# Cultural Heritage Management Plan

* Evaluation Checklist

This checklist has been developed by Aboriginal Victoria to assist when reviewing Cultural Heritage Management Plans (CHMPs) prepared in accordance with the *Aboriginal Heritage Act* 2006 and the Aboriginal Heritage Regulations 2018.

***The purposes of the checklist are to:***

* 1. Ensure consistent standards are applied when CHMPs are evaluated;
  2. Provide measurable prompts for evaluators;
  3. Allow the review process to be transparent and accountable;
  4. Facilitate the preparation of CHMPs in a manner consistent with prescribed standards; and
  5. Encourage CHMP authors to review their own work before submitting it for evaluation and approval.

**The checklist is to be used with the following points in mind:**

* The aim of this checklist is to get a ‘tick’ or ‘yes’ against every prompt;
* Not every prompt will be relevant to every CHMP; and
* Reviewers are expected to use their expertise and discretion when using the checklist, and refer to the relevant section of the *Aboriginal Heritage Act* 2006 and the Aboriginal Heritage Regulations 2018 when necessary.

|  |
| --- |
| *CHMP NUMBER:* |
| *NAME OF THE PLAN:* |
| *AUTHOR(S):* |
| *DATE OF THE PLAN:* |

***SUMMARY OF COMMENTS ABOUT THE PLAN***

*The* ***CHMP is acceptable*** *and can be approved****, OR***

*The* ***CHMP does not meet the minimum standards*** *and cannot be approved (see the boxes ticked in the attached assessment)*

*The* ***conditions of the CHMP are not satisfactory*** *and cannot be approved (see the Consideration for Approval section in the attached assessment)*

***BASIC STRUCTURE OF THE PLAN***

|  |  |  |  |
| --- | --- | --- | --- |
| ***ISSUE BEING EVALUATED*** | ***Yes*** | ***No*** | ***Comments*** |
| 1. Are all pages typed and numbered? |  |  |  |
| 1. Is the report in plain English? |  |  |  |
| 1. Are any measurements in the text and in diagrams stated as *metric* units? |  |  |  |
| 1. Are all geographic coordinates (where recorded) presented with reference to the Victorian Government Standard GDA94 MGA for eastings, northings. |  |  |  |
| 1. Does the **cover and title page** identify the activity and its general location, the *sponsor*, *advisor* and *author/s* (if different to the advisor) by name, the *date of completion*, and the AV Management Plan *number*? |  |  |  |
| 1. Does the **title page** identify whether the activity area is *small/medium/ large*, whether the assessment concluded at the *desktop/ standard/ or complex* level, and whether registered Aboriginal cultural heritage is present in the activity area? |  |  |  |
| 1. Does the **executive summary:**  * set out the *activity*, the *location*, the *assessment* undertaken, the *results* of the assessment, the *Aboriginal cultural heritage* in the activity area? * include a statement that management conditions are set out in Part 1 of the management plan? and * take up no more than one page of text? |  |  |  |
| 1. Does the **table of contents** (and report) include at least the *Standard Contents*? |  |  |  |
| 1. Do the **references** list all reports, articles, primary sources, maps or books referred to in the Management Plan and comply with standard referencing conventions? |  |  |  |
| 1. Do the **appendices** include (without limit):  * the *Notice of Intention to Prepare a Management Plan* (including the map) provided by the sponsor to various parties under Section 54 of the Act? * the *notice from each relevant RAP* to the sponsor specifying whether or not it intends to evaluate a Management Plan under Section 55 of the Act (where relevant)? * A glossary listing simple explanations for any technical terms specifically used in the Management Plan? * A Gazetteer of all Aboriginal cultural heritage found, discovered and/or subject to investigation in the activity area indexed by Victorian Aboriginal Heritage Register numbers? and * Any catalogues of data recorded about Aboriginal cultural heritage, such as detailed recording of stone artefact dimensions/ features for analysis? |  |  |  |

Part 1 – Cultural Heritage Management Conditions

***MANAGEMENT REQUIREMENTS AND CONTINGENCY PLANS***

|  |  |  |  |
| --- | --- | --- | --- |
| ***ISSUE BEING EVALUATED*** | ***YES*** | ***NO*** | ***COMMENTS*** |
| 1. Are the statements required by the approved form included immediately below the heading for Part 1 of the management plan? |  |  |  |
| 1. In the **specific cultural heritage management requirements**: |  |  |  |
| * are specific management conditions numbered? |  |  |  |
| * are the requirements presented by Victorian Aboriginal Heritage Register number? |  |  |  |
| * where identified, do the conditions include requirements for ensuring areas likely to contain Aboriginal cultural heritage, that are not to be impacted by the activity, are protected? |  |  |  |
| * do specific management conditions specify whether the conditions must be satisfied before, during, or after the activity is carried out? and |  |  |  |
| * is there a map(s) showing the location of the requirements? |  |  |  |
| 1. Are the **contingency plans** numbered and are there arrangements for: |  |  |  |
| * matters referred to under section 61 (such as avoiding or minimising harm if possible)? |  |  |  |
| * the resolution of any disputes between the sponsor and relevant RAPs or AAG in relation to the implementation of an approved Management Plan or the conduct of the activity (if a RAP is evaluating the Management Plan)? |  |  |  |
| * reviewing compliance with the Management Plan and mechanisms for remedying non-compliance? |  |  |  |
| * the management of Aboriginal cultural heritage found during the activity? |  |  |  |
| * the notification, in accordance with the Act, of the discovery of Aboriginal cultural heritage during the carrying out of the activity? |  |  |  |
| * if the activity is a subdivision referred to in Regulation 49 of the Regulations, the specific contingencies set out in Schedule 2, clause 13(2) of the Regulations? |  |  |  |

Part 2 – Assessment

***INTRODUCTION AND ACTIVITY DESCRIPTION***

|  |  |  |  |
| --- | --- | --- | --- |
| ***ISSUE BEING EVALUATED*** | ***Yes*** | ***No*** | ***Comments*** |
| 1. Does the introduction contain the following: |  |  |  |
| * the reasons for preparing the Management Plan (in accordance with Regulation 67 of the Regulations); |  |  |  |
| * reference to the Notice of Intention to Prepare a Management Plan; |  |  |  |
| * a brief *description of the location* of the activity area, including relevant cadastral details; |  |  |  |
| * the name of the *sponsor*; |  |  |  |
| * the name of the *heritage advisor* who undertook the work and their qualifications and experience (in accordance with Section 189 of the Act); |  |  |  |
| * the name(s) of the *owner(s) or occupier(s)* of the land where the activity area is located; |  |  |  |
| * the *RAP(s)* with responsibility for the activity area; |  |  |  |
| * whether any *RAP has elected to evaluate* the Management Plan; and |  |  |  |
| * whether any Activity Advisory Group was appointed by the Secretary in relation to the Management Plan. |  |  |  |
| 1. Does the **activity description** provide clear and relevant information about the nature and extent of the proposed activity and any associated ancillary works? |  |  |  |
| 1. Does the **activity description** provide clear information about the likely impact of the activity on the surface of the land and buried former land surfaces? |  |  |  |
| 1. Has the **activity area** been described adequately and presented as a map in the approved format in accordance with Schedule 2, clause 7 of the Regulations? |  |  |  |
| 1. Has the relevant *local municipality* been identified? |  |  |  |
| 1. If the activity is a subdivision, is there a description of how each lot is intended to be used or developed? |  |  |  |
| 1. If the activity is a subdivision, and no description is provided under question 6, is there a description of the use or development of the lot permitted by the relevant planning scheme? |  |  |  |

***DOCUMENTATION OF CONSULTATION*** *(if a RAP has elected to evaluate this plan)*

|  |  |  |  |
| --- | --- | --- | --- |
| ***ISSUE BEING EVALUATED*** | ***Yes*** | ***No*** | ***Comments*** |
| 1. Does the documentation of consultation state the name and functions of any representative appointed by the RAP(s)? |  |  |  |
| 1. Does it include detail of consultation between the sponsor and the RAP(s) in relation to *assessment* of the area? |  |  |  |
| 1. Does it include detail of the RAP(s) *participation* in the conduct of the assessment for the Management Plan? |  |  |  |
| 1. Does it include details of the reasonable efforts made by the sponsor to consult with the RAP about the collection and review of oral history related to the activity area? |  |  |  |
| 1. Does it include detail of the sponsor’s efforts to consult with the RAP(s) in relation to the *conditions*? |  |  |  |
| 1. Does it identify the RAP representatives, if any, who participated in Management Plan meetings and/or consultation? |  |  |  |
| 1. Does it identify RAP representatives, if any, who participated in any field assessment? |  |  |  |
| 1. Does it provide a summary of the outcomes of consultation? |  |  |  |

***RESULT OF ASSESSMENT***

|  |  |  |  |
| --- | --- | --- | --- |
| ***ISSUE BEING EVALUATED*** | ***Yes*** | ***No*** | ***Comments*** |
| 1. Are *Victorian Aboriginal Heritage Register* numbers used to identify all Aboriginal cultural heritage? |  |  |  |
| ***Desktop Assessment*** | | | |
| 1. Has a search of the *Victorian Aboriginal Heritage Register* been undertaken for information relating to the activity area? |  |  |  |
| 1. Is the date(s) (Day/Month/Year) when the *Victorian Aboriginal Heritage Register* was accessed included? |  |  |  |
| 1. In relation to a **geographic region**:  * Has a geographic region of which the activity area forms a part (relevant to the Aboriginal cultural heritage that may be present) been identified and determined? |  |  |  |
| * Is the boundary of this region shown on a map(s), which also indicates the location of the activity area? |  |  |  |
| * Is there a review of registered Aboriginal places in the geographic region? |  |  |  |
| * Is there a review of reports and published works about Aboriginal cultural heritage relating to the geographic region? |  |  |  |
| * Is there a review of historical and ethno-historical accounts of Aboriginal occupation of the geographic region? |  |  |  |
| 1. In relation to the **activity area**:  * Has a review been undertaken of the landforms or geomorphology of the activity area? |  |  |  |
| * Has a review been undertaken of the land-use history of the activity area? |  |  |  |
| 1. Is there a conclusion, surmising from the desktop assessment, whether it is reasonably possible Aboriginal cultural heritage is present in the activity area? |  |  |  |
| ***Standard Assessment (if any)*** | | | |
| 1. Has the method by which any **ground survey** or other standard assessment been clearly presented and implemented? |  |  |  |
| 1. Is there a map(s) showing ground survey areas and any Aboriginal places in the survey areas, including estimates of effective survey coverage? |  |  |  |
| 1. Does the ground survey include examination of the ground surface of the activity area, any mature trees in the activity area, and any cave, rock shelter or cave entrance in the activity area? |  |  |  |
| 1. Are the names of those who took part in the survey provided? |  |  |  |
| 1. Are details of obstacles (if any) encountered in completing the survey included? |  |  |  |
| 1. Are there results and conclusions that identify areas likely to contain Aboriginal cultural heritage (if any)? |  |  |  |
| ***Complex Assessment (if any)*** | | | |
| 1. Have the excavation aims and methodology been clearly presented and implemented? |  |  |  |
| 1. Is there a map(s) showing subsurface testing or excavation pits or transects and any Aboriginal places in the vicinity of these areas? |  |  |  |
| 1. Are there scaled section drawings or scaled photographs of the profile of:  * each controlled excavation where Aboriginal cultural heritage is present? * each controlled excavation representative of a landform being investigated? |  |  |  |
| 1. Have all geographic co-ordinates of subsurface testing or excavation pits or transects, including transect start and end points, been provided? |  |  |  |
| 1. Are the names of those who took part in the subsurface testing or excavation provided? |  |  |  |
| 1. Is the name of the person(s) responsible for supervising the subsurface testing or excavation provided?   *\* Note: This person(s) must be appropriately qualified in archaeology* |  |  |  |
| 1. Are details of any physical or other obstacles (if any) to carrying out the subsurface testing or excavation presented? |  |  |  |
| 1. Have the results and conclusions of the subsurface testing and/or excavation, including any radiometric dating results, been fully presented? |  |  |  |

***DETAILS OF ABORIGINAL CULTURAL HERITAGE***

|  |  |  |  |
| --- | --- | --- | --- |
| ***ISSUE BEING EVALUATED*** | ***Yes*** | ***No*** | ***Comments*** |
| 1. For the assessment of the Aboriginal cultural heritage, does the report include: |  |  |  |
| * details of the assessment undertaken to determine the nature and significance of each Aboriginal place or object, including analysis of site formation processes and (where relevant): artefact analysis; shell or faunal analysis; radiometric dating; statistical analysis; and any other relevant analysis undertaken? |  |  |  |
| * a summary of information, if any, provided by a member of a relevant RAP or other person about the Aboriginal cultural heritage of the activity area? |  |  |  |
| * an accurate transcript of any oral information provided by a representative of a relevant RAP or other people who may possess information about the Aboriginal heritage of the activity area, if the person who provided the information consents? |  |  |  |
| * the results of the assessment of the Aboriginal cultural heritage? |  |  |  |
| 1. Is there a map(s) of the activity area showing all Aboriginal cultural heritage found, discovered and/or subject to investigation with reference to Victorian Aboriginal Heritage Register numbers? |  |  |  |
| 1. Are the descriptions of Aboriginal cultural heritage in the CHMP consistent with the registration of the Aboriginal cultural heritage on the Victorian Aboriginal Heritage Register? (Schedule 2 (11))? |  |  |  |
| 1. For each Aboriginal place or object found, discovered and/or subject to investigation in the activity area, which may be subject to impact by the activity, is there presented: |  |  |  |
| * the Victorian Aboriginal Heritage Register number? |  |  |  |
| * the full cadastral description of the land on which Aboriginal cultural heritage is located? |  |  |  |
| * **the Extent** – a detailed **plan** of each Aboriginal place found, discovered and/or subject to investigation including co-ordinates? |  |  |  |
| * **the Nature** – a detailed description of the Aboriginal cultural heritage found, discovered and/or subject to investigation? |  |  |  |
| * **the Significance** – a statement of the significance of the Aboriginal cultural heritage found, discovered and/or subject to investigation in terms of the definition of ‘cultural heritage significance’ in Section 4 of the Act? |  |  |  |
| * at least one representative photograph or digital image of the Aboriginal cultural heritage? |  |  |  |
| 1. For each place the cultural heritage assessment identifies as likely to contain Aboriginal cultural heritage, which will not be impacted by the activity, is there presented:  * the reasoning behind the identification of the area likely to contain Aboriginal cultural heritage? * a description of the area identified as likely to contain Aboriginal cultural heritage? |  |  |  |

***CONSIDERATION OF SECTION 61 MATTERS – IMPACT ASSESSMENT***

|  |  |  |  |
| --- | --- | --- | --- |
| ***ISSUE BEING EVALUATED*** | ***YES*** | ***NO*** | ***COMMENTS*** |
| 1. For each Aboriginal place or object found, discovered and/or subject to investigation in the activity area, is there consideration of the following presented: |  |  |  |
| * whether the activity will be conducted in a way that avoids harm to the Aboriginal place or object; |  |  |  |
| * if it does not appear to be possible to conduct the activity in a way that avoids harm to Aboriginal place or object, whether the activity will be conducted in a way that minimises harm to Aboriginal place or object; |  |  |  |
| * any specific measures required for the management of the Aboriginal place or object likely to be affected by the activity, before, during and after the activity.   (Note: management requirements should include, without limitation: avoidance of as much of the Aboriginal cultural heritage as possible, based on the significance of the Aboriginal cultural heritage; developing an appropriate salvage strategy to recover information about Aboriginal cultural heritage if it is not possible to avoid disturbance, based on the significance of the Aboriginal cultural heritage) |  |  |  |
| 1. Does the report consider the cumulative impacts of the activity on Aboriginal cultural heritage in the region? |  |  |  |
| 1. Does the report consider any contingency plans that might be necessary in relation to disputes, delays and other obstacles that may affect the conduct of the activity? |  |  |  |
| 1. Does the report consider the custody and management of Aboriginal cultural heritage during the course of the activity? |  |  |  |

***CONSIDERATION FOR APPROVAL***

The following part of this checklist has been developed to assist when considering whether a CHMP may be sufficient for the relevant RAP to approve. The following should be kept in mind:

* In considering whether to approve a CHMP, the RAP must consider whether it is satisfied with how the conditions address section 61 matters.
* This decision is discretionary.

|  |  |  |
| --- | --- | --- |
|  | **CHMP SHOULD BE APPROVED** | **CHMP MAY NOT BE APPROVED** |
| 1. *Are the conditions consistent with the outcomes of consultation undertaken with the RAP about the conditions?* |  |  |

***CONSIDERATION FOR APPROVAL***

The following questions should have been answered during the consultation undertaken with the RAP about the conditions.

|  |  |  |  |
| --- | --- | --- | --- |
| ***ISSUE BEING EVALUATED*** | ***YES*** | ***NO*** | ***REASON*** |
| 1. *Is the RAP satisfied with how the CHMP proposes to avoid harm to Aboriginal cultural heritage?* |  |  |  |
| 1. *Is the RAP satisfied with how the CHMP proposes to minimise harm to Aboriginal cultural heritage?* |  |  |  |
| 1. *Is the RAP satisfied with the specific measures proposed for the management of Aboriginal cultural heritage likely to be affected by the activity?* |  |  |  |
| 1. *Is the RAP satisfied with the proposed contingency plans?* |  |  |  |
| 1. *Is the RAP satisfied with the proposed custody and management arrangements?* |  |  |  |