p. 136). This land was ideally suited to grazing because of its extensive grasslands and was a prime location for early pastoralists. This suitability for grazing was aided by the proximity of watercourses with Steele Creek in the east and Moonee Ponds Creek in the west.

The Project area runs adjacent to and beneath the Western Ring Road (M80). Construction of the Western Ring Road (M80) began in 1989 (VicRoads 1993, p. 39) and the final stage between Sydney and Dalton Road was completed and opened to traffic in August 1999 (VicRoads 2000, p. 27). The Project area extends northwest along Airport Drive, which was constructed in 1997 and later extended between the Western Ring Road (M80) to Melbourne Airport in 2015 (VicRoads 2015, p. 13). Extending northeast the Project area runs beneath and adjacent to the Tullamarine Freeway. Construction of the Tullamarine Freeway began in 1945 and was completed in stages until 1979 (Country Roads Board 1980, p. 9), with reconstructions occurring between 2006 and 2007 (VicRoads 2007, p. 38).

In addition to the presence of roadways, underground assets including electrical, communications, water and gas are likely to run directly adjacent to and within the Project area. These assets would support nearby commercial, industrial and residential structures within the Tullamarine, Westmeadows, Keilor and Airport West suburbs.

## Aerial and satellite imagery review

Aerial imagery from 1945 indicates that the land surrounding the Project area was comprised of agricultural and pastoral land (Figure 4-2). Disturbances associated with the establishment of farmland would have included extensive vegetation and rock clearance. Scattered built structures (such as outbuildings) are visible and are likely associated with farm and homestead establishments. Outside of the Project area, disturbances associated with the establishment of railway and roadway infrastructure is visible, which would have resulted in the deposition of associated construction materials.

A 1985 aerial image demonstrates that the southern extent of the Project area was impacted by the construction of roadways (Figure 4-3). As these were constructed within the past 40 to 50 years, they are not

deemed to be of archaeological significance according to the Heritage Act. Outside of the Project area, disturbances associated with the establishment of the airport and surrounding residential buildings is evident. A recent 2022 satellite image demonstrates that the Project area appears to have undergone moderate to high levels of disturbance through the establishment of the Western Ring Road (M80), Airport Drive and Tullamarine Freeway (Figure 4-4). There are no visible historic features within the Project area.



Figure 4-2 Aerial imagery of approximate Project area, c. 1945 (DELWP 2022)



Figure 4-3 Aerial imagery of southern section of approximate Project area, c. 1985 (Landata 2022)

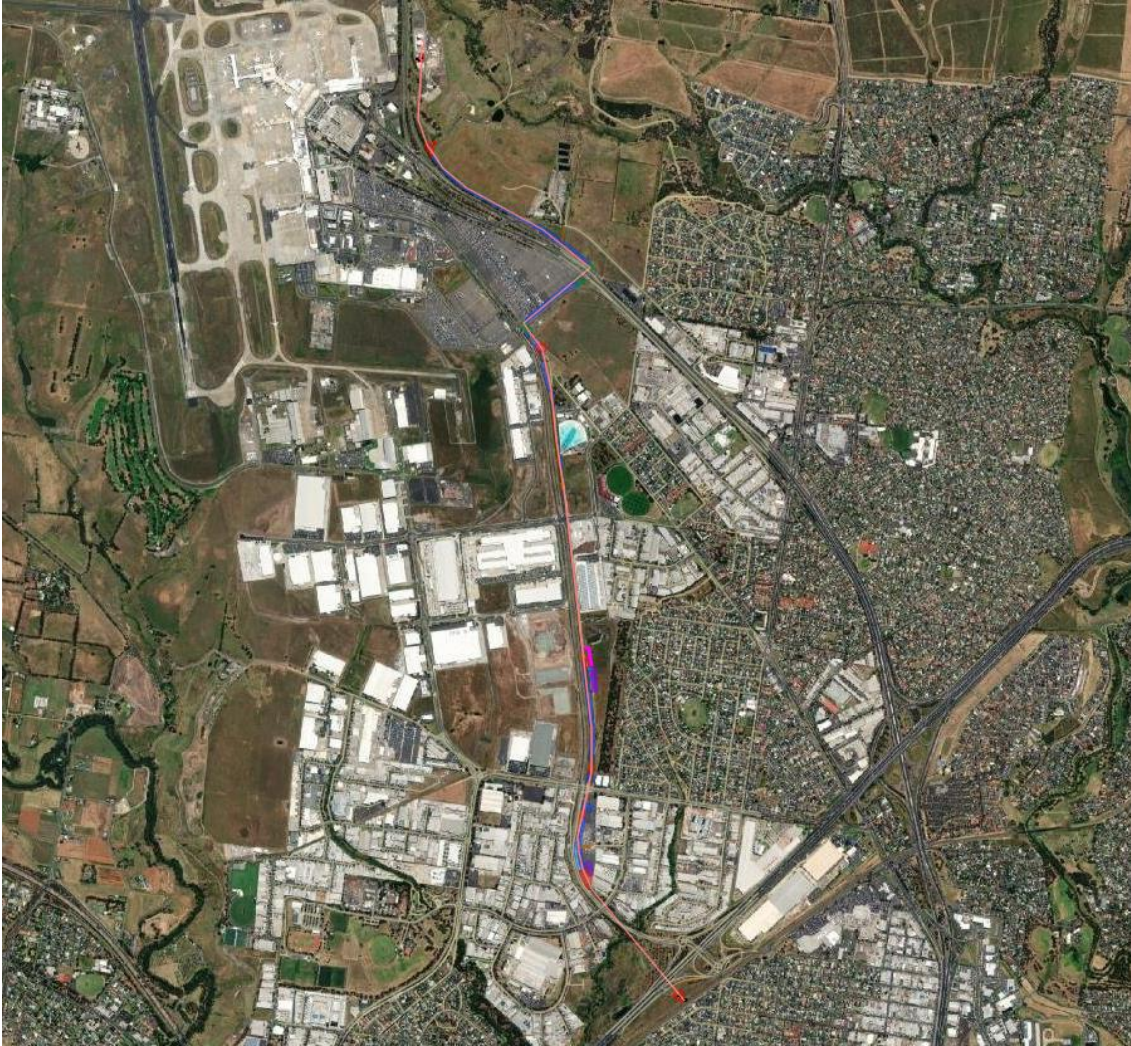


Figure 4-4 Satellite imagery of approximate Project area, c. 2022 (Department of Jobs, Precincts and Regions 2022)

#### 4.1.2 Predictive statement

Following a search of the historic heritage registers and review of land use history and aerial imagery, the following predictive summary statements can be made in relation to the Project area:

- There is low likelihood for unidentified historic heritage places to be present within the Project area due to the extensive levels of disturbance undertaken within and directly adjacent to the Project area.
- Based on a review of aerial and satellite imagery, there appears to be no visible structures with the potential for historic significance within the Project area.
- The most likely site type in the Project area would be associated with farmland infrastructure that was established by early non-Aboriginal pastoralists.

#### Will the proposed works impact any recorded historic heritage values or elements?

The proposed works will not impact any registered historic heritage values or elements. A register search has been conducted and did not identify any known historic heritage values or elements present within the Project area.

A brief review of the land use history of the Project area and a review of available historic aerial imagery has indicated that the Project area has undergone extensive levels of disturbance from the establishment of major roadways and underground assets. Therefore, there is a low likelihood for historic heritage elements to be present within the Project area that are yet to be identified and registered.



## **Will further historic heritage assessments be required?**

There are no historic heritage approval triggers for the project and no legislative requirements to undertake further historic heritage assessments under the *Heritage Act 2017*.

The *Heritage Act 2017* protects all archaeological sites in Victoria, regardless of whether they have been previously recorded; therefore, it is important to ensure that no historic places are damaged or destroyed before, during or after the completion of the Project. Any recorded or unrecorded historic sites that are at risk of damage or destruction will require a Permit or Consent to be issued prior to the commencement of any proposed works.

## 5 Conclusions and recommendations

There are no historic heritage places or values located within the Project area. There are no historic heritage places or values adjacent to the Project area. A total of four VHI sites and six Heritage Overlays are located within 1 kilometre of the Project area. These are largely confined to homesteads or farm structures, bridge or embankment infrastructure, and community buildings. The closest registered historic heritage place is situated approximately 165 metres north of the Project area, 'Victoria Road Homestead Ruins' which is listed on the VHI.

A brief review of the land use history indicated that the Project area has undergone moderate to high levels of disturbance through pastoral/agricultural activities, land clearance, the establishment of major roadways and existing underground assets. There is low likelihood for historic heritage elements or values to be present within the Project area due to construction of major roadways and continued maintenance and upgrade works. The most likely site types present within the Project area would be infrastructure associated with the region's history of pastoralism and cultivation.

### 5.1 Historic heritage recommendations

#### 5.1.1 Requirement for further historic heritage assessment

There are no historic heritage approval triggers for the Project and there are no legislative requirements to undertake further historic heritage assessments under the *Heritage Act 2017*.

A site inspection has not been completed as part of this assessment. However, the background research results has indicated that there is a low likelihood for historic heritage elements to be present within the Project area. Therefore, it is not deemed necessary to pursue further historic heritage assessments for the Project area.

#### 5.1.2 Unexpected discoveries of historic archaeological sites

All historic archaeological sites in Victoria older than 75 years are protected by the *Heritage Act 2017*, whether they are recorded on the VHI or not. It is an offence to knowingly or negligently deface, damage, or otherwise interfere with an archaeological site without obtaining the appropriate consent from the Executive Director of HV.

Under Section 127 of the *Heritage Act 2017*, if an archaeological site is discovered during construction or excavation on any land, the person in charge of the construction or excavation must, as soon as practicable, report the discovery to HV. If any unexpected archaeological sites are uncovered during construction works, an unexpected finds procedure must be followed by Viva Energy and/or their contractors. An example of a typically unexpected finds procedure is presented below.

##### Unexpected Finds Procedure

###### STOP

- Stop any activity which may impact on the discovery
- Ensure that other people working in the area are aware of it and have also stopped work in the area
- Protect the artefacts or site by erecting a temporary barrier

###### ADVISE

- A supervisor or the cultural heritage consultant must be consulted if they are on site
- Supervisors are to contact Viva Energy to advise of the discovery
- Supervisors are to advise HV where the discovery was made and provide a description or photograph of the discovery

## **MANAGE**

- HV, the onsite heritage consultant or supervisor will advise on how to manage the discovery
- Management of the discovery may involve protection, recovery, recording or removal of the artefacts or features and is likely to require a Consent to Damage permit from HV.

## 6 References

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