

Parks Victoria
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ABN 95 337 637 697

14 March 2025

Native Title Committee
Gunaikurnai Land and Waters Aboriginal Corporation
27 Scriveners Road (Forestec)
KALIMNA WEST VIC 3909
Email: reception@glawac.com.au

**Dear Chairperson** 

## NOTICE CONCERNING WORKS ON NATIVE TITLE LANDS (RIGHT TO COMMENT) TALBOTVILLE CAMPING AREA TOILET REPLACEMENT— GRANT HISTORIC AREA

#### The Proposal

Parks Victoria is proposing works at Talbotville camping area within Grant Historic Area to provide an enhanced visitor experience through upgraded facilities. The project is part of the Victorian Great Outdoors program, an investment by the Victorian Government to improve forests, parks, campgrounds and facilities to enable more Victorians to enjoy the great outdoors.

#### Works include:

- Construction of a new 1x 2 cubicle toilet block at Talbotville camping area
- Construction of gravel path for access to toilet block (approximately 10m)

The location of the area subject to proposal is outlined in the following attachments:

- Attachment 1 Location Map
- Attachment 2 Talbotville Campground Detailed Design

#### **Description of the Native Title Land and Waters Affected**

Address: Crooked River Track, Wongungurra

Crown description: Crown Allotment 2002, Parish of Bemboka

The activity is within Grant Historic Area, unreserved Crown Land subject to approved Land Conservation Council Alpine Area Special Investigation 1983 Final Recommendations. The land is considered to be subject to an Act by the Crown that determined that it was to be used for a particular purpose and therefore constitutes a reservation under the meaning of Section 24JA(1).



#### **Seeking your comments**

The *Native Title Act 1993* (NTA) requires Parks Victoria to consult and seek comments from the Traditional Owners of Native Title lands and incorporate appropriate conditions into the use and development of the land.

Parks Victoria received Cultural Heritage Permit GKRAP-19-0003 under Cultural Heritage legislation. However, if you would like Parks Victoria to raise some specific conditions on cultural heritage protection matters in the exercise of your native title right to protect cultural heritage, as part of this formal commentary and approvals process, we will be happy to do so at your direction.

Further, your comments on how this proposal might affect other native title rights and interests, and how that can be managed or addressed as part of this approvals process, are sought.

These recognised rights and interests include the:

- right to have access to or enter and remain on the land and waters;
- right to use and enjoy the land and waters;
- right to take the resources of the land and waters for the purposes of satisfying personal, domestic or communal needs, but not for any commercial purposes;
- right to protect and maintain places and areas on the land and waters which are of importance according to Gunaikurnai traditional laws and customs;
- right to camp;
- right to engage in cultural activities;
- right to engage in rituals and ceremonies;
- right to hold meetings and gatherings;
- right to teaching and learning about the physical, spiritual and cultural attributes of places and areas of importance.

Please note that the 'non-extinguishment' principle applies to these works and your native title rights will continue to exist over the site.

Parks Victoria intends to proceed with the project after 40 days from the date of this notification have elapsed (23 April 2025).

#### **Legislative Basis for this Notice**

The proposed activity is a valid future act pursuant to Section 24JA of the Native Title Act 1993.

Subdivision J of the *Native Title Act 1993* (NTA) allows for acts to be carried out on reserves provided that the act is in good faith with the purpose of the reservation. Where the act involves the construction of a public work, it is necessary that formal procedural notice be given to any Body Corporate and to any registered Representative Body.

This notice is also prepared and issued cognisant of the agreed terms outlined in Section 7.3 of the Indigenous Land Use Agreement between the State of Victoria and the Gunaikurnai Land and Waters Aboriginal Corporation dated 22 October 2010 and registered with the National Native Title Tribunal on 8 February 2011.

The proposed works are to be carried out over land that was validly reserved prior to 23 December 1996. The future act is in accordance with the purpose of the reservation.



The proposed works of a toilet block are considered "a building" which constitutes the establishment of a public work under Part 15, Division 4, Section 253 of the *Native Title Act 1993*.

The <u>non-extinguishment</u> principle applies.

Should you wish to discuss this proposal please contact Catherine Richardson, Land Use & Statutory Planning Coordinator, Parks Victoria on catherine.richardson@parks.vic.gov.au or 0429 856 587.

**Catherine Richardson** 

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Land Use and Statutory Planning Coordinator—Eastern Victoria Parks Victoria

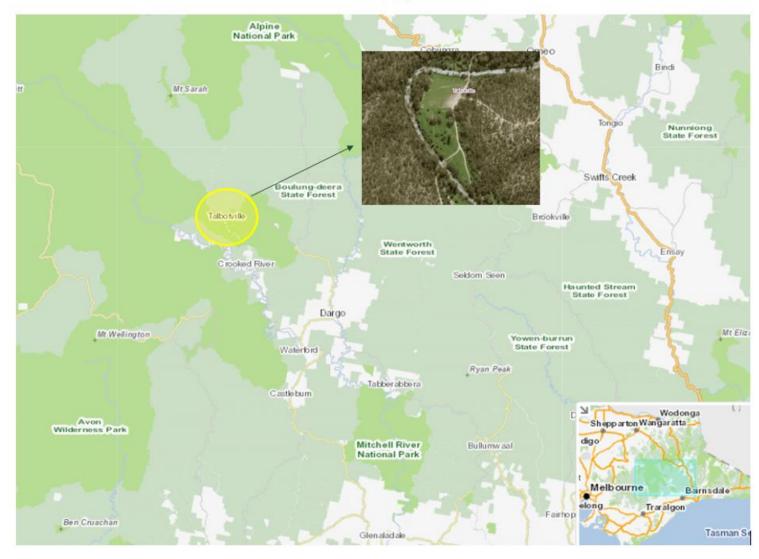
Date of Notice: 14 March 2025





### **Attachment 1 - Location Map**

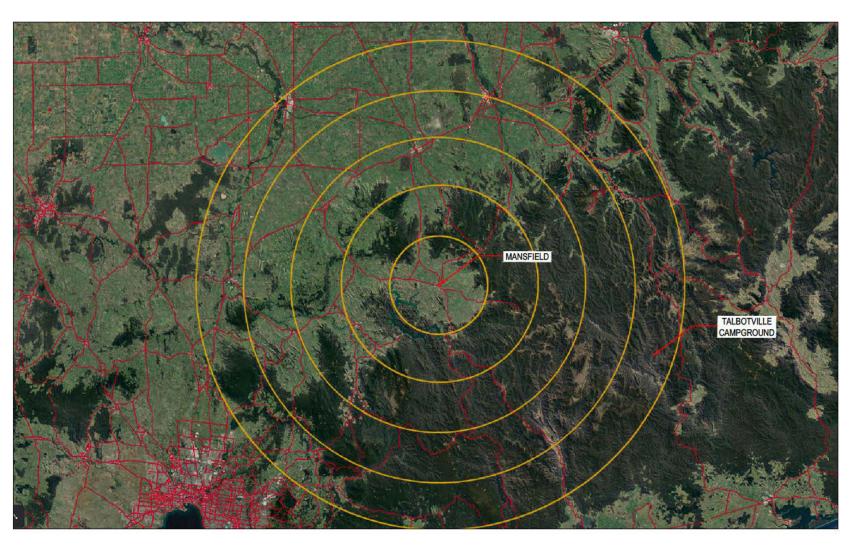
## Grant Historic Area – Talbotville Campground



# **High Iconic Campgrounds**

**Talbotville Campgrounds Detailed Design Landscape Works** Parks Victoria

DRAWING NUMBER	REV	DRAWING DESCRIPTION
43199P-05-00-001	С	Detailed Design Landscape Works Cover, Drawings Index, Locality Plan
43199P-05-00-002	C	Detailed Design Landscape Works Specification Notes 01
43199P-05-00-003	С	Detailed Design Landscape Works Specification Notes 02
	C	
43199P-05-01-TB-401	В	Detailed Design Landscape Works Tallbotville Campground Landscape Plar Sheet 02
43199P-05-DD-600	С	Detailed Design Landscape Works Details- Sheet 01
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LOCALITY PLAN



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REV	DATE	REVISION DESCRIPTION	WVR No
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С	2023-12-04	ISSUED FOR TENDER	
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**High Iconic Campgrounds** 

Cover, Drawings Index, Locality Plan

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T MANAGER	C.LOFTUS	SHEET 01 OF 12	
T DIRECTOR	C.LOFTUS		
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DRAWING No. 9P-05-00	-001		

#### 1.2 Type of Contract

This Contract is a Lump Sum Contract not subject to rise and fall. The Contractor shall undertake all of the works specified within the plans, schedules and specification for the Total Contract Sum shown at the bottom of the Schedule Summary The requirements of Parks Victoria General Conditions of Contract and the Parks Victoria Conditions of Quotation together with any annexure, addendums or exclusion shall apply to the specified works.

Parks Victoria reserve the right to award all or some of the sites to a Contractor.

#### 1.3 Quantities

The Contractor shall be responsible for determining the quantities (excepting Provisional Quantities), tasks and amount of work required to complete the works as specified.

Parks Victoria reserve the right to award all or some of the sites to a Contractor.

#### 1.4 Pre-tender Site Inspection

Prior to submitting the Quotation, each Tenderer must examine the site and become acquainted with the nature and extent of the contract and the works to be carried out. The Contractor must make his own assessment of the site difficulties and determine the type and capacity of the equipment required to carry out the works.

#### 1.5 Project Timeline

The time taken for completion of works on site needs to be minimised because of the necessity to provide access for visitors as well as access to crown land during the next summer bushfire danger period. A tender timeline is for consideration by Tenderers.

Tenderers are required to include in their Quotation Submission, the earliest commencement date, the time required to complete the contract works, and a statement of their ability to comply with the specified timelines. This information will be considered as part of the tender evaluation process. The agreed time of completion will become the contract period and accordingly the contract works shall be completed by the agreed period, commencing at the date of the acceptance of the Quotation by Parks Victoria. Before commencing work the Contractor shall supply to the Parks Victoria Superintendent for review and approval a construction program illustrating the planned sequence of work. The program shall include dates for starting and completion of the Works.

#### 1.6 Defects Liability Period

The Defects Liability Period shall be 12 months, commencing at the date of Practical Completion. The contrador shall, at his own expense, make good all defects of material and workmanship that may arise during the Defects Liability Period. The Contractor must inspect and maintain all sediment and erosion controls, and repair all scouring of batters and toosoiled areas during the defects period.



#### 1.9 Specification Hierarchy

1.9 Specification Hierarchy
This Particular Specification is to be read in conjunction with the Parks Victoria General Conditions of

Where there is conflict

between clauses the requirements of the particular specification shall apply. The intent of this Particular Specification section is to specify matters that are particular to this project. 1.11 Site Access

Parks Victoria will establish access points for the Contractor to undertake its works, this may include access via private properties and will be confirmed if

via private properties and will be confirmed.

The Contractor shall be responsible for providing and maintaining access at the work site and no additional payment will be made for this work.

The Contractor shall at all times minimise the number of vehicles present at a work site and shall organise for staff vehicles to be parked off site in a safe environment which does not impact on vegetation. The Contractor shall carry out all necessary work and procedures to ensure that material from the site is not tracked or deposited on any road. Any material tracked or deposited onto any road shall be immediately removed by the Contractor at the Contractor's expense.

#### 1 12 Scope of Works

The works to be performed under the Contract shall include the supply of all materials, plant, labour and other resources necessary to complete all the Works specified within the Particular Specification and shown on the Drawings and shall include but not be limited to the following:

- Site management and supervision including implementation and monitoring of Health and Safety, Environmental and Quality Assurance plans
- Site survey and setting out of the Works Checking for utility services
- Removal of existing structures
- es in the contract of
- Clearing and grubbing
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- Topsciling works, erosion protection works and reinstatement of all disturbed areas.
- All other works required to complete the project

#### 1.13 Environmental Management

This section is to be read in conjunction with 1.35 Warnings

The Contractor must submit a written Environment and Heritage Management Strategy and Environment and Heritage Management Plan the Superintendent for approval, in accordance with the requirements of Specification - Part B. The documentation must also detail how the Contractor intends to minimise the environmental risks relating to the carrying out of the works. The plan must also address all of the relevant sections of the EPA Publication No. 480 Environmental Guidelines for Major Construction Sites, including land disturbance, noise and vibration, waste minimisation, emergency procedures, temporary works, and inspections, monitoring and environmental audits.

The plan must also be site specific, and detail how the Contractor will gain access to the site of the works, and the extent of each site to be occupied for defivery, stockpiling and storage of materials, bedding, pipes and backfill material. The Contractor must carry out the reinstatement of all disturbed areas to the satisfaction of the Superintendent immediately upon completion of the works.

The controls to be implemented to minimise erosion and sediment movement shall be as required in Specification - Part B, and as detailed in the EPA Publication No. 275 Construction Techniques for Sediment Pollution Control.

he addition to the environmental management requirements of the Specification - Part B, the Contractor shall prepare and submit for approval by the Superintendent, a written procedure and plan showing how the stream flows are to be managed and/or diverted during the construction works.

#### 1.14 Underground Services

The Contractor shall investigate and confirm that no underground services exist at the site. It shall be deemed that the cost of this is included in the contract rates and amounts

#### 1.15 Clearing and Grubbing

Clearing and grubbing of vegetation is required to construct the works in accordance with the plans. The required Planning Approval to permit the removal of native vegetation will be obtained by the Parks Victoria and the Contractor shall comply with all conditions specified in the approval. The Contractor shall mark the extent of clearing on the site for the approval of the Superintendent, prior to the commencement of the ceating works.

Any damage or disturbance to vegetation beyond the extent of the works will not be permitted. Where directed by the Superintendent, the Contractor must install and maintain adequate delineation of the extents of the construction using flagging tape or similar material, in order to prevent accidental disturbance of adjacent vegetation.

The removal, trimming or pruning of trees and shrubs that are adjacent to the works may be required for installation of the culvert headwalls and rock beaching. The Superintendent must approve the extent of trimming, and works must be carried out in accordance with the specification.

The limits of vegetation clearing shall be as follows:

- Two metres beyond the top of all cut batters
- One metre from the toe of all fill batters

The Superintendent may direct the Contractor to carry out additional vegetation clearing where it can be shown that the vegetation is or will become a safety risk, or where required to provide site access.

#### 1.16 Demolition and Excavation Works

All cleared vegetation, trees, debris and spoil shall be removed from the site and disposed of by the Contractor at locations nominated by the Parks Victoria. Such sites shall be on public land managed by the Parks Victoria. No burning or burying of materials will be permitted on site without the written permission of the Superintendent.

#### 1.17 Set Out of the Works

The Contractorshall set out the works for this contract in strict conformity with the plans. The contractor shall ensure that sufficient survey pegs or reference marks remain in position to allow the work to be checked by the Superintendent at any time.

#### 1.18 Nominated Sites for Fill Disposal

Excavated and other unsuitable material from the site shall be disposed of at the area nominated by the Parks Victoria. The disposal site will be pointed out to Tenderers by the Parks Victoria.



#### 1.20 Compaction of site surfaces

The contractor is to determine suitable compaction methodology, such as small riding roller, power walk behind roller, sod roller, vibrating plate tamp or similar. Determination shall be made in consultation and recommendation with the supplier of the material and shall be submitted to the superintenderal for acceptance. Compaction shall commence only after wetting of the entire gravel profile, ensuring the material is moist, but not wet. Compact to a minimum density of 96% modified retains compaction.

#### 1.21 Finishing the site surfaces

After compaction, the gravel surface shall grade eventy between design levels as designated on the design drawings. The finished surface shall have a clean and neat appearance with no soft patches or areas with large loose particles. No puddling of water should occur. Joints with paving and edge boards shall be flush. Any settlement of granitic gravel shall be made up with granitic gravel to design levels and the relevant specifications.

Ensure edges of gravel pavement are sharply defined in accordance with the design drawings.
 Remove any excess areas of gravel.



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TOWER 4, LEVEL 20, 727 COLUNG STREET DOCKI ANDS VIC 3008

SMEC PROJECT No 30043100P

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PROJECT TITLE

High Iconic Campgrounds Tabotville Campgrounds Detailed Design Landscape Works

Specification Notes 01

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DRAFTING CHECK	FAMAL	
DESIGNER	D.ONG	
DESIGN CHECK	D.ONG	
PROJECT WANAGER	CLOFTUS	SHEET 02 OF 12
PROJECT DIRECTOR	CLOFTUS	
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43199P-05-00-002

Contractor in accordance with the rates tendered in the Dayworks Schedule. The Contractor must obtain approval from the Superintendent prior to the commencement of any works to be carried out by Dayworks. The Contractor must submit on a daily basis, written records for approval by the Superintendent detailing any Dayworks carried out.

#### 1.24 Site Protection, Erosion Control & Stream Protection

Methods of construction and drainage from the site during construction need to ensure minimal sediment loading occurs in watercourses, methods and locations of drainage dispersion will be approved by the superintendent. soil from every hole excavated is to be carried out and stockpiled at an agreed location.

Operations must be suspended whenever stream water quality is likely to be reduced following periods of wet weather (i.e. when water is flowing freely on the road surface), or under any circumstances where operations would result in stream turbidity (i.e. muddy water directly entering streams without first being adequately filtered through ground vegetation or other barriers).

If earthworks include excavations, any topsoil must be stockpiled in a manner suitable for rehabilitation

Fills and embankments must be consolidated and stabilised using a technique approved by the superintendent. all faces and slopes requiring stabilisation and drainage must be treated prior to the removal of equipment from site. stockpiled top soil is to be respread on fills and embankments if the areas are to be revegetated.

Earthworks are to undertaken in such a manner as to minimise any side-cast of material onto or beyond the downslope batter, any side-cast material must be spread level and not be placed where it can enter drainage lines or streams.

#### 1.25 Overhanging & Adjacent Vegetation Clearing

Any vegetation removed shall be in accordance with Environmental review and assessment.

An arborist report and survey is to be provided to the contractor prior to works proceeding on site. All

An ecological assessment is to be provided to the contractor prior to works proceeding on site. All recommendations must be followed.

#### 1.26 Tree Protection

All trees are to be protected within and adjacent to the works area, the contractor will not-store, stockpile dump or otherwise place under or near trees, bulk materials and harmful materials including oil, paint, waste concrete, clearings, boulders and the like;

- · Place spoil from excavations against tree trunks, even for short periods;
- Attach stays, guys and the like to trees;
- Prevent wind-blown materials such as cement from harming trees and plants.

#### 1.27 Cleaning and Maintenance of Site

Remove debris and clean areas disturbed or affected by the work.

Immediately prior to practical completion, the walking track surface shall be raked lightly to maintain even clean surface. Areas that have eroded, subsided, scoured shall be fully rectified to the satisfaction of the

Gravel pavements that are not set, have subsided or are spongy underfoot shall be rectified immediately upon notification at contractor's expense. immediately prior to practical completion, gravel surface shall be raked lightly to maintain even clean surface, areas that have eroded, subsided, scoured shall be fully rectified to the satisfaction of the superintendent

The contractor shall be responsible for all cleaning up of surplus material from the site. all materials removed from the site during these operations shall become the responsibility of the contractor who shall be liable for the legal disposal of this material.



#### 1.30 CHMP

All works to be delivered as part of this package must be constructed in accordance with the protocols detailed in the final version of the Cultural Heritage Management Plan (date and revision TBC). The landscape contractor must refer and adhere to all obligations detailed in this document.

- Specific Condition 15. Any stump removal must be by grinding. 'Tree pushing' by machine is not permitted by this permit
- Specific Condition 16. All sediments and soils to be retained in the permit area. If import fill is required, the source location of fill is to be inspected ... to ensure other cultural heritage material is not imported into the activity area.
- Works limited to CHMP study area boundary
- VAHR 8323-0092
  - 5 stone artefacts, may fall within the
- Talbotville cemetery. Refer to VAHR Place Primary Grid Coordinate
- VAHR 8323-0088
  - 6 artefacts in a 7x3m area, refer to mud map
- 5 for location. Unaffected by proposed toilet location
- Unrecorded artefact scatter within the Talbotville Campground, subject to further study

Refer to Cultural Heritage Permit GKRAP-19-0003

#### 1.31 Environmental Review and Assessment

Contractor must ensure that all works delivered on site are compliant with legislation provisions, controls and requirements as detailed in the Environmental Review and Assessment document. Requirements and suggestions outlined in this document should be strictly followed. Note contractor is to ensure latest version is followed / report to party responsible for ER&A if project scope or design changes are required during

EXTERNAL REFERENCE FILES

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TITLE

**High Iconic Campgrounds** Talbotville Campground Detailed Design Landscape Works

Specification Notes 02

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