



Colac Otway  
SHIRE

## **AGENDA**

ORDINARY COUNCIL MEETING  
OF THE  
COLAC-OTWAY SHIRE  
COUNCIL

27 MARCH 2013

at 5:00 PM

COPACC Meeting Rooms

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982.

# COLAC-OTWAY SHIRE COUNCIL MEETING

27 MARCH 2013

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NOTICE is hereby given that the next *ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* will be held in COPACC Meeting Rooms on 27 March 2013 at 5.00 pm.

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## **AGENDA**

### **1. OPENING PRAYER**

*Almighty God, we seek your  
blessing and guidance in our  
deliberations on behalf of the  
people of the Colac Otway Shire.  
Enable this Council's decisions to be  
those that contribute to the true  
welfare and betterment of our community.*  
AMEN

### **2. PRESENT**

### **3. APOLOGIES**

### **4. MAYORAL STATEMENT**

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendents here today.

Colac Otway Shire encourages community input and participation in Council decisions. Council meetings provide an opportunity for the community to ask Council questions, either verbally at the meeting or in writing.

Please note that Council may not be able to answer some questions at the meeting. These will be answered later.

Council meetings enable Councillors to debate matters prior to decisions being made. I ask that we all behave in a courteous manner.

An audio recording of this meeting is being made for the purpose of ensuring the minutes of the meeting are accurate. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982. It is an offence to make an unauthorised recording of the meeting.

Thank you. Now 30 minutes is allowed for question time. Please remember, you must ask a question. If you do not ask a question you will be asked to sit down and the next person will be invited to ask a question. This is not a forum for public debate or statements.

1. Questions received in writing prior to the meeting (subject to attendance and time),
2. Questions from the floor.

5. QUESTION TIME

6. DECLARATION OF INTEREST

7. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on the 27/02/13.

**Recommendation**

***That Council confirm the above minutes.***

## **OFFICERS' REPORTS**

### **Chief Executive Officer**

- OM132703-1 CEO'S PROGRESS REPORT TO COUNCIL
- OM132703-2 COUNCILLOR AND MAYORAL ALLOWANCES

### **Corporate and Community Services**

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### **Infrastructure and Services**

- OM132703-8 COLAC HEAVY VEHICLE BY-PASS STUDY
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- OM132703-14 OTWAY COAST COMMITTEE MEMORANDUM OF UNDERSTANDING
- OM132703-15 UPDATE ON STATUS OF G21 REGIONAL GROWTH PLAN IMPLEMENTATION PLAN
- OM132703-16 LOCAL LAWS REVIEW

### **General Business**

- OM132703-17 ASSEMBLY OF COUNCILLORS
- OM132703-18 MINUTES OF COLAC COMMUNITY LIBRARY AND LEARNING CENTRE JOINT COMMITTEE

**Rob Small**  
**Chief Executive Officer**



**CHIEF EXECUTIVE OFFICER**

ITEM	
<b><u>OM132703-1</u></b>	<b><u>CEO'S PROGRESS REPORT TO COUNCIL</u></b>
<b><u>OM132703-2</u></b>	<b><u>COUNCILLOR AND MAYORAL ALLOWANCES</u></b>



**OM132703-1****CEO'S PROGRESS REPORT TO COUNCIL**

AUTHOR:	Rhonda Deigan	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	CLF11/24

**EXECUTIVE****Polwarth & District Tennis Association Inc. 75<sup>th</sup> Anniversary**

The Mayor attended the 75<sup>th</sup> anniversary celebration and book launch of the Polwarth and District Tennis Association on 2 March 2013 at COPACC. The book, "75 Year History of the Polwarth and District Tennis Association and Tennis in the Colac Region" is a wonderful record of the many tennis clubs that have been part of the Polwarth and District Tennis Association from 1937 – 2012. A copy of the book will be tabled at the March Council meeting.

**Former Colac High School Site**

As part of the Masterplan process for the future use of the former Colac High School site, the CEO and Council officers met with representatives from the Department of Education and Early Childhood Development on 25 February 2013. It was acknowledged at that meeting that the undertakings with respect to two thirds of the land being allocated back to the community would be honoured.

**Business Leaders Meetings**

The CEO, Mayor and Council officers will be holding monthly meetings with small groups of business leaders from around the Shire. These meetings will facilitate the sharing of information between Council and our major employers and should further strengthen existing relationships with these businesses.

**Great Ocean Road Regional Tourism Board**

The CEO convened a meeting of the Barwon South West Council CEOs on 14 March 2013 to discuss the proposed Great Ocean Road Regional Tourism Board. The meeting brought together CEOs from the G21 and Great South Coast regions and was successful in reaching common agreement on a way forward in the establishment of a new interim regional tourism board. This will be subject to a report later in the agenda

**Great South Coast Group**

The CEO attended a meeting of the Great South Coast CEOs Forum on 1 March 2013 in Warrnambool. Agenda items included:

- Appointment and induction of non-municipal directors
- The compilation of a regional library
- Regional Management Forum review
- Enterprise Agreement discussions
- Women in Local Government Study Scholarships
- South West Community Foundation contributions
- LivCom Awards
- Leadership Great South Coast - Council contribution request
- Regional Councillor Forum update

**G21 Region Alliance**

The Mayor and CEO went to Canberra on 20 and 21 March 2013 as part of a G21 delegation to promote the G21 regional priority projects. As part of this delegation, the Mayor and CEO met with the following Members of Parliament:

- Bob Baldwin, Shadow Minister for Tourism
- Barnaby Joyce, Shadow Minister for Regional Development
- Greg Hunt, Shadow Minister for Environment and Climate Change
- Tony Abbott, Opposition Leader
- James Sorahan, Chief of Staff for Minister Ferguson
- Christine Milne, Leader of the Greens
- Andrew Robb, Shadow Finance Minister and Opposition Policy Development

Other G21 meetings held with politicians over the past month include:

- Prime Minister Julia Gillard
- Simon Crean, Minister for Regional Australia, Regional Development and Local Government and Minister for the Arts
- Julie Bishop, Deputy Leader of the Federal Opposition, Shadow Minister for Foreign Affairs and Shadow Minister for Trade.

**CORPORATE & COMMUNITY SERVICES****HEALTH & COMMUNITY SERVICES****Maternal & Child Health (M&CH)**

Following 3 busy months, the birth notices for February 2013 were back to average numbers. M&CH has welcomed a new staff member who will be working 3 days a week. She comes with a lot of experience from her midwifery role at Colac Area Health and is looking forward to expanding her experience in Maternal and Child Health practice.

**Statistics – February 2013**

- 12 infants enrolled from birth notifications.
- 4 First Time mothers.

**Key Ages and Stages Consultations****Home visits 13**

<b>2wks</b>	23	<b>4mths</b>	14	<b>18mths</b>	16
<b>4wks</b>	21	<b>8mths</b>	16	<b>2yrs</b>	22
<b>8wks</b>	20	<b>12mths</b>	15	<b>3.5yrs</b>	20

Other services provided include:

- 103 Additional consultations
- 35 Phone consultations
- 10 Opportunistic immunisations
- 22 Child and Family referrals

- 76 Child and Family Counselling sessions provided, with the majority of referrals and counselling being for altered nutrition and maternal emotional and physical health.
- New Parents Groups - 4 sessions in Colac
- 46 Families currently enrolled under Enhanced Home Visiting service (Vulnerable and at risk families) with 5 new families enrolled this month and 3 cases closed.

### **Children & Family Services**

#### **Early Years Indigenous Forum**

Colac Otway Shire's Children & Family Services Coordinator as Chairperson for the Colac Kids Early Years Services (KEYS) Network ran an Early Years Indigenous Forum on Wednesday 20 March 2013 at the Colac Secondary College Auditorium with presenters including:

- John Clarke speaking about Colac Otway Shire's Aboriginal community and the history behind it.
- Megan Howell, a Department of Early Education and Childhood Development Koorie Engagement Support Officer whose presentation included the work and support she has been giving to services in the pre-school area.
- Yvonne Kane, Partnership Broker with South West Local Learning & Employment Network, who has been doing some great work with Primary School teachers around indigenous inclusion and curriculum.
- Bronwyn Ferguson from Aboriginal Culture Awareness who runs workshops with services around indigenous culture.

#### **Family Day Care Play Session – Indigenous Culture**

Family Day Care (FDC) ran a play session for its FDC Educators and children around Indigenous Culture as part of Culture Diversity Week on Tuesday 19 March 2013 in the Children's Room at the Colac Community Library & Learning Centre. Council's FDC Field Officer organised art and craft activities, puzzles, games and storytelling around Aboriginal Culture as activities for the children & educators to participate in.

#### **Close the Gap – G21 Funding**

The Early Years Indigenous Forum & the FDC Play Session were able to obtain a \$300 grant through the G21 Region 'Close the Gap' campaign to help run these events.

Close the Gap is an Indigenous-led campaign which aims to achieve health equality between Aboriginal and Torres Strait Islander Peoples and non-Indigenous Australians within one generation.

More than 185,000 Australians have signed the Close the Gap pledge. As the number of supporters grows, so does the pressure on all governments to keep Indigenous health equality at the top of the political agenda.

Close the Gap holds the government to account to put into action its commitments to close the life expectancy gap.

### **Older Persons & Ability Support Services (OPASS)**

#### **Active Service Model (ASM) Update:**

There have been a number of priorities achieved from the Active Service Model Implementation Plan 2011-2012 that have been incorporated into the HACC Assessment Plan.

- The Coordinator and assessment staff have completed the Active Service Model Introduction and Implementation modules. They have also completed the Persons Centred Goal Setting training.
- 33 community care workers have completed the Introductory Training Sessions of the ASM.
- A client centred care plan focusing on individual goal setting, identifying and streamlining service supports, continues to be piloted.
- Positive in-roads with a number of organizations on implementing strategies which have enhanced, strengthened and developed current and new partnerships to share information, increase communication, optimize client centred outcomes, and share co-ordinated service delivery with clear outcomes.
- The 2012 -2015 HACC Diversity Plan has a focus to ensure that our Older Persons & Ability Support Services (OPASS) unit is appropriately resourced to respond effectively to all clients and be incorporated into the Active Service Model.
- There have been upgrades implemented to ensure our programme systems meet contractual obligations which include uploading all required Minimum Data Set (MDS) information to the Department of Health.

The OPASS unit was successfully accredited by the Community Care Common Standards Quality Review, in December 2012, as meeting all requirements in the implementation of the Persons Centred Active Service Model.

### **Rural Access Community Services**

The National Disability Insurance Scheme Launch Transition Agency has been established by the Australian Government to implement the first stage of the National Disability Insurance Scheme (NDIS). The Agency is working with the Commonwealth and state and territory governments to ensure improved support for people with disability, their family and carers, and to deliver the first stage of the NDIS.

The first stage of the NDIS will commence from July 2013 in South Australia, Tasmania, the Hunter in NSW and the Barwon area of Victoria providing support for thousands of people with significant and permanent disability. The Australian Capital Territory (ACT) will follow in 2014.

People with disabilities, their families and disability specific services in the Colac-Otway Shire will be affected by the changes to eligibility criteria, funding models and resulting alterations to service delivery.

Some priorities for the Rural Access program over the next 12-18 months will be:

- Understanding and supporting service providers and client/carer groups with the implications of the launch of the Commonwealth National Disability Insurance Scheme in the Colac Otway Shire.
- Supporting council staff with the launch and its implications for council based service delivery and practice.

Work has also commenced on:

- Analysing the early years frameworks and applicable local services to increase appropriate referrals and specialist supports available to families in the Colac Otway Shire.
- Working with employment service providers to understand the issues and trends for job seekers with disabilities arising through recent and impending job losses in the shire.

## RECREATION ARTS AND CULTURE

### EVENTS

#### **Gellibrand Blues and Blueberry Festival – 2 March 2013**

Gellibrand came alive with their annual 'Blues' event. Approximately 500 people enjoyed local Blues music, food, art and wine. Visitors enjoyed the market in Rex Norman Park featuring blueberries and plants.

#### **Colac Kana Festival – 16 March 2013**

The 56<sup>th</sup> annual Kana Festival was a colourful success. Hundreds of people attended the festival at Memorial Square enjoying the festivities which included live music, dancing, stalls and food vendors. This year's Kana Parade was themed "Storytime – Dreamtime" and proved the highlight for those who attended.

#### **YMCA's Barwon South Western League Skate, BMX and Scoot Series – Grand Final – 16 March 2013**

This event featured a seven stage competition being held in towns across the region including Heywood, Port Fairy, Torquay, Camperdown and Geelong, culminating with the grand final in Colac. Event organisers (YMCA) chose Colac as the venue for the Grand Final. This event was supported by the local FReeZA group and provided an opportunity for young people to showcase their skating, scooting and riding talents in a safe and controlled environment.

#### **Old Beechy Rail Trail Run – 17 March 2013**

Runners had the opportunity to discover the beauty of the Otways on the Old Beechy Rail Trail with a 16km Run or a 6km Run/Walk, between Barongarook and Gellibrand. This event was a fundraising initiative of the Rotary Club of Colac with monies raised going to local community projects supporting disadvantaged youth.

#### **Upcoming Events**

Events in April 2013 include the Birregurra Open Studio Weekend – Easter 30 March to 1 April, the Great Ocean and Otway Classic Ride Super Sprint (enters briefly into Colac Otway Shire) – 20 April, Apollo Bay Music Festival – 26 to 28 April, including The Next Wave Competition supported by FReeZA.

## RECREATION

#### **Central Reserve Oval Redevelopment**

The project is progressing extremely well with favourable warm conditions assisting the growth of the couch. Council's contractors Pitchcraft have recently over sown the ground with a rye grass to assist the establishment of the couch over the winter period. The official opening of the revamped facility will be held 4 May 2013.

#### **Active Transport Strategy and Plan**

The preliminary draft Active Transport Strategy will be presented to Councillors at a workshop held 27 March 2013. Following this workshop the revised document will be considered by Council at its April 2013 meeting seeking endorsement for the draft strategy to be placed on public exhibition.

#### **Community Funding Program 2013/14**

Applications for the Community Funding Program, and its sister program the Festival and Events Support Scheme, opened on 22 March 2013.

Both funding programs provide clubs, event organisers, community groups and other organisations an opportunity to access funding for a range of projects.

The Community Funding Program offers \$130,000 to community groups and is allocated through four separate categories. Program categories include – community projects, recreation facilities, recreation/community projects (small equipment and training) and COPACC assistance grants. The Festival and Events Support Scheme, now in its seventh year, offers \$60,000 to promote and celebrate the cultural, economic and social benefits of events.

Information sessions for the Community Funding Program will take place in Colac and Apollo Bay in mid April 2013 to discuss funding criteria, the application process and relevant requirements with officers.

**Colac:**

Monday April 15, 2013 - 7pm-8.30pm  
COPACC Meeting Room  
Gellibrand Street, Colac

**Apollo Bay:**

Wednesday April 17, 2013 - 7pm-8:30pm  
Senior Citizens Centre  
4 Whelan Street, Apollo Bay

Application forms and funding guidelines for both funding programs are available at Council's customer service centres in Colac and Apollo Bay and on Council's website [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au) from 22 March 2013.

**Elliminyt Playspace**

Council expects to lodge an application for funding to the State Government's *Putting Locals First Program* in coming weeks to further develop facilities at the new Elliminyt Playspace. The proposed works include BBQ's and shelter, new and rehabilitated pathways, formalised car parking, a drinking fountain and landscaping. The new playground is being used extensively by the community and the proposed facilities will create a social and family hub in Elliminyt.

**Beeac Tennis Courts Redevelopment**

Works have commenced on the redevelopment of the Beeac Tennis Courts. Lake and Land were awarded the contract and have experience in court construction having previously completed the Eastern Reserve netball facility redevelopment for Council. It is expected that works will be completed by May 2013. The project has been funded by Council, the Beeac Tennis Club and Sport and Recreation Victoria.

**Eastern Reserve Cricket Wicket Renovation**

Council in partnership with the Colac & District Cricket Association and the City United Cricket Club have engaged a contractor to renovate the turf cricket wicket at the Eastern Reserve. The Eastern Reserve is currently the only sports oval in Colac with a turf wicket and the association considers it vital to ensure it is of a high standard. Works included re-levelling the wicket area and planting Santa Ana couch on the square.

**COPACC**

**Patronage**

COPACC annually contributes to the Victorian Association of Performing Arts Centres Statistics survey, which shows for the 2012 calendar year almost 13,000 people attended performances at COPACC and another 48,000 people attended other events. These figures do not include attendance at Colac Cinemas.

## BLUEWATER FITNESS CENTRE

### Redevelopment Project

The project has entered the Detailed Design and Documentation phase which is expected to be completed early May 2013. Council will then tender for construction works with an anticipated commencement time of October 2013.

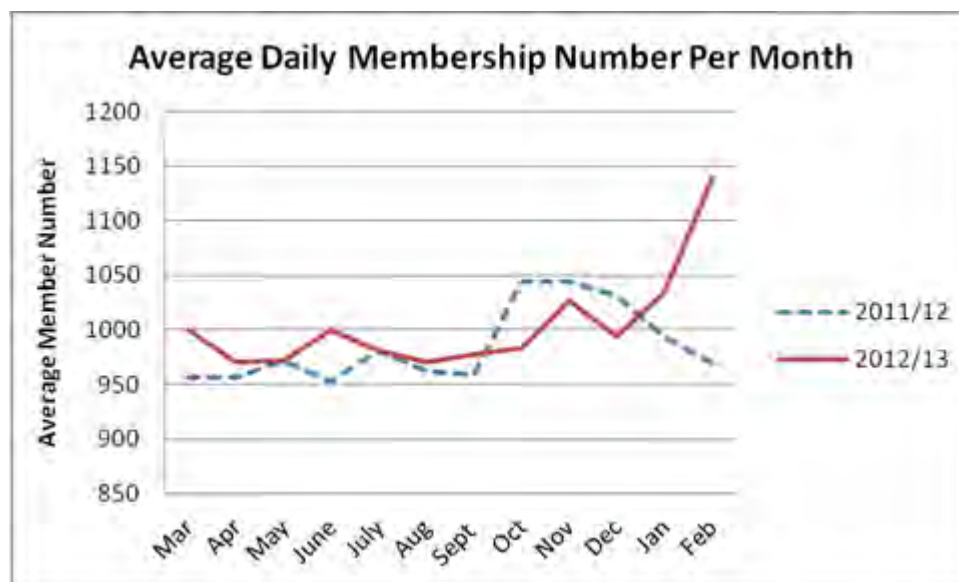
The construction period is yet to be determined however it is likely to be at least 12 months. Therefore, the facility, including the current swimming pool, will be closed to the public for much of this time. Council officers are investigating facilities to relocate our gymnasium and dry programming for this period which will enable us to continue to offer these services to the community. The closure will have a major impact on users of the stadium and the pool including lap swimmers, recreation swimmers and Learn to Swim participants. Fortunately, there are a number of private swimming pools that can cater for Learn to Swim and other aquatic based programs.

Council and the community will continue to be informed of the project timelines as they come to light.

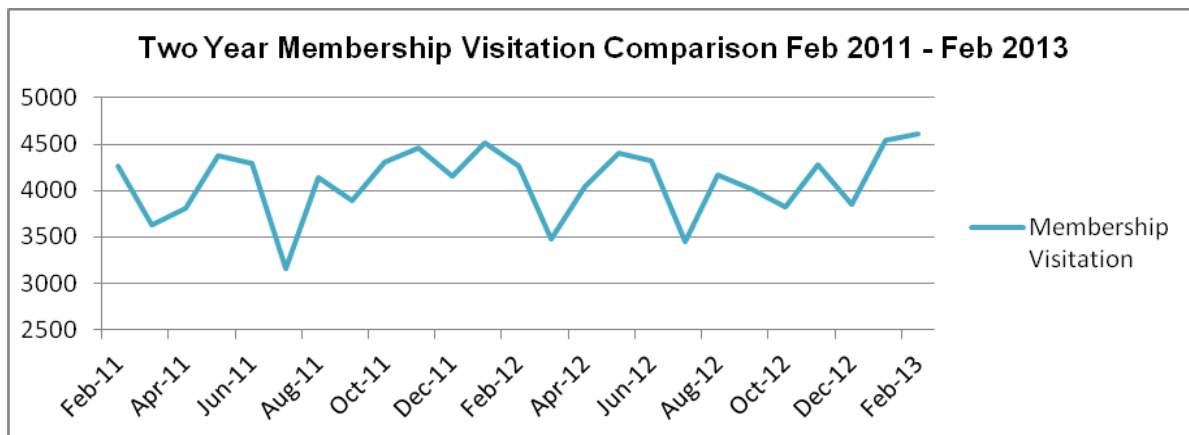
### Patronage

The average daily membership number for February 2013 was 1,139 which is the highest membership number to date and by far exceeds the previous 3 years.

The graph below compares the figures for 2011/12 with 2012/13. One of the reasons behind the sudden increase is the Bulla "Get Active Health Challenge" which has seen 63 Bulla staff members sign up for the program. The success of Bluewater's Boot Camp has also been a contributing factor.

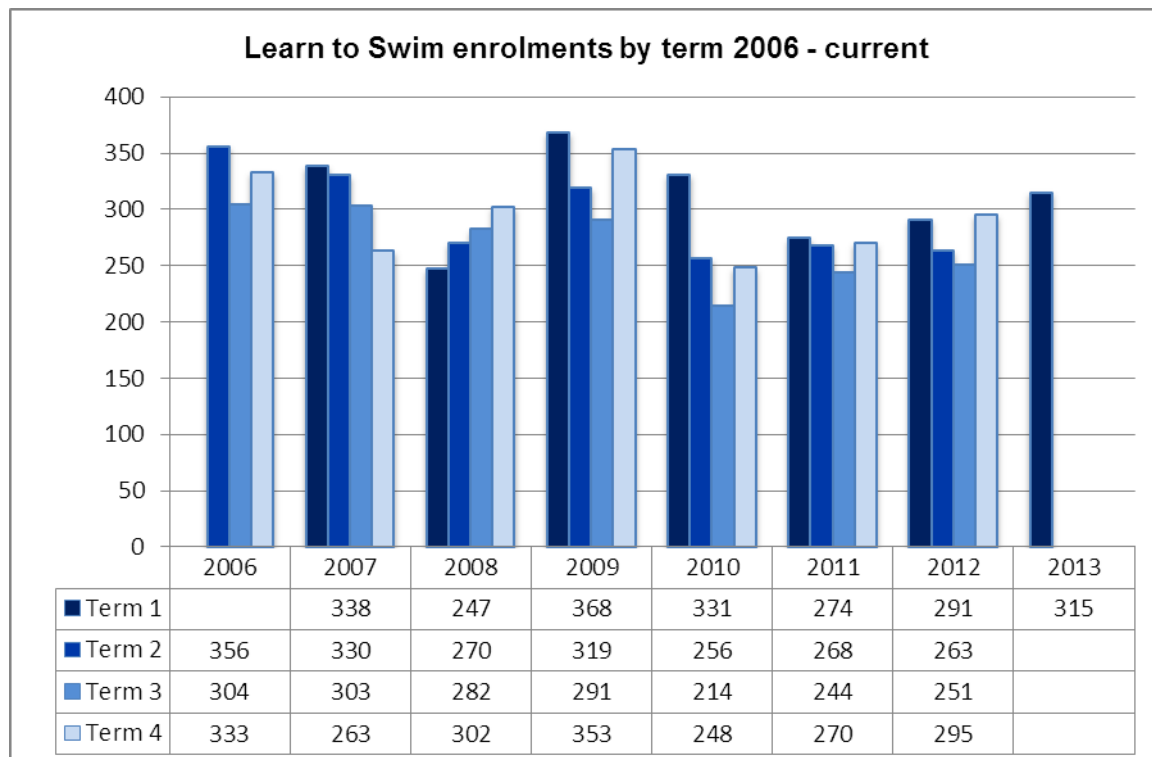


There were 4,615 membership visits and 1,925 casual visits to the Centre during the month of February 2013. The membership visitation is also the highest recorded (see graph below).



### Programs

Term 1, 2013 has now begun and there are 316 enrolments in our Learn to Swim program which is the highest number of enrolments since Term 1, 2010 (see graph below).



Group Fitness classes at Bluewater have been performing extremely well. The Centre averaged 11.16 per class which is a great result considering we also have a large percentage of our members participating in our Boot Camp.

### Apollo Bay Pool

Apollo Bay pool had 335 casual visits and 26 member/multipass visits during February 2013 which is solid considering there were 435 visits during the January school holiday period. This highlights that predominately local residents are using the facility rather than just holiday makers.

### Stadium usage

Stadium use has been high to start the year with the Colac Basketball Association (CBA) booking the stadium every week night until the end of March 2013. The CBA also hosted a

junior tournament over the weekend of 2 & 3 March. The tournament saw an influx of over 400 participants to Colac from all over regional Victoria and was a huge success.

The Otway Derby Dolls have booked the stadium on Tuesday and Thursday nights at the conclusion of the basketball season and the Colac Night Netball Association have booked the courts for Monday and Wednesday nights. The Colac Night Netball Association will again run their All Abilities competition on Monday nights.

### **Marketing**

The Bluewater Fitness Centre Facebook page users continue to grow with the site reaching over 250 likes.

### **YOUTH COUNCIL**

The 2013 Youth Council was inducted at a Ceremony on Tuesday 5 March at the Botanic Cafe. Ten new Youth Council members were appointed with two members from last year's Youth Council continuing on in 2013. Meetings for 2013 commence Monday 18 March 2013, with the 2-day Youth Council Retreat tentatively planned for the first week of Term 2.

## **INFRASTRUCTURE & SERVICES**

### **CAPITAL WORKS UNIT**

#### *Local Road Review*

Colac Otway Shire recently commenced a Local Road Network Review (the Review) aimed at providing a costed and long term improvement program for its local roads. A particular focus of the Review will be Freight and Heavy Transport routes as these are considered key to a prosperous municipality.

As such Council will be running a workshop with internal and external stakeholders. The workshop will help to determine whether the existing local road hierarchy reflects what is happening in reality; that is, which routes are currently being used for the movement of freight and which routes are envisaged for the future. Key Freight and Heavy Transport Operators have been invited to attend the workshop as their presence is considered key to this element of the project as any changes made would affect them the most.

#### *Cressy Shelford Road*

Golden Plains Shire (under request from the Colac Otway Shire) recently re-graded the fire break along the Cressy Shelford Road Reserve to allow the CFA to undertake a strategic burn. The burn is to be conducted in line with Cressy Shelford Road Grassland Rehabilitation Management Plan and is being undertaken due to the current biomass levels and high community expectation surrounding the use of the road as a strategic fire break. The CFA expects that this burn will take place in late March 2013.

#### *Bridge Renewal Program*

Environmental assessments have been conducted for this year's bridge renewal program. The works program requires a number of environmental considerations to minimise the impacts around waterways with high conservation values. Several bridges are included in the program for upgrade and replacement. The assessments have commenced and the works for two of four bridges, allocated upgrades in the program, have been completed with the remaining works expected to be completed in late April 2013.

**Old Beechy Rail Trail***Ditchley to Dinmont*

Tenders have been called for the construction of the trail through the gully section of the Ditchley to Dinmont Station trail. Tenders close on 27 March 2013.

*Beech Forest to Ferguson*

Formal approval for the concept has been requested from VicRoads. Tenders for construction will be invited during March 2013 and will close in April 2013. Meanwhile Licence Agreements will be sought with effected land owners, and other permits obtained prior to site works commencing.

**Project Development and Design**

Detailed design and development is continuing for a number of projects, with many construction projects finished or nearing completion. Reconstruction works on Seymour Crescent have been completed, finishing the road reconstruction program for 2012/13. The reconstruction of the Gellibrand Netball Court should be completed in time for the 2013 Netball season. Reconstruction works for the Beeac Tennis Courts have commenced.

Development of the three (3) year forward engineering design program is also ongoing, with surveys completed for the 2013/14 Weering School Road reconstruction and planned for other reconstruction projects.

*Queen Street Gravel Footpath*

The works associated with the construction of a gravel footpath along Queen Street, between Aireys Street and Slater Street have been awarded to Lake & Land Pty Ltd and are due to be completed by early April 2013. The footpath will be located on the western side of Queen Street and will consist of a 1.5m wide gravel pathway, which will significantly improve pedestrian safety in the area.

*Hearn Street Pedestrian Management Plan*

The plan is approaching completion, with a final draft currently under review by the Colac Secondary College. Comments from the College are anticipated soon and will be incorporated in to the plan.

*CCTV Cameras*

Tenders have been called for the design and installation of a CCTV camera network within the Colac Central Business District. The locations that were identified included monitoring cameras at Memorial Square, Colac Skate Park and intersections along Murray Street including Grant Street, Corangamite Street and Gellibrand Street. The tender period closes on 27 March 2013.

**SUSTAINABLE ASSETS****Routine Asset Inspections**

The following is a summary of the routine road and footpath network inspections completed for the month of February 2013.

<i>Footpath Inspections – Colac, Level 1 Primary Footpath Network</i>	<p>All footpaths in the CBD and in the vicinity of schools, churches and other important community facilities have been inspected. Section movement was identified and will require grinding or a bituminous safety wedge to be applied. These works have been programmed for maintenance by Cosworks. Trees encroaching over footpaths from adjoining private property have been referred to Local Laws for follow up inspections.</p>
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<i>Colac Urban Roads</i>	Signs found to be either damaged or missing have been ordered and will be erected on arrival by Cosworks. Damaged storm water pit lids were also identified and are programmed for replacement by Cosworks crew.
<i>Warrion Area 4 Roads</i>	This area includes rural access roads in the localities of Beeac, Eurack, Irrewarra, and Weering. Signs found to be either damaged or missing were identified and have been ordered to be erected on arrival. Missing or damaged guide posts have been programmed for replacement by Cosworks' maintenance crews.
<i>Coastal Area, Skenes Creek, Apollo Bay, Marengo Urban</i>	This includes all urban access roads and streets within the coastal townships. No major issues were identified through programmed inspection activities and all routine maintenance items identified will be attended to in line with Council's Road Management Plan.
<i>Footpath Kerb &amp; Channel Replacement</i>	Footpaths identified for reconstruction in the 2012/13 program in Colac and Birregurra have been completed. Footpath reconstruction in Apollo Bay will commence after Easter with kerb & channel on the north side of Hardy Street also to be reconstructed at this time.

### **Building Maintenance and Capital Works**

<i>Warrion Hall</i>	The Warrion Hall front and side entrance landings and steps have been installed. The hand rails are currently being fabricated and will be installed in the coming weeks.
<i>Apollo Bay Old Cable Station Museum</i>	An electrical contractor has been engaged to install exit and emergency lights throughout the Museum in order to ensure compliance with Essential Safety Measures requirements. A new concrete path is also to be installed to assist with access issues.
<i>Larpent Hall</i>	The building permit application has been lodged with Council's Building Department to install an access ramp to the east side of the Hall.
<i>COPACC Fire Services</i>	Council has engaged a Fire Engineer to assess the remaining compliance issues in COPACC. Following an inspection of the building and a review of the original building permit documentation Council's contractor is arranging a walk through with the regional CFA representative to discuss possible solutions. Any alternative solutions agreed to will be referred to the Municipal Building Surveyor and may also be the subject to a further determination by the Building Appeals Board.
<i>Rae Street Office Redevelopment</i>	Stage 3 of the program has progressed with a hand over on 15 March 2013. Stage 2 has been completed apart from some minor defects. Stage 4 work commenced week beginning the 24 March 2013. This stage includes the Customer Service area, front foyer and the balance of the central section of the ground floor.

<i>Rae Street Offices Damaged Exterior Wall</i>	<p>Due to the car accident that happened on 27 February 2013, extensive damage has occurred to the west brick wall where the accident impacted on the building. No structural damage has been identified to date, however, the force of the car impacting on the wall caused further damage to the internal fit out that had just been handed over as part of Stage 2 of the office redevelopment works. Engineers have completed a site audit and forwarded their report assessing the integrity of the structure and a description of the rectification works required. A scope of works will be developed along with a cost for forwarding to Council's insurer.</p>
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## **COSWORKS**

Works undertaken by Cosworks during the past month are as follows:

### **Minor Patching**

Minor patching works is ongoing on sealed road repairs to keep up with potholes and edge breaks.

### **Storm Damage**

Over the past month there has been a number of fallen, hanging and dangerous trees due to strong winds damage. This has been widespread throughout the Otways and Coastal areas. Cosworks have undertaken cleanup works as required.

### **Road Regrading**

Road regrading has been reduced, due to extremely dry conditions to prevent the unravelling of the gravel road network.

### **Gravel Road Resheeting**

Gravel Road resheeting has continued on Old Bay Road, Christies Road and Forest Street South Road.

### **Routine Drainage Works**

Routine Drainage works were completed during the last month in Wye River, Kennett River, Separation Creek, Apollo Bay and Marengo townships. Works were also undertaken in the areas of Barramunga, Glenaire, Gellibrand, Hordern Vale, Kawarren and Forrest.

### **Sport Ovals**

Mowing of the ovals continues as per program.

### **Tree Maintenance**

Tree maintenance works were completed at McNamaras Road, Loves Road, Woodlands Road, Wilsons Road, Burtons Lane, Lake Colac Caravan Park, Manifold Street Colac, School Road Carlisle and Yaugher Road, Forrest.

### **Township Mowing**

Township mowing continues in accordance with the mowing program around Apollo Bay, Marengo, Apollo Bay Airfield, Gellibrand, Lavers Hill, Kawarren, Carlisle River, Beech Forest, Forrest, Barwon Downs, Loves Creek, Colac, Beeac, Birregurra and Cressy.

### **Reach Arm Mowing**

Reach Arm mowing was undertaken on Melba Gully Road, Hiders Access Road, Henricksons Track, Denherts Track, Adams Road, Hennigan Crescent, Kents Road, Cashins Road, Gellibrand East Road and Lardeners Track.

**Old Beechy Rail Trail**

Mowing, resheeting and drainage maintenance of various sections of the Rail Trail were undertaken over the last month.

**Landslip Repairs**

Hordern Vale landslip has created a reduction to 'one-way traffic only' past the affected area with appropriate signage and linemarking in place. It will continue to be monitored for any further movement.

**Major Drainage Works**

Major drainage works were completed on Forans Track, Jansil Court, Hickeys Cutting, Marriner Lookout Road, Moomoowrong Road, Barongarook Road, Mahers Road and Neck Track.

**Roadside Slashing**

Roadside slashing works were completed in Apollo Bay and Marengo. A second cut was undertaken in Birregurra, Murroon, Pennyroyal, Barwon Downs and Barongarook.

**Linemarking**

Statcon and Bike Lane symbols linemarking commenced during March. School crossings were repainted in Colac.

**Bridge Maintenance**

Bridge maintenance works were undertaken in Conns Lane which included removal of the end wall from the creek. Murroon Road had reinstatement works to the gabbions and reno mattresses. A mobile scaffold was used under the bridge platform to tighten bolts, clamps and decking on Kings Track, Lyness Access, Leggs Access, Silks Access, Raffertys and Clancys Access, Jacksons Track, Daffys Road, McCraes, Rollings and Pearces bridges.

**Capital Works**

Weering School road rehabilitation/overlay works have been completed. Rehabilitation works have commenced in Seymour Crescent, Apollo Bay.

**MAJOR CONTRACTS/WASTE UNIT****Funding Announcement – Colac Aerodrome Business Plan Development**

Advice has been received from Department of Planning and Community Development (DPCD) that Council's funding application for the preparation of a Business Plan for the Colac Municipal Aerodrome has been successful. A funding announcement was made on 8 March 2013 by the Minister of Transport in the presence of Aerodrome stakeholders, Council officers and the Aerodrome Committee of Management (COM). As a result of this, Council will receive funding of \$30,000 which shall be used with a cash contribution of \$5,000 from the Aerodrome COM and \$5,000 from the Colac Otway Shire for the completion of the project at an estimated project cost of \$40,000. The Aerodrome COM has worked closely with Council Management in the preparation of this funding application. As a part of this project an Aviation expert will be appointed to work closely with Council's management, aerodrome users, and the COM for the completion of a long term Business/Strategic Plan.

The Plan will focus on aspects such as:

- Long term asset upgrade requirements of Colac Aerodrome infrastructure
- Extension of runway
- Land acquisition for runway extension and future hanger sites
- Connectivity of Colac Aerodrome with other regional aerodromes

- Connectivity of aerodrome with road network in particular after the duplication of Princes Highway from Winchelsea to Colac takes place
- Looking at future operating models for the day to day operation of aerodrome
- Looking at avenues to increase the revenue source for the Aerodrome
- Revenue collection mechanism
- Land planning issues etc.

Council shall proceed further with the project in accordance with the suggested timeframe. Once the Business Plan is completed, Council shall be advised of the outcome and key recommendations.

#### **Funding Application – Colac Aerodrome, Regional Aviation Fund (RAF)**

A funding application was lodged with Regional Aviation Fund (RAF) on 22 February 2013 for the following works at the Colac Municipal Aerodrome:

1. Prepare the surface and seal the gravel runway – includes minor widening of turning circles.
2. Prepare the base and seal the hard stand area for use for agricultural activities, e.g. aerial spraying and fertilisation applications.
3. Earth work and sealing of the car park adjoining the Aerodrome Terminal building.

There is not likely to be any impact on Council's budget as a result of this funding application. Council's role will be in procurement, project supervision and cost control in conjunction with the Aerodrome COM taking an active role in organizing the various components of the proposed works.

The COM has indicated the urgency of the sealing of the gravel runway from a risk management point of view for preventing damage to the aircrafts.

If successful with the funding application the work will be undertaken in accordance with the following timeframe:

- Earthworks – by June 2013
- Surface preparation and sealing works – October 2013

#### **Barwon Regional Waste Management Group (BRWMG) Board Meeting**

A meeting of BRWMG Board meeting was held at COPACC on 14 February 2013. The Board is currently working on the following key issues:

- Garden organic soil improvement program (GOSIP)
- Regional roadside litter campaign
- Kerbside education and awareness program
- Regional timber market development strategy
- Regional Transfer Station Strategy
- Colac Otway Shire Organic Processing Funding Support Proposal
- Waste Mapping in partnership with Enterprise Connect and Deakin University defining transport movement of waste and linking with freight movement throughout Victoria
- Public Place Recycling Program
- Ministerial Advisory Committee has been formed as part of State Government's waste policy review in order to provide expert advice to the Minister for Environment and Climate Change on issues related to waste resource recovery and governance. BRWMG is currently working on a submission to the advisory committee highlighting the issues faced by the BRWMG.

**E- Waste Collection**

An E- Waste collection for TV's, computers and small electrical waste was carried out during March 2013. Items were dropped off at the Apollo Bay Transfer Station on Sunday 17 and Wednesday 20 March and at the Eastern Reserve, Wilson Street, Colac on Saturday 23 March 2013.

TV and computer waste will be recycled through National Television and Computer Recycling Scheme in partnership with TechCollect. Other items not included in the program collected by the Shire will be forwarded to GDP Industries in Geelong. GDP is a 'non-profit' organisation which will strip the items to recover recyclable material.

**Think Recycle – Put the right thing in the right bin**

Kerbside bin audits reveal that on an average up to 20% waste in the household garbage bin comprises of recyclable material and therefore it should be placed in the Recycle bin. This is causing recycling waste going to landfill resulting in higher cost to Council and ratepayers. Improvements can be brought about by better education and promotion of recycling. Accordingly during mid March 2013 the Household Recycling Campaign was launched in Colac. This campaign was launched under the auspice of Barwon Region Waste Management Group, five (5) regional Councils and SKM Recyclers. A series of radio and newspaper advertisements were published in Colac in relation to the above program. This is part of a pilot program through the region where different advertising will be used in different regions to see which is the most effective. An interactive website [thinkrecycle.com.au](http://thinkrecycle.com.au) was also launched with games, A-Z guide, Tips and Facts sheets.



Following a grant from the Alcoa Foundation, residents of Colac will now be able to recycle at Colac Cinemas and COPACC. New bins have been purchased, old bins updated and signage designed to complement the Colac Cinemas recycling activities. The Colac Herald has helped in promoting recycling in COPACC and Colac Cinemas by running a colouring competition.

**Tenders**

Tenders opened since the last reporting period:

1301 – Cleaning of Buildings, Public Conveniences & Barbecues

1306 – Consultancy Services – Climate Resilient Communities of the Barwon South West

Tenders awarded since the last reporting period:

1212 – Apollo Bay Harbour Dredge & Workboat – Design & Construct – to Birdon Pty Ltd and Crib Point Engineering Pty Ltd

1216 – Design & Construct – Colac Livestock Selling Centre Roof Structure & Associated Services – to MKM Constructions Pty Ltd

1254 – Beeac Tennis Courts Construction – to Lake & Land Pty Ltd

Tenders advertised since the last reporting period:

1307 – Design & Install Public Street Surveillance CCTV System, closing 27 March 2013

1308 – Old Beechy Rail Trail Construction – Ditchley Gully, closing 27 March 2013

1309 – Supply & Deliver 4WD Fairway Mower, closing 27 March 2013

Major Quotations opened since the last reporting period:  
Q2012/13-25 – Cross Council Relief & Recovery Project

### Subdivision Works

The following table shows the current status of various subdivisional works which will be handed over to Council when completion is approved:

Subdivision	Status
Apollo Bay Industrial Estate Stage 1 (19 Lots)	A certificate of compliance has been issued and outstanding works guaranteed with a security bond. Fill to lots is continuing with surface drainage, landscaping and some ancillary works remaining.
202A Pound Road Stage 2 (13 Lots)	Work as yet has not commenced for this job but detailed design plans have been approved.
Wyuna Estate Stage 12 (18 Lots)	Roadworks have commenced on stage 12 of the Wyuna subdivision. Currently road base, drainage and installation of services are being done.

### Bridge Design & Construction

Bridge construction is well underway with Carlisle Valley Road, Ganes Access and Upper Gellibrand Rd bridges having commenced and at various stages of construction. Work is due to start on the Barham River Road bridge in late March with all four bridges anticipated to be finished by May 2013.



Ganes Access



Carlisle Valley Road

### Gellibrand Netball Court Construction

Contracted works are nearly finished at Gellibrand for the two (2) new netball courts. Linemarking and some works carried out by the netball club including lighting installation and fencing to complete this project.



### Asphalt Works

An additional asphalt job was undertaken in March for the intersection of Seymour Crescent and Nelson Street, Apollo Bay for roadworks undertaken by Council in Seymour Crescent.

**SUSTAINABLE PLANNING and DEVELOPMENT****Planning & Building****Revised Draft Birregurra Structure Plan**

Consultation on the revised draft Birregurra Structure Plan has commenced following a resolution of Council at the February 2013 meeting. A district wide mail out occurred at the start of March 2013, advising of the opportunity to make submissions on the Plan and inviting interested parties to attend an information session at the front of the Birregurra General Store on Saturday 13 April 2013 from 10am – 1pm. Copies of the Plan are available at all Shire customer service centres, the Birregurra Post Office and General Store and electronically on the Shire's website. Submissions close on 24 April 2013 and feedback received will be evaluated by the Community Reference Group and incorporated into a final document for Council to consider in May/June this year.

**Development of Bushfire Local Planning Policy**

Open houses held on 22 and 23 February 2013 within each of the eight towns being investigated in the project were successful, with over 100 attendees spread over the two days. A Project Steering Committee meeting was held on 27 February 2013 in conjunction with a site tour of the different towns within the study area for council officers, agencies and consultants to discuss key issues and future directions for the project. It is anticipated that a draft report will be prepared for Council consideration around July/August of this year.

**Amendment C67 Salinity Management Overlay**

Submissions to the amendment have been referred to Planning Panels Victoria and an independent panel has been appointed. A Directions Hearing was held on 21 March 2013, and a full hearing of submissions is expected to be held in April 2013.

**Amendment C72 (Implementation of Car Parking Strategy and Colac CBD & Entrances Project)**

Planning Scheme Amendment C72 implements the outcomes of the adopted Colac and Apollo Bay Car Parking Strategy and Colac CBD and Entrances Project. The amendment applies urban design guidelines to new development in the Colac CBD through the introduction of a new Design and Development Overlay (Schedule 8), applies a Design and Development Overlay (Schedule 9) to the front part of land adjoining and including the former Colac High School at Murray Street Colac West, and modifies the existing Design and Development Overlays over industrial/business areas at the eastern and western entrances to Colac. It further introduces a Parking Overlay over the CBD areas of Colac and Apollo Bay to reduce the State standard car parking rates for new commercial development. The Parking Overlay for Apollo Bay will formally introduce the requirement for a cash-in-lieu payment for car spaces not provided in new development proposals. The amendment was placed on public exhibition for six weeks early in March 2013, with written submissions due to be lodged with Council by 15 April 2013.

**Amendment C70 (Update of Biodiversity Overlays)**

Planning Scheme Amendment C70 was placed on public exhibition mid March 2013 for a six week period following a Council resolution to proceed with the amendment at its meeting on 23 January 2013. Updated biodiversity mapping has been supplied to Council from the Department of Sustainability and Environment, and Council undertook a Roadside Vegetation Survey in 2009. The amendment proposes to amend Schedules 1, 2 and 4 of the Environmental Significance Overlay and Schedules 1 and 2 of the Vegetation Protection Overlay as well as the relevant planning scheme maps in accordance with the updated mapping of biodiversity values. Written submissions must be lodged with Council by 1 May 2013.

**Release of New Residential Zones by State Government**

The State Planning Minister has released its response to the recommendations of the '*Reformed Zones Advisory Committee Residential Zones Progress Report*', December 2012. The Advisory Committee had been established to provide recommendations to the Minister following public submissions on draft new zones released for comment earlier in 2012. Council had lodged a submission supporting the principle of the new zones, which are intended to replace the current residential zones, subject to a range of comments aimed at ensuring they would be more effective for application in Colac Otway Shire. The Government has also released an amended version of the zones, and will be meeting with Councils over the coming months to discuss their introduction. Officers are still in the process of reviewing the changes. There has been no announcement to date concerning the changes proposed to other zones forming part of the reforms.

**Development Contributions Policy Review**

Officers have lodged a submission to the Minister for Planning concerning the Advisory Committee report "*Setting the Framework*" relating to a review of the Development Contributions Framework. It is intended that the preferred framework would give Councils a set of standard development contribution levies for different development settings based around five infrastructure categories, and provide capacity to set a different levy for different development settings such as greenfield development, and regional and rural development, as well as a levy for residential and non-residential development. Submissions were due by 12 March 2013, and a copy of COS submission has been provided to Councillors.

**Environment & Community Safety****Barongarook Creek**

Council has been implementing the Lake Colac and Barongarook Creek Weed Control and Revegetation Plan over several years now. To date, work along Barongarook Creek has included exotic tree removal and revegetation between Murray Street and Chapel Street. Council continues to undertake work in this area, including infill planting and weed control along the banks of the creek, but we are now ready to tackle the next section of the creek.

Council is planning to commence further work in March 2013. The work will be focused on a 300 metre section of Barongarook Creek north of the Chapel Street bridge. The work will involve the removal of elms, poplars, oaks and willows. As would be expected, the proposed tree removal will have a short-term impact on the aesthetics of the area. To address this issue, native species will be planted according to a prepared revegetation plan. These native species will help improve the health of the creek. It is important to highlight that only the exotic trees that are directly impacting on the creek will be removed and most of the established trees in the area will remain.

**Local Laws – Responsible Pet Ownership (Dog attack issues).**

Council is currently undertaking numerous actions in order to address the most recent issues relating to dog attacks. The most recent incident in Apollo Bay has been finalised following the successful prosecution of the animal owner in the Colac Magistrates Court on 4 March 2013 where the Magistrate imposed fines totalling \$2,853. The Magistrate was unable to impose a term of imprisonment or restrictions on animal ownership as there is no legislative provision for this in the Domestic Animals Act 1994.

It is clear, community opinion supports this action as can be attested to by the large number of signatories' to a petition and numerous letters received by Council regarding dogs and their owners. The petition was tabled at the Council meeting held in February 2013.

Council is being proactive in this area and has written a letter to the Minister (Hon. Peter Walsh) suggesting changes be made to the Domestic Animals Act that will enable a

Magistrate to issue banning orders with seizure and destruction provisions applicable to recalcitrant dog owners. Council is also currently reviewing its Local Law to address the number of dogs that can be kept on a property as this aspect had previously been identified as an action needed to bring Colac Otway into line with the vast majority of shires in Victoria.

Council is also in the process of obtaining legal advice as to other actions/options that may be available to ensure responsible animal ownership is achieved by preventing unsuitable people from owning or having dogs under their control. A report will be submitted to Council in April 2013 in response to the petition that provides more detail on the progress made by Council in relation to these matters.

**Animal Registrations:**

Domestic Animal Registrations for the 2013/2014 period are due on April 10, 2013. This year the State Government has altered the schedule of fees and deleted the reduced fee for new dogs & cats that are micro-chipped only. This measure has been put in place by the Department of Primary Industries to address the identified trend for pet owners not to have their animals desexed as they were receiving the same reduced registration fee by only micro-chipping their dog or cat. This change will only apply to animals that are being registered for the first time.

**Fire Inspections:**

Although Summer has officially finished, the spell of hot weather continues and the potential for fire to occur is still present. Council encourages all property owners to be vigilant in maintaining their properties to keep fuel loads at a minimum. It should be remembered that the declared Fire Danger Period does not finish until 1 May 2013. This fire season Council's fire/property inspection process has resulted in 11 Infringement Notices being issued to property owners who failed to comply with the Fire Prevention Notice sent to them. There are a further 13 Infringement Notices pending. The Infringement Notice penalty is \$1,408, with the maximum Court penalty upon conviction being \$16,901 and/or 12 months imprisonment. Although the formal aspect of property inspection process has concluded, Council's Municipal Fire Prevention Officers are still following up on complaints and taking appropriate action to ensure compliance is maintained throughout the rest of the Fire Danger Period.

**Economic Development****Colac Marketing Strategy**

An inception meeting has been held and photography completed for the development of the 'Colac – Life, your way Marketing Booklet'. It will be available for people attending the Regional Living Expo and copies will also be available at local real estate agents and the Colac and Apollo Bay Visitor information Centres.

Film crews for 'Coxy's Big Break' have been to Colac and Forrest filming a promotion for the Regional Living Expo. Melanesia Carson, owner of Oddfellows and The Farmer's Wife, and Matt and Sharon Bradshaw, owners of Forrest Micro Brewery, will feature in the Colac segment of the program.

Filming for the WIN TV advertisement for Colac will be completed on 19 March 2013. The product will be used on the Colac promotional website and also at the Colac and Apollo Bay Visitor information Centres. The Colac promotional website has been rebranded and design matched to the new 'Colac, Life your way' brand. <http://colaclifyourway.com.au/>

**Tourism**

Colac Visitor Information Centre (VIC) visitation for February 2013 was 3,062, an increase of 15.4% on the previous year. Phone enquiries were well down, this may be due to the

introduction of the 1300otways number & the change of customer behaviour as they are using the internet more for research prior to holiday activities.

The centre has experienced an increase in Chinese travellers especially during the Chinese New Year period and had an influx of young German backpackers seeking short term local employment.

Interstate visitor trends are similar to previous months with many visitors from Queensland and Western Australia. The most popular visitor requests are for free camping, bike trails and internet access.

Colac VIC is now a Happy Hot Spot offering free Wi-Fi to customers & this is proving very popular.

At Apollo Bay there were 15,438 visitors, almost the same number as last year. Phone statistics are well up at 143% higher than last year which is opposite to the trend identified at the Colac VIC.

Local attraction ticket sales are up on last year particularly for the Otway Fly (19%) and Cape Otway Lightstation (10%) with VLine tickets down (-13%). Apollo Bay Music Festival tickets are on sale.

There has been a good mix of international visitors particularly from Germany, UK and the USA. There has also been a considerable increase of Asian travellers from China and Taiwan.

There have been a lot of backpackers over the past month enquiring about natural attractions as well as camping within the Great Otway National Park.

### **Small Towns Improvement Program (STIP)**

Projects underway:

- Beeac – The new BBQ has been purchased for the Beeac Park and underground power has been established with an electrician to complete the works shortly. Contractors are still working on options for the new noticeboard.
- Swan Marsh/Pirron Yallock – The first draft of the recreation reserve Master Plan has been completed and once input has been received from Council Officers it will be referred to the public for comment.
- Cressy – Improvements to the Duverney Street precinct have been held up by delays in the delivery of new tables and chairs. New plants are to be planted as soon as is appropriate.
- Forrest – Planning for the streetscape project is almost finalised.
- Beech Forest – An onsite meeting with Statutory Planning, Environment and Infrastructure units discussed all aspects of the planning permit application. This meeting was successful and ensured that all parties understood the current issues associated with the project. The process is progressing.
- Barwon Downs – Council has received an official letter from the CFA regarding consent to undertake the project to construct a combined community centre attached to the current CFA building in Barwon Downs. We are now awaiting the outcome of a funding application to Department of Planning and Community Development.

### **Business Development**

Business events planned for the upcoming months are focussed on Succession Planning and Marketing. The Succession Planning event will give business people information on

how to transition a business to a new owner. The Marketing event will focus on new technology and tools and tips and hints on how to identify target markets.

The Victorian Government's Mobile Business Van was in Apollo Bay on 18 February 2013 and Colac on 27 February 2013. The Mobile Business Van has a Small Business Mentor travelling with it offering free mentoring sessions to small businesses. Feedback from the Victorian Government staff was positive and stated that the number of enquiries and mentoring sessions booked was above their expectation. Apollo Bay had three mentoring sessions held and 19 people visit the van for advice, while Colac had six mentoring sessions and had 27 people visit the van.

**Attachments**

Nil

**Recommendation(s)**

***That Council notes the CEO's Progress Report to Council.***

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**OM132703-2****COUNCILLOR AND MAYORAL ALLOWANCES**

|             |              |           |           |
|-------------|--------------|-----------|-----------|
| AUTHOR:     | Colin Hayman | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive    | FILE REF: | F11/3291  |

**Purpose**

The purpose of this report is to enable Council to determine Mayoral and Councillor Allowances from 1 May 2013.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

A report on the review of Mayoral and Councillor allowances was considered at the Council meeting held on 19 December 2012.

Council resolved:

*“That Council:*

1. *Gives the public notice of its intention to determine at the 28 March 2013 Council meeting the following Mayoral and Councillor allowances from 1 May 2013 in accordance with section 74 and section 22 of the Local Government Act 1989;*
  - a) *Councillor Allowance - \$21,480*
2. *Considers any submissions that are received at a Special Council Meeting to be held on Wednesday 13 March 2013 at COPACC at 1.00 pm.*

*That Council:*

1. *Gives public notice of its intention to determine at the 28 March 2013 Council meeting the following Mayor and Councillors allowances from 1 May 2013 in accordance with section 74 and section 223 of the Local Government Act 1989;*
  - a) *Mayoral Allowance - \$65,000*
2. *Considers any submissions that are received at a Special Council Meeting to be held on Wednesday 13 March 2013 at COPACC at 1.00 pm.”*

Subsequently, public notice of Council’s proposed Mayoral and Councillor Allowances and inviting public submissions was given via the Colac Herald and Apollo Bay News.

Submissions closed at 5.00 pm Friday, 1 March 2013. No submissions were received.

**Council Plan / Other Strategies / Policy****Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

The Councillor Support Policy sets out details with respect to Councillor Support.

**Issues / Options****Review – Council Remuneration**

During 2007 a review into Council remuneration was carried out by a panel appointed by the State Government.

The panel made a number of recommendations covering the following:

- Adequacy of the quantum of allowances
- Three category models
- Adjustment of allowances
- Expenses, guidelines and resources support for Mayor and Councillors
- Changes to the *Local Government Act* 1989.

The review also recommended that the levels of the allowances are reviewed on an annual basis.

**Local Government Act**

Following on from the review, various changes were made to the *Local Government Act* 1989 with respect to Councillor allowances consistent with the above.

- The Minister must, at least once every year, review the allowance category for each Council
- The Minister must, at least once every year, review the limits and ranges of Councillor and Mayoral allowances
- A Council must increase Councillor and Mayoral allowances in accordance with the adjustment factor specified.

The allowance is in two parts:

- i. Councillor annual allowances
- ii. Superannuation Guarantee Contribution.

**Annual Adjustments**

Each year the Minister for Local Government undertakes a review having regard to movements in the levels of remuneration of executives within the meaning of the Public Administration Act 2004. If a review finds that allowances should be adjusted, the Minister publishes a notice in the Gazette setting out the adjustment factor and new limits and ranges of allowances including the adjustment.

Council must then increase Part (i) of their allowances in accordance with the adjustment factor. Part (ii) will then be added where applicable.

**Current Range and Limits of Allowances**

|            | <u>Councillor</u>   | <u>Mayor</u>   |
|------------|---------------------|----------------|
|            | Min/Max             | Min/Max        |
| Category 1 | \$7,542 - \$17,969  | Up to \$53,684 |
| Category 2 | \$9,317 - \$22,405  | Up to \$69,325 |
| Category 3 | \$11,204 - \$26,843 | Up to \$85,741 |

Colac Otway is in Category 2.

These allowances were set by the Minister for Local Government commencing 27 October 2012. The allowances were published in the Victorian Government Gazette on 26 October 2012.

### **Superannuation**

As part of allowances payable to Mayors and Councillors Council must pay the equivalent of the Superannuation Guarantee contribution (currently 9%).

Under Commonwealth legislation, the Superannuation Guarantee is to increase annually from 1 July 2013.

For 2013/14 the percentage payable will increase to 9.25%.

In accordance with Commonwealth Taxation rulings, each Councillor may decide to have any part of their total allowance paid into a superannuation fund of their choice.

### **Current Allowances**

Councillors are receiving the current level of allowance from the date when they took the Oath of Office, this being 29 October 2012.

The current levels are:

- Mayor - \$65,554 plus superannuation
- Councillors - \$21,852 plus superannuation.

These are currently less than the maximum allowable.

### **Payment of Allowances**

The payment of Mayoral and Councillor allowances must not exceed one month in advance. This was changed from 27 October 2012.

The Councillor Support Policy provides for the payments 4 weeks in arrears.

### **Resources/Facilities**

The Victorian Government's Policy Statement on Allowances and Resources indicates that the following resources/facilities are required to be provided to Councillors:

- Administrative support for the Mayor
- Office for Mayor
- Vehicle for Mayor
- Computer – desktop or laptop
- Mobile phone and landline
- Stationery
- Access to a fax/copier
- Website development as part of Council website.

Other support to Councillors is at the discretion of Councils.

This support is currently set out in the Councillor Support Policy

### **Reimbursement**

Under Council's current Councillor Support Policy and the Victorian Government's policy, Councillors can be reimbursed for:

- Travel – including reimbursement of public transport costs
- Telephone – reimbursement of relevant call costs
- Internet
- Childcare/family care

The Councillor Support Policy sets out the guidelines for the various reimbursements.

**Proposal**

It is proposed that Council sets the allowances as resolved at the Council meeting held on 19 December 2012 and subsequently advertised.

**Financial and Other Resource Implications**

The 2012/2013 budget for allowances and superannuation is based on the current amounts. Future budgets would take into account the level of allowances set.

**Risk Management & Compliance Issues**

The *Local Government Act 1989* sections 73 to 75 details provisions relating to allowances.

**Environmental and Climate Change Considerations**

Not applicable.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected has been to consult.

Following a review of allowances, a submission process in line with s223 of the *Local Government Act 1989* was undertaken.

Due to the submission period being over the holiday period the time for submissions was extended. Advertisements were placed in the Colac Herald on Friday 21 December 2012 and again on Friday 4 January 2013.

Submissions closed at 5.00 pm on Friday 1 March 2013. No submissions were received.

**Implementation**

Any revisions to the level of Mayoral and Councillor allowances will apply from 1 May 2013.

**Conclusion**

- The Order in Council has set down the current level of Councillor allowances.
- A review of allowances must be held within the period of 6 months after a general election or by the next 30 June, whichever is later
- Once the level of allowances was determined by Council a public consultation process was undertaken.

No submissions were received.

**Attachments**

Nil

**Recommendation(s)**

***That Council sets the following Mayoral and Councillor allowances from 1 May 2013 in accordance with sections 74 and 223 of the Local Government Act 1989:***

- |     |                                    |                          |
|-----|------------------------------------|--------------------------|
| (a) | <b><i>Mayoral Allowance</i></b>    | <b><i>- \$65,000</i></b> |
| (b) | <b><i>Councillor Allowance</i></b> | <b><i>- \$21,480</i></b> |

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**CORPORATE AND COMMUNITY SERVICES**

| ITEM                     |   |
|--------------------------|---|
| <b><u>OM132703-3</u></b> | <b><u>APOLLO BAY AQUATIC CENTRE PROPOSAL</u></b>                            |
| <b><u>OM132703-4</u></b> | <b><u>BIRREGURRA RECREATION RESERVE MASTER PLAN</u></b>                     |
| <b><u>OM132703-5</u></b> | <b><u>INSTRUMENT OF DELEGATION - CHIEF EXECUTIVE OFFICER (CEO)</u></b>      |
| <b><u>OM132703-6</u></b> | <b><u>S6 INSTRUMENT OF DELEGATION - COUNCIL TO COUNCIL STAFF UPDATE</u></b> |
| <b><u>OM132703-7</u></b> | <b><u>MELBOURNE CUP DAY/COLAC SHOW DAY PUBLIC HOLIDAY</u></b>               |



**OM132703-3****APOLLO BAY AQUATIC CENTRE PROPOSAL**

|             |                                |           |              |
|-------------|--------------------------------|-----------|--------------|
| AUTHOR:     | Ian Seuren                     | ENDORSED: | Colin Hayman |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | F11/2991     |

**Purpose**

The purpose of this report is to reconsider the feasibility of an indoor aquatic centre in Apollo Bay.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

The proposal for an indoor aquatic centre in Apollo Bay has been investigated by Council and the community for many years. The original Apollo Bay Indoor Pool Feasibility Study was prepared by HM Leisure Planning in 2000/2001. The report was developed in four stages, with Stages 1 and 2 concluding that there was a strong need for an indoor aquatic centre in Apollo Bay. Stages 3 and 4 prepared concept plans and an operational business plan in light of the findings of the first two stages.

At its September 2001 meeting, Council decided not to proceed any further with the development of an indoor aquatic centre in Apollo Bay due to the capital cost and ongoing operational subsidy required.

At its November 2001 meeting, Council agreed to re-evaluate its previous decision. In 2002/2003 further work was undertaken by a committee made up of key township organisations and stakeholders, as well as Council representatives. The committee considered:

- Alternate facility designs
- Benchmarking of other like facilities
- Management
- Funding options.

The proposal for an indoor pool in Apollo Bay did not progress beyond the scope of this work.

The Apollo Bay community then renewed the investigation of an indoor aquatic facility for the township in 2011. The Apollo Bay Community Bank Board decided to champion a heated indoor pool for the Apollo Bay community because during the creation of the bank, a community poll identified that, of 31 identified needs in the community, an indoor pool was the highest priority with 42% support.

It was determined that to progress the concept of an indoor aquatic centre in Apollo Bay, a review of the original feasibility study was required considering it was completed some ten years previously and its financial modelling was questionable. The Apollo Bay community subsequently raised funds from various organisations to prepare the Apollo Bay Indoor Aquatic Centre Feasibility Study (feasibility study).

Consultants *Sport & Leisure Solutions* were engaged to prepare the new feasibility study which recommended that an indoor aquatic centre in Apollo Bay was feasible based on the community benefits it would generate. The feasibility study recommended three sites at which an indoor pool could be constructed – the Harbour Precinct, Gambier Street (Recreation Reserve) and the Apollo Bay P-12 College. The feasibility study provided estimates on the capital cost and the financial modelling for operating costs which are summarised below:

| Site                   | Capital Cost | Operational subsidy (Year 1) | Operational subsidy (Year 10) |
|------------------------|--------------|------------------------------|-------------------------------|
| Harbour Precinct       | \$8,000,382  | \$306,703                    | \$360,894                     |
| Gambier Street Reserve | \$6,904,954  | \$365,396                    | \$449,067                     |
| Apollo Bay P-12 School | \$3,595,749  | \$395,992                    | \$496,882                     |

Council considered the Apollo Bay Indoor Aquatic Centre Feasibility Study at its March 2012 meeting, determining:

***“That Council:***

- 1. Resolves that due to the capital cost and ongoing operational subsidy required from Council, the Apollo Bay Aquatic Centre is not feasible unless it is funded by grants and/or loans and Council is prepared to make a commitment to the necessary ongoing operational costs.***
- 2. Resolves not to undertake any further investigations into the development of the Apollo Bay Aquatic Centre unless clear funding options are identified.***
- 3. Consider allocating additional resources in future budgets to provide greater access to recreation facilities for the Apollo Bay community.***
- 4. Will continue discussions about the proposed indoor heated pool and associated infrastructure at Apollo Bay with the Apollo Bay Aquatic Committee, Regional Development Victoria, Department of Transport, Department of Planning and Community Development, Tourism Victoria and Department of Sustainability and Environment.”***

Following Council's consideration of the feasibility study, the Apollo Bay Aquatic Centre Committee determined to continue investigating opportunities for an indoor pool.

### **Council Plan / Other Strategies / Policy**

#### **Physical Infrastructure and Assets**

Council will provide and maintain Council infrastructure and assets that meet community needs now and in the future.

#### **Community Health and Wellbeing**

Council will promote community health and wellbeing in partnership with other health services. Through a partnership approach, Council will provide a broad range of customer focused health, recreational, cultural and community amenities, services and facilities.

#### **Issues / Options**

Following Council's consideration of the previous feasibility study, the Apollo Bay Aquatic Centre Committee (Committee) decided to continue investigating opportunities for the proposed facility. This decision was based on the feasibility study recommending that an indoor pool in Apollo Bay was feasible due to the need identified in the consultation and the benefits it would provide to the community. These benefits include access to Learn to Swim

programs, rehabilitation, hydrotherapy, lap swimming and exercise activities which are currently not available to Apollo Bay and district residents.

The Committee determined that the Apollo Bay P-12 College, adjacent to the existing outdoor pool and stadium, would be the best site for the proposed facility based on the lower capital cost, existing infrastructure and the close proximity to Otway Health and Community Services.

Following agreement of the most suitable location, the Apollo Bay Aquatic Centre Committee has developed the **Proposal: Apollo Bay Aquatic Centre** document (the Proposal) which details a proposal for Government to consider funding the proposed facility, both capital and ongoing operational costs. The document uses the most recent feasibility study as a base to determine the likely facility elements and demonstrate the need for the facility.

The Proposal recommends a 25m x 11.5m indoor pool with ramped access, ranging in depth from 1m to 1.4m. The proposed facility also includes supporting amenities, an administration area and car parking. Basic concept plans have been developed for the purposes of the Proposal however they are for illustrative purposes. More detailed planning would be undertaken if Council were to commit to the project.

The Committee has consulted with the Department of Education and Early Childhood Development (DEECD) who own the land. DEECD are willing to enter into a long term agreement with Council to construct and operate an aquatic facility on their land however are not prepared to operate a facility themselves.

The Proposal also presents the proposed operating model and the estimated financial forecast. The Committee has worked with Council officers to determine a realistic financial forecast based on Council operating the facility under the Bluewater Fitness Centre management structure. This is discussed further in the Financial and Other Resource Implications section of this report.

In order to secure capital funding for the project, both state and federal governments would require security that the ongoing operational costs will be covered. In the main, the operation of public aquatic facilities is delivered by local government. Whilst some aquatic centres do return a profit, the vast majority of public swimming pools operate at a deficit.

The Proposal identifies the need for a new indoor aquatic facility to provide for the health, recreation and education requirements of the community. Predominantly, the pool would cater for Learn to Swim programs, hydrotherapy, lap swimming and exercise activities. The facility would cater for a broad spectrum of groups including:

- Young families including pregnant women, mothers and babies, toddlers and preschool children for recreational swimming and learn to swim.
- School students for learn to swim, lifesaving training and recreational swimming.
- The elderly and those rehabilitating from injury or illness.
- Athletes and sporting club members for lap swimming and water based exercise.
- Visitors and tourists for recreational swimming and water play.

Council currently operates an outdoor pool in Apollo Bay which is located at the Apollo Bay P-12 College. The facility is open to the public for a short period of time over summer including the month of January and weekends in December, February and March. The existing pool is 23 years old and has a limited lifespan. It currently does not fully meet the community's needs due to the coldness of the water temperature. A number of attempts have been made to increase the water temperature over previous years with little affect.

Apollo Bay's climate does not lend itself to operating an outdoor pool for extended periods of time.

Apollo Bay, like much of the shire, has an aging population. It is expected that the demand for warm water based exercise classes and rehabilitative programs will increase as the age of our population increases. Opportunities for the community to participate in these programs exist at Lavers Hill and Colac. However, the benefits gained by the elderly through warm water exercise programs can be quickly lost if travelling for significant lengths of time in a car or bus.

There are a number of options available to Council.

***Options:***

- 1. Provide in-principle support for the development of an indoor aquatic centre in Apollo Bay including a commitment to meeting the ongoing operational costs, should external capital funds be sourced.**

This would give the community confidence that Council will commit to the ongoing costs of operating an indoor aquatic facility. This would provide certainty to other levels of government when seeking funds for the capital construction. There is strong support from the Apollo Bay community for an indoor aquatic facility and this option would inform the community that Council is committed to providing this type of community infrastructure.

The capital cost would be considerable as are the ongoing operational costs as detailed in the Financial Implications section. Council needs to balance these costs against the social, health and economic benefits of providing an aquatic facility in Apollo Bay.

Even if funds were obtained to construct an indoor aquatic centre, it is unlikely that Council would need to find the budget to cover ongoing operational costs for a number of years. Therefore, given the likely timeframes, Council would have a number of years to analyse the budget and reallocate resources to cover these costs.

- 2. Determine that the ongoing annual subsidy required to operate an indoor aquatic centre in Apollo Bay is prohibitive to supporting the development of such a facility.**

There are significant health and wellbeing benefits of providing aquatic facilities for local communities. In addition, community aquatic facilities do also provide social benefits and some economic benefits. Importantly, they greatly improve the "liveability" of a town or area.

It is difficult to associate a quantitative measure to these benefits, especially health and social benefits. The cost of provision needs to be balanced against the perceived benefits to the community. The ongoing operational cost of \$300,000 annually is significant and may outweigh the benefits to the community in providing an indoor pool.

- 3. Determine that the ongoing annual subsidy required to operate an indoor aquatic centre in Apollo Bay is prohibitive to supporting the development of such a facility. Extend the operating hours of the existing outdoor pool through an increased budget allocation and investigate options for improved heating of the pool.**

There are a number of issues associated with the existing Apollo Bay outdoor pool including access, plant and supporting infrastructure. The pool is 23 years old. A key issue is the temperature of the water which does not lend itself to lap swimming or water based exercise

programs for much of the year. Attempts at increasing the temperature of the water over previous years have been relatively unsuccessful.

Council could determine to investigate ways of improving water temperatures at the existing pool and allocate additional resources to extend the time the pool is open to the community.

### **Proposal**

The Apollo Bay Aquatic Centre Committee seeks Council's commitment to the ongoing operational costs of the proposed facility, should external funding be secured for the construction of the facility. This proposal is based on further investigative work undertaken by the Committee and the previous resolution by Council at its March 2012 meeting.

### **Financial and Other Resource Implications**

The construction of an indoor aquatic centre will require significant capital funds. The proposal indicates a total cost of \$3,240,000 based on costs provided by Quantity Surveyors, North Projects Pty Ltd. The cost plan includes provision of a 25m x 11.5m program pool, new changerooms, entrance/administrative area and car parking.

The Committee is anticipating that the funds to construct the facility will come from Federal and State Government along with a contribution from the local community. The Committee, at this stage, is not seeking Council support for the construction of the facility. The Committee strongly believes that the local community has the capacity to raise a significant proportion of the capital required, if a commitment was made by Council to cover the ongoing operational costs.

The Committee is requesting a commitment from Council to cover the operating costs for the facility. The financial modelling suggests this will be in the order of \$300,000 annually which is detailed in the proposal. The key expenditure items associated with the proposed facility are staffing and utilities. Based on a permanent population catchment of 2,800, the Council subsidy equates to approximately \$107 per person. This does not include the many non-permanent residents who would possibly use the facility whilst spending time in the area.

The financial modelling in the Proposal is based on the facility being open to the public for 56 hours. Considering that staff costs make up 53% of total expenditure, the financial burden on Council could be reduced by reducing the number of hours the facility would be open to the community. This would reduce the number of staff hours required however would also reduce the benefits provided to the community.

The Proposal indicates inequity in Council expenditure on community infrastructure in the Apollo Bay area, in particular the provision of recreation facilities. Much of the open space and recreation facilities in the area are managed by other authorities eg: Otway Coast Committee.

Council currently operates the Apollo Bay outdoor pool over the summer period. The net cost to Council for the 2012/2013 year is forecast to be \$35,000. This includes an \$8,500 contribution to a Capital Reserve account which is a requirement of the Joint Use Agreement with the Apollo Bay P-12 College. The cost of operating the outdoor pool is encapsulated in the financial modelling provided in the Proposal. Therefore, the net additional cost to Council to operate a new indoor pool would be in the vicinity of \$280,000.

Apollo Bay has a large non-permanent population with approximately 65% of houses in the town owned by non-residents. The unknown in the financial modelling is the number of non-permanent landowners that reside in the town at different times of the year and the amount of use of an indoor aquatic centre. In addition, Apollo Bay supports a large number of visitors, particularly over the summer period, which may use an indoor aquatic centre.

The Committee anticipates lobbying for funding from the Federal and State Governments in the lead up to their next elections. Initial feedback from politicians is that the project would not be considered unless it has the support from Council, specifically a commitment to cover the ongoing operational costs.

In addition to seeking election commitments for the project, there are a number of State and Federal Government programs that could possibly fund aquatic facilities. However, both the Community Facility Funding Program (Better Pools category) and the Regional Development Australia Fund (RDAF) are highly competitive and aim to fund regional facilities that service large regional catchments. Both funding programs are based on local matching contributions.

Discussions with the Department of Planning and Community Development, who administer the Community Facility Funding Program, identify that the program is highly competitive and that funds have been distributed previously to metropolitan and large regional centres. The criteria state that applications need to show how projects provide significant regional/sub-regional and/or multi-purpose benefit and increase participation outcomes.

RDAF is considered even more competitive. Eligible organisations are able to submit Expressions of Interests (EoI's) to the local Regional Development Australia Committee. Following review of EoI's against the criteria, RDA committees can select the three highest priority and viable projects to proceed to full application. Colac Otway Shire forms part of the Barwon South West Region which consists of eight other local government authorities.

### **Risk Management & Compliance Issues**

Aquatic facilities are managed according to a range of risk management and compliance requirements. These issues would be considered if an aquatic centre was constructed and operated in Apollo Bay.

The financial risk placed on Council by committing to the ongoing operational costs is a significant one. Council would need to find a way of reallocating funds from the existing operational budget which could then be to the detriment of other services provided by Council.

### **Environmental and Climate Change Considerations**

Should an indoor aquatic facility be constructed, Environmentally Sustainable Design (ESD) Initiatives would be incorporated. There are a range of ESD options available which are summarised:

- Rain water harvesting
- Grey water harvesting
- Pool backwash harvesting
- Treatment of harvested water for pool refill
- Air and water heat exchange (energy reduction)
- High efficiency gas boilers
- Managed pool hall solar control
- Building management systems for mechanical, hydraulic and lighting control
- Solar boosted hot water (showers, basins etc.)
- Solar pool heating (however requires significant capital expenditure)
- Co-generation
- Advanced façade systems (eg: Low-E glass, double glazing, improved thermal mass etc.)
- Comprehensive pool blanket incorporation (reduces heat loss and evaporation)

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

This project has been driven by the community and therefore the method selected has been empower. The community has advocated for an indoor pool for many years. The feasibility study completed in 2012 and the Proposal both identify a strong community need for an indoor aquatic centre to service the south of the shire.

Significant consultation with the community has taken place about this issue over the past two years. When preparing the 2012 feasibility study, Sport & Leisure Solutions undertook extensive consultation with local community groups, interested individuals and health service providers to assess demand and quantify infrastructure and program requirements.

A survey conducted as part of the feasibility study received over 300 responses and found that 95% of respondents rated the need for an indoor pool as 'Extremely Important' or 'Very Important'.

In addition to the consultation process through the feasibility study, a number of community forums have been held in recent years which have attracted strong attendance. These forums have shown that there continues to be strong support for an indoor pool in Apollo Bay.

As part of the development of the Proposal by the Committee, a petition was submitted to Council which contained approximately 788 signatures.

**Implementation**

The future implementation is dependent on the decision made by Council.

Should Council determine to provide an in-principle commitment to the ongoing operational costs of the proposed indoor aquatic facility, Council in partnership with the Apollo Bay community, could then work towards securing capital funds to construct the facility. This would include listing the project on Council's Priority Projects list to then lobby federal and state governments in the lead up to upcoming elections.

Council could also submit applications for funding to state and federal government programs should the community have a matching contribution available.

**Conclusion**

There are a range of social, health and economic benefits associated with providing indoor aquatic facilities for local communities. It is acknowledged that there is strong community support for additional recreation and health facilities in Apollo Bay, predominantly for the development of an indoor aquatic centre.

The cost in providing an indoor aquatic centre in Apollo Bay, both in terms of capital construction costs and ongoing operations, is significant. The benefits provided by an indoor aquatic centre for the Apollo Bay community would also be significant, although are difficult to quantify.

The Apollo Bay Aquatic Centre Committee is seeking a commitment from Council to the ongoing operations rather than the capital funds required for construction. It is anticipated that a commitment from Council would provide certainty to state and federal governments when considered funding the capital costs of construction.

**Attachments**

1. Proposal: Apollo Bay Aquatic Centre

**Recommendation(s)*****That Council:***

- 1. Provides in-principle commitment to the ongoing operational costs of a proposed Apollo Bay Indoor Aquatic Centre, subject to external funds being sourced for the capital construction of the facility.*
- 2. Continues to work with the Apollo Bay Aquatic Centre Committee to investigate means to reduce the financial commitment required for ongoing operations.*
- 3. Supports the Apollo Bay Aquatic Centre Committee to lobby state and federal governments for capital funds for construction of an indoor aquatic centre in Apollo Bay.*

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**OM132703-4****BIRREGURRA RECREATION RESERVE MASTER PLAN**

|             |                                |           |              |
|-------------|--------------------------------|-----------|--------------|
| AUTHOR:     | Ian Seuren                     | ENDORSED: | Colin Hayman |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | F12/438      |

**Purpose**

The purpose of this report is for Council to note the Birregurra Recreation Reserve Master Plan.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

The Birregurra Recreation Reserve (Reserve) is Crown land managed by a local Committee of Management (CoM) delegated by the Department of Sustainability and Environment.

The Reserve is situated in the north-east corner of the township and is the primary sport and recreation venue within Birregurra. The Reserve is an important community facility and is home to the Birregurra Football Netball Club, Birregurra Tennis Club and the Birregurra Cricket Club. The Reserve is also used for other community events and activities including the Birregurra Festival, Annual Fire Brigade Auction, private fitness classes, model car club, and occasionally as a camping ground for tourists.

The Reserve is approximately 4.5 hectares in size and is bordered by farmland to the north, road easement to the east, and residential properties to the south and west. The existing sporting clubrooms were built in the 1960's and extended in the mid 1970's to accommodate change rooms for the football club.

The Reserve includes the following facilities:

- Main oval (168m x 130m) with a synthetic cricket pitch, training lights and a purpose built score board;
- Main pavilion including home and away change rooms, kitchen and kiosk, licensed bar and main social / function area;
- Separate storage shed for maintenance equipment;
- Two asphalt multipurpose netball/tennis courts with low level training floodlights;
- A small clubroom building to support the tennis club;
- Storage sheds, one which is heritage listed;
- A mini basketball court;
- A brick toilet block;
- Two water storage tanks; and
- Multiple car parking areas (unsealed) and unsealed internal roadways.

**Council Plan / Other Strategies / Policy****Physical Infrastructure and Assets**

Council will provide and maintain Council infrastructure and assets that meet community needs now and in the future.

**Community Health and Wellbeing**

Council will promote community health and wellbeing in partnership with other health services. Through a partnership approach, Council will provide a broad range of customer focused health, recreational, cultural and community amenities, services and facilities.

**Issues / Options**

Like many small rural townships, sport in Birregurra is the lifeblood of the community. With almost half the population of Birregurra involved in sport either as a player, administrator, supporter or sponsor, it is evident that sport in Birregurra is vitally important. It connects people and contributes greatly to the health and wellbeing of the local community. Overall, the Reserve receives an estimated 400 visits on a weekly basis and attracts over 300 different users annually.

The redevelopment of the Reserve is seen as a high priority to enable it to continue to provide for local sporting and recreation needs, and also to provide a flexible and versatile space that is capable of meeting the needs of non-sporting groups.

The CoM initiated the development of a master plan for the Reserve to guide future development of the reserve's infrastructure to better meet community needs. The CoM was successful in securing a Council Community Grant which was matched with their own funds. Inside Edge Sport & Leisure Planning, consultants specialising in recreation, were engaged by the CoM to undertake consultation and prepare the master plan.

The development and finalisation of the master plan was a thorough and lengthy process. The CoM now has a documented plan to guide future development of the Reserve.

The vision for the Reserve is *"To provide an integrated, healthy and welcoming sporting and community precinct for the town and surrounding district."* For this vision to be realised, there are a number of priority actions that need to be owned, managed and implemented within a timely and efficient manner. Whilst the existing facilities currently provide opportunities for the Birregurra and district community to participate in active recreation, many of the facilities are in dire need of improvement.

A comprehensive yet achievable plan is required to provide direction to the CoM and agreement of priorities. A well-developed master plan assists greatly with attracting external funding from state and federal governments as well as local communities.

The Master Plan is encapsulated in the draft Birregurra Structure Plan. Section 15.2 of the draft Structure Plan states the following objective – "To recognise the Birregurra Recreation Reserve as the primary recreation and sporting precinct in the township." In addition, the draft Structure Plan recommends the following strategies:

- Support the implementation of the recommendations of the Birregurra Recreation Reserve Master Plan, 2012.
- Support the development of additional complementary community and recreation uses around the Birregurra Recreation Reserve.

**Proposal**

That Council notes the Birregurra Recreation Reserve Master Plan which will guide the future development of the reserve.

**Financial and Other Resource Implications**

The development of the master plan was supported by a \$5,000 grant from Council through the 2011/12 Community Funding Program. The CoM provided the matching funding to enable the plan to be completed.

Actions identified in the Master Plan have been prioritised and costed to provide the CoM with adequate information to seek external funding. Budget estimates provided in the Master Plan are for a broad range of costs commensurate with the likely scale of development anticipated for each documented action. Full budget prices will only be realised following the detailed design and implementation of each identified action.

The master plan identifies approximately \$4 million worth of works. This includes an estimate of \$2 million for the key priority project, being redevelopment of the social rooms and change rooms. This facility is in poor condition and does not meet the standards required by the user groups or the broader community.

The master plan identifies and details a range of possible funding sources. Due to the Reserve being located on Crown land, Council is not obligated to fund the implementation of the master plan. However, the Reserve provides significant benefits to the community and therefore it is not unrealistic to expect some contributions from Council to the improvement to the facilities. Many State and Federal funding programs require matching contributions from Local Government and/or local communities. Any contributions from Council would be considered as part of the annual budget process.

Of importance for Council to acknowledge is Action No. 15 – *“In partnership with the Colac Otway Shire, formalise Barry Street with asphalt, kerb and channel, and a footpath, to accommodate a proposed new entrance to the Reserve and cater for parking outside the Reserve.”* This is a high priority and will need to be considered by Council in future budget deliberations.

### **Risk Management & Compliance Issues**

There are no risk management or compliance issues relevant to this report.

### **Environmental and Climate Change Considerations**

There are no environmental or climate change considerations relevant to this report.

### **Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower. The method selected was empower.

The development of the master plan was driven in its entirety by the local community through the CoM. Council officers provided support and advice throughout the process however the plan was developed by and for the Birregurra and district community.

The development of the master plan involved consultation with the CoM, existing and potential user groups, local sporting leagues, local and state government, and other key stakeholders. A range of techniques were used including individual meetings, phone consultations and electronic data collection and analysis.

The master plan was displayed in the Birregurra store for an extensive period of time. The CoM also displayed the plan at the Birregurra Weekend Festival seeking feedback on the proposed improvements and priorities.

The master plan document includes a full list of consultation findings and stakeholder priorities and needs regarding current and future Birregurra Recreation Reserve facility requirements.

**Implementation**

The implementation of the master plan will be based on the prioritised action plan and subject to available funds available. Council officers will continue to work with the CoM and the user groups to identify external funding opportunities and to prepare funding submissions.

Having a strategic plan in place which is based on a thorough consultation process will greatly assist the CoM and user groups to source external funds. It demonstrates to external funding agencies that the community has worked to have a planned approach to the improvement and development of their facilities.

**Conclusion**

The Birregurra Recreation Reserve is an important community facility providing opportunities for the community to participate in active recreation as well as providing public open space for more passive recreation uses.

The development of the Birregurra Recreation Reserve Master Plan by the Birregurra Recreation Reserve Committee of Management is a proactive approach to the improvement and development of these important community recreation facilities.

The master plan is a comprehensive yet realistic plan which will guide the future provision of facilities at the Birregurra Recreation Reserve. The plan will also assist in leveraging funding to improve and develop these facilities.

**Attachments**

1. Birregurra Recreation Reserve Master Plan

**Recommendation(s)**

***That Council notes the Birregurra Recreation Reserve Master Plan.***

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**OM132703-5****INSTRUMENT OF DELEGATION - CHIEF EXECUTIVE OFFICER (CEO)**

|             |                                |           |           |
|-------------|--------------------------------|-----------|-----------|
| AUTHOR:     | Colin Hayman                   | ENDORSED: | Rob Small |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | 11/96474  |

**Purpose**

The purpose of this report is for Council to consider the updated Instrument of Delegation to the Chief Executive Officer.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

As part of section 98(6) of the *Local Government Act* (the Act) Council must review within the period for 12 months after a general election all delegations which are in force and have been made by Council.

Council last reviewed its delegation to the CEO in June 2009.

The Instrument of Delegation to the CEO is based on a pro-forma document provided by Maddocks Lawyers as part of its Delegation and Authorisations “package” that is updated on a regular basis as part of a subscription service.

The objectives of the review to delegations are:

- to ensure that the delegations provide an effective and efficient mechanisms for Council;
- to make minor wording enhancements, where necessary, to improve the documents; and
- to make changes in line with *Local Government Act* amendments.

**Council Plan / Other Strategies / Policy****Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

Section 98(1) of the Act details Council's ability to delegate to a member of its staff any power, duty or function of a Council under the Act or any other Act with certain exceptions.

**Issues / Options****Review of Instrument of Delegation**

As per the Act, the various delegations need to be reviewed within the period of 12 months after a general election.

This report only considers the Instrument of Delegation to the Chief Executive Officer.

A separate report will be provided to Council that considers the Instrument of Delegation to Members of Council Staff.

#### Changes to Instrument of Delegation to the CEO

Additional new duties have been inserted into the List of Chief Executive Officer powers, Duties and Functions under the *Local Government Act 1989*. Section 62A has been inserted and duties added to the S13 Instrument. These duties relate to the election campaign donation return summaries being made available to the public.

#### **Proposal**

That Council resolves to delegate to the CEO as per the revised Instrument of Delegation.

#### **Financial and Other Resource Implications**

Not applicable.

#### **Risk Management & Compliance Issues**

In order for a Council to effectively delegate its powers, functions and duties to the CEO, a Council must:

- resolve to delegate its powers to the CEO; and
- make an Instrument of Delegation.

Under the Act, Council is required to review delegations within the period of 12 months after a general election.

#### **Environmental and Climate Change Considerations**

Not applicable.

#### **Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

No consultation is required as it is a legislative requirement to review delegations. A register of delegations to members of Council staff is kept.

#### **Implementation**

The Instrument of Delegation from Council to the Chief Executive Officer comes into force immediately the Common Seal of Council is affixed to the delegation, subject to any conditions and limitations set out in the Schedule and must be exercised in accordance with any guidelines or policies which Council from time to time adopts.

#### **Conclusion**

The Delegation to the Chief Executive Officer has been reviewed and the powers, duties and functions vested in the CEO under the Act has been updated.

#### **Attachments**

1. Chief Executive Officer Instrument of Delegation

**Recommendation(s)**

***That Council in the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached instrument of delegation, resolves that:***

- 1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.***
- 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.***
- 3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.***
- 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***
- 5. It is noted that the Instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.***

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**OM132703-6****S6 INSTRUMENT OF DELEGATION - COUNCIL TO  
COUNCIL STAFF UPDATE**

|             |                                |           |           |
|-------------|--------------------------------|-----------|-----------|
| AUTHOR:     | Colin Hayman                   | ENDORSED: | Rob Small |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | 11/96474  |

**Purpose**

The purpose of this report is to update Council's Instrument of Delegation to Members of Council Staff.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

Council must update its Instrument of Delegation to enable enforcement of the statutory powers and responsibilities required within changing legislation and confer these duties to the relevant staff. Council last updated the delegation in February 2012 to reflect legislative changes and is now required to make further amendments.

**Council Plan / Other Strategies / Policy****Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

**Issues / Options**

Council is required to have an updated Instrument of Delegation to staff as per legislation.

The Maddocks delegation package provides Council with legislative amendments required to the Instrument of Delegation since changes made by Council in February 2012.

Minor amendments have been made to the provisions for the:

- *Food Act 1984*
- *Planning and Environment (Fees) Interim Regulations 2012*

The revised Instrument of Delegation has been reviewed by Executive.

**Proposal**

That Council resolves to seal the revised Instrument. The complete document is attached.

**Financial and Other Resource Implications**

Not applicable.

**Risk Management & Compliance Issues**

Council is required to review all delegations and the Instrument of Delegation to Members of Council Staff to reflect changing legislation.

**Environmental and Climate Change Considerations**

Not applicable.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The level of community engagement to date has been to consult internally with the Executive and appropriate Managers as to the delegate responsible for each part.

The adopted Instrument of Delegation will be placed on the Intranet for staff reference.

**Implementation**

The Instrument of Delegation comes into force after adoption by Council and fixing of the Council seal and a signed copy is placed on the register.

**Conclusion**

The update provides the latest amendments as required.

**Attachments**

1. Instrument of Delegation to Members of Council Staff

**Recommendation(s)**

***That Council, in the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the tabled Instrument of Delegation, resolves that:***

- 1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the tabled Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.***
- 2. The Chief Executive Officer is authorised to affix the Common Seal to the Instrument. The Instrument comes into force immediately the common seal of Council is affixed.***
- 3. On the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.***
- 4. The duties and functions set out in the Instrument must be performed and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that may from time to time be adopted.***

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**OM132703-7****MELBOURNE CUP DAY/COLAC SHOW DAY PUBLIC HOLIDAY**

|             |                                |           |           |
|-------------|--------------------------------|-----------|-----------|
| AUTHOR:     | Colin Hayman                   | ENDORSED: | Rob Small |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | 11/96507  |

**Purpose**

For Council to consider maintaining Colac Show Day as a public holiday in lieu of the Melbourne Cup Public Holiday.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

At the Council meeting held on 23 January 2013, Council considered a report on the Melbourne Cup Day/Colac Show Day public holiday.

Council resolved:

*"That Council:*

*Defers the decision on the Melbourne Cup Day Public Holiday until it receives community feedback.*

*Allows six weeks for this process and encourages comment from schools, businesses and the community across the Shire on the options contained within the report or other feasible suggestions.*

*Considers this matter for decision at the March 2013 Council meeting."*

Feedback was sought from schools, businesses and the community across the Shire on a number of options with respect to the public holiday.

Advertisements were placed in the local papers and newsletters, letters were written to organisations and the community had opportunities to provide feedback through social media.

Comments were invited until 5.00 pm on Friday 8 March 2013.

For 2009, 2010, 2011 and 2012 Colac Show Day (on the Friday) had been the designated Public Holiday for the Colac Otway Shire.

In 2011 the *Public Holidays Act 1993* was amended to provide regional Councils the ability and flexibility to make the public holiday arrangements that best suit their local communities in lieu of Melbourne Cup Day.

Council is able to nominate one full day or two half-day public holidays in one or more parts of the municipality as a substitute for Melbourne Cup Day.

**Council Plan / Other Strategies / Policy****Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations

**Issues / Options**

Section 8A of the *Public Holidays Act 1993*

*“8A Council may request substitute holiday for Melbourne Cup Day*

- (1) A non-metropolitan Council may request in writing that the Minister make a declaration under section 8(1) –*
  - a. that the day appointed under section 6 being the first Tuesday in November (Melbourne Cup Day) is not in a specified year such a public holiday in the whole or any part of the municipal district of that Council; and*
  - b. that another day or 2 half-days (one half-day of which may be Melbourne Cup Day) be appointed as a public holiday or 2 public half-holidays in that year.*
- (2) A request under subsection (1) must –*
  - a. be made at least 90 days before the Melbourne Cup Day to which the request relates; and*
  - b. specify the day or 2 half-days of the substituted public holiday; and*
  - c. specify the reasons for making the request.*
- (3) In making a declaration on a request under subsection (1), the Minister must not appoint a Saturday or a Sunday as a public holiday or a public half-holiday.*
- (4) A public holiday or 2 public half-holidays appointed under section 8(1) on a request under subsection (1) in respect of part of a municipal district of a Council applies or apply on in that part of the municipal district.”*

**Arrangements**

As noted in Section 8A, Councils needs to make their request for alternative arrangements to the Minister for Innovation, Services and Small Business at least 90 days prior to Melbourne Cup Day. The request needs to specify:

- the area or areas in the municipality subject to the proposed substitute arrangements;
- the nominated day or two half-days in lieu of Melbourne Cup Day; and
- the reasons for the request.

It should be noted that Council may nominate a half-day on Melbourne Cup Day itself as one of its half-day public holidays.

**Community Feedback**

Feedback was sought from schools, businesses and the community across the Shire on a number of options with respect to the public holiday.

Council received 22 letters/comments:

|                   |     |
|-------------------|-----|
| Schools           | - 6 |
| Business          | - 5 |
| Community Groups  | - 6 |
| General Community | - 5 |

From these 22 responses:

- 13 responses indicated a preference for Colac Show Day
- 7 responses indicated a preference for Melbourne Cup Day
- 2 responses indicated a different mix

Through Council's facebook page 10 comments were received, 9 indicated a preference for Colac Show Day with 1 response a mixture.

On other social media sites this matter has received significant input and these comments have been consistent with Council's formal feedback.

The clear preference is for Colac Show Day to be the Public Holiday.

### Options

There are a number of options available to Council under the *Public Holidays Act 1993*.

- a) Council not to declare a substitute day as a public holiday
- b) Declare the Colac Show Day as a public holiday throughout the municipality
- c) Declare the Colac Show Day as a public holiday for only part of the municipality
- d) Declare two half-days as public holidays.

### **Proposal**

That Council declares the Colac Show Day as a substitute public holiday for the Melbourne Cup Day for the term of this Council, that is 2013, 2014, 2015 and 2016.

### **Financial and Other Resource Implications**

If the proposal is adopted the only cost would be advertising in the local media.

### **Risk Management & Compliance Issues**

The *Public Holidays Act 1993* provides details if Council wishes to change the declared Melbourne Cup Day public holiday.

### **Environmental and Climate Change Considerations**

Not applicable.

### **Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected has been to consult. Council has consulted with schools, businesses and the community across the Shire on a number of options with respect to the public holiday.

Advertisements were placed in the local papers and newsletters, letters were written to organisations and the community had opportunities to provide feedback through social media.

Council received a number of responses through the various options that were available for the public to make comments and provide feedback on their preferred option.

### **Implementation**

As per section 8A of the *Public Holidays Act 1993* Council will follow the process in nominating Colac Show Day as the public holiday in lieu of Melbourne Cup Day.

**Conclusion**

Non-metropolitan municipalities are able to nominate an alternative public holiday or half-days to Melbourne Cup Day if they wish.

The Colac Show Day (Friday) has been the declared public holiday for the past four years. It is recommended that no change is made to the arrangements that have been in place.

**Attachments**

Nil

**Recommendation(s)*****That Council:***

- 1. Nominates the Colac Show Day (Friday) to be the public holiday as a substitute for Melbourne Cup Day for the next 4 years being 2013, 2014, 2015 and 2016.***
- 2. Writes to the Minister for Innovation, Services and Small Business requesting the alternative arrangements for Melbourne Cup Day.***

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**INFRASTRUCTURE AND SERVICES**

| ITEM                      |                                                                     |
|---------------------------|---------------------------------------------------------------------|
| <b><u>OM132703-8</u></b>  | <b><u>COLAC HEAVY VEHICLE BY-PASS STUDY</u></b>                     |
| <b><u>OM132703-9</u></b>  | <b><u>COLAC LIVESTOCK SELLING CENTRE ADVISORY<br/>COMMITTEE</u></b> |
| <b><u>OM132703-10</u></b> | <b><u>ROAD MANAGEMENT COMPLIANCE REPORT</u></b>                     |



**OM132703-8****COLAC HEAVY VEHICLE BY-PASS STUDY**

|             |                           |           |           |
|-------------|---------------------------|-----------|-----------|
| AUTHOR:     | Neil Allen                | ENDORSED: | Rob Small |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | F11/3291  |

**Purpose**

The purpose of this report is for Council to endorse the detailed investigation by Traffic Consultant “Aurecon” of four (4) Options for a long term Colac By-Pass route which they will then report back to Council for consideration of a preferred Option for the location of the actual By-Pass of the Princes Highway around Colac.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

Council allocated funding in the 2011/12 budget for Investigation of a Road Hierarchy and Heavy Truck Route for Colac Township.

The key reasons for this study were as follows:

- a) To determine the long term Town Planning requirements in and around Colac to allow for a future orderly planning horizon over the next 50 years and to be consistent with existing planning frameworks and requirements.
- b) Allow for planning of any connections and linkages with the Highway Duplication from Winchelsea to Colac, so that an integrated solution could be implemented.
- c) To assist Vicroads with the planning of transport networks affecting Colac.
- d) To provide guidance in relation to the development of the Colac Township.

Traffic Engineering consultants “aurecon” were awarded *Contract No. 1010, The Provision of Consultancy Services for Road Hierarchy and Heavy Truck Route for Colac Township*, to undertake a study and develop a proposal for the Road Hierarchy and Heavy Vehicle Truck Route for Colac township.

The consultants role was intended to develop this study based on the following:

- **Stage 1:** Identification of potential routes for preliminary analysis – this would involve working with the Community Reference Group to identify all the options raised.
- **Stage 2:** Recommendation of an initial 10 potential routes for analysis to be refined down to four (4) routes at the next stage. This involved narrowing down the various options identified and producing a Report with recommendations that set out four potential routes for a heavy vehicle deviation route for consideration.
- **Stage 3:** Recommendation of corridor routes for further analysis. These routes were to be indicative and were to provide guidance on where further detailed investigation should occur. The corridors could be up to several hundred meters wide and were not to be specific. This would include getting Sign-Off at Council on four (4) preferred routes and going out for public comment on the preferred corridors before bringing a final report back to Council with a single preferred route/solution.
- **Stage 4:** Recommendation of a long term heavy vehicle deviation solution and present a report to Council for formal adoption.

The Council meeting on 29 June 2011, appointed a Community Reference Group (CRG) to assist with the “Colac Road Hierarchy and Heavy Vehicle Study”. The Role of the CRG was to assist the consultant with the investigation of potential options and provide advice and guidance to the consultant on community matters. The Consultants role was to consider the CRG comments on the various options prior to presenting to Council a report on the recommendations.

The Reference Group consisted of the following:

- 1) Council and Vicroads Representatives
- 2) Contract Representative
- 3) Community Representatives
- 4) Transport Industry Representatives

The Consultant in conjunction with members of the Community Reference Group had initially identified 40 routes for further investigation. This was narrowed down and reported to Council for consideration. Council resolved at the 27 June 2012 Ordinary Council Meeting as follows:

**“That Council:**

1. ***Investigates the following corridor routes within the next stage of the study:***
  - ***Route 3 – Lake Route***
  - ***Route 2 – North of the Lake***
  - ***Route 8 – Outer Southern Route***
2. ***Instructs the consultant to conduct the consultation process for the next stage of the study after the Council elections on 27 October 2012 and report the final recommendation on the preferred route back to the new Council.***
3. ***Abandons any further investigation of the Rail Corridor as part of this study.***
4. ***Abandons any further investigation of specific short term options as part of this study.***
5. ***Requests Vicroads in conjunction with Council, to review short term mitigation measures that can help to alleviate issues associated with heavy vehicles on Murray Street, Colac, outside the heavy vehicle deviation study.”***

**Council Plan / Other Strategies / Policy**

**Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

**Issues / Options**

Council needs to determine a long term alignment for a Colac By-Pass to allow the long term planning for future land use and development and to also take advantage of the highway duplication proposal currently being planned and carried out by Vicroads. The time from planning to implementation of the Geelong Ring Road took in excess of 40 years before it was built, therefore Council needs to determine a future alignment to ensure that the location of the By-Pass and future development are complimentary.

Council needs to endorse Options from the initial feasibility study for the Consultant to investigate further and consult with the community before making a final recommendation back to Council on the preferred Option for the alignment of a Colac By-Pass.

This will also involve the calling for community comment on the preferred Options prior to submitting a detailed recommendation to Council for consideration of the preferred Option.

Once this option is adopted, a further body of work which is outside the scope of the project will need to occur at a later stage as follows:

- Include the By-Pass in the Planning Scheme through referencing in the Municipal Strategic Statement
- Investigation of the corridor and preparation of an Environmental Impact Statement
- Inclusion of an alignment overlay of the By-Pass in the Planning Scheme
- Consideration of detailed alignment and land acquisition.
- Placing on the Vicroads Works Program
- Construction of the By-Pass.

The original contract required a detailed investigation of four (4) Options. The Council resolution required only three (3) Options be investigated, however, Vicroads has suggested a 4<sup>th</sup> Option – Southern Route Variation be considered to take advantage of the Highway Duplication. The inclusion of this Option is in line with the original contract which proposed four (4) Options be investigated and as such would not incur any additional cost to Council.

Each of the Options presents a number of challenges which will need to be considered in conjunction with the consultation process as part of the project before it can be implemented. These include but are not limited to the following:

- Environment Flora and Fauna Issues
- Land Acquisition
- Linkages with southern routes
- Linkages with Colac Industrial areas
- Gradient and Topography
- Transport and Energy Efficiency
- Project Cost/Benefit

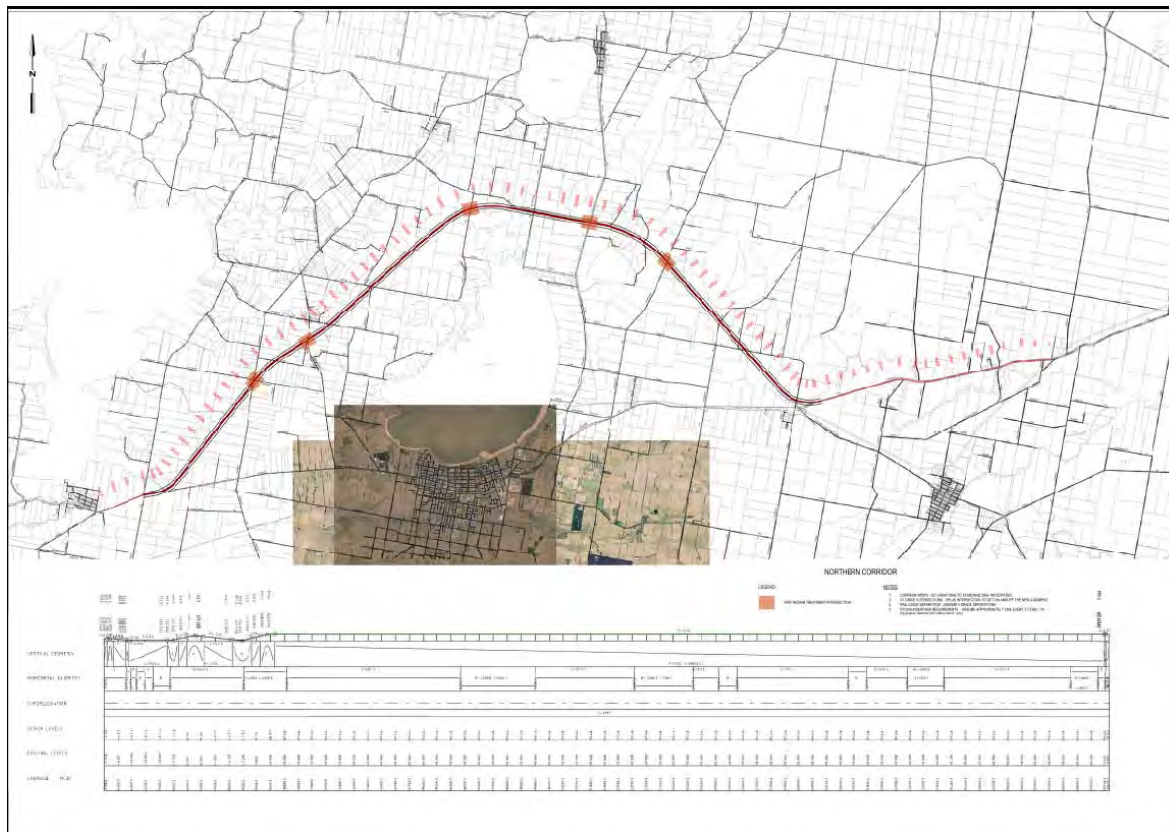
Due to ongoing comments about making use of the rail corridor for heavy transport, Council also undertook to further investigate the rail option which involved co-locating the By-Pass within or adjacent to the railway reserve through Colac. A meeting was held with Public Transport Victoria (PTV) in Melbourne to discuss the options. PTV advised that they would not support having a By-Pass or Heavy Vehicle Route within or adjacent the rail corridor. A copy of the letter from PTV confirming this view is attached. Based on the response from PTV, any further consideration of a rail corridor was dismissed.

The various Options which are proposed to go for public comment are as follows:

- **Option 1 – North of the Lake**

## Issues Informing Corridor:

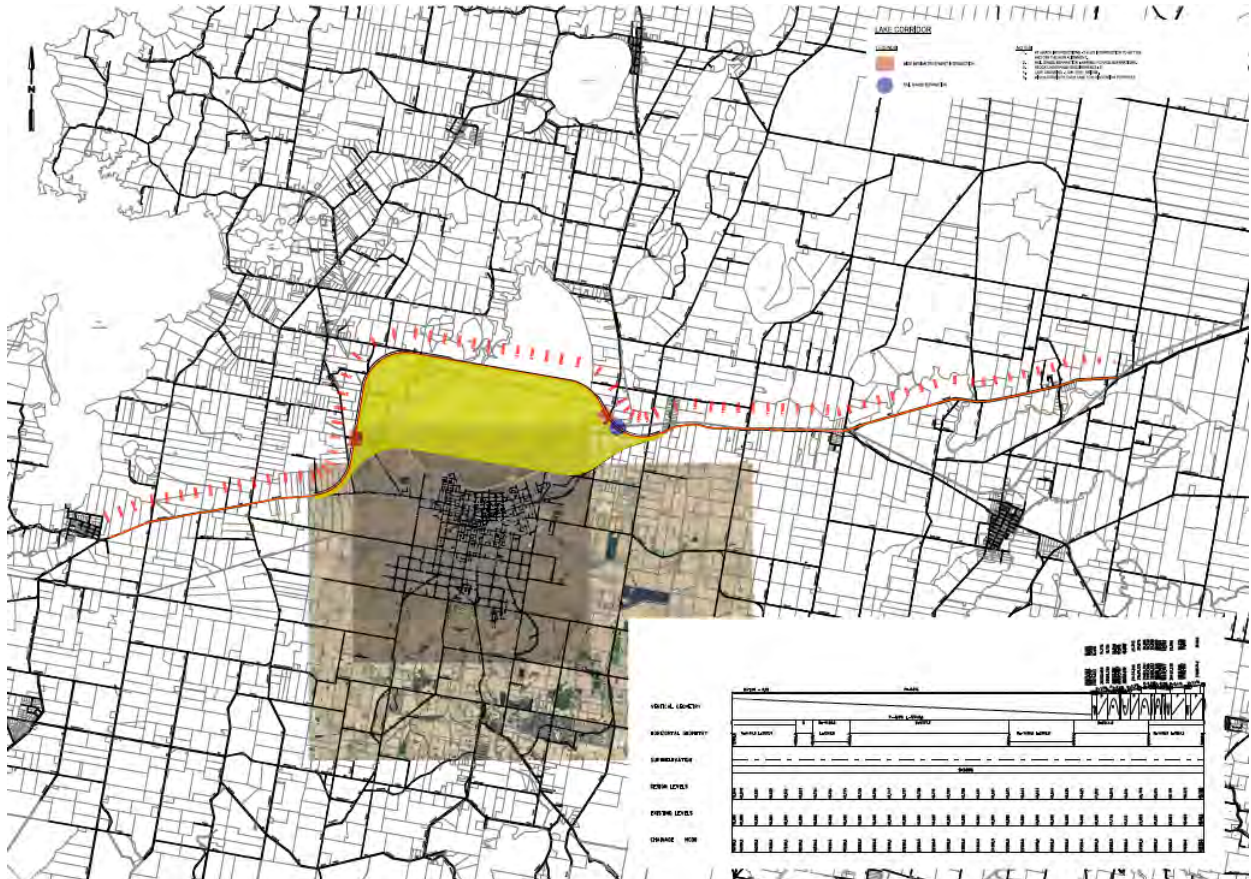
- Maximising use of the planned duplicated sections of Princes Highway
- Environment Issues
- Transport Efficiency
- Linkages



- **Option 2 – Lake Route**

Issues Informing Corridor:

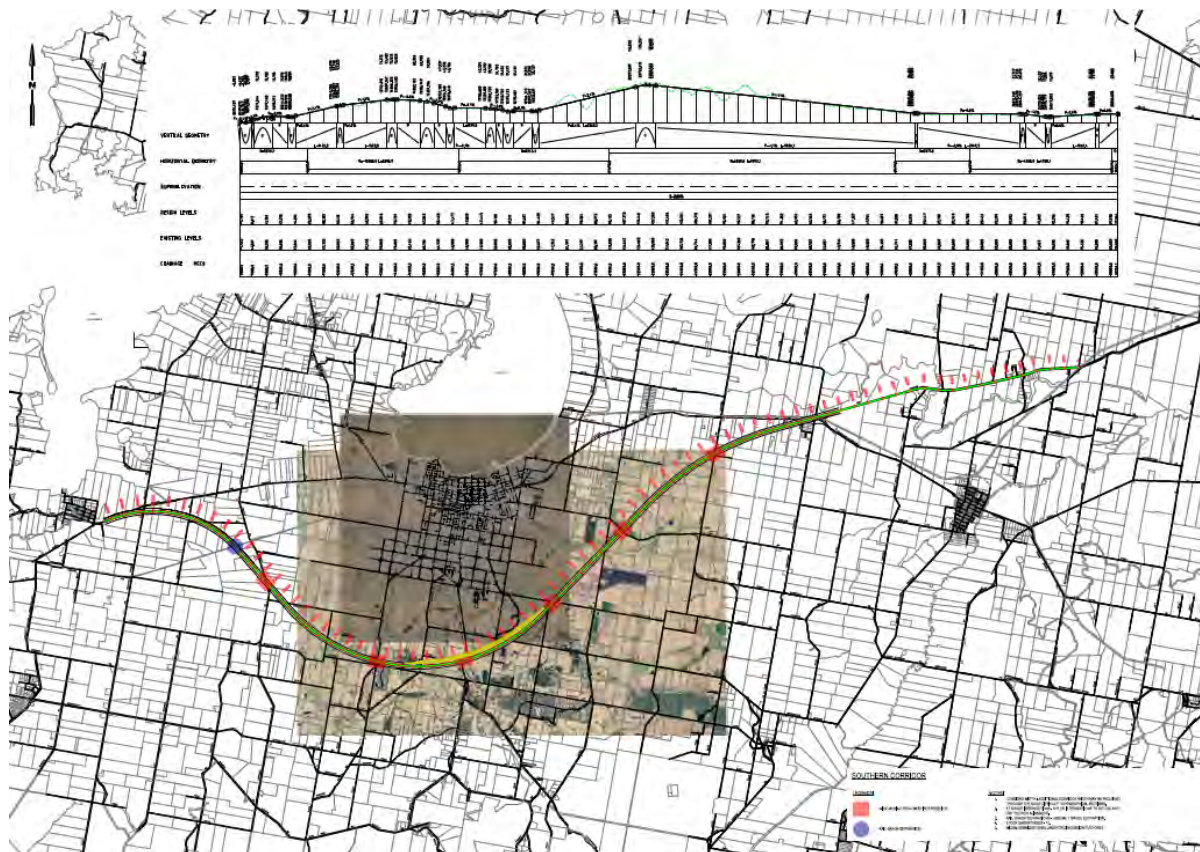
- Maximising use of the planned duplicated sections of Princes Highway
- Maintaining usable areas of Lake between route and town
- Environmental Issues
- Heritage Issues



- **Option 3 – Outer Southern Route**

Issues Informing Corridor:

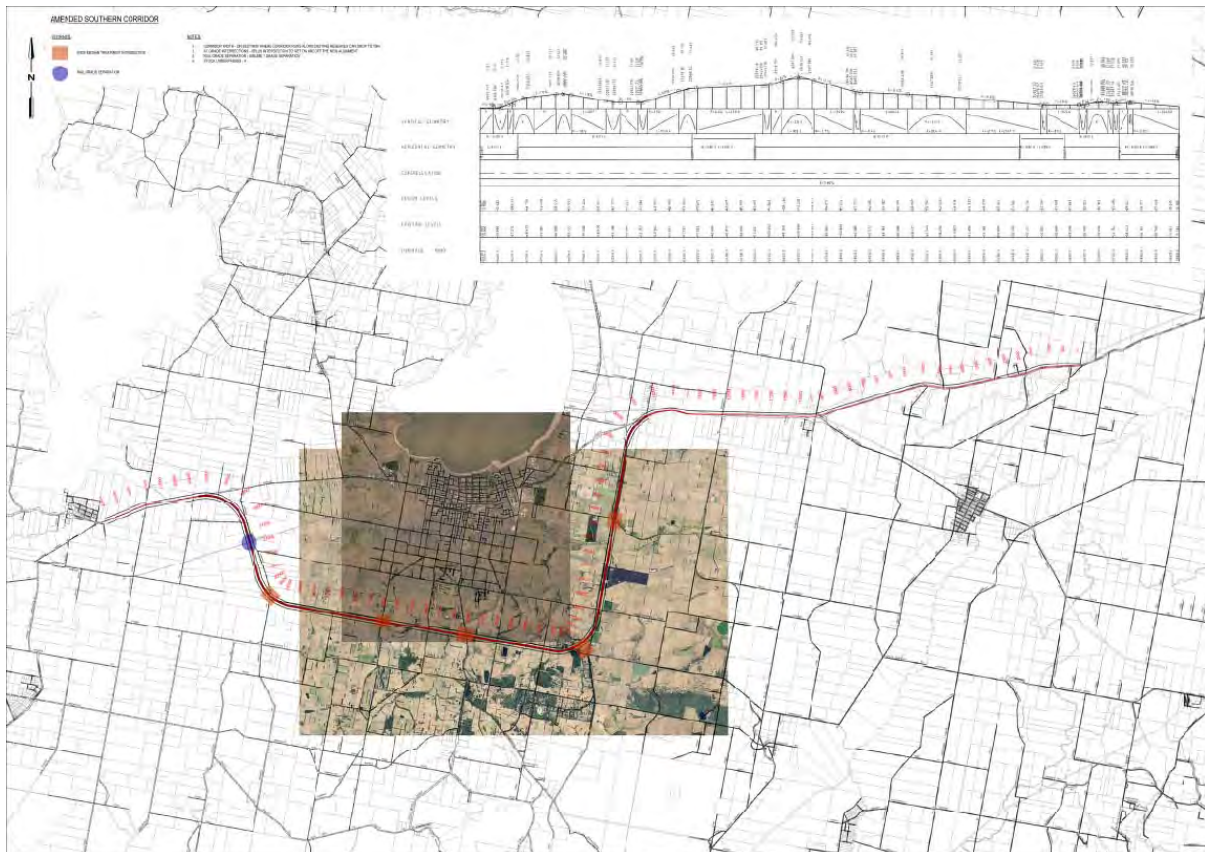
- Transport efficient horizontal alignment
- Existing topography in the area
- Implications of potential new Water Basin for Colac
- Environmental issues
- Linkages



- **Option 4 - Southern Route – Variation**

Issues Informing Corridor:

- Maximising use of the planned duplicated sections of Princes Highway
- Existing topography in the area
- Use of Existing Road Reservations
- Implications of potential new Water Basin for Colac



### Proposal

It is proposed that the consultant Aurecon, be instructed to continue on with community consultation based on exploring the four (4) preferred Options as listed above, prior to coming back to Council with a recommendation on a single By-Pass Route around Colac.

The project from here on will involve Aurecon undertaking the following:

- Stakeholders

Stakeholders will be invited to join stakeholder focus group workshops to be held in Colac. Stakeholders will be agreed with Council but are anticipated to include:

- Department of Transport
- VicRoads
- Department of Sustainability and Environment
- CFA
- SES
- Police
- Any service authorities Council deem relevant to the final Corridors

Focus Group Purpose: Discuss any issues associated with any of the shortlisted routes prior to completion of final analysis.

- Community Open Day
  - Propose two (2) sessions on the Open Day to give the community options for attending – 4.00pm-5.30pm and 6.00pm-7.30pm
  - Facilitated by *Aurecon Consultants*
  - Format of the Open Day
    - Short formal presentation to inform the community on the process to date, the four (4) shortlisted corridors and the process going forward
    - Feedback from community and stakeholders
    - Individual discussion period with consultant representatives and Council officers
    - Formal feedback opportunities

Based on the community consultation and the detailed investigation of the Options it is intended that the Consultant will then provide a further report back to Council on the preferred Option for consideration by Council. This will be formally reported to Council as the By-Pass Corridor for consideration in the development of the Princes Highway Duplication works and to allow future land use planning.

The corridor is intended to provide guidance for the next stage of the work which would involve detailed design and investigation regarding the Route, connections with other roads, drainage, land acquisition and specific road designs. This work would be expected to be carried out at a later stage in conjunction with the Highway Duplication investigations and is not part of this project.

#### Financial and Other Resource Implications

There are no initial costs as a result of this report, however, longer term funding of the Options will need to be discussed with Vicroads to determine responsibility. It would be expected that Vicroads would fund the major project costs, however, Council will have some costs associated with the Planning Scheme process. Indicative first order costs have been determined to provide guidance of project costs for each Option as outlined in the table below. The final costs will increase significantly when Land Acquisition, Environmental Mitigation, Design, Project and miscellaneous costs are included.

| Option           | Description                                                          | Estimate of Total Construction Cost Range | Construction Cost per km (High Value) |
|------------------|----------------------------------------------------------------------|-------------------------------------------|---------------------------------------|
| <b>Option 1</b>  | North of Lake                                                        | \$134M - \$175M                           | \$5.4M per km                         |
| <b>Option 2a</b> | Across Lake – Bridge                                                 | \$291M - \$381M                           | \$16.6M per km                        |
| <b>Option 2b</b> | Across Lake – Causeway & Bridge                                      | \$155M - \$202M                           | \$8.8M per km                         |
| <b>Option 3</b>  | Outer Southern Route (South of Lake)                                 | \$143M – \$186M                           | \$6.1M per km                         |
| <b>Option 4</b>  | Outer Southern Route (South of Lake, Maximum use of duplicated road) | \$133M - \$173M                           | \$6.3M per km                         |

Please note that these costs do not include the following:

- Land Acquisition
- Environmental Mitigation
- VicRoads Costs
- Design Consultancy Costs

**Risk Management & Compliance Issues**

There are a number of risks associated with this project and in particular the environmental risks associated with Flora and Fauna along the corridors. As part of the investigations to determine a final route, the consultant will undertake a high level, environmental assessment.

The other major risk is that if Council fails to determine a long term By-Pass for Colac, it will compromise land use for future generations. This will have major impacts on the manner and form in which Colac will develop into the future. This will also compromise the planning work currently being undertaken by Vicroads as part of the Highway Duplication works.

**Environmental and Climate Change Considerations**

The analysis of the final routes will require a high level investigation of the impact of environmental issues as part of the assessment process and this will be reported as part of the final report. However, prior to introducing any option into the Planning Scheme or undertaking any detailed works and construction, a further detailed Environmental Management Report will need to be carried out.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected to date has been to consult and involve the community through the Community Reference Group. It is proposed to release the consultant's report and seek public comment on each of the Options through a comprehensive community engagement process that will include media releases, workshops and stakeholder meetings.

**Implementation**

It is proposed that subject to Council approval, the Consultant will commence a six (6) week public consultation process, undertake a detailed investigation of the Options and report back to Council with a recommendation on the preferred Colac By-Pass Route for Council to endorse.

Once the Colac By-Pass Route has been approved by Council, the By-Pass Route shall be provided to VicRoads to assist them with their planning for the Princess Highway Duplication and progress will also commence on bringing the road corridor into the Planning Scheme to secure land for the future.

**Conclusion**

To progress this matter, Council needs to endorse further investigation by "Aurecon of the four (4) Options outlined in this report prior to a further report to Council on the final recommended route.

**Attachments**

1. Letter from Public Transport Victoria

**Recommendation(s)*****That Council:***

- 1. Instructs the consultant to investigate the following corridor routes for a Colac By-Pass:***
  - Option 1 – North of the Lake
  - Option 2 – Lake Route
  - Option 3 – Outer Southern Route
  - Option 4 – Southern Route - Variation
- 2. Instructs the consultant to commence the consultation process for the next stage of the study and report the final recommendation on the preferred Colac By-Pass route back to the Council for consideration and adoption.***

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OM132703-9

**COLAC LIVESTOCK SELLING CENTRE ADVISORY COMMITTEE**

|             |                           |           |           |
|-------------|---------------------------|-----------|-----------|
| AUTHOR:     | Neil Allen                | ENDORSED: | Rob Small |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | F12/915   |

**Purpose**

The purpose of this report is to seek formal adoption of community members to the Colac Livestock Selling Centre Advisory Committee.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

The Colac Livestock Selling Centre Management Committee was appointed as a S86 Committee of Council in April 1995. An Instrument of Delegation was signed and sealed.

In July 1995 the committee was restructured as an Advisory Committee with 7 members.

It was agreed that the Committee's function was to:

- Address and resolve operational issues of the Colac Livestock Selling Centre and to make recommendations to Council.
- Contribute to the objective of making Colac Livestock Selling Centre the best in rural Victoria.

A report was presented to the 23 May 2007 Council meeting to reconfirm the Committee as an Advisory Committee of Council and make changes to the purpose of the Committee.

A further report was presented to the 19 December 2012 Council meeting to seek approval of Council to ask for Expressions of Interest from community members to join the Advisory Committee. It was resolved at that meeting as follows:

***"That Council:***

- 1. Advertises for two community members to join the Colac Livestock Selling Centre Advisory Committee, based on a 6 week notification period.***
- 2. Receives a further report with recommendations on the preferred candidates for appointment to the Advisory Committee.***
- 3. Endorses the Terms of Reference for the Colac Livestock Selling Centre Advisory Committee."***

**Community Members**

Council publically called for nominations from community members to join the Colac Livestock Selling Centre Advisory Committee. The appointment of community members required applicants to make a submission on why they believe that they should be appointed to the position. The process would require that after approval by Council, nominated members would commence as soon as practicable. The Process was as follows:

- Call for Expressions of Interest to join the Colac Livestock Selling Centre Advisory Committee, subject to a 6 week notification period.
- Submissions assessed by the Advisory Committee and voted on.
- The people who have the most votes from the Advisory Committee will become the nominated community members.
- Recommendation forwarded to Council for formal adoption of community members to the Colac Livestock Selling Centre Advisory Committee.
- Applicant notified and requested to join Advisory Committee.

**Council Plan / Other Strategies / Policy****Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

**Issues / Options**

During the recent Post Weighing Sale Trial, a number of submissions in relation to the conduct of the trial requested that additional representation be provided from farmers. The request generally revolved around having additional community members to give advice from the farming sector.

This matter was discussed with the current Colac Livestock Selling Centre Advisory Committee and it was agreed that community representation would add value to the group and as such additional community members should be called for.

The Colac Livestock Selling Centre Advisory Committee supported the best way to appoint the additional community member(s) was through a public advertisement process in the Local Paper with nominations from community members.

The Council resolution called for two community members. After the 6 week notification period, one (1) Expression of Interest was received. Although only one community nomination was received, the Advisory Committee felt that due to the quality of the applicant that no additional member was required.

**Proposal**

The submission period closed on 8 February 2013 with the intention to report to the March 2013 Council Meeting.

The submission received was judged on the following:

- Experience in the livestock Industry and in particular buying and selling of stock.
- Experience in livestock farming or stock management.
- What they believe that they could add to the current Advisory Committee.
- Vision for the future of the Colac Livestock Selling Centre.
- Ability to communicate orally and written.

The Advisory Committee met to consider the submission received and agreed unanimously that the nomination should be accepted and asked the Council to officially appoint Mr Sergio Beani as the Community Representative.

**Financial and Other Resource Implications**

There are no budget or resource implications with the proposal. This is not a paid position.

**Risk Management & Compliance Issues**

The risk to Council in not doing this is that it could be viewed as not listening to the farming community.

**Environmental and Climate Change Considerations**

Not applicable.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected was inform, consult and involve through advertisements being placed in the newspaper and notices being placed in the Colac Livestock Selling Centre canteen calling for nominations for community members.

**Implementation**

Once the Community Representative is approved by Council, they will be advised in writing with their appointment to commence effectively immediately.

**Conclusion**

The addition of a community member to the Colac Livestock Selling Centre Advisory Committee would add value to the committee and implementation should be commenced as soon as practicable. The nomination should be accepted.

**Attachments**

Nil

**Recommendation(s)*****That Council:***

- 1) Receives the nomination from Mr Sergio Beani as the nominated Community Representative and thanks him for wanting to be part of the committee.***
- 2) Appoints Mr Sergio Beani to the Colac Livestock Selling Centre effective immediately.***

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**OM132703-10****ROAD MANAGEMENT COMPLIANCE REPORT**

|             |                           |           |            |
|-------------|---------------------------|-----------|------------|
| AUTHOR:     | Adam Lehmann              | ENDORSED: | Neil Allen |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | 11/95454   |

**Purpose**

The purpose of this report is to present to Council the Road Management Compliance Report which measures the performance of the road and footpath inspection and maintenance functions against the standards prescribed by the Road Management Plan.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

The attached reports detail the performance of Council's road and footpath management systems and processes for the following period(s):

- July to December 2012

**Council Plan / Other Strategies / Policy****Physical Infrastructure and Assets**

Council will provide and maintain Council infrastructure and assets that meet community needs now and in the future.

Council is committed to achieving this strategy through the implementation and management of Colac Otway Shire Council's Road Management Plan.

**Issues / Options**

The attached compliance reports measure compliance levels and also detail some of the key issues relating to the ongoing management of Council's road and footpath assets.

**Roads**

A total length of 966km of Council's local road network was inspected for the six (6) months between July 2012 and December 2012. A total of 198 defects outside Council's intervention standards were identified over this period. Roads inspected included a combination of rural and urban type roads.

Of the 198 routine maintenance defects identified, 196 or 99% have been actioned. As with previous reporting periods the vast majority of these works related to the replacement of damaged or missing signs and guideposts.

Of the maintenance items that have been responded to, 90% were completed within the timeframes prescribed in Council's Road Management Plan. The key performance indicator for this criterion is 85%. This period's compliance results relating to the management of the local road network are generally consistent with past performance reports and exceed the key performance indicators specified in Council's Road Management Plan.

| <b>Performance Measure (Roads)</b>                                                          | <b>Target</b> | <b>Result for Period<br/>July – Dec. 2012</b> |
|---------------------------------------------------------------------------------------------|---------------|-----------------------------------------------|
| Routine inspections completed as per Schedule                                               | 100%          | 100%                                          |
| Response times for remedial works as assessed in Council's Maintenance Performance Criteria | 85%           | 90%                                           |

### *Footpaths*

Approximately 14.5km of Council managed footpaths were inspected for the period between July and December 2012. Areas of footpaths in Colac and Apollo Bay were assessed by Council's Asset Inspection Officer over this time.

A total of 57 defects were identified which required some level of rectification under for the reporting period extending from July 2012 to December 2012. A large proportion of these related directly to the condition of the footpath network.

All routine maintenance defects which were identified by the Asset Inspection Officer have been responded to. Of these, 86% were rectified within the timeframes prescribed in our Road Management Plan. The performance target for this activity is 85%. Performance in relation to the operational management of Council's footpath network has generally been in accordance with the adopted standards.

| <b>Performance Measure (Footpaths)</b>                                                      | <b>Target</b> | <b>Result for Period<br/>July – Dec. 2012</b> |
|---------------------------------------------------------------------------------------------|---------------|-----------------------------------------------|
| Routine inspections completed as per Schedule                                               | 100%          | 100%                                          |
| Response times for remedial works as assessed in Council's Maintenance Performance Criteria | 85%           | 86%                                           |

### **Proposal**

It is intended that Council receives the Road Management Plan Compliance Report for information only.

### **Financial and Other Resource Implications**

No financial implications are applicable at present. The service levels within the Road Management Plan have been aligned to match existing maintenance funding allocations. Any increase in maintenance standards would require a review of current road and footpath maintenance budgets.

Any emerging deterioration trends will need to be continually monitored to determine likely impacts on both future maintenance and capital budgets.

### **Risk Management & Compliance Issues**

Council's objective of road management is to ensure that a safe and efficient road network is provided primarily for use by members of the public and is available for other appropriate uses.

Council has an ongoing statutory obligation to ensure that it is fully compliant with the standards defined in its Road Management Plan.

Council's insurer requires that regular reports be presented and received by Council in relation to the organisations level of compliance with the Road Management Plan.

**Environmental and Climate Change Considerations**

No environmental or climate change considerations are applicable at this time.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected is to inform the community through presentation of this report.

The Road Management Plan compliance reports are also presented to Council's Audit Committee as required.

**Implementation**

This report is provided to Council for information.

**Conclusion**

This report is provided for information and demonstrates Council's commitment to managing its roads and footpaths in order to fulfil its various statutory obligations. It demonstrates that Council has met its compliance obligations for the period July to December 2012.

**Attachments**

1. RMP Compliance Report - Roads
2. RMP Compliance Report - Footpaths

**Recommendation(s)**

***That Council receives the Road Management Plan Compliance Report for the period July to December 2012 for information.***

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**\SUSTAINABLE PLANNING AND DEVELOPMENT**

| ITEM                      |   |
|---------------------------|---|
| <b><u>OM132703-11</u></b> | <b><u>RESPONSE TO THE GREAT OCEAN ROAD INTERIM REGIONAL TOURISM BOARD REPORT TO STAKEHOLDERS</u></b>              |
| <b><u>OM132703-12</u></b> | <b><u>DRAFT COLAC HIGH SCHOOL MASTER PLAN</u></b>   |
| <b><u>OM132703-13</u></b> | <b><u>COLAC OTWAY HERITAGE OVERLAY AUDIT AND FORMER COLAC-BEECH FOREST-CROWES RAILWAY HERITAGE ASSESSMENT</u></b> |
| <b><u>OM132703-14</u></b> | <b><u>OTWAY COAST COMMITTEE MEMORANDUM OF UNDERSTANDING</u></b>   |
| <b><u>OM132703-15</u></b> | <b><u>UPDATE ON STATUS OF G21 REGIONAL GROWTH PLAN IMPLEMENTATION PLAN</u></b>                                    |
| <b><u>OM132703-16</u></b> | <b><u>LOCAL LAWS REVIEW</u></b>   |



**OM132703-11      RESPONSE TO THE GREAT OCEAN ROAD INTERIM  
REGIONAL TOURISM BOARD REPORT TO  
STAKEHOLDERS**

|             |                                       |           |            |
|-------------|---------------------------------------|-----------|------------|
| AUTHOR:     | Mike Barrow                           | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning<br>& Development | FILE REF: | F11/3291   |

**Purpose**

The purpose of this report is to seek Council's endorsement of recommendations related to the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' (the Report).

(Attachment 1, Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders, Dec 2012)

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

In December 2012, the interim Regional Tourism Board (RTB) delivered its final report - 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders'.

An officer's report to the January 2013 meeting of Council examined the Report and provided advice to Council on the recommendations within the report and how they aligned with previous Council policy on the proposed new RTB. (Attachment 2, D12/86504 Report OM20130123 - OM132301-12 Great Ocean Road Tourism Interim Regional Tourism Board Report to Stakeholders).

As a result of this report Council adopted the following resolution:

***"That Council:***

- 1. Notes the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' December 2012 and puts it out for a period of six weeks community engagement.***
- 2. Notes that Council's position is that:***
  - a. The CEO's position should be advertised and selected on a competitive basis.***
  - b. Visitor Information Centre staffing and control should not pass to the Regional Tourism Board.***
  - c. Costs do not increase to the Council.***
- 3. In releasing the report, Council is not endorsing or agreeing to the proposed structure."***

Following this resolution the Great Ocean Road Tourism Interim Regional Tourism Board Report to Stakeholders was sent by email link to all Otways Tourism members. A link to the report was also placed on Council's website and a hard copy was made available at

customer service centres. The six week period of our community engagement now has ended.

### **Council Plan / Other Strategies / Policy**

#### **Economic Development**

Council is committed to facilitating a healthy and resilient economy through effective leadership, advocacy, and partnership.

#### **Issues / Options**

During the six week period of community engagement no submissions were received. One tourism business operator requested a meeting and the following points were raised:

- The Great Ocean Road brand is being diluted by extending its use across the whole of South West Victoria. There is concern that the inclusion of the whole region officially under one Regional Tourism Board would increase this trend.
- There is not enough concentrated marketing of the Great Ocean Road/Otways in support of our local businesses.

In the January Officer's report the following table of recommendations of the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, was provided with comment. The following table updates those comments having paid particular attention to the financial modelling proposed in the Report and the budget impact on Council.

| <b>Recommendation</b>   | <b>Comment</b>  |
|---|---|
| 1. That a new Regional Tourism Organisation (RTO) and Board be established for the geographic area of South West Victoria incorporating the Local Government Areas (LGA's) of Greater Geelong, Queenscliffe, Golden Plains, Surf Coast, Colac Otway, Corangamite, Warrnambool, Moyne and Glenelg. | <p>The Regional Tourism Organisation (RTO) and the Regional Tourism Board (RTB) are the same entity. The RTO would more broadly describe the operational functions of the RTB. For the purposes of simplicity in this report the recommendations will only refer to the RTB.</p> <p>As members of both the G21 Regional Alliance and the Great South Coast, Council has committed to regional partnerships as the best way to deliver economic, social and environmental benefits for the people of Colac Otway Shire. The G21 Alliance mirrors the Geelong Otway Tourism municipal partnership.</p> <p>The State Government has indicated a strong preference that South West Victoria, known in Tourism Victoria as the Great Ocean Road Region, cooperate on this broader regional level.</p> <p>Support for this recommendation would be consistent with Council policy on regional partnerships and the regional restructure. However, the proposed new RTB is not just a regional alliance like G21 or Great South Coast. It is more aligned to the governance structure and operational model of Geelong Otway Tourism. As such it requires a significant level of funding for both the proposed governance structure and the operational arm of the RTB.</p> <p>As Council will read below the Report recommends that the lions share of financial support for the proposed new RTB is to be born by Local Government. It also proposes</p> |

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|  | <p>a significant increase in Council funding. There are other unsatisfactory issues related to the report and these will be discussed below but on the basis of the proposed financial structure Council would not be advised to endorse the Report.</p> <p>There is a need to make no greater support of the new organisation than through our current commitment to GOT. The City of Greater Geelong's contribution has been overcalculated since it includes events and marketing money which is specific to the city of Greater Geelong and not related to the new tourism body. It will be necessary to reduce this amount to \$96,000. It is contended that Tourism Victoria should meet the shortfall to compensate for the "loss" of City of Greater Geelong funds.</p> |
| 2. That the RTB be established as a Company Limited by Guarantee with the LGA Councils as its shareholders.  | <p>This is a common structure for not-for-profit organisations that reinvest any surplus funds to serve its primary purpose.</p> <p>These companies are formed on the principle that the liability of members is limited to the amount they agree to contribute in the event the company is wound up.</p> <p>As public companies limited by guarantee are registered under the Corporations Act, directors of not-for-profits (which have this structure) generally have the same legal duties, responsibilities and liabilities as directors of commercial entities that are public companies registered under the Act.</p> <p>If the proposed new RTB is established then support for this recommendation would be consistent with best practice.</p>                         |
| 3. That Structure Option 2 (Fully Integrated) be implemented   | <p>See 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, p15. (Attachment 1). Most of the details of this option are included in separate recommendations and are dealt with below.</p>   |
| 4. That the name of the RTB be South West Victoria Regional Tourism Pty Ltd (SWVRT) to represent the geographic reach of the region beyond the Great Ocean Road. | <p>This name better represents municipal membership geographic boundaries and ensures that hinterland areas of the region such as the Otways and Colac are considered in strategic planning and resource allocation as well as the Great Ocean Road coastal strip.</p> <p>Tourism marketing campaigns would still trade on the brand, 'Great Ocean Road,' as it is this region's most globally recognised tourism product. The Otways, Shipwreck Coast and Geelong Bellarine Tourism would also survive in ongoing marketing campaigns.</p>   |

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|  | <p>If the proposed new RTB is established then support for this recommendation would be consistent with Council policy on tourism marketing and development. One of the key issues that the proposed new RTB should consider if established, is the extent that the Great Ocean Road brand is diluted by extending its use beyond the actual Great Ocean Road area.</p>  |
| <p>5. That the board of SWVRT be as follows:</p> <ul style="list-style-type: none"> <li>• LGA x 4 (2 x G21 Councils &amp; 2 x GSC Councils) - Councillors or Officers</li> <li>• Industry/Skill based x 5</li> <li>• Independent Chair x 1</li> <li>• Tourism Victoria, Parks Victoria and Regional Development Victoria be invited to nominate a senior executive as ex officio representatives</li> <li>• The independent Chair and industry/skill based Directors be appropriately remunerated.</li> <li>• All positions to be for 3 years with 3 members retiring annually to provide for continuity and renewal. Skill and industry positions to be appointed via an expression of interest process. The Independent Chair to be appointed by Tourism Victoria in consultation with Local government shareholders.</li> </ul> | <p>This recommendation responds to Council's resolution that the RTB be representative of not only the tourism industry through skills based appointees but also of the local governments that would provide a major proportion of the funding.</p> <p>The Interim RTB believes that it would be up to member municipalities to determine how the LGA representation would be achieved.</p> <p>The GSC and G21 Boards would be viable and credible structures to coordinate this task.</p> <p>The RTB recommends that the municipal representatives be Councillors or Council Officers. This would be a matter for the individual municipalities to resolve.</p> <p>It is expected that community and/or business leaders would identify themselves for the skills based roles through an expression of interest process and be selected for appointment by the Chairperson and Tourism Victoria.</p> <p>If the proposed new RTB is established then support for this recommendation would be consistent with Council policy on the regional restructure and resolution on the structure of the RTB.</p> |
| <p>6. That formal 3 Year Agreements between SWVRT and its shareholders/stakeholders (performance based) be negotiated, to provide for both ongoing (BASE) and value added resourcing contributions.</p>  | <p>See 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, p19. (Attachment 1)</p> <p>Three year agreements would enable the level of strategic work that needs to be completed by the RTB.</p> <p>The issue of "performance based" would have to be explored and reasonable key performance indicators agreed.</p>  |

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|   | <p><i>“Value added resourcing contributions”</i> refers to the proposed extra funding that Local Government would be expected to contribute to the RTB above current levels of contribution. Council has previously resolved that <i>“the RTB be sustainable without unduly increasing the burden on local government.”</i> It further resolved on January 2013 that <i>“Costs do not increase to the Council”</i>.</p> <p>The proposed financial modelling for the RTB includes a rate set at the current level for year one and an increase in the second year from \$75,000 to \$123,000.</p> <p>Support for this recommendation would imply agreement with the proposed financial modelling for the RTB included in the Report and contradict previous resolutions on this matter.</p> <p>It would be more appropriate that the term of one year be set in which time a basis for any increase in Councils’ contributions could be established with individual Councils for future years and associated service level increases.</p> |
| 7. That the Competitive Financial Model contributions be applied in year 1, in addition to transferred resources, with progression to the Optimum Model over 3 years.   | <p>This recommendation, in the first year of operation, responds to Council resolutions that <i>“the RTB be sustainable without unduly increasing the burden on local government”</i> and that <i>“Costs do not increase to the Council”</i>.</p> <p>However as stated above the proposed funding model forecasts a significant increase in Council funding. As a result only the first year’s funding is agreed.</p>  |
| 8. That the RTB prepare a Strategic Business Plan for the region, based on the vision, mission, objectives and strategic goals developed by the Interim Regional Tourism Board. The plan to incorporate the Great Ocean Road Destination Management Plan and the progressive preparation of Tourism Destination Plans for the regions’ specific local destinations. | <p>The draft Strategic Business Plan included in the Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders’ Dec 2012, is a business plan for the RTB not a strategic plan for the development of regional tourism. This work still needs to be completed.</p> <p>See ‘Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders’ Dec 2012, p13. (Attachment 1)</p> <p>If the proposed new RTB is established then support for this recommendation would be consistent with previous Council policy on the regional restructure.</p>  |

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| <p>9. That the core roles of the RTB be:</p> <ul style="list-style-type: none"> <li>• Strategic tourism planning for the development, marketing and management of the region.</li> <li>• Cooperative marketing for the region and its destinations.</li> <li>• Identification and facilitation of infrastructure, product and industry development priorities and initiatives for the region and specific destinations, in collaboration with stakeholders.</li> <li>• Advocacy for the sustainable tourism development, marketing and management of the region.</li> <li>• Discretionary tourism development, marketing and management functions, services and projects for LGA shareholders as delegated and agreed.</li> <li>• Prepare and maintain a risk management plan for the region and its destinations.</li> </ul> | <p>All of the statements in this recommendation are congruent with the work of a regional tourism industry body.</p> <p>If the proposed new RTB is established then support for this recommendation would be consistent with previous Council policy on the regional restructure.</p>   |
| <p>10. That Local Governments consider what functions be retained or transferred to the RTB and the relevant resourcing mix (staffing, funding, facilities and support).</p>  | <p>Functions referred to in this recommendation would be the Colac Otway Shire Visitor Centres and Tourism Development Officer.</p> <p>These functions provide a regional tourism service and a local community service and there is a risk that devolving responsibility to a regional authority would diminish the role of local service delivery.</p> <p>Council resolved in the January 2013 meeting <i>that "Visitor Information Centre staffing and control should not pass to the Regional Tourism Board"</i>.</p> <p>Maintaining the Tourism Development Officer by Council would be consistent with this resolution.</p> |

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| <p>11. That the current total staffing and funding contributions by Local Governments for tourism be maintained as a minimum for the 2013-14 year.</p>  | <p>The fact that the Report recommends that first year funding of the proposed new RTB would be held to current municipal contribution levels for regional tourism support is welcome but agreement with the Report also binds Council to an increased contribution over future years.</p> <p>See comment above for recommendations 6 and 7.</p>   |
| <p>12. That Shipwreck Coast Tourism be wound up and its functions, funding contributions and staffing be transferred to the Regional Tourism Board.</p>   | <p>The proposed RTB would take responsibility for all of the functions of the current regional bodies and so there would be no reason to continue their respective operations.</p> <p>Care would need to be taken in the detail of how this recommendation would be implemented to ensure that rights and entitlements of staff are protected</p> <p>If the proposed new RTB is established then support for this recommendation would be consistent with previous Council policy on the regional restructure.</p>     |
| <p>13. That Geelong Otway Tourism be wound up and its functions, funding contributions and staffing be transferred to the Regional Tourism Board.</p>   | <p>The proposed RTB would take responsibility for all of the functions of the current regional bodies and so there would be no reason to continue their respective operations.</p> <p>Care would need to be taken in the detail of how this recommendation would be implemented to ensure that rights and entitlements of staff are protected.</p> <p>If the proposed new RTB is established then support for this recommendation would be consistent with previous Council policy on the regional restructure.</p>    |
| <p>14. That the RTB prepares a 3-year Operational Business Plan for 2013-15 based on the staffing and funding outcomes as determined by its foundation shareholders, Tourism Victoria cooperative marketing funding and industry contributions. The Business Plan to include a management and staffing organisation plan.</p> | <p>The recommendation seeks to entrust the new Board with all responsibility for staffing the operations of the RTB.</p> <p>Support for this recommendation would be consistent with Council policy on the regional restructure however the Report notes in the resourcing section of Option 2 (p16) that the RTB would determine the appointment of the CEO.</p> <p>It would be appropriate to reiterate Council's resolution that "the CEO's position should be advertised and selected on a competitive basis".</p> |
| <p>15. That the RTB give consideration to the concept of industry contributions via a business services model rather than</p>   | <p>Currently operators opt to pay a membership of a local tourism association that entitles them to membership of the regional association Geelong Otway Tourism. Under the Memorandum of Understanding that Council has signed with Geelong Otway Tourism, only members may</p>   |

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| <p>traditional membership subscriptions (i.e. a prospectus of marketing services with free digital online presence as its base to maximise business participation).</p>  | <p>display promotional material in the Visitor Information Centres and be part of regional marketing campaigns. The Tourism Development Officer would also generally not be working with non members.</p> <p>The proposal to do away with membership would remove these restrictions and may lead to greater engagement and involvement of tourism businesses in the development of the industry and the marketing of the region.</p> <p>The argument is that there is potential to raise more funds through 'buy in' to marketing campaigns than through membership fees. The project figure in the Report is \$500,000 annually. The current contribution to GOT through membership is \$320,000.</p> <p>Given that the projected figure of \$500,000 is across the whole region not just the Geelong Otway Tourism Region then the target may be feasible. One factor to consider is that in Colac Otway Shire and across South West of Victoria there are many small business operators without the financial capacity for campaign 'buy in'.</p> <p>It would be appropriate if the current process is successful that once appointed the RTB commence a process to evaluate the feasibility of discarding the traditional membership subscriptions model and that it consults with member municipalities before a final recommendation is made.</p> |
| <p>16. That SWVRT negotiate formal strategic alliance agreements with Tourism Victoria, Parks Victoria, Regional Development Victoria, G21, Great South Coast, neighbouring Regional Tourism Organisations and the Victoria Tourism Industry Council.</p>  | <p>Partnerships with State and regional bodies involved with tourism marketing, product development or industry development are vital for the effectiveness of the RTB.</p> <p>This recommendation responds to Council's resolution that the RTB be supported by a long term State Government funding agreement.</p> <p>It should be noted that financial modelling in the report indicates that Local Government would be expected to contribute 60% of total funding; Industry 30% and Tourism Victoria 10%.</p>   |
| <p>17. That SWVRT negotiate cooperative agreements with Local Tourism Organisations regarding industry contributions/ membership funding share arrangements to encourage business participation and support at the local level. The agreements to also</p> | <p>Local Tourism Organisations are municipal tourism bodies such as Otways Tourism or Surf Coast Tourism. Regional Tourism Forums could include Colac Otway, Surf Coast and Corangamite Shire tourism organisations and operators.</p> <p>This recommendation is linked to Recommendation 15 where membership is discussed. It indicates an interim measure to promote regional cooperation and campaign 'buy in' for a period while the RTB makes a decision on</p>   |

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| facilitate destination development, community participation and communication. This may include regular "Regional Tourism Forums".  | <p>the membership subscriptions model.</p> <p>If the proposed new RTB is established then support for this recommendation would be consistent with previous Council policy on the regional restructure.</p>   |
| 18. That Local Governments continue to support Visitor Information Centres (VICs) and services for the first term of the new RTB (3 years). During this period a process be agreed to enhance collaboration between VICs across the region and to consider the possible transfer of management responsibility for VICs to the RTB over time.              | <p>This recommendation is linked with Recommendation 10 and is not the preferred option for Colac Otway Shire.</p> <p>One of the key issues that have been raised at the Interim RTB is the lack of coordination of Visitor Centres. This is not the case in the eastern end of the region where there is a high level of cooperation through the Geelong Otway Tourism Visitor Centre Coordinators' Network.</p> <p>Notwithstanding this, the Shire's position is that it maintains its own visitor centre operations in the meantime.</p> |
| 19. That the process to establish SWVRT be:<br>a) Stakeholders to consider the Interim Regional Tourism Board recommendations and confirm decisions by 29 March 2013.<br>b) Continue the Interim Regional Tourism Board for the period January - June 2013 to consult with stakeholders as required and to facilitate the establishment of SWVRT Pty Ltd. | <p>A Council resolution to this Officer's report would be reported to Tourism Victoria by 29 March 2013.</p>  |

The 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, seeks Council agreement to the general principles of a new regional structure with some detail on the governance model, some financial forecasting but no information on the operational structure. The report seeks agreement that once the proposed new RTB is established that the RTB would be empowered to establish the operational structure. It can be assumed that in the first year the operational structure would be a mirror of what is in place now in Geelong Otway Tourism and Shipwreck Coast Tourism, however there has never been any financial modelling on the actual cost of governance or operational structure. The need for extra funding over coming years is based on a higher level of performance and therefore a higher level of output but actual costs are not well explained.

The Report includes reference to the "*principles of regional tourism best practice*". These principles are the reason for Council's partnership with Geelong Otway Tourism. Cooperative regional action is also the basis for our membership of the G21 Regional Alliance and the Great South Coast. The Report argues that our regional tourism future

would be enhanced by joining both the G21 and GSC regions under a single tourism board and one operational structure. This may be true but the funding structure cannot be supported by Council and if this is the case across all local government in the region the model is unsustainable.

One way to improve the sustainability of the proposed new RTB would be for Tourism Victoria to increase its funding contribution. Otherwise with limited funding the proposed new structure would be what we now experience through Geelong Otway Tourism which leads to the conclusion that there is little benefit to Colac Otway Shire in making the proposed change.

It can be argued that a united regional structure would have stronger lobbying power with the State Government but an alternative would be to retain current regional tourism structures and to use the G21 and GSC regional alliances to lobby Government for support of regional tourism initiatives.

Option one is that Council provides qualified endorsement of the Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012 dependent on acceptance of the following recommendations:

- That Local Government funding contributions are set at current levels and costs to Council do not increase.
- That all staff of current regional tourism organisations be seconded to the new structure without loss of entitlements.
- That the CEO be appointed through an independent open and competitive recruitment process.
- That Colac Otway Shire retains the Colac and Great Ocean Road Visitor Information Centre at Apollo Bay and their respective staff.
- That Colac Otway Shire retains the Tourism Development Officer position.
- That if established the RTB undergo a process to evaluate the benefits of discarding the traditional membership subscriptions model of industry and that it consults with member municipalities before a final recommendation is made.
- That if established the RTB strengthen the Great Ocean Road brand by limiting its use to appropriate areas within the wider region e.g. Surf Coast, Colac Otway and Corangamite Shires.

Option two is that Council does not endorse the Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012 and writes to Tourism Victoria with the following recommendations:

- That Local Government funding contributions are set at current levels and costs to Council do not increase.
- That all staff of current regional tourism organisations be seconded to the new structure without loss of entitlements.
- That the CEO be appointed through an independent open and competitive recruitment process.
- That Colac Otway Shire retains the Colac and Great Ocean Road Visitor Information Centre at Apollo Bay and their respective staff.
- That Colac Otway Shire retains the Tourism Development Officer position.
- That if established the RTB undergo a process to evaluate the benefits of discarding the traditional membership subscriptions model of industry and that it consults with member municipalities before a final recommendation is made.

- That if established the RTB, in response to local demand, strengthen the Great Ocean Road brand by limiting its use to appropriate areas within the wider region e.g. Surf Coast, Colac Otway and Corangamite Shires and allocate substantial funds for the marketing of the Great Ocean Road/Otways region.

Option two is preferred as it makes Council's position clear in that it does not support the proposed new RTB without considerable changes to the proposed funding model. The escalation in funding for Colac Otway Shire is not incremental as with the current CPI linked Geelong Otway Tourism contribution; it is a 64% increase. There are other important issues included in the recommendations above but fundamentally, it is recommended that Council not endorse an agreement that would bind it to an ongoing significant funding increase.

### **Proposal**

That Council does not endorse the Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012 and writes to Tourism Victoria with the following recommendations:

- That Local Government funding contributions are set at current levels and costs to Council do not increase. Any increase over these levels be through collective negotiation with the member Councils along with associated levels of service increases.
- That all staff of current regional tourism organisations be seconded to the new structure without loss of entitlements.
- That the CEO be appointed through an independent open and competitive recruitment process.
- That Colac Otway Shire retains the Colac and Great Ocean Road Visitor Information Centre at Apollo Bay and their respective staff.
- That Colac Otway Shire retains the Tourism Development Officer position.
- That, if established, the RTB undergo a process to evaluate the benefits of discarding the traditional membership subscriptions model of industry and that it consults with member municipalities before a final recommendation is made.
- That if established the RTB, in response to local demand, strengthen the Great Ocean Road brand by limiting its use to appropriate areas within the wider region e.g. Surf Coast, Colac Otway and Corangamite Shires and allocate substantial funds for the marketing of the Great Ocean Road/Otways region.
- That the overall funding model be adjusted to allow for a decrease in the City of greater Geelong's contribution to a level that excludes their events and marketing budget.
- That this shortfall in the budget be made up through an increased contribution by Tourism Victoria.

### **Financial and Other Resource Implications**

In the current financial year Colac Otway Shire contributed \$75,000 to Geelong Otway Tourism. This figure was based on an agreed formula with annual rises linked to the Consumer Price Index (CPI).

The 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, recommends maintaining current contributions in the first year of operations but a substantial increase to \$123,000 in the second year.

**Risk Management & Compliance Issues**

There are no risk management or compliance issues related to this report or any action from the report.

**Environmental and Climate Change Considerations**

There are no environmental or climate change considerations related to this report or any action from the report.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The regional restructure has been in process for over two years and there has been regular consultation with the tourism industry and other stakeholders. Following the resolution of Council at the January Meeting, the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012 has been sent to all Otway Tourism members and has been freely available to the public.

In communicating the recommendation of this report the method selected would be 'inform'.

**Implementation**

A letter would be written to the Chief Executive Officer of Tourism Victoria advising him of Council's resolution and recommendations. This information would also be provided to Otway Tourism members and communicated to the general public through a media release.

**Conclusion**

The tourism industry is an important emerging industry for Colac Otway Shire producing \$116m in direct economic output. It provides direct employment for 693 people and the economic multiplier effect of tourism is another 937 indirect jobs.

While Colac Otway Shire holds some of the most scenic sections of the Great Ocean Road, one of Australia's key international attractions and the beauty of the Otways with its forest walks, waterfalls and historic townships, most of our tourism operations are small or micro businesses.

It has long been recognised in the tourism industry that independent business marketing can have only limited effect and that cooperative action is the only way to achieve sustainability and growth. This is true at the Shire level and also at the regional level and is why organisations like Otways Tourism and Geelong Otway Tourism exist.

Geelong Otway Tourism, formed in 1993, recognises the importance of industry development, supporting infrastructure and strategic partnerships as well as regional marketing. This is not the case across Victoria and in 2009, Tourism Victoria released the 'Regional Tourism Action Plan' to encourage a higher level of regional tourism industry cooperation and development.

In the State Government model of regional tourism, Colac Otway Shire along with City of Greater Geelong, Borough of Queenscliffe, Golden Plains, Surf Coast, Corangamite, Moyne and Glenelg Shires and Warrnambool City Council, have been in the Great Ocean Road Region. Apart from Geelong Otway Tourism, operating at the eastern end of the region there has also been Shipwreck Tourism operating in Corangamite and Moyne Shires and Warrnambool City Council and Discovery Coast in Glenelg Shire. The 'Regional Tourism Action Plan' directed that tourism organisations, and local government cooperate in the development a new organisation that would encompass the entire region.

The process to establish the new regional body has been fraught with difficulties and delays however the Interim RTB has now delivered a report that provides a possible resolution of the issue.

The 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, proposes structure for establishing the RTB but unfortunately it lacks detail in the operational structure and costs of the organisation while seeking agreement to a substantial increase in funding.

Council has resolved at the January 2013 meeting that "**Costs do not increase to the Council.**" On this basis the report cannot be recommended for endorsement. There are other issues related to Council's previously resolved positions on the proposed new regional structure and issues raised by the local tourism industry.

These are reflected in the recommendations that follow:

That Council does not endorse the Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012 and writes to Tourism Victoria with the following recommendations:

- That Local Government funding contributions are set at current levels and costs to Council do not increase. Any increase over these levels be through collective negotiation with the member Councils along with associated levels of service increases.
- That all staff of current regional tourism organisations be seconded to the new structure without loss of entitlements.
- That the CEO be appointed through an independent open and competitive recruitment process.
- That Colac Otway Shire retains the Colac and Great Ocean Road Visitor Information Centre at Apollo Bay and their respective staff.
- That Colac Otway Shire retains the Tourism Development Officer position.
- That, if established, the RTB undergo a process to evaluate the benefits of discarding the traditional membership subscriptions model of industry and that it consults with member municipalities before a final recommendation is made.
- That if established the RTB, in response to local demand, strengthen the Great Ocean Road brand by limiting its use to appropriate areas within the wider region e.g. Surf Coast, Colac Otway and Corangamite Shires and allocate substantial funds for the marketing of the Great Ocean Road/Otways region.
- That the overall funding model be adjusted to allow for a decrease in the City of greater Geelong's contribution to a level that excludes their events and marketing budget.
- That this shortfall in the budget be made up through an increased contribution by Tourism Victoria.

#### Attachments

1. Report OM20130123 - OM132301-12 Great Ocean Road Interim Regional Tourism Board Report to Stakeholders

**Recommendation(s)**

***That Council does not endorse the Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012 and writes to Tourism Victoria with the following recommendations:***

- ***That Local Government funding contributions are set at current levels and costs to Council do not increase. Any increase over these levels be through collective negotiation with the member Councils along with associated levels of service increases.***
- ***That all staff of current regional tourism organisations be seconded to the new structure without loss of entitlements.***
- ***That the CEO be appointed through an independent open and competitive recruitment process.***
- ***That Colac Otway Shire retains the Colac and Great Ocean Road Visitor Information Centre at Apollo Bay and their respective staff.***
- ***That Colac Otway Shire retains the Tourism Development Officer position.***
- ***That, if established, the RTB undergo a process to evaluate the benefits of discarding the traditional membership subscriptions model of industry and that it consults with member municipalities before a final recommendation is made.***
- ***That if established the RTB, in response to local demand, strengthen the Great Ocean Road brand by limiting its use to appropriate areas within the wider region e.g. Surf Coast, Colac Otway and Corangamite Shires and allocate substantial funds for the marketing of the Great Ocean Road/Otways region.***
- ***That the overall funding model be adjusted to allow for a decrease in the City of greater Geelong's contribution to a level that excludes their events and marketing budget.***
- ***That this shortfall in the budget be made up through an increased contribution by Tourism Victoria.***

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**OM132703-12****DRAFT COLAC HIGH SCHOOL MASTER PLAN**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Mike Barrow                        | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F11/3291   |

**Purpose**

The purpose of this report is seek Council support for the release of the Draft Colac High School Master Plan to the public for a final period of consultation before completing the final Draft Master Plan to recommend for Council endorsement.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report. The CEO has taken a lead role in the development of a Trust to manage Merv Brunt's Truck Museum which is a proposed use for part of the land.

**Background**

The former Colac High School opened as the Colac Agricultural High School in 1911 following a local petition to the State Government and the contribution of land for the School donated by the Colac community.

The site is an 8.4 hectare piece of land, on the western edge of the city of Colac, with 5.6 hectares of open space for sporting fields; a number of buildings formerly used as administration, library, assembly hall and classrooms. The Administration Building is Heritage listed.

The School closed in 2009 following the merging of Colac High School and Colac College to form Colac Secondary College on a new site. The usual process following the decommissioning of a school is that it would be disposed of by Department of Education and Early Childhood Development (DEECD) and the proceeds returned to the Department of Treasury and Finance.

However, following the closure of the school a number of community and education sector stakeholders and community members expressed an interest in the site and asked that Colac Otway Shire work with the State Government to maintain at least part of the former High School in public ownership and to make use of the existing facilities for community use.

The State Government provided \$15,000 through DEECD and \$30,000 through Department of Planning and Community Development (DPCD) to match Council's \$15,000 budget allocation to support the development of a Master Plan for the former High School site.

Council engaged consultant company 'Community by Design' in May 2012 to facilitate the development of the Master Plan. 'Community by Design' is a company specialising in community engagement and stakeholder liaison. It has partnered with 'William Boag Architects' for professional advice on buildings and feasibility for renovation and use. It has also partnered with planning consultant 'Contour Consultants' to provide advice on land use planning issues.

A project Steering Group was appointed to the Project including:

- Rob Small, CEO

- Jack Green, GM Sustainable Planning and Development
- Kerri Erler, Regional Manager, DPCD
- Mike Barrow, Manager Economic Development – (Project Manager)

The Master Plan also has a Technical Reference Group that includes

- Doug McNeill, Manager Planning
- Paula Gardiner, Manager Capital Works
- Greg Fletcher, Manager Health & Community Services
- Ian Seuren, Manager, Arts Recreation and Culture
- Mike Barrow, Manager Economic Development – (Project Manager)

The project proceeded smoothly through the initial stages of background research and community consultation and has now completed the final stages of developing a number of draft options for the site.

The community consultation included an online and hard copy survey that resulted in feedback being received from over 150 people. A key stakeholder list was provided to 'Community by Design' that included community and business leaders and representatives of a wide range of organisations. Community by Design rang and spoke to each one individually. In addition to this the consultants were provided with documentation of all input and ideas provided to Council over the past three years in regard to the future of the site.

### **Council Plan / Other Strategies / Policy**

#### **Community Health and Wellbeing**

Council will promote community health and wellbeing in partnership with other health services. Through a partnership approach, Council will provide a broad range of customer focused health, recreational, cultural and community amenities, services and facilities.

#### **Issues / Options**

The Draft Master Plan entails a detailed examination of the former Colac High School site, its encumbrances and potential for future use. The main conclusion in the Draft Master Plan is that the site lends itself to a mix of community uses and that this is feasible provided that there is a lead tenant of significant size to manage the other tenancies and user groups. (Attachment 1 Draft Colac High School Master Plan)

The land area of the former Colac High School is 8.4 hectares (84,000 square metres) including approximately 5.6 hectares of open space. The Department of Education and Early Childhood Development (DEECD) has given a very strong indication that it is willing to return two thirds of the site or 67% of the total land space (approx. 5.6 hectares) to the public through Colac Otway Shire. The most valuable section of the site for the community is the section of land that includes the existing school buildings. Many are recommended for demolition and this has been estimated to cost in excess of \$400,000. The former High School buildings vary in serviceable condition and stages of disrepair:

- The former administration building has a locally relevant heritage listing and has been recommended for a heritage listing of State significance. The building especially its external facade needs to be retained substantially as it stands, or altered in a way that does not negatively affect its heritage status. It is in need of significant roof repairs, works to correct a rising damp problem, a new fit-out and other works.
- The former hall requires roof repairs and remediation of damage caused by a small internal fire but is generally sound. It includes the hall/gym area plus a stage, change

rooms, small rehearsal space, foyer, storage spaces and toilets. It is recommended for a variety of community uses on a rental basis.

- The former library, like the former hall, is in sound condition but also requires roof repairs.
- The former student common room is in serviceable condition and with a new fit out would be suitable for a variety of uses.
- The former technology rooms are also in serviceable condition and being used currently by the Woodturners Guild, an organisation that would be keen to retain this tenancy.
- Former classroom blocks A, B, E are in varying condition but generally at the end of their useful lifespan. These are recommended for demolition and it is noted that the buildings will likely contain asbestos and require specialist demolition processes.
- The former boiler room is in a serviceable condition but has limited potential for other uses.
- Various ancillary buildings such as storage sheds and bus shelter are recommended for demolition.

The landscape is of special significance to the heritage and community values of the site and various treatments are recommended.

The Draft Master Plan includes a comprehensive list of community and stakeholder suggestions on future uses for the site and an assessment of the feasibility of each option.

Summary of proposed options for future use:

| Option                                 | Feasibility  | Reason                                                                                                                                                         |
|----------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TAFE Campus                            | Not feasible | Neither South West TAFE nor the Gordon are in a position to expand onto a new campus in Colac.                                                                 |
| Otway Community College/St Laurence    | Feasible     | Requires further discussion with St Laurence Community Services. This organisation could act as a lead tenant for the site.                                    |
| Affordable Housing                     | Feasible     | Social housing managed by St Laurence Community Services.                                                                                                      |
| Aged Accommodation                     | Feasible     | Affordable units for aged people managed by Siro Villa Retirement Village. This organisation could act as a lead tenant for the site.                          |
| Younger Years Centre                   | Feasible     | Requires further discussion with Glastonbury Children and Family Services. This organisation could act as a lead tenant for the site.                          |
| Community Hub managed by Council       | Not feasible | Council does not have the resources to manage this kind of facility.                                                                                           |
| Community Hub managed by a Lead Tenant | Feasible     | A lead tenant could provide the resources to manage the site. Council resources would be required to assist in development to a standard suitable for tenancy. |

|                         |                |                                                                                                                                                   |
|-------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| Hall – Casual Use       | Feasible       | Multiple community use. Depends on a lead tenant to manage bookings and upkeep.                                                                   |
| Historic Precinct       | Feasible       | Depends on interest from local historical groups.                                                                                                 |
| Market Venue            | Feasible       | Farmer's or other markets using the Hall and car park.                                                                                            |
| Cafe                    | Feasible if... | Only if the site reaches a critical masse with development and tenancy through the various options in the report.                                 |
| Sports facility         | Feasible       | Multiple sports use e.g. baseball, soccer, archery, cricket, and little athletics. Would need Council commitment to develop, manage and maintain. |
| Emergency Services Hub  | Feasible       | Depends on stakeholder commitment and capital budgets to purchase land and build new facilities.                                                  |
| Merv Brunt Truck Museum | Feasible       | Local Lions and Rotary Clubs to be involved in supporting operations.                                                                             |

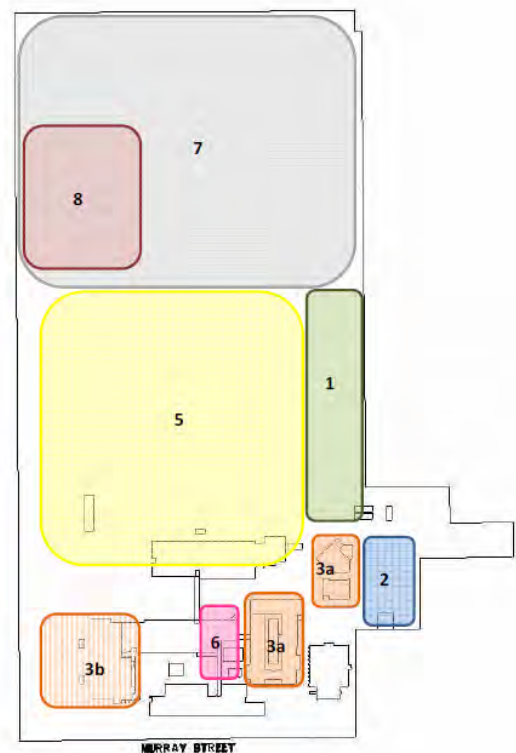
A number of other suggestions were explored and found to be **not feasible** due to a range of issues but in the main no interested provider or key stakeholder was identified during research, or stakeholders were identified but not interested.

- Public housing
- Rental Housing Cooperatives / CERCs (Common Equity Rental Cooperatives)
- Technical / trade / farm skills training
- Colac Specialist School
- Relocation / second base for Colac Neighbourhood House / Community Hub Inc
- Service station
- Bed and breakfast
- Conference centre
- Caravan park / camping ground
- Community gardens (though would fit in easily with a community hub)
- Conservation land management opportunity
- Youth activities centre (though a community hub could cater for the youth focused need)
- Student housing
- Agricultural college
- Driving school
- Library annex
- Ten-pin bowling
- Velodrome
- Relocated Neighbourhood House / Community Hub Inc
- Community radio
- Animal farm
- Refugee accommodation

- Showgrounds
- University
- Backpackers accommodation
- Small scale retail
- Big box retail
- Council branch office

The Draft Master Plan recommends the following in terms of future development and land use.

| Usage option                                        | Square meters (approx) | Type of buildings or land required | On sketch as |
|-----------------------------------------------------|------------------------|------------------------------------|--------------|
| Affordable housing                                  | 9,000                  | Clear land                         | 1            |
| Affordable aged housing                             | 6,000                  | Clear land                         |              |
| Kindergarten                                        | 1,000                  | Clear land                         | 2            |
| Younger years hub (including kindergarten)          | 2,200                  | Clear land                         |              |
| College / St Laurence                               | 2,000                  | Admin, common, technical           | 3a           |
| Community hub (including historical precinct, cafe) | 2,000                  | Admin, common, technical           |              |
| Casual hall use                                     | 2,000                  | Hall, surrounding area             | 3b           |
| Farmers market                                      | 1,000                  | Clear land / hall                  |              |
| Open spaces / sports field                          | 20,000                 | Clear land                         | 5            |
| Truck Museum                                        | 2,000                  | Clear land                         | 6            |
| <b>Total described above</b>                        | <b>47,200</b>          |                                    |              |
| <b>Amount of land available</b>                     | <b>56,000</b>          |                                    |              |
| Balance sold for capital-raising or other purposes  | 8,800                  | Clear land                         |              |
| Additional land sold on open market by DEECD        | 28,000                 | Clear land                         | 7            |
| Emergency services hub                              | 10,000                 | Clear land                         | 8            |



The Draft Master Plan recommends a number of options including government grants to fund the development of the site. Most government grants require matching cash at the rate of \$2 for \$1 or \$3 to \$1. The consultant recommends that Council sell a section of the proposed 67% portion to the site to be given to Colac Otway Shire from the State Government for residential development to acquire these matching funds. This would create the opportunity for a major cash grant of up to \$500,000 from the Putting Locals First program (PLFP) for the establishment of a community centre without Council having to allocate funds from the annual Council budget and putting further pressure on rates revenue. The total project investment would be in the vicinity of \$700,000 and provide a significant boost to implementation of the overall vision for the site.

Alternatively Council could lobby for the total site to come to Council and sell off one third of the site to meet any available grant moneys to develop the site and remediate the buildings.

Additional recommendations are as follows:

- That Council investigate a partial rezoning the site, currently zoned PUZ2 (Public Use Zone 2) to Residential.

- That DEECD be responsible for the demolition and removal of all buildings and hard landscape identified in the report as at the end of its useful lifespan and restoring the site to grass as a starting point for future development.
- That any large organisation that is given access to land should be on a 99-year lease basis, where possible. This will allow third parties to fully commit to and develop projects, while keeping community land under Council / community control.
- That any future use of the site is subject to a transparent commercial process that allows all parties a reasonable opportunity to quote for services to be carried out onsite.
- That if future development and use agreements appear likely to take a lengthy period of time, Council receive 67% of the site from DEECD and put land into a low-maintenance regime.
- That any final detailed planning for the site should consider the need for walking and cycling linkages from the highway through to Lake Colac.
- That Council should consider the opportunity to use the redevelopment of the site to shape the western entry into town.

The Draft Colac High School Master Plan is a comprehensive document that has included extensive stakeholder and community input. The proposals in the document are consistent with the general community desire that the majority of the site be designated for a mix of community uses. However, before proceeding it would be important that the community is provided an opportunity to comment on the final proposals in the Draft Master Plan.

Option one is that Council endorse the Draft Colac High School Master Plan and form resolutions aligned with Council's preferred alternative proposals for the site.

Option two is that Council release the Draft Colac High School Master Plan for a period of six weeks consultation.

Option two is preferred as despite a comprehensive community consultation process being undertaken in the development of the plan, the Draft Colac High School Master Plan has not yet been available to the public for input. This consultation period would provide a final opportunity for comment before a Council decision is made. It would be consistent with Council's Community Engagement Policy January 2010.

A further reason for postponing a decision on Council's preferred options in the Draft Plan is that the consultant has to conclude discussions with the various stakeholders listed in the feasible options in the above table to seek commitment to the site or at least confirmation of serious and significant interest.

It is also important that Council approve the public exhibition of the Draft Master Plan for the customary period of six weeks community engagement at this stage because the project funding has an acquittal deadline that must be met. The proposed process is as follows:

|                  |                                                                                                                                                                                                                 |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 27 March 2013    | <ul style="list-style-type: none"> <li>• Council to adopt a resolution to publicly exhibit the Draft Master Plan for six weeks</li> </ul>                                                                       |
| 27 March – 1 May | <ul style="list-style-type: none"> <li>• Community and stakeholder input</li> <li>• Consultant further investigations on feasible options and commitment of stakeholder organisations</li> </ul>                |
| 1 May – 8 May    | <ul style="list-style-type: none"> <li>• Inclusion of community and stakeholder input</li> <li>• Inclusion of further investigations on feasible options and commitment of stakeholder organisations</li> </ul> |

|                       |                                                                                                                     |
|-----------------------|---------------------------------------------------------------------------------------------------------------------|
| 8 May                 | <ul style="list-style-type: none"> <li>• Council Workshop</li> <li>• Officer's report to Council written</li> </ul> |
| 22 May                | <ul style="list-style-type: none"> <li>• Council meeting to adopt final Draft Master Plan</li> </ul>                |
| 22 May – 30 June 2013 | <ul style="list-style-type: none"> <li>• Project finalisation and funding acquittal</li> </ul>                      |

Please note that this schedule allows for a four week buffer so that if there is a need to extend the process for the purposes of reaching a better result, the presentation of the Final Draft Master Plan could be postponed to the 26 June meeting of Council.

### **Proposal**

That Council release the Draft Colac High School Master Plan for a six week period of community engagement.

### **Financial and Other Resource Implications**

There are no financial or significant resource implications related to this report or any action from the report. Any ongoing financial issues and funding options would be subject to a further report as the project progresses.

### **Risk Management & Compliance Issues**

There are no risk management or compliance issues related to this report or any action from the report.

### **Environmental and Climate Change Considerations**

There are no environmental or climate change issues related to this report or any action from the report.

### **Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

A comprehensive program of consultation has already been undertaken in the preparation of the "Draft" Plan. The method selected has been consult and further consultation to be undertaken prior to the finalisation and adoption of the Plan by Council will include a media release, a link to the Draft Plan on Council's web site and Facebook page and provision of hard copies at customer service centres.

### **Implementation**

In implementing Council's recommendation a media release would be distributed, a link to the Draft Plan placed on Council's web site and Facebook page; and hard copies would be provided at customer service centres.

### **Conclusion**

The former Colac High School site is a place of significant historic and community interest to the people of Colac Otway Shire and beyond. The site was developed as an Agricultural High School in 1911 as a result of community action and community fund raising supported by the Colac City Council.

Since the closing of the school in 2009 the local community has demonstrated its passion for the preservation of the site through every opportunity for public input. Over 250 responses were received to a call for ideas by Colac Otway Shire in 2010. Over 150 people responded to the on line survey in 2012. Through these methods and individual consultation with key

people and groups the consultant for the Draft Master Plan, 'Community by Design' estimates that it has engaged with at least 3% of the local population.

It is relevant and significant that in all stages of public input the theme of multiple community uses has stood out. This theme has been examined, assessed for feasibility in the consultant report, and recommended.

The Draft Master Plan provides an assessment of all of the ideas and suggestions made by the community and a feasibility appraisal of the options that emerged as real possibilities. The common factor in testing the feasibility of the various options was the requirement for a site manager organisation or a lead tenant. A number of these came forward through the master planning process:

- St Laurence Community Services
- Galstonbury Family and Children's Services
- Siro Villa Retirement Village
- The Merv Brunt Truck Museum supported by Lions and Rotary Clubs

A key aspect of engaging these organisations is the prospect of free or reduced cost land that would be available through the hand over from the State Government to Colac Otway Shire 67% of the site.

The Draft Master Plan provides an assessment of various funding options to assist in the development of the site and proposes an innovative suggestion to fund matching grants from the State or Federal Government. It recommends a portion of the site to be given to Colac Otway Shire be sold to realise the cash required to match a major capital grant.

While the Draft Master Plan provides a comprehensive assessment of the site and its potential for development and future use, the consultant has indicated that further discussion is required with the proposed tenant organisations listed above to finalise recommendations in the final Draft Plan to be presented to Council in May 2012. It is also vitally important that the community that has been so engaged in this process is provided with another opportunity to provide input and feedback on the Draft Plan proposals for the site.

Consistent with Council's Community Engagement Policy January 2010, it is recommended that Council release the Draft Colac High School Master Plan for a period of six weeks for community input.

#### **Attachments**

1. Draft Report - Colac High School Master Plan

#### **Recommendation**

##### ***That Council:***

1. ***Releases the Draft Colac High School Master Plan for a period of six weeks for community input.***
2. ***Requests that a further report be provided to Council following an analysis of this consultation process.***

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**OM132703-13****COLAC OTWAY HERITAGE OVERLAY AUDIT AND  
FORMER COLAC-BEECH FOREST-CROWES RAILWAY  
HERITAGE ASSESSMENT**

|             |                                       |           |            |
|-------------|---------------------------------------|-----------|------------|
| AUTHOR:     | Gemma Browning                        | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning<br>& Development | FILE REF: | F11/3291   |

**Purpose**

This report proposes that Council proceeds with the preparation and exhibition of a planning scheme amendment to implement the recommendations of the Former Colac-Beech Forest-Crowes Railway Heritage Assessment and make corrections to the Heritage Overlay (HO) schedule and associated mapping in accordance with a recently completed audit.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background****Former Colac - Beech Forest - Crowes Railway Heritage Assessment**

The former Colac - Beech Forest - Crowes railway runs for approximately 71km. From Colac Railway Station it travels in a southerly direction towards Beech Forest (48km), and then it swings towards the west until it reaches, and terminates at Crowes, a distance of 22.5km. The Colac - Beech Forest - Crowes railway line was one of four narrow gauge lines constructed in Victoria during the late 1800s to early 1900s, in an attempt to build cheaper railways and link remote communities. The line played a key role in opening up the west Otways to settlement and timber harvesting, with many saw mills building tramways to carry timber from the forests to the 'Beechy' line. The line stayed open until 1962 and in 1963 a bill was passed authorising the dismantling of the line. Since this time parts of the line have been integrated into the surrounding private property. Over the last fifty years, portions of the former line have been developed to form the Old Beechy Rail Trail which opened in 2002. Since that time the rail trail has grown to become a tourist and economic development asset for the region.

In December 2005 Council resolved to assess the remaining assets along the line to determine where a HO should be applied. Budget and strategic planning workload constraints and priorities have meant that this resolution was not actioned until early in 2012. In July 2012 Colac Otway Shire Council appointed Context Heritage Consultants to undertake a heritage assessment of the remaining features of the former Colac-Beech Forest-Crowes railway line in order to determine what level of statutory protection may be appropriate.

A previous assessment undertaken by Norman Houghton (2003) for Colac Otway Shire concluded that the entire railway is of state significance. Thirty-three features associated with the railway were identified to be of individual significance and some features were included in the HO. The purpose of this recent project was to undertake a heritage assessment of the Colac-Beech Forest-Crowes railway to record the current condition and integrity of heritage sites previously recorded in 2003 and clarify which sections of the line should be included in the HO. Recommendations for their protection under the appropriate state or local legislation are provided in the attached report.

This field work assessed the heritage and archaeology of the study area as a whole, and identified any surface and sub-surface features associated with the former Colac-Beech Forest-Crowes railway line. Since the last survey and assessment in 2003, changes to the features of the railway line have occurred through the construction of the rail trail, damage from or concealment with vegetation, natural deterioration and severe weather events.

**Attachment 1** – Former Colac-Beech Forest-Crowes Railway Heritage Assessment, Colac Otway Shire includes the results from the survey and assessment and details the recommendations.

### *Recommendations*

Recommendations for statutory controls include the following:

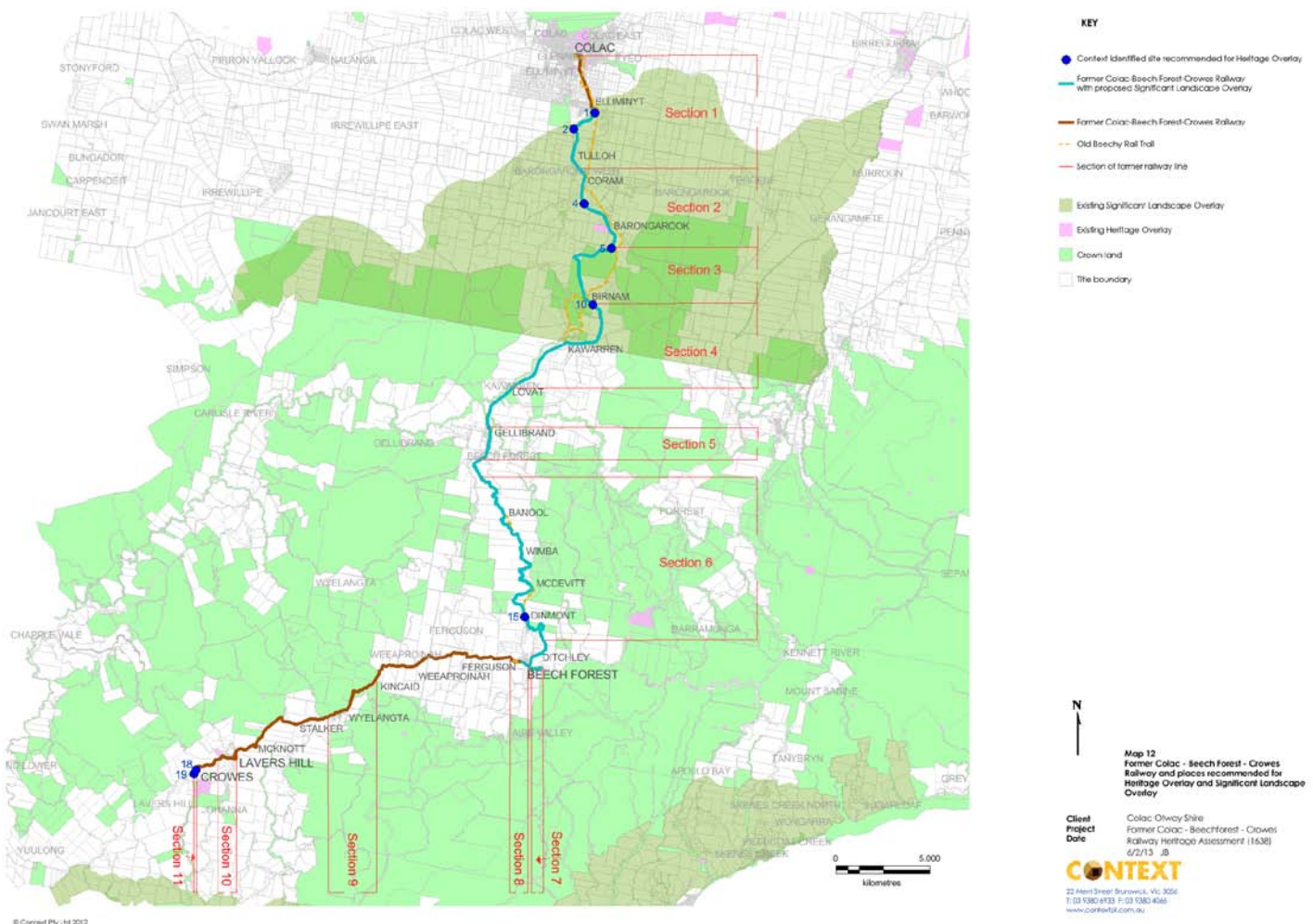
- Eight additional sites are recommended for the HO as listed in the table below.

| HO Reference                 | Items on HO   |
|------------------------------|---|
| Already in HO (HO68)         | Railway turning loop, Beech Forest                  |
| Already in HO (HO69)         | Railway workers house, Beech Forest                 |
| Already in HO (HO198)        | Railway workers houses, Gellibrand                  |
| Already in HO (HO121)        | Colac railway station 102a Gellibrand Street Colac  |
| Already in HO (HO122)        | Colac railway turning circle 102a Gellibrand Street |
| Proposed for inclusion in HO | Former railway dam                                  |
| Proposed for inclusion in HO | 3 chain curve                                       |
| Proposed for inclusion in HO | 101 mile post                                       |
| Proposed for inclusion in HO | 103 mile post                                       |
| Proposed for inclusion in HO | 106 mile post                                       |
| Proposed for inclusion in HO | Dinmont water tank                                  |
| Proposed for inclusion in HO | Cordyline tree at Crowes station site               |
| Proposed for inclusion in HO | Crowes station and environs                         |

- A Significant Landscape Overlay (SLO) is recommended for the section of the rail formation between Harris Road, Elliminyt and the collection weir and water race, 700 metres to the west of Beech Forest. The basis of this recommendation is as follows:
  - The railway formation has heritage values and contributes to landscape character. The SLO allows for the protection of landscape features, whilst also allowing for a wide range of permit exemptions, and is a planning control that will achieve a similar objective to the HO.
  - A HO would protect the whole railway alignment, in addition to the individual sites, however the material evidence of the railway remains largely through its earthworks (mounds, roadbed and cuttings), and there is little tangible material to conserve (no sleepers or rails).
  - The objective of conservation is to avoid further disturbance of the formation through the inappropriate placement of buildings, works or roadways on or adjacent to the remaining formation.
  - This section represents the best evidence of the formation in the landscape.

- Elliminyt to Kwarren is already covered by SLO1 (Valleys, Hills and Plains Landscape Precinct), so it may mean that additional objectives can be added to this existing control to conserve the railway formation. A new overlay would be required from Kwarren to Beech Forest.
- Some changes are recommended to the Heritage Policy of the Colac Otway Planning Scheme to include specific reference to the railway:
  - Referencing the document Former Colac Beech Forest Crowes Railway Heritage Assessment, Context 2012.
  - Encouraging the conservation of the railway formation and the sites either within or associated with it.
  - Discouraging development that might affect the listed sites and the historic character of the railway formation.

The following map provides an overview of the recommendations:



### Heritage Audit

An audit of the current HO has recently been completed by the Strategic Planning Unit. The audit reviewed each individual heritage listing to ensure that the mapping and schedule align accurately with the Heritage Study that was completed in 2003 and the subsequent review that was undertaken in 2005. The audit was undertaken because the HO was introduced at a time when the mapping tools were less sophisticated and did not enable mapping to the same accuracy as what is available to Council now, and errors have been identified by officers since the introduction of the overlay in 2008.

The audit identified 78 mapping and schedule errors that need to be rectified (refer to table below). These errors largely consist of small mapping or schedule errors. In addition 24 properties were identified where it is possible that the HO coverage could be reduced by ensuring the overlay is targeted solely on the heritage asset rather than entire properties. In order to implement a reduction of coverage on these properties Council would need to seek advice from a heritage advisor and site inspections may be required to verify the new extent of coverage.

| HO Error  | Number Identified |
|---|-------------------|
| Standard Mapping Error  | 24                |
| Standard Schedule Error                                       | 15                |
| Mapping error or schedule error that requires site inspection | 15                |
| Coverage to be more targeted on asset                         | 24                |

**Attachment 2 – Colac Otway Shire Heritage Audit 2013** shows the errors that were picked up through the editing process and the proposed changes in the extent and location (ie mapping) that will be required to correct them.

### **Council Plan / Other Strategies / Policy**

#### **Land Use and Development**

Council will engage, plan and make decisions about land use and development that takes into account the regulatory role of Council, its diverse geography, social, community, economic and environmental impacts for current and future generations.

#### **Issues / Options**

The key issues for consideration by Council include:

- State and local planning policies support the protection of heritage values and assets within the Shire. Planning controls in the form of a schedule to the HO already exists in the planning scheme to achieve this aim. Implementing the recommendations of the heritage audit will ensure this control is accurate.
- In addition the adjustments in mapping that will result from implementing the heritage audit recommendations are expected to reduce the coverage of the HO on larger properties, making the HO more targeted and less onerous for land owners.
- Context consultants have identified significant heritage assets along the Colac-Beech Forest-Crowes Railway and recommended protection of them through the application of the HO and the Significant Landscape Overlay.

Given the Council's responsibility as a Planning Authority to maintain a relevant and up to date Planning Scheme, it is considered that Council should proceed to correct the errors identified through the heritage audit and to implement the recommendations highlighted through the Former Colac-Beech Forest-Crowes Railway Heritage Assessment Report. This will maintain Council's comprehensive approach towards planning for the protection and enhancement of heritage assets in the municipality. The areas that are recommended for implementation of a HO or SLO are largely within areas where permit triggers are already in place due to existing environmental and landscape overlays. Permit exemptions will also ensure that permits are only triggered to manage buildings or works on or near the formation or heritage asset. Therefore the implementation of the HO and SLO over these areas will result in very little additional burden on landowners, but will still ensure the maintenance of the railway formation is appropriately considered in decision making.

**Proposal**

It is proposed that Council proceed with the preparation and exhibition of a planning scheme amendment to amend the HO in accordance with recommendations from both the Former Colac-Beech Forest-Crowes Railway Heritage Assessment and the Heritage Audit 2013. It is also proposed to introduce a SLO as recommended in the Former Colac-Beech Forest-Crowes Railway Heritage Assessment.

**Financial and Other Resource Implications**

The cost to Council of completing the Former Colac-Beech Forest-Crowes Railway Heritage Assessment Report, the Heritage Audit 2013 and exhibiting the amendment is funded through the Strategic Planning budget.

**Risk Management & Compliance Issues**

There are new areas proposed to be covered by the overlays, particularly the HO and SLO, and there is a risk of adverse reaction from the community to increased planning controls over their land. Whilst this is understood, it is important that Council appropriately upholds its responsibility as Planning Authority to continue to improve its level of management of heritage values and assets across the Shire.

**Environmental and Climate Change Considerations**

There are no environmental or climate change considerations arising from this report.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be consult and be in the form of a public notice of the amendment in accordance with the requirements of the *Planning and Environment Act 1987* with an exhibition period of six weeks. Affected parties can lodge submissions which would be considered by Council in accordance with the Act requirements, including possible consideration of submissions by an independent panel prior to a final decision on the amendment.

**Implementation**

Should Council support the recommendation to proceed with an amendment, the amendment documentation would be finalised and officers would seek authorisation from the Planning Minister to exhibit the amendment, and arrange for public exhibition over a six week period. Officers would report any submissions to Council for consideration following exhibition.

**Conclusion**

It is proposed that Council proceed with the preparation and exhibition of a planning scheme amendment to amend the HO in accordance with recommendations from both the Former Colac-Beech Forest-Crowes Railway Heritage Assessment and the Heritage Audit 2013. It is also proposed to introduce a SLO as recommended in the Former Colac-Beech Forest-Crowes Railway Heritage Assessment. Implementation of the recommendations from the Former Colac-Beech Forest-Crowes Railway Heritage Assessment would ensure the protection of a significant piece of history for the Colac Otway region. Implementation of the Heritage Audit 2013 will ensure the planning scheme is as accurate and up to date as possible.

**Attachments**

1. Colac Beech Forest Crowes Heritage Assessment Report with Citations FINAL
2. Heritage Audit 2013

**Recommendation(s)*****That Council:***

- 1. Notes the recommendations from the Former Colac-Beech Forest-Crowes Railway Heritage Assessment.***
- 2. Proceeds with the preparation and exhibition of a planning scheme amendment to amend the Schedules of the Heritage Overlay, introduce and apply a new Schedule to the Significant Landscape Overlay to identified areas and make relevant changes to the Municipal Strategic Statement in accordance with the Heritage Audit 2013 and Colac-Beech Forest-Crowes Railway Heritage Assessment Report.***
- 3. Requests the Planning Minister to authorise the preparation of the amendment.***

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**OM132703-14****OTWAY COAST COMMITTEE MEMORANDUM OF UNDERSTANDING**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Doug McNeill                       | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | 11/95133   |

**Purpose**

The report seeks Council support to enter into a Memorandum of Understanding with the Otway Coast Committee (OCC) that clarifies the relationship between Council and the Committee.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

The OCC manages crown land within and adjacent to the foreshore from Wye River to Marengo on behalf of the State Government. Given the nature of public use and development within foreshore areas, Council's management of adjoining public areas, and sometimes overlapping interests of the Council and the OCC in managing these areas, it has been considered desirable to formalise a Memorandum of Understanding (MoU) between the parties which documents and guides the relationship.

Council interactions occur with the OCC on a daily basis in relation to matters such as:

- Planning (whether specific planning permit applications or strategic planning projects such as the Apollo Bay Harbour Master Plan or structure plans)
- Foreshore Planning (eg development of Master Plan for the foreshore areas)
- Events (eg annual Apollo Bay Music Festival)
- Recreation – the foreshore areas in towns such as Wye River and Apollo Bay are the primary public open space areas for these towns, and Council has constructed assets such as the skate park in Apollo Bay within the foreshore land.
- Local Laws (e.g. enforcement of dogs on leash, sleeping in cars, parking)
- Infrastructure (e.g. drainage, parking, waste collection, public toilets)

Officers from both Council and the OCC have worked collaboratively over the past few years to develop a draft MoU. A workshop on the MoU was held with Councillors on 27 February 2013, attended by Gary McPike, Executive Officer of the OCC.

**Council Plan / Other Strategies / Policy****Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

**Issues / Options**

Key objectives of the proposed MoU are to:

- Encourage co-operative engagement on planning and development proposals for the coastal reserve and other proposals which may impact on the reserve
- Facilitate communication on issues arising from the reserve or land affecting the reserve generating community concern
- Encourage the provision of information between the parties relating to areas of mutual or overlapping responsibility
- Clarify what assets in the foreshore are the responsibility of Council
- Make efficient use of resources, including sharing of resources where appropriate.

Under the MoU, the following are commitments made by both parties:

- Support funding applications for agreed projects and capital works proposals
- Acknowledge that each party has a right to take a different position on issues
- Give recognition to each other where warranted for positive achievements
- Communication between parties to be undertaken in a timely manner eg written responses
- Support funding applications made by either party where consistent with plans and strategies
- Biannual meetings held between Council and the OCC.

The following are specific commitments being made by the OCC:

- Work closely with Shire's E-Team for management of events on the Reserve
- Maintain and improve the litter bin infrastructure on the reserve
- Undertake cleaning of public toilets with a financial contribution from the Shire
- Collaborate with Council to address issues of amenity & safety, specifically enforcement of local laws on the reserve
- Project manage works occurring in the foreshore reserve even if funded by Council.

The following are specific commitments being proposed by Council:

- Manage, repair and maintain assets that are the responsibility of Council (listed in the Appendix to the MoU)
- Advise the OCC of State and Federal funding opportunities
- Provide copies of planning permit applications when public notice is given to the OCC.
- Provide an annual grant for toilet cleaning in the foreshore reserve (recompense for up to 50% of cost)
- Empty public litter bins in the foreshore as part of the Shire's waste contract
- Non-financial commitment to achieving a shared trail between Marengo and Skenes Creek
- Provision of twice yearly playground audits to the OCC

- Contribution made to the OCC from the Regional Recreational Reserves Contribution Scheme (recognising use of facilities within the reserve by clubs)
- Work with the OCC in respect of safety and amenity issues such as sleeping in cars and dogs on beaches.

Options for Council include:

1. Enter into a MoU as attached to this report.
2. Request changes to the attached MoU prior to further consideration of the matter.
3. Not enter into a MoU and rely on the continuation of current informal arrangements between the parties for management of the foreshore and surrounding public land.

Option 1 is recommended on the basis that the current relationship is informal. The MoU is intended to document and strengthen the relationship and would:

- Not be reliant on individuals and relationships between individuals from either organisation
- Provide greater certainty on different matters
- Recognise past efforts and focus on even greater co-operation in the future
- Give direction to areas of future focus.

### **Proposal**

It is proposed that Council enters into a Memorandum of Understanding with the OCC.

### **Financial and Other Resource Implications**

There are no financial implications arising from this report. The MoU does not make any fresh financial commitments or obligations. Rather, it reflects existing arrangements between the parties, and in the case of Council's contribution to the OCC for cleaning of public toilets in the Apollo Bay foreshore, it requires there to be an annual review of the contribution amount.

### **Risk Management & Compliance Issues**

There are no risk management implications arising from this report. The MoU does not introduce any new obligations on Council.

### **Environmental and Climate Change Considerations**

There are no environmental implications arising from this report.

### **Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower. The method selected would be inform and include the issue of a media release and notification to the OCC of Council's decision.

### **Implementation**

Officers will send a copy of the signed agreement to the OCC for its endorsement.

**Conclusion**

Council has developed a strong relationship with the OCC as manager of the foreshore reserve in Apollo Bay/Marengo through to Wye River over a number of years, and there are a range of issues which require co-operation of Council and the OCC in terms of infrastructure provision, toilet cleaning, collection of rubbish, recreation facilities and the like. It is therefore considered appropriate that this relationship be clarified in a Memorandum of Understanding to guide the actions of the parties in the future.

**Attachments**

1. Memorandum of Understanding - Final Version - Otway Coast Committee - March 2013

**Recommendation(s)**

***That Council resolves to enter into a Memorandum of Understanding with the Otway Coast Committee as attached to this report.***

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**OM132703-15****UPDATE ON STATUS OF G21 REGIONAL GROWTH PLAN  
IMPLEMENTATION PLAN**

|             |                                       |           |            |
|-------------|---------------------------------------|-----------|------------|
| AUTHOR:     | Doug McNeill                          | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning<br>& Development | FILE REF: | F11/2194   |

**Purpose**

The purpose of this report is to update Council on the status of the Implementation Plan being developed for the G21 Regional Growth Plan.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

The G21 Regional Growth Plan ('the Growth Plan') is one of eight growth plans being developed across the State. The G21 Growth Plan is the first Plan to be completed having been adopted by all G21 councils in August 2012. The Growth Plan provides a regional level land use and settlement planning framework that responds to anticipated growth and a population of over 500,000 by 2050.

The Growth Plan was a G21 Planning and Services Pillar project and undertaken in partnership with State Government as the key funder. The project was managed by a project manager and support team under the direction of a Project Steering Group. The Project Steering Group included representatives from the five G21 Councils (General Managers of Planning or equivalent), G21 CEO, State Government and agencies (Departments of Planning and Community Development, Sustainability and Environment, Transport and VicRoads, Barwon Water, CCMA) and the Committee for Geelong.

The final Growth Plan was built around an understanding of:

- The region's role and linkages within and to Melbourne and other regions
- The challenges of growth
- The nine principles which underpin the Plan
- The 'givens' – areas vulnerable to risks such fire, flood, coastal inundation and erosion or requiring buffers or protection such as sensitive natural environments and major infrastructure assets
- Our significant assets
- Our competitive advantages – the regional strengths and assets around which a sustainable economy can be built and to provide the necessary variety of jobs
- The role and interrelationships with other projects, strategies and studies under development across the region
- Existing planned growth. The Plan reinforces and builds on existing Council approved Structure Plans and Urban Growth Strategies; and

- Community feedback through three stages of consultation.

The key directions of the Growth Plan (**Attachment 1**) include:

- Directing residential growth to urban Geelong, including higher density housing at key nodes such as central Geelong and the Fyans Street precinct and supporting urban regeneration projects in areas such as Corio and Norlane
- Supporting the growth of key district towns and areas on major transport corridors including Armstrong Creek, Bannockburn, Drysdale Clifton Springs, Colac, Lara, Leopold, Ocean Grove and Torquay/Jan Juc
- Strategically growing the towns of Colac and Winchelsea
- Identifying two Further Investigation Areas (Lovely Banks and Bell Post Hill and Batesford/ Fyansford) to accommodate the medium to longer term growth of Geelong; anStrengthening the economy and creation of jobs in the above centres; in tourism and agricultural activity nodes; at Geelong Port, Avalon Airport and Geelong Ring Road Employment Precinct (GREP) and identified employment nodes at Deakin/Marcus Oldham College and other G21 infrastructure based priority projects.

The Growth Plan identifies the provision of critical regional level infrastructure required to support the Growth Plan directions, such as including growth of major employment sectors such as industry and commerce, health and education, agriculture and tourism including:

- Transport networks, including road and rail, ports and airports
- Communications infrastructure including the National Broadband Network
- Water and sewerage infrastructure.

The Growth Plan recommended four key actions required to support and manage growth through an Implementation Plan project phase, namely:

- Development of an Infrastructure Plan that will identify the key regional level infrastructure projects critical to supporting the housing and employment growth directions of the Growth Plan
- Development of a Residential and Industrial Land Supply Report and Monitoring Tool that will enable more accurate reporting and monitoring of lot supply across the region
- A Housing Strategy Incentives report that will identify recommendations to support strategic housing objectives
- Analysis of Further Investigation Areas to identify a priority area or areas.

Work has commenced on the development of the Implementation Plan with the project management, governance structure and partners continuing on from the Growth Plan project. The project is being conducted from remaining Growth Plan funding.

### **Council Plan / Other Strategies / Policy Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

**Physical Infrastructure and Assets**

Council will provide and maintain Council infrastructure and assets that meet community needs now and in the future.

**Land Use and Development**

Council will engage, plan and make decisions about land use and development that take into account the regulatory role of Council, its diverse geography, social, community, economic and environmental impacts for current and future generations.

The Implementation Plan is a flow-on project from the G21 Regional Growth Plan which was adopted by Council at its meeting in August 2012.

**Issues / Options**

The Implementation Plan will provide data and recommendations to support the next phase of settlement and infrastructure planning across the region following the directions and principles of the Growth Plan. The Implementation Plan will be an important planning tool for the G21 region. It will identify funding priorities for critical infrastructure and be used by project partners and other service agencies and providers to plan future infrastructure and service provision. It is proposed that the final Implementation Plan be adopted by each of the G21 councils.

The final Implementation Plan will comprise a number of sections:

- Planning for Regional Infrastructure – comprising a regional level Infrastructure Plan. The Plan will identify and prioritise key regional level physical (transport, reticulated services, energy and telecommunications) and community infrastructure (health and education, recreation, arts, emergency services and environment) projects required to deliver planned and future growth.
- Residential and Industrial Land Supply – comprising an overview of key supply data and strategic directions across the region.
- Strategic Housing Incentives – including identification of barriers and incentives for supporting higher density housing outcomes in existing identified strategic locations and for driving housing activity in centres such as Winchelsea and Colac.
- Planning for Long Term Growth - Further Investigation Area analysis and recommendations including area priority, timing, key outcomes and strategic planning process.

An accompanying Background Report will include further analysis and detail for each of these sections. The Implementation Plan will be accompanied by:

- Residential and Industrial Land Supply reports for each municipality
- A web-based Land Supply Monitoring Tool for ongoing land supply monitoring.

While the Implementation Plan comprises distinct sections, each of the project components are highly interconnected with each part informing the other. For example, the land supply data will inform timing of the preferred Further Investigation Area(s) and trigger timing for critical infrastructure planning and provision.

**Project process and timelines**

The project is to be developed over four phases as identified in the project timeline:

Phase 1 - Project set up (completed)

- Phase 2 - Project Overview development (completed and on project website [www.G21regionalgrowthplan.com.au](http://www.G21regionalgrowthplan.com.au))
- Phase 3 - Develop Draft Implementation Plan, Background Report, Land Supply Reports (we are here)
- Phase 4 - Finalise Implementation Plan and Land Supply online tool – October 2013
- Phase 5 - Implementation Plan adoption (*out of scope*) – post October 2013.



### Engagement

A communications and engagement plan has been developed to guide stakeholder and community consultation activities.

Phases 2 to 4 of the project will be informed through three stages of consultation and engagement including targeted stakeholder engagement and opportunities for broader community consultation and submissions on the draft Implementation Plan, Background Paper and Land Supply Reports. Consultation on the draft Plan will occur over July 2013 focused around 6 Open House drop in information sessions to be conducted around the region.

The project website will be regularly updated with project documents, project updates and details of engagement activities and include opportunities for participating in surveys and polls.

### Document approval process

The process for document version approval is as follows:

- PSG signoff of draft Plan for community consultation following an Executive Briefing (workshop comprising project partner Mayors, councillors and Chairs and CEOs) towards the end of phase 3 of the project. A Council briefing will be provided summarising the key directions of the draft.
- PSG to sign of the final Plan following an Executive Briefing at the end of phase 4 of the project. A Council report will be provided to each Council on the final Plan for adoption consideration.

### Relationship to other projects

There are a number of strategic and infrastructure planning projects currently under way which will inform the development of the Implementation Plan including:

- the Metropolitan Planning Strategy and adjoining region's Regional Growth Plans.
- G21 priority and pillar projects such as the Economic Development Strategy, Transport Plan review and Public Transport Plan under development and Health and Wellbeing projects.
- State Government transport projects under construction or transport planning projects and studies in development including Geelong – Werribee corridor, Avalon Airport Rail Link, Grovedale Station and Freight and Logistics Plan.
- Victorian Coastal Strategy review and the development of Regional Coastal Action Plans and Regional Catchment Strategies.

**Proposal**

This report aims to update Council on progress to date with the G21 Regional Growth Plan Implementation Plan. Council is being asked to note its current status.

**Financial and Other Resource Implications**

The project is being undertaken within the remaining State Government and G21 Council funding for the development of the Growth Plan. There are no further Council funds required to complete the project.

**Risk Management & Compliance Issues**

A risk and issues log is maintained during the project. A project governance structure and engagement plan has been developed to manage and respond to project risks.

**Environmental and Climate Change Considerations**

The development of the Growth Plan and principles has been based on the detailed examination of available data on areas of environmental significance and using a triple bottom line approach. Key agencies such as the DSE, Parks Victoria, Coastal Committees of Management, Coastal Boards and Councils have and will continue to be engaged in the development of the Implementation Plan elements.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected is consult. A detailed Communications and Engagement Strategy has been developed for the project. Communication and engagement consultants Kismet Forward have been engaged to support communication and consultation activities. Whilst agencies, infrastructure providers and targeted stakeholders such as real estate agents have been consulted thus far, it is anticipated that the broader community will have an opportunity to review and provide feedback on the draft Implementation Plan later in 2013 as outlined earlier in the report.

**Implementation**

Officers will continue to participate in the project through their roles in the Project Steering Committee and Technical Reference Group.

**Conclusion**

The Implementation Plan for the G21 Regional Growth Plan is progressing well and officers from Council are represented on both the Project Steering Committee and Technical Reference Group to ensure that Colac Otway Shire's are best reflected in the Plan. Council will be further briefed on the project following the preparation of the draft project report.

**Attachments**

1. G21 Regional Growth Plan - Implementation Plan Project

**Recommendation(s)**

***That Council notes the current status of the G21 Regional Growth Plan Implementation Plan.***

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**OM132703-16****LOCAL LAWS REVIEW**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Stewart Anderson                   | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F11/3291   |

**Purpose**

The purpose of this report is to explain the process undertaken to review Local Laws 1, 2 and 3 and seek Council's support for the revised Local Laws to be released for a formal public comment period of six weeks.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

A motion was passed at the Council Meeting held in September 2011 for Councillor Stephen Hart to be the Councillor Representative on a Steering Committee formed to oversee the review of Local Laws 1, 2 and 3. Local Laws 1, 2 and 3 relate to:

- *Local Law Number 1 – 2005 – Consumption of Liquor in a Public Place*
- *Local Law Number 2 – 2005 – General Local Law*
- *Local Law Number 3 – 2007 – Livestock Local Law.*

The objective of the review is to ensure that Local Laws remain relevant to the general expectations of the community. The timeline for the review process is shown below.

|                       |                                                                                                                                                                        |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>September 2011</b> | First meeting of the Steering Committee.                                                                                                                               |
| <b>October 2011</b>   | Review of existing Local Laws.                                                                                                                                         |
| <b>November 2011</b>  | Media release issued advising of review process and inviting comment/opinion.                                                                                          |
| <b>March 2012</b>     | 1 <sup>st</sup> Draft of revised Local Laws 1, 2 and 3 approved by the Steering Committee and referred for legal advice. Necessary changes made based on legal advice. |
| <b>July 2012</b>      | 2 <sup>nd</sup> Draft developed by Steering Committee. 2 <sup>nd</sup> Draft referred for legal advice. Necessary changes made based on legal advice.                  |
| <b>January 2013</b>   | 3 <sup>rd</sup> Draft developed by Steering Committee - only minor changes made.                                                                                       |
| <b>February 2013</b>  | Council workshop held discussing 3 <sup>rd</sup> Draft.                                                                                                                |
| <b>March 2013</b>     | Council Report submitted to Council seeking approval to release the 3 <sup>rd</sup> Draft for public comment.                                                          |

It is important to note that the Local Law review process was put on hold in the months leading up to the Council election held in October 2012. After the elections Council nominated Councillor Michael Delahunty to be the new Council representative on the Local Law review Steering Committee.

**Council Plan / Other Strategies / Policy****Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

**Issues / Options**

Council elected to undertake the review well before the sunset period for these three Local Laws. The review was undertaken well before the sunset period to ensure ample time could be given to effectively complete all the steps required. A common problem with local law reviews undertaken in other municipalities is that process is left too late which can compromise the outcome.

The key issues that were identified during the review process to date for the three Local Laws are listed and explained below.

**Local Law 1 (Consumption of Liquor in Public Places)**

- Increasing penalty amount.

**Local Law 2 (General)**

- Keeping Bees
- Waste Management
- Unsightly premises
- Number of animals allowed to be kept on premises/property
- Events Management.

**Local Law 3 (Livestock)**

- Stock crossing permits.

The revised versions of the Local Laws are attached to this document. The proposed changes to Local Laws 1 and 3 are relatively minor while a number of significant changes have been proposed for Local Law 2.

The key changes proposed to Local Law 1 are to change the use of the term liquor to alcohol throughout the document to ensure one term is consistently used and to increase the penalty amount for consuming alcohol in a public place from \$100 to \$200. This penalty increase is commensurate with what other municipalities charge for this offence. It is also worth noting that the Victoria Police primarily enforce this Local Law and they were supportive of the proposed changes.

The key change to Local Law 3 was the removal of the requirement to obtain a stock crossing permit. Legal advice obtained by Council indicated that Council could not enforce these permits. Although under the proposed Local Law permits would not be required, stock crossings must still be managed in accordance with Vic Roads signage guidelines and in a manner that does not damage the road.

As previously stated a number of significant changes have been proposed for Local Law 2. The major changes that are proposed relate to keeping of bees, unsightly premises, keeping of animals, events and waste management.

Legal advice obtained by Council indicated that the Local Law for keeping of bees was not required because it is covered by the State Government's Apiary Code of Practice.

Accordingly it is proposed that the section on the keeping of bees be removed from Local Law 2.

Due to changes in Councils Waste Management services since the last review it is proposed that the relevant section of the Local Law be revised to reflect the new arrangements. The changes primarily relate to the provision of a 3 bin system and the operations of the transfer stations.

Under the current provisions of Local Law 2 unsightly premises are dealt with under Section 45, where reference is made to dangerous land or detriment to the general amenity. The section states that: *Unless permitted under a planning scheme applicable to the land a person must not allow land of which he or she is the owner or occupier to be kept in a manner which:*

- *is dangerous*
- *is detrimental to the general amenity of the neighbourhood in which it is located.*

This wording is subject to differing interpretations. In order to make this section clearer it is proposed to change it to: *Unless permitted under a planning scheme applicable to the land a person must not allow land of which he or she is the owner or occupier to be kept in a manner which:*

- *is dangerous or likely to cause danger to life or property*
- *is likely to cause obstruction to emergency services*
- *is unsightly or detrimental to the general amenity of the neighbourhood because it harbours unconstrained rubbish or overgrown vegetation or contains unused vehicles or any other waste materials.*

The proposed change is more specific in content and clearer in meaning. It is not envisaged that the change to this section of the Local Law will have any impact on the vast majority of property owners within the municipality. The more specific wording gives Authorised Officers more clarity on what issues should be addressed through these provisions. In applying this section of the Local Law provisions of the Health & Wellbeing Act will need to be considered relative to a persons' mental health and their ability to comply with instructions given relating to compliance.

Under the provisions of the current Local Law 2 there is currently no provision to control the number of animals (domestic or otherwise) that can be kept on a person's premises. It is proposed to introduce into the Local Law a table which stipulates the number and type of animals that residents within the Colac Otway Shire can keep depending on their land size without having to obtain a permit. By applying restrictions on the number of animals a person can keep, Council will be able to better manage complaints and issues relating to animals.

In order to effect this change in an equitable manner the size of the land parcel will determine how many animals can be kept without triggering the requirement for a permit to be obtained. The three block sizes are:

- up to .25 (ha)
- between .25 (ha) and 1 (ha)
- 1 (ha) and above.

The table below shows the details for the numbers of each animal that are proposed to be permitted (or not) without a permit for the three land size categories.

|   | <i>Animal</i>                       | <i>Property Size<br/>up to .25 (ha)</i>                                                                           | <i>Property Size .25<br/>(ha) to 1(ha)</i> | <i>Property Size<br/>1 (ha) and above</i>                     |
|---|-------------------------------------|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| a | Dogs                                | 3                                                                                                                 | 4                                          | 5 (other than dogs kept for working stock/primary production) |
| b | Cats                                | 3                                                                                                                 | 4                                          | 5                                                             |
| c | Poultry                             | 5                                                                                                                 | 10                                         | No Permit Required                                            |
| d | Roosters                            | Permit Required                                                                                                   | Permit Required                            | No permit required                                            |
| e | Pigeons                             | 10                                                                                                                | 20                                         | No permit required                                            |
| f | Sheep or Goats                      | Permit Required                                                                                                   | 8                                          | No permit required                                            |
| g | Cattle/Horses & other large animals | Not Permitted                                                                                                     | 4                                          | No permit required                                            |
| h | Pigs                                | Not permitted                                                                                                     | Permit Required                            | No permit required                                            |
| i | Reptiles                            | Subject to the issuing of a license by the Department of Sustainability & Environment (DSE) or relevant authority |                                            |                                                               |

The proposal to restrict animal numbers will bring this Council in line with the vast majority of other Councils within the State of Victoria. Currently Colac Otway Shire is the only Council, we are aware of, that does not have any measures in place to restrict the number of animals people can have on their property. The proposal provides a balanced approach to addressing issues associated with people having too many animals than can effectively be maintained on a property while respecting their neighbour's amenity and that of the welfare of the animals in question.

The current Local Law as it relates to events held on Council land is both unclear to Council Officers and event organisers. At the present time there are no real enforcement options in place and there is no provision to deal with rogue event organisers. There are also no provisions in place to ensure there is a planned contingency for an event and there is confusion relating to events that occur on land not managed by Council. Concerns have also been raised by Council's insurers relating to risk at unmanaged events.

It is proposed that a new three page section relating to events be added to Local Law 2 to ensure events are properly operated, maintained and conducted in order to safeguard the health and safety of patrons and the health, safety, environment and amenity of the community in which the event is conducted. Under the proposal a person must not establish, operate or advertise an event in the Colac Otway Shire unless Council has been notified of the event and no event shall be conducted unless a permit for the event has been issued by Council.

The proposed three page section on events provides details on the processes that need to be followed, including the application process encompassing the review and approval of a permit, the compliance with permit conditions and the revocation/amendment and cancellation of an event.

Processes and penalties have also been included to address unauthorised events along with an appeal process to ensure the application of the local law is applied in a fair and equitable manner.

The introduction of a new Local Law specifically for events will ensure robust and rigorous management of events and reduce risk as well as providing clearer processes for event organizers. The introduction of the proposed processes relating to events will also help to ensure that there is a benefit to the whole of the community from the event.

**Proposal**

That Council endorses the attached Draft Local Laws 1, 2 and 3 to be released for public comment for a period of six weeks.

**Financial and Other Resource Implications**

There are no financial issues associated with releasing the Local Laws for public comment.

As previously stated it is proposed to increase the penalty fee for consumption of alcohol from \$100 to \$200. Due to the relatively small number of these fines that are issued by Victoria Police this is not expected to have a significant financial impact.

The proposed limits on the number of animals people can keep without getting a permit is expected to increase workload for Local Laws Officers but it is anticipated that this can be managed within existing resource capacity.

The need may arise to review resource capacity, both human and financial, to process the anticipated increase in the number of event applications received but it is anticipated that this can initially be managed within existing resource capacity.

**Risk Management & Compliance Issues**

There are no significant risk management issues associated with releasing the Local Laws for public comment. The major risk is associated with people not understanding what the proposed changes mean for them. To address this it will be critical that Council Officers give clear and timely responses to any questions raised by the community.

Council must undertake the Local Law Review prior to the sunset period. As previously stated this process has been undertaken well before the sunset period to ensure ample time could be given to effectively complete all the steps required.

**Environmental and Climate Change Considerations**

There are no major environmental considerations associated with the Local Law review process. If the proposal in this report is supported by Council hard copies of the Local Laws will be placed at Council Offices and public libraries. If people want to view the Local Laws they will be also directed to an electronic copy available for viewing on the website to try to minimise the amount of printing and paper use.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected is to consult with the community and includes seeking written comment on the Draft Local Laws 1, 2 and 3. Council Officers will meet with members of the community upon request to discuss any issues they may have.

It is worth highlighting that the community was informed that the review process was being undertaken and invited to make initial comments on the Local Laws in November 2011. This enabled consideration to be given to some issues in the preparation of the first draft of the revised Local Laws in March 2012.

### **Implementation**

If the recommendation made in the report is supported, the following steps will be undertaken to complete the review process over the next six months.

|                       |                                                                                                                                                                                                                                                        |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>April 2013</b>     | The attached Draft of Local Laws 1, 2 and 3 will be released for public comment. Media releases will be issued advising the public of the main changes made to the local laws and inviting comment for a six week period.                              |
| <b>June 2013</b>      | The public comment will be reviewed by the Steering Committee and necessary changes made. Letters sent in response to written submissions explaining outcome. The 4 <sup>th</sup> Draft of Local Laws developed and legal advice obtained if required. |
| <b>July 2013</b>      | 4th Draft of Local Laws 1, 2 and 3 approved by the Steering Committee.                                                                                                                                                                                 |
| <b>August 2013</b>    | Final Draft of Local Laws 1, 2 and 3 submitted to Council for adoption.                                                                                                                                                                                |
| <b>September 2013</b> | New Local Laws 1, 2 and 3 gazetted and implemented.                                                                                                                                                                                                    |

Based on the timeline outlined above the final draft of the revised Local Laws will be submitted to Council for adoption in August 2013. Whilst the timeline will be followed as closely as possible, it should be recognised that by reviewing the local laws well before the statutory deadlines additional time can be taken to complete the process if required to effectively address any issues that may arise.

### **Conclusion**

Council has undertaken a rigorous and timely review of Local Laws 1, 2 and 3. The major changes that are proposed relate to Local Law 2. The restrictions on the numbers of animals that can be kept without a permit are expected to create the most interest but the proposed restrictions will only impact on a relatively small number of animal owners. It is important to highlight that in most cases responsible owners will receive a permit if they have more than the prescribed number of animals for a certain size property as long as it is deemed to be appropriate from both a neighbours amenity and animal welfare perspective. If the proposal in this report is endorsed the Draft Local Laws will be released for a public comment period of six weeks. All written submissions will be considered carefully by the Steering Committee and a response provided prior to the final draft of the Local Laws being submitted to Council for endorsement.

### **Attachments**

1. Draft Consumption of Alcohol in Public Places Local Law 1 March 2013
2. Draft General Local Law 2 March 2013
3. Draft Livestock Local Law 3 March 2013

**Recommendation*****That Council:***

- 1. Endorses the attached Draft Local Laws 1, 2 and 3 to be released for public comment for a period of six weeks.***
- 2. Requests that a further report be provided to Council following an analysis of the consultation process.***

~~~~~v~~~~~



**GENERAL BUSINESS**

| ITEM                      |  |
|---------------------------|--|
| <b><u>OM132703-17</u></b> | <b><u>ASSEMBLY OF COUNCILLORS</u></b>  |
| <b><u>OM132703-18</u></b> | <b><u>MINUTES OF COLAC COMMUNITY LIBRARY AND LEARNING<br/>CENTRE JOINT COMMITTEE</u></b> |



**OM132703-17****ASSEMBLY OF COUNCILLORS**

|             |               |           |           |
|-------------|---------------|-----------|-----------|
| AUTHOR:     | Rhonda Deigan | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive     | FILE REF: | F11/3291  |

**Assembly of Councillors**

A record must be kept of an assembly of Councillors which lists the Councillors attending, the matters discussed, disclosures of conflict of interest and whether a Councillor left the meeting after making a disclosure.

**Definition**

An “assembly of Councillors” is a defined term under section 76AA of the *Local Government Act 1989* (the Act). It is a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

If a meeting fits either of these types, the procedures applying to an assembly of Councillors must be complied with, irrespective of any name or description given to the committee or meeting.

**Advisory Committees**

Section 3(1) of the Act defines an advisory committee to be any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**Councillor briefings**

One type of meeting that is clearly an assembly of Councillors is the type of regular meeting, commonly referred to as a “Councillor Briefing” or similar name where Councillors and staff meet to discuss issues that are likely to come before Council for decision. While these meetings have no authority to make Council decisions, they are generally assemblies of Councillors and subject to conflict of interest disclosures.

**What records are to be kept.**

Section 80A of the Act requires that a record must be kept of an Assembly of Councillors which lists:

- the Councillors and members of Council staff attending;
- the matters discussed;
- disclosures of interest (if any are made); and
- whether a Councillor left the meeting after making a disclosure.

It is a requirement that the record of an assembly is to be reported to the next practicable Council meeting and be included in the minutes of that meeting, instead of being made available for public inspection.

The following Assemblies of Councillors have been held:

- |                                      |                  |
|--------------------------------------|------------------|
| • Central Reserve Advisory Committee | 6 February 2013  |
| • Friends of the Botanic Gardens     | 14 February 2013 |
| • Councillor Induction Tour          | 20 February 2013 |
| • Councillor Workshop                | 26 February 2013 |
| • Councillor Briefing Session        | 27 February 2013 |
| • Lake Colac Coordinating Committee  | 12 March 2013    |
| • Councillor Workshop                | 13 March 2013    |

### **Attachments**

1. Central Reserve Advisory Committee Agenda - 6 February 2013
2. Central Reserve Advisory Committee Assembly of Councillors Record - 6 February 2013
3. Friends of Botanic Gardens - 14 February 2013
4. Councillor Induction Tour - 20 February 2013
5. Councillor Workshop - 26 February 2013
6. Councillor Briefing Session - 27 February 2013
7. Lake Colac Coordinating Committee - 12 March 2013
8. Councillor Workshop - 13 March 2013

### **Recommendation(s)**

***That Council notes the Assembly of Councillors reports for:***

- |  |                                |
|--|--------------------------------|
| • <b><i>Central Reserve Advisory Committee</i></b> | <b><i>6 February 2013</i></b>  |
| • <b><i>Friends of the Botanic Gardens</i></b>     | <b><i>14 February 2013</i></b> |
| • <b><i>Councillor Induction Tour</i></b>          | <b><i>20 February 2013</i></b> |
| • <b><i>Councillor Workshop</i></b>                | <b><i>26 February 2013</i></b> |
| • <b><i>Councillor Briefing Session</i></b>        | <b><i>27 February 2013</i></b> |
| • <b><i>Lake Colac Coordinating Committee</i></b>  | <b><i>12 March 2013</i></b>    |
| • <b><i>Councillor Workshop</i></b>                | <b><i>13 March 2013</i></b>    |

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OM132703-18

**MINUTES OF COLAC COMMUNITY LIBRARY AND  
LEARNING CENTRE JOINT COMMITTEE**

AUTHOR:	Colin Hayman	ENDORSED:	Rob Small
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

**Colac Community Library and Learning Centre (CCLLC) Joint Committee**

It has been previously agreed to by Council that the minutes of the Joint Committee should be included in the Council agenda once any confidential items have been identified and the minutes have been confirmed by the Committee.

The minutes of the 17 October 2012 meeting of the Joint Committee are attached.

**Attachments**

1. Joint Committee Minutes 17102012

**Recommendation(s)**

***That Council notes the minutes of the Colac Community Library and Learning Centre (CCLLC) Joint Committee for 17 October 2012.***

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## IN COMMITTEE

### **Recommendation**

***That pursuant to the provisions of Section 89(2) of the Local Government Act, the meeting be closed to the public and Council move “In-Committee” in order to adopt the Minutes of the In-Committee Council Meeting held on 27 February 2013.***



# ORDINARY COUNCIL MEETING

WEDNESDAY, 27 MARCH 2013

## ATTACHMENTS

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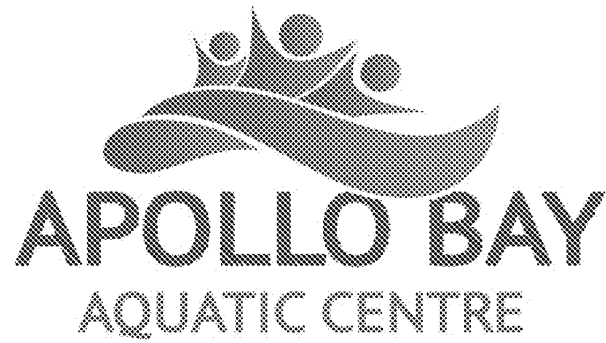
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# Proposal:

## Apollo Bay Aquatic Centre

**The Proposal put forward by the Aquatic Centre Committee is to achieve funding and ongoing support for the construction of a new heated indoor swimming pool for Apollo Bay.**

February 2013  
Apollo Bay Aquatic Centre Inc  
Email: [jane.gross@pobox.com](mailto:jane.gross@pobox.com)

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# *Proposal: Apollo Bay Aquatic Centre*

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## ***Business Overview***

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### ***Proposal***

The Proposal put forward by the Aquatic Centre Committee is to achieve funding and ongoing support for the construction of a new heated indoor swimming pool and concourse, adjacent to the existing Leisure Centre and pool at the Apollo Bay P12 school site.

The new facility that is proposed includes a 25 metre x 11.5 metre, 4 lane plus ramp entry lane heated pool with change areas for swimmers and a lobby/administration and kiosk area.

### ***Need***

The new pool facility for Apollo Bay is proposed to meet the health and education needs of the community. It will also cater for the needs of a significant and expanding tourist population throughout the year.

In 2010, the Apollo Bay Community Bank Board identified the construction of a heated indoor pool as a major community project to pursue. During the Bank's creation, the results of a community poll showed, of 31 identified needs in the community, a heated pool for Apollo Bay gained the most support and was the top priority for 42% of survey respondents.

The community has also identified the need for a heated pool as a high priority. In a recent survey in Apollo Bay (August 2011 Sport & Leisure Solutions) 95% of respondents highlighted the importance for an aquatic facility to be built in Apollo Bay citing these reasons:

- Access to learn-to-swim, rehabilitation, hydrotherapy, lap-swimming and exercise activities are currently not available in Apollo Bay, despite the fact that Apollo Bay's ocean location requires adequate aquatic education, to minimize the risk of drowning, which cannot be provided in cold water.
- The nearest indoor facilities are in Lavers Hill and Colac necessitating a substantial journey of two to three hours each round trip for Apollo Bay residents to access these services with associated financial and time costs.
- Low income households don't have the choice of traveling to use facilities because of limited resources. Compared to the Victorian Average, the cost of fuel is higher in Apollo Bay, as is the cost of living for shopping and for long term rental, a result of the town's isolation.
- The existing twenty three year old outdoor pool has a limited life. It has never met the community's health needs because it is just too cold. Apollo Bay's climate directly dictates the need for an indoor heated pool.

- The existing outdoor pool is only open over the summer months for very limited hours, for a total of less than 400 hours per year. The school has access but usage is limited by the weather to a couple of weeks in December and four weeks in February.
- Apollo Bay has an ageing population. ABS forecasts indicate that the demand for warm water based exercise classes and lap swimming to maintain fitness levels will increase. However, they cannot be met by the distant facilities in Colac or Lavers Hill.

### ***Aims of the Proposal***

- To gain the ongoing financial support of Colac Otway Shire and their commitment to pursue all available capital funding opportunities from State & Federal governments for the construction of a heated indoor pool at the school site in Apollo Bay as soon as possible.
- To achieve Colac Otway Shire Council's recognition of the deficiency in provision of community infrastructure for the Apollo Bay community compared to Colac. This is particularly evident in relation to ongoing support for recreational facilities and reflects the inequity in the distribution of rate income versus service provision. The distribution of rate revenue of the Colac Otway Shire in 2010/2011 indicated that the Coastal area of Apollo Bay, Marengo and Skenes Creek provided 24% of the total rate income (excluding municipal charges, garbage charges, special rates & charges).
- To support Colac Otway Shire's vision of 'a sustainable community with a vibrant future'.

### ***Customers***

The Aquatic Centre will cater to a broad spectrum of age groups and needs, including:

- pregnant women, mothers and babies, toddlers and preschoolers who will use the centre for recreational swimming ensuring children are taught to swim
- school students for learn to swim, life saving training and recreational swimming
- athletes and sporting club members for lap swimming and regular exercise
- the elderly and those rehabilitating from injury or illness for gentle water based exercise and fitness
- visitors for recreational swimming and to keep fit particularly when the ocean is not a viable option due to inclement weather
- Apollo Bay is central for the majority of people in the local catchment of approximately 2800 residents.
- Since 65% of houses in Apollo Bay are owned by non-residents, the Aquatic Centre will also provide services to the non-resident ratepayers who visit the town regularly throughout the year during weekends and holiday periods.
- In summer, Apollo Bay's population swells to 15,000 over the peak holiday season, providing substantially more demand for an indoor aquatic facility at this time and also during Easter and school holidays.

### ***Objectives of the Centre***

The Aquatic Centre objectives are to provide an indoor heated pool facility that :

- is a highly visible building and a pleasing environment to use
- meets the health, educational, social and recreational needs of the community
- locals, tourists and weekend visitors can access year round seven days per week.

### ***Success Criteria***

The Aquatic Centre Committee will be successful if:

- State and/or Federal government/s agree to a partnership in capital cost funding
- Colac Otway Shire makes an ongoing financial commitment to the running costs of the pool facility
- there are strong pool patronage figures from residents, non-resident regulars and tourists
- there is an increase in aquatic programs offered to the community by the school and Otway Health
- there is increased participation in sport due to increased fitness
- Apollo Bay is a healthier community with a lessening incidence of obesity, diabetes and depression; and easing of symptoms associated with ageing, such as, arthritis

### ***Business constraints***

The success of the proposal is limited by:

- the capacity to achieve the capital funding necessary for construction of the facility
- the ongoing availability of funding from Colac Otway Shire to support the Aquatic Centre's operations
- the ability to achieve Colac Otway Shire's ongoing support for the proposal and their ability to attract funding.

## ***Construction of the Facility***

---

### ***Description***

The Apollo Bay Aquatic Centre proposal is the construction of a 25 metre x 11.5 metre indoor heated pool with supporting infrastructure.

The pool depth is planned to be 1 metre at the shallow end increasing to 1.4 metres at the deep end to cater for a range of uses, namely - hydrotherapy, learn to swim and lap swimming.

The Facility will include a ramp entry lane, pool plant room, changing rooms, toilets and showers for both able-bodied and disabled persons and a small combined administrative and kiosk area. See Drawings on following pages.

### ***Site***

The proposed site is to the north of the existing outdoor pool and existing sports stadium (Leisure Centre) located at the Apollo Bay P12 College in Costin Street, Apollo Bay.

The site slopes gently down to the east from Costin Street and apart from a stand of established eucalypts along the northern boundary the site is a maintained grass area.

A vertical vegetation wall immediately west of the building will soften the visual impact of the basic building structure and fit well with the existing trees to the north of the site.

### ***Design elements***

A simple well-insulated building is proposed with laminated steel panels and translucent multi cell extruded polycarbonate window walls. This will allow a quick construction time and provide an energy efficient and bright, naturally lit building.

The building is oriented on an east/west axis providing maximum exposure to the available northern sunlight in winter. It is considered important to provide a comfortable and welcoming environment in order to encourage regular and repeated use in the colder months.

The new facility is positioned so that both pools will form an integrated Aquatic precinct.

### ***Environmental considerations***

Environmental considerations will include harnessing solar energy to supplement electricity and the gas pool heating system, capturing rain water for water recovery and treatment of pool waste water to be used for irrigation during summer months. Dehumidification of the enclosure and exhaust air heat recovery could significantly reduce energy costs and improve the environmental performance of the building. Waste heat from the pool water heating system may be able to be used to heat the building.

### ***Car parking***

Car parking is provided north of the proposed site and east of the existing community garden as shown on Site Plan below. If the total footprint of the new pool structure is taken to be the site area, the Shire's planning scheme requires the provision of 50 car parks. However, parking requirements may need to be negotiated with the Shire.

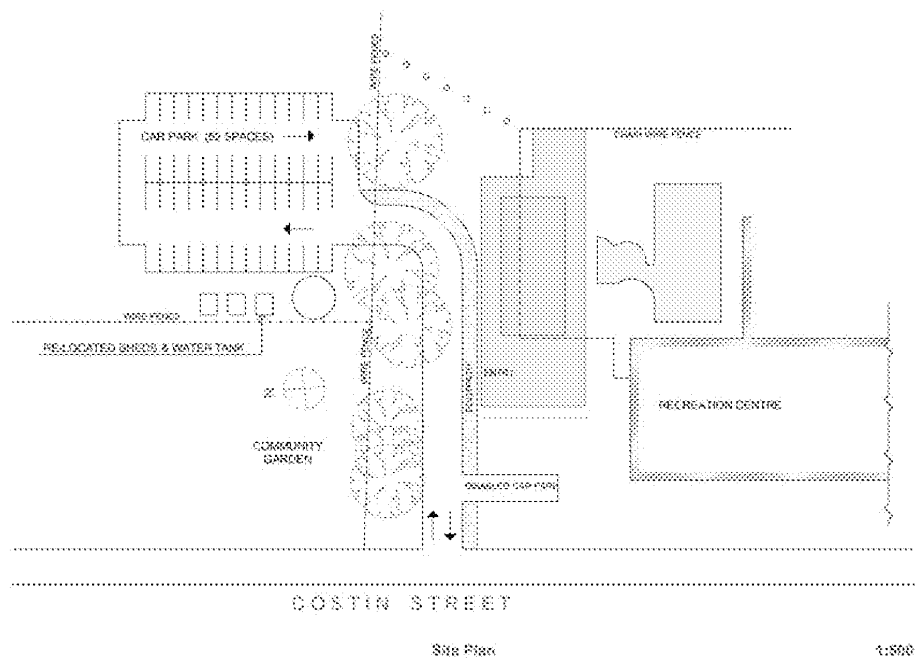
### ***Concept plans***

The following concept plans were prepared by John Riches and include:

- Site Plan
- Pool Deck Plan
- Interior View
- Elevations – North, West Section AA
- Exterior View

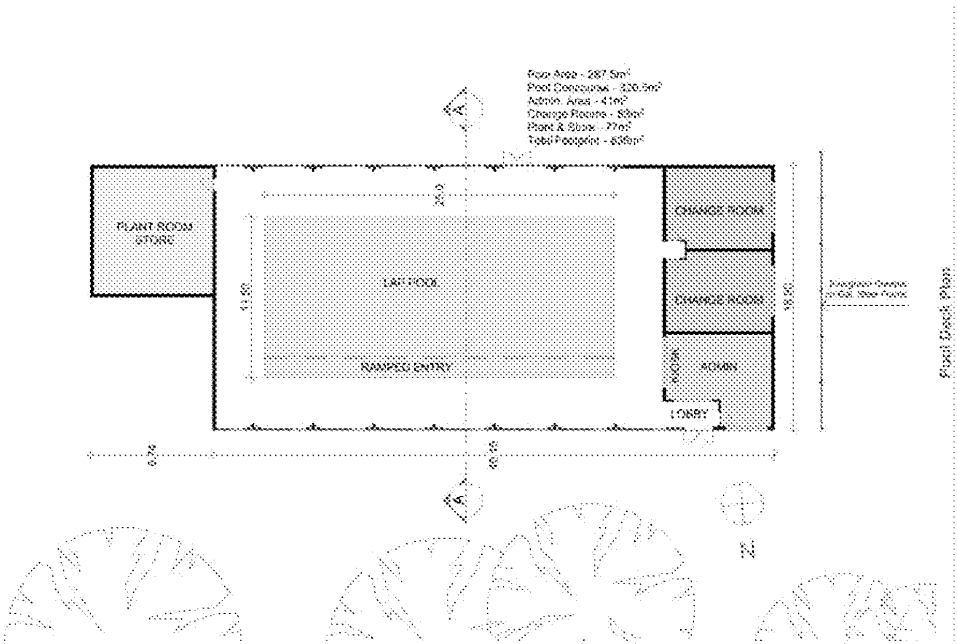
The plans do not include all detail but provide a conceptual representation of the proposed facility.

### **Site Plan**

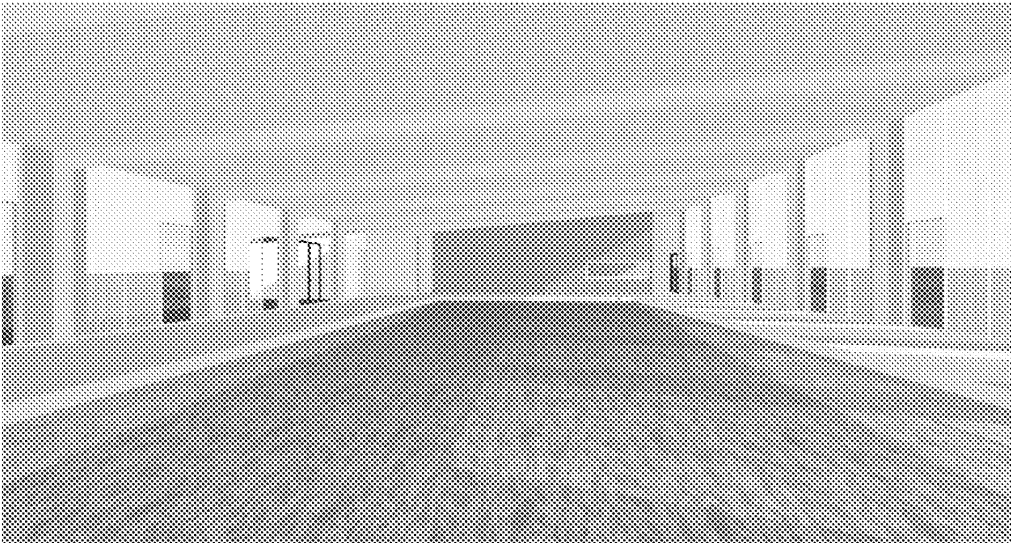


John Riches

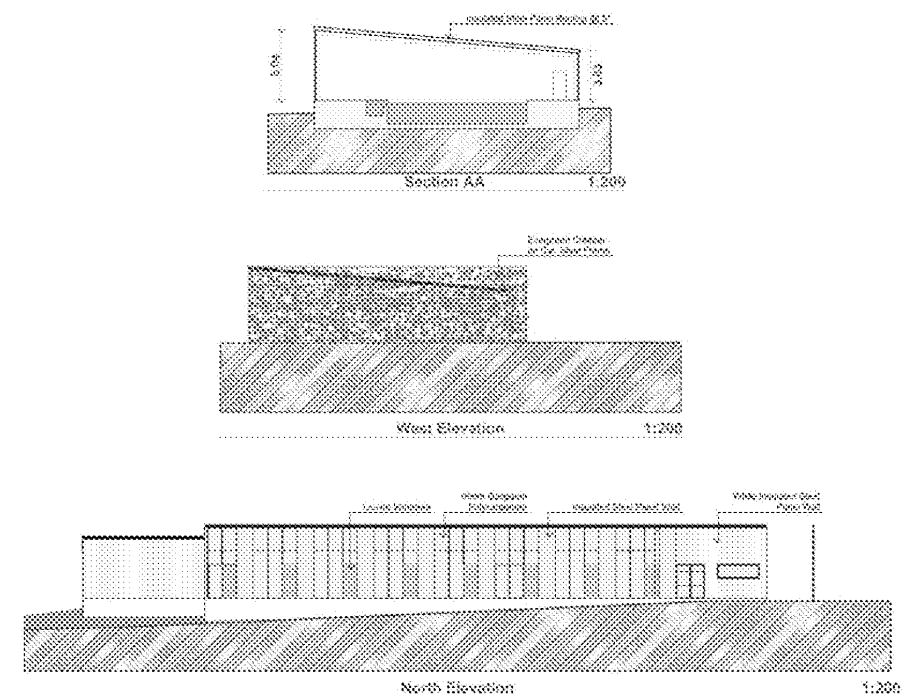
Deck Plan



Interior View

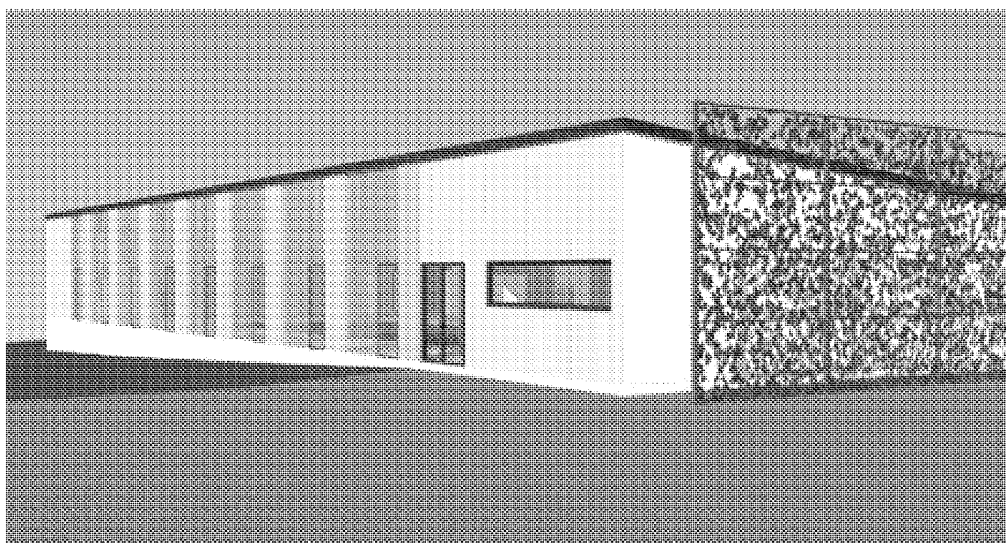


## Elevations



John Rennie

## Exterior View



### **Construction Costs**

The capital cost to construct the facility as proposed is \$2.65M plus \$0.36M for the 52 car formalised car park.

These costs are based on the Feasibility Cost Plan prepared by North Projects Pty Ltd, Melbourne. The Apollo Bay Aquatic Centre Committee met Tim Hogg (North Projects) on the school site to determine the most appropriate way to achieve an indoor heated pool on the site. To this end, he itemized costings for various options, namely

- Base program pool
- New change rooms
- Lobby/Admin
- Refurbish/Expand Existing Change Rooms in Leisure Centre
- Roof over Existing Pool and Repave Pool Concourse
- Raise Pool and Reline, Raise concourse
- Carpark

Please refer to Covering letter dated 5 February 2013 – Attachment 1, page 21;  
Apollo Bay Aquatic Centre Feasibility Option 3B - Attachment 2 page 22;.

The Committee took advice that roofing the existing twenty three year old outdoor pool was unwise, fraught with problems and in the vicinity of \$1M to achieve plus another \$1M to raise the pool and concourse and reline the pool.

## **Operating Model**

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### **Ownership**

Colac Otway Shire will be the legal owner of the facility for the duration of the long term lease agreement with the landowner, the Department of Education and Early Childhood Development.

### **Governance**

Whilst the proposed facility is located on Department of Education and Early Childhood Development land, it is anticipated that Colac Otway Shire will be the manager and operator of the facility. It is envisaged that the Apollo Bay Aquatic Centre Committee will act as a liaison group to the Council. The management model for the facility will be decided by the Colac Otway Shire. The proposed business model identifies that management of the facility would sit within the current Bluewater Fitness Centre structure.

The Apollo Bay Aquatic Centre Committee has made enquiries to the YMCA and Belgravia Leisure to gauge their interest in managing the facility. The response from both was that as a stand alone facility it would not be of interest as currently neither manage any nearby facilities. However, both indicated their interest in the possibility of a 'fee for service' contract to manage two facilities in the Shire, Apollo Bay Aquatic Centre and Blue Water Fitness Centre in Colac and would welcome the opportunity to quote for such a contract. Contract management obviously comes with a management fee and therefore would not necessarily be a cheaper alternative than Council operating the facility.

Research into the operational model employed at Lavers Hill clearly indicates its unsuitability for Apollo Bay. The Royal Life Saving Society Australia (RLSSA) Guidelines for Safe Pool Operation and the Department of Education and Early Childhood Development (DEECD) Swimming Pools Hazard Guide clearly state the importance of qualified supervision whenever a pool is in use in order to adequately manage the risks. Best practice, which would be referred to in a court of law if any accident or incident occurred at the pool, indicates there is no substitute for supervision. For members of the local community and visitors to Apollo Bay to have safe, consistent access to the pool adequate qualified staffing at all times is essential.

### **Facility Capacity**

167 people will comfortably fit in the facility at one time, based on one person per 1.5 square metres as specified in the National Construction Code (NCC) Vol 1 2011

### **Opening hours**

The new indoor facility will open 8 hours per day all year round. 56 hours per week, a total of 2912 hours per annum.

The financial forecasts (page 17) are based on the following proposed opening hours:

|                      |                             |
|----------------------|-----------------------------|
| Monday to Friday:    | 6 am to 11 am; 4 pm to 7 pm |
| Saturday and Sunday: | 8 am to 4 pm                |

In addition, the existing outdoor pool will open for 16 weeks from December to March for 39 hours per week, a total of 624 hours per annum, based on the following proposed opening hours:

|                      |                            |
|----------------------|----------------------------|
| Monday to Friday:    | 6 am to 8 am; 4 pm to 7 pm |
| Saturday and Sunday: | 12 pm to 6.30 pm.          |

## Staffing Model

### Required Positions

Life Saving Victoria requires 2 lifeguard qualified staff in the open facility at all times. This can be a combination of Manager and Lifeguard or Customer Service Officer and Lifeguard. So 2 trained Lifeguards will be on duty at any time, one being at reception.

- **Facility Coordinator** ( lifeguard trained ) responsible for managing the facility in conjunction with Blue Water Fitness Centre. The Coordinator will be located full time at Apollo Bay to be paid at Band 5A wages, independent of the number of opening hours of the facility. 28 hours of the 38 hour week is on reception.

- **Lifeguards** based on RLSSA (Royal Life Saving Australia)  
Guidelines for Safe Pool Supervision

- **1 PPT** to work 30 minutes either side of opening hours 68 hours per week all year round

- **1 Casual** for limited season for opening hours for outdoor pool 39 hours pw for 16 weeks plus an allowance of 20 hours in January for an additional lifeguard in the summer season if required (5 sessions of 4 hours)

- **Customer Service Officer** ( lifeguard trained) same hours as PPT Lifeguard above, total of 68 hours per week, less 28 hours per week when Coordinator is on reception, that is, 40 hours per week..

- **Aquatic Programs Lifeguard Casual** as required comprising

- **Learn To Swim** at capacity - salary cost \$10,400 pa

- Based on      average 20 x 30 minute classes per week  
                         average 100 hours per term, 400 hours pa

- **Schools** - salary cost \$10,400 pa

- Based on      average 8 children per 45 minute class  
                         17 classes per week Terms 1 & 4 (140 children)  
                         3 classes per week Terms 2 & 3 ( 20 children)  
                         340 classes Terms 1 & 4  
                         + 60 classes Terms 2 & 3  
                         = 400 classes pa  
                         total 400 hours pa, includes setup/packup  
                         (minimum staffing time)

- **Birthday Parties** - Salary cost \$676 pa

- Based on      1 hour party  
                         26 parties pa

**Position Hours & Rates**

|  | Rate/hour<br>incl oncosts | Hours/wk | Hours pa | Salary pa<br>Incl oncosts |
|--|---------------------------|----------|----------|---------------------------|
| Facility Coordinator                           |                           | 38       |          | \$ 70,000                 |
| Lifeguard PPT                                  | \$26                      | 68       |          | \$ 91,936                 |
| Lifeguard Casual                               | \$26                      |          | 644      | \$ 16,744                 |
| Customer Service Officer                       | \$26                      | 40       |          | \$ 54,080                 |
| Aquatic Programs Staff                         | \$26                      | 826      |          | \$ 20,436                 |
| Total (incl limited season outdoor pool staff) |                           |          |          | \$253,196                 |

Please refer to page 17 -18 :

**Apollo Bay Aquatic Centre – Financial Forecast – Apollo Bay College Site**

prepared in conjunction with Colac Otway Shire Recreation, Arts & Culture Manager,  
Ian Seuren and Blue Water Fitness Manager, Russell Whiteford.

## **Revenue sources**

### **Fee Structure**

#### **Casual Swimming**

This refers to lap swimmers & leisure usage. Most pool patronage is expected to be from Members rather than Casuals, based on the experience of other facilities. The following figures are at capacity.

|            | Cost per visit | Average visit p/hr | Total Income pa | Visitation(hrs open) |
|------------|----------------|--------------------|-----------------|----------------------|
| Adults     | \$5            | 1                  | \$14,560        | 2912                 |
| Child      | \$4            | 1                  | \$11,648        | 2912                 |
| Family .   | \$15           | 0.25               | \$10,920        | 728                  |
| Concession | \$4            | 1                  | \$11,648        | 2912                 |
| Total      |                | 3.25               | <b>\$48,776</b> | 9464                 |

#### **Memberships**

Total capacity is based on 200 members @ \$40 per month, **\$96,000 per annum**

|                               |                |
|-------------------------------|----------------|
| Adult                         | \$40 per month |
| Concession                    | \$35 per month |
| Family                        | \$65 per month |
| Child                         | \$25 per month |
| - Family of 2 adults & 2 kids |                |

#### **Friends of the Pool**

This was a suggestion from the Public Forum held in December 2012, whereby some patrons elect to pay a higher membership fee, possibly \$20 extra per month to ensure the pool's viability and longevity. This concept is not included in the financial forecasting.

#### **Motel Packages**

Another suggestion from the Public Forum is to offer pool entry with motel bookings. This is a clever marketing suggestion, already implemented in other communities and offers a partnership with accommodation providers.

#### **Anticipated Consumer Numbers**

The Financial Forecast figures attached conservatively represent :

Casual Swimming based on

- 65% uptake Year 1
- 75% uptake Year 2
- 80% uptake Year 3

Adult memberships based on:

- 50% uptake Year 1 - 100 memberships
- 55% uptake Year 2 - 110 memberships
- 60% uptake Year 3 - 120 memberships

**Other Revenue Sources**

**Pool Hire** estimated total income **\$9,600 per annum**

**Otway Health & Community Services** estimated income **\$6,000 per annum**  
comprising Water Aerobics class 40 weeks pa and Mothers and Babies class 20 weeks pa

Based on 5 classes per week  
6 people per class  
\$20 per hour hire

**Swimming club** estimated income **\$3600 per annum**

Based on 3 swims per week  
10 members  
\$3 each for lane hire  
40 wks pa

**Aquatic Programs** estimated total income **\$64,480 per annum** comprising:

**Learn To Swim (LTS)** estimated income **\$44,000 pa** at capacity achieved in Year 4

Year 1 90% uptake, Year 2 95% uptake, Year 3 98% uptake.

Based on average 5 children per class  
30 minute classes  
average 100 children per week  
cost \$11 per class/ \$110 per term

**School** estimated income **\$18,400 pa**

Based on average 8 children per class  
45 minute classes  
140 children Terms 1 & 4 @ \$6 per class  
20 children Terms 2 & 3 @ \$4 per class

**Birthday Parties** estimated income **\$2,080 pa**

Based on 1 party per week for 26 weeks per year  
8 people per party  
cost \$10 per person

**Kiosk Income** estimated total profit **\$14,560 pa**

Based on sales \$100 per day/ \$700 per week  
Total income \$36,400 pa  
cost of goods sold 60% COS  
Total expenses \$21,840

**Merchandise Income** estimated total profit **\$1,456 pa**

Based on sales \$10 per day/\$70 per week  
Total income \$3,640 pa  
cost of goods sold 60% COS  
Total expenses \$2,184

**Sponsorship Agreements** total of **\$3,500** local businesses, conservative estimate.

**Sundry** estimated total of **\$2,000** Eg vending machine

## **Expenditure**

---

### **Annual Staff costs**

|                              |            |
|------------------------------|------------|
| Facility Coordinator         | \$ 70,000  |
| Lifeguards                   | \$ 108,680 |
| Aquatic Programs             | \$ 20,436  |
| Customer Service Officers    | \$ 54,080  |
| Staff Training & Development | \$ 4,000   |
| Uniforms                     | \$ 3,000   |
| First Aid Equipment          | \$ 2,000   |

Total Staff Costs                      \$262,196

Please refer to *Staffing Model* above for details of staff wages.

**Merchandise and Kiosk Cost of Sales** see above **Other Revenue Sources**.

**For all other expenses** please refer to **Apollo Bay Aquatic Centre – Financial Forecast – Apollo Bay College site** over page which includes the following:

**Telephone and Internet**

**Printing and Stationery**

**Licences**

**Utilities Electricity, Gas, Water** Based on a conservative estimate given that alternative energy has the capacity to significantly reduce running costs. This will be thoroughly explored during the detailed design stage.

**Cleaning**

**Insurance** Based on the facility managed and operated by Council, as proposed. This includes asset insurance, impact on Workcover premium, and Public Liability, Directors' and Officers' liability.

**Maintenance Plant-service agreements, Buildings, Rubbish Removal,  
Pool Chemicals**

**Marketing and Promotion**

**Miscellaneous Contingency**

The running costs of the Facility are estimated at around \$300,000 in the first years based on conservative estimates of percentage capacity, see following table.

### Apollo Bay Aquatic Centre - FINANCIAL FORECAST - Apollo Bay College Site

| Estimated Operating Income             | Year 1           | Year 2           | Year 3           | Year 4           | Year 5           |
|--|------------------|------------------|------------------|------------------|------------------|
| <b>Operating Income</b>                |                  |                  |                  |                  |                  |
| Adult                                  | \$9,464          | \$10,920         | \$11,648         | \$12,376         | \$12,813         |
| Child                                  | \$7,571          | \$8,736          | \$9,318          | \$9,901          | \$10,250         |
| Family                                 | \$7,098          | \$8,190          | \$8,736          | \$9,282          | \$9,610          |
| Concession                             | \$7,571          | \$8,736          | \$9,318          | \$9,901          | \$10,250         |
| <b>Programs</b>                        |                  |                  |                  |                  |                  |
| Program Pool                           | \$9,600          | \$10,560         | \$11,616         | \$12,778         | \$14,055         |
| <b>Centre Memberships</b>              |                  |                  |                  |                  |                  |
| Aquatic membership                     | \$48,000         | \$54,384         | \$59,328         | \$62,294         | \$65,261         |
| <b>Aquatic Programs</b>                |                  |                  |                  |                  |                  |
| Learn To Swim                          | \$39,600         | \$41,800         | \$43,120         | \$44,000         | \$45,320         |
| LTS Schools                            | \$18,400         | \$18,952         | \$19,521         | \$20,106         | \$20,709         |
| Birthday Parties                       | \$2,080          | \$2,184          | \$2,293          | \$2,408          | \$2,480          |
| <b>Other Income</b>                    |                  |                  |                  |                  |                  |
| Kiosk Income                           | \$36,400         | \$38,220         | \$40,131         | \$42,138         | \$43,402         |
| Merchandise Income                     | \$3,640          | \$3,822          | \$4,013          | \$4,214          | \$4,340          |
| Sponsorship Agreements                 | \$2,000          | \$2,060          | \$2,122          | \$2,185          | \$2,251          |
| Sundry Income                          | \$2,000          | \$2,060          | \$2,122          | \$2,185          | \$2,251          |
| <b>Total Operating Income Forecast</b> | <b>\$193,424</b> | <b>\$210,624</b> | <b>\$223,286</b> | <b>\$233,768</b> | <b>\$242,992</b> |

| Estimated Operating Expenditure   | Year 1           | Year 2           | Year 3           | Year 4           | Year 5           |
|-----------------------------------|------------------|------------------|------------------|------------------|------------------|
| <b>Staff Costs</b>                |                  |                  |                  |                  |                  |
| Manager/Coordinator               | \$70,000         | \$72,100         | \$74,263         | \$76,491         | \$78,786         |
| Lifeguard Costs                   | \$108,680        | \$111,940        | \$115,299        | \$118,758        | \$122,320        |
| Aquatic Programs                  | \$20,436         | \$20,810         | \$21,046         | \$21,476         | \$22,120         |
| Customer Service Officers         | \$54,080         | \$55,702         | \$57,373         | \$59,095         | \$60,868         |
| Staff training & Development      | \$4,000          | \$4,180          | \$4,368          | \$4,565          | \$4,759          |
| Uniforms                          | \$3,000          | \$1,500          | \$2,000          | \$2,090          | \$2,179          |
| First aid Equipment               | \$2,000          | \$1,000          | \$1,030          | \$1,061          | \$1,093          |
| <b>Merchandise Cost of Sales</b>  |                  |                  |                  |                  |                  |
|                                   | \$2,184          | \$2,250          | \$2,317          | \$2,387          | \$2,458          |
| <b>Kiosk Cost of Sales</b>        |                  |                  |                  |                  |                  |
|                                   | \$21,840         | \$22,932         | \$24,079         | \$25,283         | \$26,041         |
| Telephone & Internet              | \$4,000          | \$4,120          | \$4,244          | \$4,371          | \$4,502          |
| Printing and Stationery           | \$4,000          | \$4,120          | \$4,244          | \$4,371          | \$4,502          |
| Licences                          | \$3,000          | \$3,090          | \$3,183          | \$3,278          | \$3,377          |
| Utilities                         |                  | 5% ↑ p.a.        | 5% ↑ p.a.        | 5% ↑ p.a.        | 5% ↑ p.a.        |
| Electricity                       | \$40,000         | \$42,000         | \$44,100         | \$46,305         | \$48,620         |
| Gas                               | \$45,000         | \$47,250         | \$49,613         | \$52,093         | \$54,698         |
| Water                             | \$12,000         | \$12,600         | \$13,230         | \$13,892         | \$14,586         |
| Cleaning                          | \$20,000         | \$20,600         | \$21,218         | \$21,855         | \$22,510         |
| Insurance                         | \$15,000         | \$15,450         | \$15,914         | \$16,391         | \$16,883         |
| <b>Maintenance</b>                |                  |                  |                  |                  |                  |
| Plant-service agreements          | \$5,000          | \$5,150          | \$5,305          | \$5,464          | \$5,628          |
| Buildings                         | \$30,000         | \$30,900         | \$31,827         | \$32,782         | \$33,765         |
| Rubbish removal                   | \$5,000          | \$5,150          | \$5,305          | \$5,464          | \$5,628          |
| Pool Chemicals                    | \$12,000         | \$12,360         | \$12,731         | \$13,113         | \$13,506         |
| Marketing and promotion           | \$10,000         | \$10,300         | \$10,609         | \$10,927         | \$11,255         |
| Miscellaneous Contingency         | \$3,000          | \$3,090          | \$3,183          | \$3,278          | \$3,377          |
| <b>Total Expenditure Forecast</b> | <b>\$494,220</b> | <b>\$508,595</b> | <b>\$526,478</b> | <b>\$544,786</b> | <b>\$563,459</b> |
| <b>Total Cash Position</b>        |                  |                  |                  |                  |                  |
|                                   | <b>\$300,796</b> | <b>\$297,971</b> | <b>\$303,191</b> | <b>\$311,018</b> | <b>\$320,466</b> |

### Apollo Bay Aquatic Centre - FINANCIAL FORECAST - Apollo Bay College Site

| Estimated Operating Income             | Year 6           | Year 7           | Year 8           | Year 9           | Year 10          |
|--|------------------|------------------|------------------|------------------|------------------|
| <b>Swim</b>                            |                  |                  |                  |                  |                  |
| Adult                                  | \$13,197         | \$13,593         | \$14,001         | \$14,421         | \$14,854         |
| Child                                  | \$10,558         | \$10,874         | \$11,201         | \$11,537         | \$11,883         |
| Family                                 | \$9,898          | \$10,195         | \$10,501         | \$10,816         | \$11,140         |
| Concession                             | \$10,558         | \$10,874         | \$11,201         | \$11,537         | \$11,883         |
| <b>Pool</b>                            |                  |                  |                  |                  |                  |
| Program Pool                           | \$14,758         | \$15,496         | \$16,271         | \$17,084         | \$17,939         |
| <b>Other Revenues</b>                  |                  |                  |                  |                  |                  |
| Aquatic membership                     | \$68,227         | \$70,205         | \$72,182         | \$74,160         | \$76,138         |
| <b>Aquatic Programs</b>                |                  |                  |                  |                  |                  |
| Learn To Swim                          | \$46,680         | \$48,080         | \$49,522         | \$51,008         | \$52,538         |
| LTS Schools                            | \$21,331         | \$21,971         | \$22,630         | \$23,309         | \$24,008         |
| Birthday Parties                       | \$2,554          | \$2,631          | \$2,710          | \$2,791          | \$2,875          |
| <b>Other Income</b>                    |                  |                  |                  |                  |                  |
| Kiosk Income                           | \$44,704         | \$46,045         | \$47,426         | \$48,849         | \$50,314         |
| Merchandise Income                     | \$4,470          | \$4,604          | \$4,743          | \$4,885          | \$5,031          |
| Sponsorship Agreements                 | \$2,319          | \$2,388          | \$2,460          | \$2,534          | \$2,610          |
| Sundry Income                          | \$2,319          | \$2,388          | \$2,460          | \$2,534          | \$2,610          |
| <b>Total Operating Income Forecast</b> | <b>\$251,573</b> | <b>\$259,344</b> | <b>\$267,308</b> | <b>\$275,465</b> | <b>\$283,623</b> |

| Estimated Operating Expenditure   | Year 6                      | Year 7                      | Year 8                      | Year 9                      | Year 10                      |
|-----------------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|------------------------------|
| <b>Staff Costs</b>                |                             |                             |                             |                             |                              |
| Manager/Coordinator               | \$81,149                    | \$83,584                    | \$86,091                    | \$88,674                    | \$91,334                     |
| Lifeguard Costs                   | \$125,990                   | \$129,770                   | \$133,663                   | \$137,673                   | \$141,803                    |
| Aquatic Programs                  | \$22,784                    | \$23,467                    | \$24,171                    | \$24,897                    | \$25,643                     |
| Customer Service Officers         | \$62,694                    | \$64,574                    | \$66,512                    | \$68,507                    | \$70,562                     |
| Staff training & Development      | \$4,961                     | \$5,172                     | \$5,392                     | \$5,621                     | \$5,860                      |
| Uniforms                          | \$2,271                     | \$2,368                     | \$2,469                     | \$2,574                     | \$2,683                      |
| First aid Equipment               | \$1,126                     | \$1,159                     | \$1,194                     | \$1,230                     | \$1,267                      |
| <b>Marketing and Sales</b>        |                             |                             |                             |                             |                              |
| Marketing Cost of Sales           | \$2,532                     | \$2,608                     | \$2,686                     | \$2,767                     | \$2,850                      |
| Kiosk Cost of Sales               | \$26,822                    | \$27,627                    | \$28,456                    | \$29,309                    | \$30,189                     |
| Telephones & Internet             | \$4,637                     | \$4,776                     | \$4,919                     | \$5,067                     | \$5,219                      |
| Printing and Stationery           | \$4,637                     | \$4,776                     | \$4,919                     | \$5,067                     | \$5,219                      |
| Litres                            | \$3,478                     | \$3,582                     | \$3,690                     | \$3,800                     | \$3,914                      |
| Utilities                         |                             | 5% ↑ p.a.                   | 5% ↑ p.a.                   | 5% ↑ p.a.                   | 5% ↑ p.a.                    |
| Electricity                       | \$51,051                    | \$53,604                    | \$56,284                    | \$59,098                    | \$62,053                     |
| Gas                               | \$57,433                    | \$60,304                    | \$63,320                    | \$66,485                    | \$69,810                     |
| Water                             | \$15,315                    | \$16,081                    | \$16,885                    | \$17,729                    | \$18,616                     |
| <b>Operating</b>                  | <b>\$23,185</b>             | <b>\$23,881</b>             | <b>\$24,597</b>             | <b>\$25,335</b>             | <b>\$26,095</b>              |
| <b>Insurance</b>                  | <b>\$17,389</b>             | <b>\$17,911</b>             | <b>\$18,448</b>             | <b>\$19,002</b>             | <b>\$19,572</b>              |
| <b>Maintenance</b>                |                             |                             |                             |                             |                              |
| Plant-service agreements          | \$5,796                     | \$5,970                     | \$6,149                     | \$6,334                     | \$6,524                      |
| Buildings                         | \$34,778                    | \$35,822                    | \$36,896                    | \$38,003                    | \$39,143                     |
| Rubbish removal                   | \$5,796                     | \$5,970                     | \$6,149                     | \$6,334                     | \$6,524                      |
| Pool Chemicals                    | \$13,911                    | \$14,329                    | \$14,758                    | \$15,201                    | \$15,657                     |
| <b>Marketing and promotion</b>    | <b>\$11,593</b>             | <b>\$11,941</b>             | <b>\$12,299</b>             | <b>\$12,668</b>             | <b>\$13,048</b>              |
| <b>Miscellaneous Contingency</b>  | <b>\$3,478</b>              | <b>\$3,582</b>              | <b>\$3,690</b>              | <b>\$3,800</b>              | <b>\$3,914</b>               |
| <b>Total Expenditure Forecast</b> | <b>\$582,806</b>            | <b>\$602,658</b>            | <b>\$623,637</b>            | <b>\$645,175</b>            | <b>\$667,499</b>             |
| <b>Total Cash Position</b>        | <b>Year 1</b><br>-\$331,233 | <b>Year 7</b><br>-\$343,514 | <b>Year 8</b><br>-\$356,329 | <b>Year 9</b><br>-\$369,710 | <b>Year 10</b><br>-\$383,676 |

## Conclusion

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### Benefits

The Aquatic Centre will primarily address the much needed health, well-being and education needs of the residents of Apollo Bay and its surrounding community.

These needs and benefits include:

- the provision of therapy for injuries and illness
- the provision of specific exercise programs to address the needs of various user groups in the community e.g. elderly people, pregnant women
- the provision of a safe, comfortable learn to swim environment and regular exercise classes to ensure all children can swim safely.
- the availability of a community hub for recreational and lap swimming and a social space for young people, mothers and children and the elderly to connect

### Why support the development of a heated indoor pool complex now?

The Apollo Bay Aquatic Centre Inc association has over **400 members** and it is community driven with extensive long-term community support.

Approximately **800 signatures** appear on the Petition supporting the Apollo Bay Aquatic Centre – see Attachment separate to this document

- The Aquatic Centre offers **numerous health and education benefits** and opportunities for social intercourse for all ages.
- Apollo Bay's isolation can be directly addressed by this indoor pool project. It contributes to **maintaining Apollo Bay's liveability** by retaining its current residents and attracting new residents, thus **contributing to rate revenue** into the future.
- The provision of an indoor heated pool in Apollo Bay directly supports Council's vision for ensuring a sustainable community with a vibrant future
- The Aquatic Centre will **provide employment and training** for members of the local community. The wages component of the running costs of the facility will considerably boost the local economy by a quarter of a million dollars annually.
- The provision of adequate aquatic facilities in the town will **ease the cost, time and hardship** incurred by travelling to existing facilities at substantial distances from Apollo Bay.
- The **existing outdoor pool** at the school has a limited life and maintenance issues will need to be addressed in the not so distant future.
- The indoor heated pool will not only service the resident population of Apollo Bay and environs but also the **non-resident ratepayers**, of which there are many, given that 65% of houses in Apollo Bay are owned by non-residents.

- The indoor heated pool will address the needs of **visiting tourists** and encourage more tourists to extend their visits in the region.
- Construction and maintenance of this facility will address the **inequity of rate income versus service provision**. Distribution of rate revenue of the Shire in 2011 indicated that the Coastal Region (Postcode 3233) provided 24% of the total general rate income. This is not reflected in the Council spend for Apollo Bay as against Colac, especially evident when comparing existing infrastructure in each town.
- The annual running costs of the pool represent less than 8% of the total rate revenue that Apollo Bay and district contributes to the Colac Otway Shire. This is a **justified spend** for the health, well-being, fitness and education of the Apollo Bay area of the Shire. Colac Otway Shire rates of \$3,857,519 were collected from Postcode 3233 in 2011.
- The community has expressed the need for an indoor heated pool facility for **twenty years**
- 12 months ago a consultant, employed primarily with community funds, presented a feasibility study for an indoor pool for Apollo Bay to the Colac Otway Shire. It posed three site options and plans. On Colac Otway Shire's CEO, Rob Small's recommendation, the Apollo Bay Aquatic Centre committee has selected the **cheapest option** and followed its vision **to meet basic community health and youth education needs** in compiling this proposal.
- Recent research indicates that children under 5 years of age who have swimming lessons develop better language, literacy and numeracy skills and are likely to be more prepared for transition to school. See Attachment 3. page 23 **Early Swimmers found to glide ahead at school** The Age 12 January 2013
- The Apollo Bay **community's keenness and ability to fundraise** is evident in the \$18,000 raised from prominent community groups (the Community Bank, Otway Health Board, the News-sheet, the Chamber of Commerce & the Lions Club) mainly to fund the Apollo Bay Aquatic Centre Feasibility Study completed in December 2011. Since then a further \$800 has been contributed by the community in membership fees to support the campaign. The community is eager and capable of further significant contributions to the capital cost of the proposed facility, once Council has made a commitment to the proposed project.
- This year being a Federal election year offers a timely opportunity to apply for capital funding as part of a potential election promise to the electorate. The State election being only one year later offers access to further funding possibilities.

**The numerous health, social, educational and economic advantages to Apollo Bay and its surrounding community justifiably outweigh the cost to Council to provide and maintain an indoor heated pool facility for Apollo Bay.**

## Attachments

### Attachment 1



NORTH

5<sup>th</sup> February 2013  
Ms Jane Gross

Via email: jane.gross@apollobay.com

Dear Jane

#### RE: APOLLO BAY POOL FEASIBILITY BUDGET OPTIONS

Further to your email of 30<sup>th</sup> of January, we are pleased to provide the updated cost plan including provision of a 25m x 11.5m program pool. We set out below options for consideration by your committee.

|  |                    |
|--|--------------------|
| Item A - Base Program Pool                       | \$2,300,000        |
| Item B - New Change Rooms                        | \$230,000          |
| Item C - Lobby/ Admin                            | \$120,000          |
| Item D - Refurbish/ Expand Existing Change Rooms | \$230,000          |
| Item E - Car Park                                | \$360,000          |
| Total  | <u>\$3,240,000</u> |

The budgets prepared are competitive and are based on the brief and the proposed pool usage. Please refer to estimate breakdown for details of inclusions and exclusions.

Should you require any further information, please do not hesitate to contact me.

Yours Sincerely

Tim Hogg

NORTH PROJECTS PTY LTD Level 1, 250 Conzalla Street, Melbourne 3000 Australia  
T +613 9588 8201 F +613 9588 8262 Web: www.northprojects.com.au 601 26 082 461 194

## Attachment 2

Apollo Bay Aquatic Centre Feasibility  
Option 3B

Location: Behind School Stadium

Scope  
GFA 922  
Nil A 0  
Program Pool 287.5  
Carparks 52 no.

Area reference on plan

| Feasibility Design & Construction Cost Breakdown | rate | area | Base Program Pool | New Change | Lobby/Admin | Refresh / Expand | Carpark | Total |
|--|------|------|-------------------|------------|-------------|------------------|---------|-------|
|  | rate | Area | 712               | 83         | 41          | 86               | 1820    |       |

|   |       |       |            |            |           |            |            |  |
|---|-------|-------|------------|------------|-----------|------------|------------|--|
| Demolition works                          | allow |       |            |            |           |            |            |  |
| Allow for connection to existing building | allow |       |            |            |           |            |            |  |
| Program pool                              | m2    | 287.5 | \$ 805,000 |            |           |            |            |  |
| Program pool enclosure                    | m2    | 347.5 | \$ 521,250 |            |           |            |            |  |
| Change rooms                              | m2    | 83    |            | \$ 141,100 |           |            |            |  |
| Refresh and expand existing change rooms  | m2    |       |            |            | \$ 73,800 | \$ 158,000 |            |  |
| Circulation and lobbies                   | m2    | 41    |            |            |           |            |            |  |
| Pool plant area / store                   | m2    | 77    | \$ 92,400  |            |           |            |            |  |
| Carparking and Crossovers                 | m2    | 1820  |            |            |           |            | \$ 218,400 |  |

## Building Works, Prelims Finements &amp; Fittings

|   |       |              |            |           |            |            |              |
|---|-------|--------------|------------|-----------|------------|------------|--------------|
| Building Works, Prelims Elements & Fittings | 2.158 | \$ 1,418,650 | \$ 141,100 | \$ 73,800 | \$ 158,000 | \$ 218,400 | \$ 1,988,950 |
| Preliminaries                               | 18%   | \$ 255,497   | \$ 25,378  | \$ 13,404 | \$ 25,000  | \$ 40,032  | \$ 358,311   |
| Head office overheads                       | 3.5%  | \$ 58,720    | \$ 5,957   | \$ 2,997  | \$ 6,000   | \$ 6,990   | \$ 82,664    |

## Sub Total

|                 |       |    |           |    |         |    |        |    |         |    |         |    |           |
|-----------------|-------|----|-----------|----|---------|----|--------|----|---------|----|---------|----|-----------|
| Sub Total       | 2,658 | \$ | 1,732,867 | \$ | 172,485 | \$ | 90,201 | \$ | 189,000 | \$ | 287,422 | \$ | 2,481,925 |
| Consultant Fees | 10.0% | \$ | 174,087   | \$ | 18,043  | \$ | 9,420  | \$ | 17,000  | \$ | 26,942  | \$ | 245,393   |

## Sub Total

|   |           |    |           |    |         |    |        |    |         |    |         |    |           |
|---|-----------|----|-----------|----|---------|----|--------|----|---------|----|---------|----|-----------|
| Sub Total                               | 2.904     | \$ | 1,906,954 | \$ | 190,478 | \$ | 99,623 | \$ | 186,000 | \$ | 294,264 | \$ | 2,677,318 |
| Risk                                    | 5%        | \$ | 95,798    | \$ | 9,424   | \$ | 5,793  | \$ | 10,000  | \$ | 14,865  | \$ | 135,816   |
| Escalation to construction commencement | Jan-14 8% | \$ | 152,476   | \$ | 15,478  | \$ | 7,970  | \$ | 15,000  | \$ | 23,781  | \$ | 214,705   |

## Total cost excluding margin

|                             |       |    |           |    |         |    |         |    |         |    |         |    |           |
|-----------------------------|-------|----|-----------|----|---------|----|---------|----|---------|----|---------|----|-----------|
| Total cost excluding margin | 3,284 | \$ | 2,155,228 | \$ | 215,980 | \$ | 113,322 | \$ | 211,000 | \$ | 382,809 | \$ | 3,027,838 |
| Margin                      | 8%    | \$ | 173,058   | \$ | 18,110  | \$ | 9,586   | \$ | 17,000  | \$ | 26,793  | \$ | 244,547   |

## Total Cost

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| Total Cost | 3.519 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | </ |
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Note this cost plan is based on:  
Construction commencement January 2014  
GST is excluded  
Finance costs are excluded  
Land cost is excluded  
External terrace & landscaping is excluded  
Latent conditions costs are excluded.


  
NORTH

### Attachment 3

JANUARY 12, 2013

## EDUCATION 'Quality swimming lessons are rich in opportunities for learning' Early swimmers found to glide ahead at school

BY JEWEL TOPSFIELD EDUCATION EDITOR

CHILDREN under five who have swimming lessons develop better language, literacy and numeracy skills and are likely to be more prepared for the transition to school, according to a Griffith University study.

The four-year study surveyed almost 7000 parents of children from Australia, New Zealand and the United States and independently assessed 177 children aged three, four and five.

Unsurprisingly, it found children who had early-years swimming lessons performed better in tests of some physical skills, although not ball-handling.

However, lead author Professor Robyn Jorgensen said

what was surprising and of interest to parents, educators and policymakers, was that these children also scored significantly better in literacy, numeracy, mathematical reasoning, visual motor skills (cutting paper, drawing lines, colouring in) and oral expression.

"It does appear that children who participate in swimming are achieving a range of milestones earlier than normal populations," Professor Jorgensen said in the interim report at *Early Years Swimming: Adding Capital to Young Australians*.

This has been supported strongly from the parent survey, but also (to a lesser degree) in the child testing. ... For example, the survey showed that young



swimmers are reported by their parents to be counting to 10 much earlier than is expected on developmental milestones."

The interim report said the children also scored better on measures of understanding and complying with directions. Professor Jorgensen said it could be argued that only

wealthier families could afford swimming lessons and therefore the findings reflected social strata. But she said data from the child assessments showed there were significant differences between swimmers and the normal population, regardless of socio-economic background.

"Quality swimming lessons are rich in opportunities for learning beyond swimming skills ... which may help in the transition to school," she said.

Paul Sadler, founder of Paul Sadler Swimland, a financial supporter of the study, said swimming lessons involve games with counting or children chanting *Humpty Dumpty* before falling into the water. "I'm not surprised about literacy and numeracy coming up because there is all the language around

'Ready set go', 'Your turn' and 'stuff with numbers'."

Megan Harris, whose children Lillie and Baxter had swimming lessons from 12 months, said the biggest benefit for her was the confidence her children gained in and out of the water.

"Definitely, I think that helps with the transition to school." She said water safety was stressed and children learnt from a very young age to count to three before entering the water.

The interim report recommended children who might not do well at school in early years should do learn-to-swim classes. Although the industry gave financial support, the independent study represents the views of the research team only.

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Birregurra Recreation Reserve  
**MASTER PLAN**

Prepared for the Birregurra Recreation Reserve  
Committee of Management

MASTER PLAN REPORT October 2012

**insideEDGE**  
sport and leisure planning

## Acknowledgements

*insideEDGE* Sport and Leisure Planning wishes to acknowledge the support and assistance provided on this project by:

- The Birregurra Recreation Reserve Committee of Management
- The Birregurra Recreation Reserve Committee of Management Master Plan Sub Committee.
- Paul Drewry, Chairman
- Ron Elsbury, Treasurer
- Peter Papworth, General Committee
- Ian Seuren, Manager Recreation, Arts and Culture, Colac Otway Shire
- John Cotton, President, Birregurra Football and Netball Club
- Katherine Gluisner, Department of Sustainability and Environment
- Other stakeholders and user group representatives who were interviewed for this project.

*insideEDGE* also acknowledges the site analysis, design and visual documentation provided by **Colleen Lewer from CGL Design and Drafting**.



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# 1 | INTRODUCTION

## 1.1 The project

The purpose of the project was to prepare a Master Plan for the Birregurra Recreation Reserve, incorporating a review of the existing site conditions, land ownership, past history and the future needs and aspirations of key user groups of the Reserve.

The Master Plan provides guidance for the Birregurra Recreation Reserve Committee of Management (BRRCM), Colac Otway Shire, Department of Sustainability and Environment (DSE), and other key stakeholders, in enhancing and improving Reserve facilities and amenities for the benefit of the local community.

In particular, the Master Plan considers the views and preferences of existing users and the local Birregurra community, as well as the capacity of the BRRCM and Council to deliver recommended actions. Specific consideration is given to improving Reserve functionality and aesthetic values, and to provide additional facilities to increase local community use.

The following process was undertaken to prepare the Master Plan was well researched and locally focussed.

A range of plans, strategies and programs referencing future directions for the Birregurra Recreation Reserve have been reviewed in preparation of this Master Plan. Key documents include; Colac Otway Shire Recreation Strategy (2006-2010), Birregurra Township Master Plan (2003), Birregurra Structure Plan Draft Report (2012), Birregurra Neighbourhood Character Study (2011), and the Colac-Otway Shire Open Space Strategy (2011).

A focus of the Master Plan was to identify and prioritise recommended improvements to increase the capacity of the Reserve and prepare a cost plan and funding options for any major future facility improvement projects.

The development of a clear future direction for the Birregurra Recreation Reserve along with a program of priority works and associated costs was a key deliverable of the project and is provided in Section 6.4.

### 1.1.1 Master Plan process

The following process was undertaken in the development of the Master Plan.

Analyse projected local demographic profile

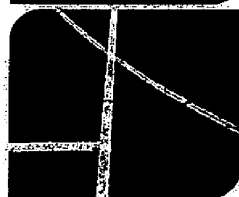
Review Local Strategies and Policies

Review Existing User Groups & Community Context

Conduct Community & Stakeholder Consultation

Conduct Site Inspection & Analysis

Birregurra Recreation Reserve MASTER PLAN 2012



## 1.2 Project consultation

The development of the Birregurra Recreation Reserve Master Plan involved consultation with State and Local Government, the BRRCM, existing and potential user groups, local sporting leagues and associations, and other key stakeholders.

A range of techniques were utilised, including individual meetings, phone consultations and electronic data collection and analysis.

The following consultation activities were undertaken in order to identify current and potential user group needs and future priorities regarding the use and function of the Birregurra Recreation Reserve.

- Meetings with the BRRCM;
- Meeting with the BRRCM Master Plan Sub Committee;
- Site inspection and Birregurra township facilities tour;
- Review of existing local and strategic planning documents;
- Discussions with Council officers and DSE and;
- Phone interviews with key user groups.

**Appendix 1** provides a full list of consultation findings and stakeholder priorities and needs regarding current and future Birregurra Recreation Reserve facility requirements.



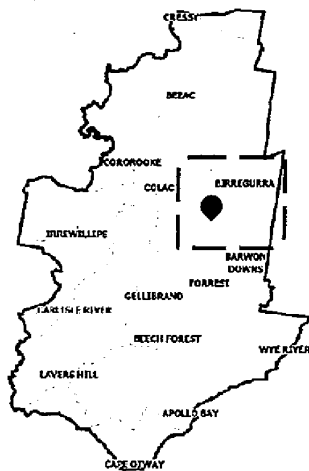
## 2 | BIRREGURRA RECREATION RESERVE

### 2.1 Location

The Birregurra Recreation Reserve is located on Strachan Street, Birregurra, approximately 140km south-west of Melbourne, 60km south-west of Geelong and 20km east of Colac. Birregurra is predominantly a residential area located within the Rural North district of the Colac Otway Shire.

A location map of the Birregurra area is provided below.

Figure 1 – Birregurra location



Source: Department of Planning and Community Development [www.dpcd.vic.gov.au/localgovernment](http://www.dpcd.vic.gov.au/localgovernment)

The Colac Otway Shire is a rural, residential and resort area. The Shire encompasses a total land area of 3,250 square kilometres, of which a large proportion is State Forest and National Park, including beaches, coastline, rainforests, waterfalls, lakes and craters. Much of the rural area is used for timber getting and agriculture, with farming, cropping and dairying being the main agricultural pursuits.

Agricultural activity is concentrated in the northern part of the Shire, although timber and fishing are prevalent in the south. Tourism is an important industry, especially in the southern section along the Great Ocean Road.

The Shire has two main townships, with many small villages and localities. The largest town is Colac, which serves as an administrative, retail and commercial centre. The other major township is Apollo Bay, which serves as the major tourism centre.

The local area of Birregurra provides affordable housing with easy access to Colac, the Geelong city centre and via the Princes freeway to Melbourne. The town also services a train station along the Warrnambool line.

Birregurra is surrounded by gently undulating farmland consisting of high quality soils. The agricultural land use surrounding the town include dairying, cropping, beef production and wool production which are favoured by the quality soils, climate and reliable rainfall.

Birregurra is also fast becoming a favourite weekend drive destination for regional Victorian and Melbourne day trippers to the local area.

Birregurra is an established town with vital services including:

- Antique furniture and gift store / hair and beauty salon
- Churches
- Community health centre / doctor / pharmacy
- Country Fire Association
- Engineering workshops and vehicle mechanics
- Farm / produce supplies store
- Hotel
- Kindergarten and child health centre
- Milk bar / take-away food / general store / newsagent
- Police Station
- Post Office / Rural Transaction Centre
- Primary School
- Public Hall
- Recreation Reserve
- Senior Citizens Centre
- Clothing stores
- Tea rooms
- Farm Foods (Butcher / Pizza)

The Birregurra Recreation Reserve is situated in the north-east corner of the main township and is the primary sport and recreation venue within Birregurra.

In addition to the Recreation Reserve, Birregurra is also home to a public park, skate park and a playground in Strachan Street, the Bowling Club in Road Knight Street, and the Birregurra Golf Club, a nine-hole course located on Sladen Street.

## 2.2 Sport in Birregurra

**Like many small rural townships, sport in Birregurra is the lifeblood of the community.**

With almost half the population of Birregurra involved in sport either as a player, administrator, supporter or sponsor, it is evident that sport in Birregurra is vitally important. It connects people and contributes greatly to the health and wellbeing of the local community.

With only a relatively small increase in the population expected over the next 20 years, and with little development planned, maintaining and improving existing key sporting and community infrastructure will be important to sustaining participation in sport in Birregurra.

The redevelopment of the Birregurra Recreation Reserve is seen as a high priority to enable it to continue to provide for local sporting and recreation needs, and also to provide a flexible and versatile space that is capable of meeting the needs of non-sporting groups.

## 2.3 The site

Birregurra Recreation Reserve is situated on Crown Land owned by the DSE and is actively managed by the BRRCM.

The BRRCM is incorporated under the Incorporations Act (1981) and its current membership includes elected community members and representatives of the Reserve user groups.

The Reserve is approximately 4.5 hectares in size and is bordered by farmland to the north, road easement to the east, and residential properties to the south and west. The existing sporting clubrooms were built in the 1960's and extended in the mid 1970's to accommodate change rooms for the football club.

The Reserve is home to three permanent sporting groups; the Birregurra Football and Netball Club, the Birregurra Tennis Club and the Birregurra Cricket Club. The Reserve is also used for other community events and activities including the Birregurra Festival, Annual Fire Brigade Auction, private fitness classes, model car club, and occasionally as a camping ground for tourists.

The BRRCM carries out all regular Reserve maintenance functions including ground renovations, building improvements and equipment upgrades. Maintenance and other minor improvement works at the Reserve is subsidised by the Colac Otway Shire via an annual regional recreation reserve contribution of \$5,000 per annum. The total subsidy is based on the type of sports being offered at the Reserve.

Birregurra Recreation Reserve and its immediate surrounding area is categorised as a sports reserve and zoned PPRZ (Public Park and Recreation Zone)<sup>1</sup>. It will be important for any future development and improvement of the Reserve to recognise the purpose of its original provision including the provision of informal recreation and leisure space.

## 2.4 Facilities and structures

Facilities and structures present on the site include:

- Main oval (168m x 130m) with a synthetic cricket pitch, post and rail fence, training lights and a purpose built score board;
- Main pavilion including home and away change rooms, kitchen and kiosk, licensed bar and main social / function area;
- Separate storage shed for maintenance equipment;
- Two asphalt multipurpose netball/tennis courts with low level training floodlights;
- A small clubroom building to support the tennis club;
- A heritage listed storage shed
- A mini basketball court;
- A brick toilet block;
- Two water storage tanks and;
- Multiple car parking areas (unsealed) and unsealed internal roadways.

*Refer to Appendix 2: Birregurra Recreation Reserve – Site Analysis Plan for visual representation of existing facilities and site configuration.*

<sup>1</sup> Colac Otway Shire – Public Open Space Strategy 2011

## 2.5 Site user groups and key stakeholders

The Birregurra Recreation Reserve is managed by the BRRCM and is the primary site for organised sporting activities within the town. As mentioned, the permanent users of the Reserve are the Birregurra Football and Netball Club, the Birregurra Cricket Club and the Birregurra Tennis Club.

A summary of the role and function of the BRRMC, key user groups, and other stakeholders is provided below.

**Birregurra Recreation Reserve Committee of Management** – Is an incorporated body appointed by the Crown under the Crown Land Reserves Act 1978, and administered by the Department of Sustainability and Environment.

The Committee is responsible for the management, maintenance and development of the land on behalf of the Crown and allocates and coordinates usage of the site through lease and licence agreements.

The Committee meets approximately three times a year and comprises representatives of the current permanent user groups and other members of the community. The Committee is only required to conduct an Annual General Meeting for the election of office bearers every three years.

**Birregurra Football and Netball Club** – Established in 1882, the combined football and netball club boast a proud history in the combined Colac and District Football and Netball League.

The "Saints" have enjoyed recent football success in 2011 as premiers in the senior, under 17's and under 14's age groups. The netballers also played in the finals in 2011, with their coach named 'coach of the team of the year' for the Colac and District Football Netball League Netball Association.

The Club has a total of 214 members (154 football and 60 netball) with up to 250 players and supporters regularly getting together on a training night. Given the recent success, it is likely that membership and exposure of the Club and surrounding district will increase in the coming years.

**Birregurra Tennis Club** – The Birregurra Tennis Club was established in 1936 and has 28 senior members, 24 juniors and 16 social members.

The Club competes in the summer competition of the Polwarth and District Tennis Association, which is affiliated with the Victorian Country Tennis Association.

The Club share two asphalt courts with netball and have a very small portable clubroom. The courts are also publicly accessible and used regularly by the community for casual use.

**Birregurra Cricket Club** – The Birregurra Cricket Club competes in the Colac and District Cricket Association with a number of junior members playing in Deans Marsh.

**Colac Otway Shire** – The Birregurra Recreation Reserve is located within the Colac Otway Shire on Crown Land.

The Shire contributed matching funding for the development of the Master Plan and provides support to the BRRCM through their community funding program.

Over the last few years the Shire has provided an annual maintenance payment to the Reserve Committee and recently provided matching funds for a sink upgrade in the main pavilion and the purchase of a laptop computer for the tennis club.

**Birregurra Festival** – The Birregurra Festival is run by a community committee and is entering its 13th year. The festival is an extremely popular event, running over three days and attracting in the order of 18,000 visitors. The Motor Homes Club set up camp at the Reserve which is also used for some of the festivals activities, storage, and as a monthly meeting place for the festival committee.

**Other users** – The Reserve is also used casually by a number of other local community groups including the Birregurra Primary School, Birregurra Classic Car Club, Birregurra Soccer Club, Birregurra Rural Fire Brigade, Birregurra Boot Camp and Fitness Classes, and for Dog Obedience Training. A disability service provider from Colac uses the Reserve on a regular basis and would benefit from improved toilet facilities and other amenities.

Other casual users include day activity groups from Colac Otway Shire, the Birregurra Walking Group and the many hundreds of locals who use the Reserve to exercise, play basketball, fly a kite or ride horses.

**Overall, the Reserve receives an estimated 400 visits on a weekly basis and attracts over 300 different users annually.**

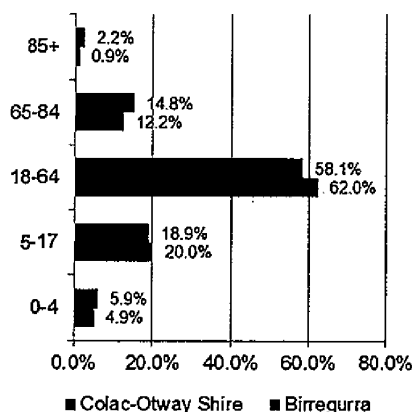
## 3 | POLICY CONTEXT

Existing operations and the proposed future development of the Reserve will be guided by a number of key planning inputs and conditions. These include projected community and social needs and local priorities. A brief summary of their impacts and influences on this Master Plan is provided below.

### 3.1 Local context

At the time of the 2011 Census, the population of Birregurra totalled 741, an increase of 7% since 2006. The connection of town sewage has contributed to the increase in population and will become a further attraction for home buyers and investors in the future.

Compared to the Colac Otway Shire, Birregurra has a higher proportion of residents aged between 18 and 64 years (62% and 58.1% respectively) and 5 and 17 years (20% and 18.9% respectively).



The rural north area of the Colac Otway Shire, which includes Birregurra, has a population of 3,478. This is approximately 15% of the total population of Shire. Households are characterised by a split between couples without dependants (424) and couples with dependants (415).

Weekly household income within the rural north area indicated that 11.3% of the households earned a high income (over \$1,700 per week), and 23.9% were low income households, compared with 11.4% and 24.8% respectively for Colac Otway Shire.

Demographic change indicators suggest that the population within the Shire as a whole is expected to increase at an average rate of 1% per year to 2031, equating to 5,755 additional people. Within the rural north area, the population is expected to increase by 149 people from 2006 – 2031 an average of 0.06% per annum.

### 3.2 Demographic characteristics

A summary of key demographic influences and implications for consideration in the Master Plan is provided below:

- Over the next 10 years the rural north area can expect little population growth and a decline in residents less than 15 years of age. The provision of high quality public open space is likely to assist in the retention and attraction of new residents to the area.
- The forecast age structure of residents shows an ageing trend for the rural north area population which may result in increased levels of demand for infrastructure targeted at older adults.
- With high indicators of disadvantage for the residents of the rural north and the Colac Otway Shire in general, a strong emphasis must be on the provision of park amenity that can assist in maintaining affordability of the organised sports within the Reserve.
- There has been an increase in the number of families in Birregurra from 2006 (178) to 2011 (203). A greater emphasis should be placed on providing family friendly spaces to enable parents and children to interact without having to leave the area.

### 3.3 Policy Context

The following strategies, plans and documents were reviewed as part of the development of the Master Plan.

A summary of their impact, influence and relationships to the project is provided below.

#### 3.3.1 Colac Otway Shire Recreation Strategy (2006-2010)

**The Colac Otway Shire Recreation Strategy 2006-2010 aims to provide direction through a detailed Strategic Plan which clearly defines objectives, strategies and actions, in response to identified sporting and recreation needs and issues.**

The development of the Recreation Strategy involved a consultation process which included resident's surveys and township focus groups. The strategy highlighted the significance of the ageing population of the Shire and predicted a negative impact on participation in organised sporting activities. It also identified the need for a greater emphasis on non-competitive, passive and informal recreation opportunities and increased community expectations around the quality of facilities provided by Council.

The strategy did not refer directly to the Birregurra Recreation Reserve but made one recommendation relating to the township which includes the development of a Master Plan for Birregurra Park.

#### 3.3.2 Colac Otway Public Open Space Strategy

**In July 2011, the Colac Otway Shire developed a public open space strategy. The aim of the strategy was to provide a widely varied and sustainable network of open spaces which meets the needs of a diverse community for recreation, sporting and social opportunities as well as protecting and enhancing important flora, fauna and landscape values.**

The Strategy identified that the rural south is unlikely to experience significant growth to 2031 and there is excellent provision of public open space with some opportunity for improvement in the quality of the environments and improved connections to link localities in outlying areas with key open space sites.

This Strategy did not provide any specific direction regarding the development of open space in the Birregurra Township, however it is relevant to this project as it highlights Councils understanding and acknowledgement of the important role of active and passive recreation within small communities and provides strategic direction around the preservation of these key community assets.

#### 3.3.3 Birregurra Township Master Plan (2003)

In 2003, the Colac Otway Shire commissioned a Master Plan for the township of Birregurra.

The Township Master Plan was developed to provide short, medium and long term development opportunities for Birregurra and is viewed as an important tool for sourcing funds for implementation of specific actions.

**The primary focus of the Master Plan was around improvements to the main street of town, improved pedestrian provisions and improvements proposed for Birregurra Park, a children's playground and passive open space area in the centre of town.**

There were no specific recommendations made relating to the Recreation Reserve, however a number of residents commented through the resident survey that improvements were required at the Reserve.

#### 3.3.4 Birregurra Structure Plan and Neighbourhood Character Study (2009)

In 2009 Council appointed consultants to prepare a structure plan for Birregurra. The Birregurra Structure Plan is designed to review the suitability of existing planning controls and provide a land supply analysis to inform the long term development of the town.

**The Draft Structure Plan highlighted the importance of open space and recreation in Birregurra and identified several opportunities for improvement to the Recreation Reserve, including rectifying drainage issues in the car park, upgrading the change facilities, and exploring the possibility of new cricket nets.**

Feedback received from the community on the Draft Structure Plan raised considerable concern regarding the potential impact on the town character as a result of increased development from the connection of reticulated sewage.

Subsequently the Structure Plan was put on hold and a Neighbourhood Character Study was developed and adopted by Council in June 2012.

The Birregurra Neighbourhood Character Study identified that the development of any new recreational and sporting facilities in the town should be sensitively designed to respect the character of the area and lightweight materials such as timber and iron cladding should be incorporated into the design.

It should be noted that the Draft Structure Plan is currently being reviewed and has not been formally adopted by Council.

### 3.3.5 Colac Otway Regional Recreation Reserves Master Plan (2007)

In 2007, Council undertook a Regional Recreation Reserves Master Planning exercise which audited each regional recreation reserve and made recommendations on possible improvements to enhance the functionality and standard of facility provision in the smaller towns within the Shire.

In regards to the Birregurra Recreation Reserve Master Plan, the following recommendations were made:

- Demolish existing public toilet block and construct new toilet block as part of new pavilion development;
- Top up gravel roadways;
- Improve vegetation throughout the Reserve and consider native tree plantings;
- Install electric BBQ, timber shelter and seating;
- Install cricket practise nets;
- Replace chain link fencing;
- Upgrade the basketball half-court;
- Redevelop pavilion with male/female toilets, repaired plumbing, solar water heating, repaired roof sheeting and installation of rain water tanks;
- Construct 2 additional tennis/netball courts;
- Improve lighting to night match standard and;
- Relocate Reserve entrance away from intersection.

Whilst many of the above recommendations have not been actioned, most of them are reinforced through this master plan process.

### 3.3.6 Colac Otway and District Netball Facilities Works Program (2007)

In 2007, Council, Netball Victoria and local sporting associations collaborated to undertake an audit of all netball facilities in the Shire. The outcome was the development of the 2007-2012 Colac Otway and District Netball Facilities Works Program. The works program relies on significant state government and Council funding to implement actions.

In relation to the netball facilities at the Birregurra Recreation Reserve, the following recommendations were made:

- Consider extension of fence lines to ensure court compliance (short term);
- Consider court extension in light of the proposed pavilion redevelopment (short term);
- Relocation of the shelter north to ensure immediate court compliance (long term);
- Court re-surface (long term);
- Upgrade of lighting (long term) and;
- Redevelopment of dedicated change-rooms and amenities (long-term).

### 3.3.7 Colac Otway Tennis Facility Audit and Development Plan (2011)

Colac Otway Shire commissioned the preparation of a Tennis Facility Audit and Development Plan, primarily to identify the future needs, demands, and trend for tennis within the Shire and the broader community.

The Plan identified gaps in the provision and planning of tennis infrastructure and provides guidance on the future direction of an appropriate planning and support model for the provision of tennis for the next ten years.

## 4. SITE ANALYSIS

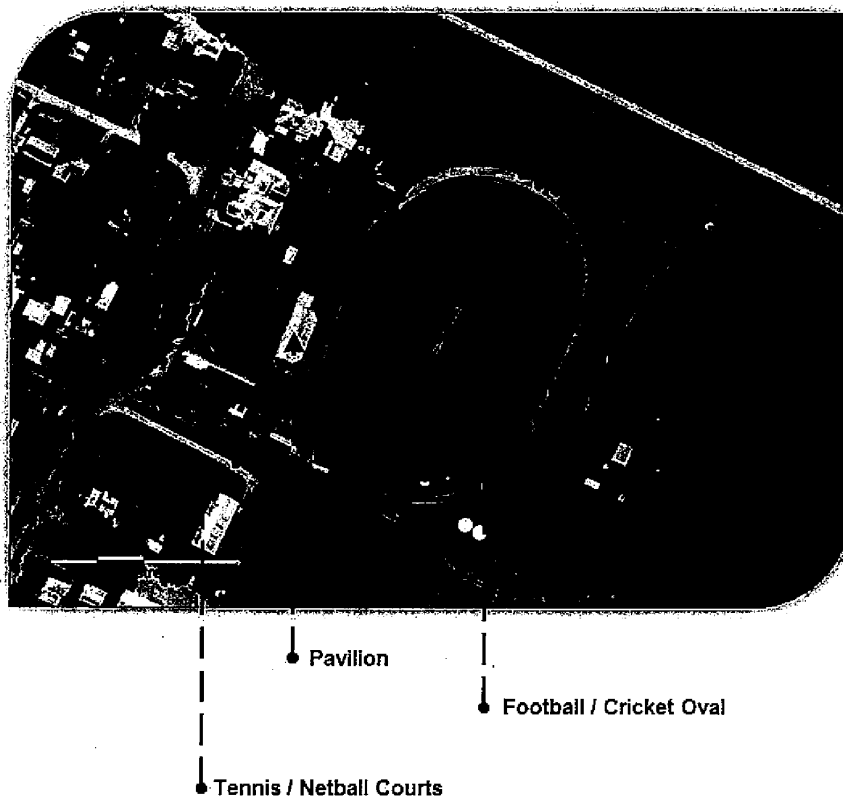
To identify the current condition and status of the Birregurra Recreation Reserve and its associated infrastructure a detailed site inspection was conducted by the insideEDGE Project Team in September 2011 and again in June 2012.

The BRRCM commissioned a site features survey to assist with identifying levels, contours and key features on the site to inform the Master Plan.

A building inspection report of the sporting club pavilion was also undertaken to identify any safety, structural or compliance issues. Findings and key outcomes from these reports will be discussed further on in this section.

An aerial view of the site and a visual representation of the Birregurra Recreation Reserve has been prepared to inform future priorities.

Figure 2 - Aerial image of Birregurra Recreation Reserve and surrounds



## 4.1 Key Issues

The following section provides a summary of observations and issues regarding the site from extensive site analysis and information provided by groups involved in the project consultation phase.

Site issues have been categorised into four key areas for ease of analysis and future implementation by the BRRCM. These areas include the main pavilion, other buildings and structures, playing areas, and reserve amenities.

- No dedicated umpires change rooms to meet football league or netball requirements;
- The existing pavilion does not provide enough change facilities for netball and football to co-exist. Provision of a dedicated netball and female change facility is required as part of any new pavilion development;
- The pavilion is not used by the tennis club as it does not provide adequate change rooms or a viewing area to the courts and;
- The pavilion is not accessible for and does not comply with standards for access or universal design.

### 4.1.1 Main sporting club pavilion



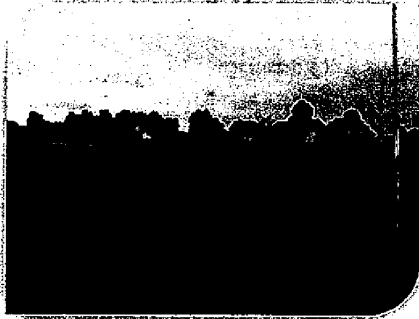
- The main pavilion, including the social area and change rooms, require replacement as they do not currently meet sporting club requirements;
- The social area is too small for after match functions and all major club activities have to be relocated to the local community hall;
- Inefficiency or unreliability of services including power, plumbing and the use of septic tanks, compounded through poor planning and ad hoc development;
- Existing services are unable to cope with the current demands from the sporting clubs or provide a basic level of functionality;
- Maintenance and operating costs to keep the pavilion functioning are increasing;
- According to the building conditions report there are few minimal components or elements of the existing pavilion that could be retained or refurbished at a realistic cost;
- The size of the change rooms and social area do not meet minimum standards for a local level facility, according to AFL Facility Guidelines;

### 4.1.2 Other buildings and structures



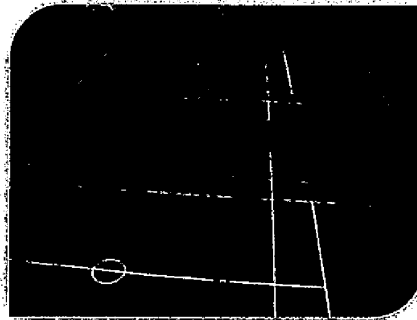
- Existing public toilet block on site needs to be demolished, with an accessible public toilet facility included as part of a new pavilion development to improve safety and functionality;
- Remove the existing tennis pavilion and integrate social area, change rooms and spectator viewing for tennis into any future plans for the main pavilion redevelopment;
- Enhance the scoreboard to improve its functionality and visibility and;
- There is a need increase the capacity of the netball undercover players bench and officials area as it currently does not provide adequate room for two team benches, scorers and time keeper required for each game.

#### 4.1.3 Playing areas and surfaces



- The oval has poor drainage and retains high volumes of water creating a heavy playing surface during winter. A new drainage system will be required to improve the standard of the playing surface;
- A mobile irrigator is used to water the oval. The amount of water applied to the oval is not measured and it is becoming more difficult for club volunteers to determine when and how much the oval should be irrigated;
- A fully integrated in ground irrigation system is required to control water use and increase the quality of turf cover. The use of moisture sensor should be considered;
- Any upgrade to the oval should consider the capacity of the oval to cater for the future provision of other sports such as football (soccer). The current size of the oval could cater for two full size soccer pitches orientated east west;
- The asphalt netball / tennis courts are in poor condition. The surface is slippery and parts of the court are decaying with gravel rising to the surface making it dangerous to play on;
- The netball / tennis courts do not currently meet Netball Victoria or Tennis Victoria guidelines regarding run off areas or the space between the courts;
- There is a need to increase the number of netball and tennis courts and provide at least one single dedicated netball court to accommodate future growth and attract regional finals matches and;
- Trees along the Strachan Street frontage are likely to have deep root systems and are impacting the integrity of courts, as well as dropping leaf litter.

- The floodlights on both the football oval and netball / tennis courts are well below minimum standard for training purposes. A lighting plan in line with Sport and Recreation Victoria's Community Sporting Facility Lighting Guide is required to improve the standard of lighting to increase usage and meet relevant minimum standards and;



#### 4.1.4 Reserve and amenities

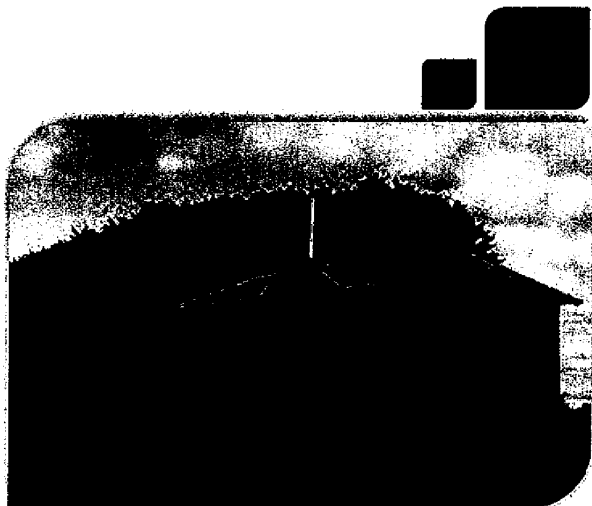
- The main entrance to the Reserve is located on the corner of Barry Street and Strachan Street. It is presently unsafe and provides poor sightlines to connector roads;
- Internal roadways are in poor condition and require levelling, a firm gravel base, and improved drainage to increase capacity particularly during winter;
- The Reserve fencing is in poor condition. A secure perimeter fence around the Reserve is necessary to allow the football club to potentially host finals matches and generate revenue to invest back into the Reserve;
- There are no safe pedestrian paths. There is a need for clear physical connection through the Reserve and between key activity areas via pedestrian pathways;
- Traffic pinch point at north west corner of the oval and adjacent property boundaries cause traffic management issues on match day;
- The current condition and drainage of Barry Street creates issues with access to the Reserve and restricts offsite parking on the road verge;
- There is limited off road connectivity to the main township centre, skate park and community playground and;
- Termination of an unformed section of Barry Street requires extension to allow adjacent residents access and to provide alternative Reserve entry points.

## 4.2. Site Opportunities

Birregurra Recreation Reserve provides a platform for many development opportunities. A number of preferences for development of the site were identified throughout the consultation process with key stakeholders, user groups and the local community.

The following key development opportunities featured highly in the community and user group consultation and are considered priority developments for the Birregurra Recreation Reserve.

- Construction of a new pavilion and change facilities that meet the needs of the local sporting clubs, associations, community groups, females, people with access and mobility requirements, schools and casual users;
- Relocate the main entry to the Reserve along Barry Street (when sealed) to facilitate safe access and allow for expansion of the netball and tennis courts;
- Formalising Barry Street and retaining grass verges in and around the Reserve is important for on and off site car parking;
- Improve car parking and establish a vehicle exit point along Strachan Street to improve traffic flow and vehicle movement;
- Improve internal roadways and safe vehicle movement by providing a firm crushed rock or gravel base around the oval;
- Increase the number and standard of tennis courts by two. In total five courts consisting of three stand alone tennis courts, one combined tennis and netball, and a main netball show court;
- Upgrade sports field lighting on the oval and the netball / tennis courts to meet minimum standards for training and night competition;
- Upgrade the main oval to provide a better playing surface and drainage to cater for increased utilisation;
- There is a need to replace the cricket practice facilities recently removed with an all-weather multi-purpose training facility for a variety of uses;
- Increase and improve playground and activity space throughout the Reserve (commensurate with local level criteria and expectations) to support active family use;
- Improve the quality of spectator viewing and Reserve facilities for sporting and community events and activities;
- Enhance pedestrian connectivity between spaces and desire lines of the Reserve, and improve the pedestrian links from town to the Reserve;
- Improve the interface between the Main Street, the School, and the Reserve;
- Improve and increase accessibility of public toilet provision throughout the Reserve;
- Increase the capacity of the Reserve to accommodate community events and activities such as the Birregurra Weekend Festival;
- Enhance and encourage casual use of the Reserve by providing improved outdoor furniture, seating and benches, shaded areas to view playing fields, and drinking taps.



## 4.3 Venue Benchmarking

A review of some rural based community sports reserves and facilities was undertaken to analyse facility provision, community benefit, programming, and funding and usage options.

A list of facilities reviewed as part of the benchmarking process is provided below.

### 4.3.1 Camperdown Football Netball Club

The Camperdown Football Netball Club participates in the Hampden Football Netball League and is located in the Corangamite Shire, approximately 60km from Birregurra. The facility has a 'Five Star' Function Centre that is available for hire and can cater for up to 350 guests.

The facility is operated by a Committee of Management and has a function centre and a meeting room which is suitable for conferences, funerals, weddings and community events. Function room hire is charged out at \$200 with a bond of \$500.

The BRRCM aims to develop a similar facility that meets the needs and requirements of the sporting clubs but also cater for other community groups, events and district activities. A function room catering for up to 250 guests seated is desirable.



### 4.3.2 Winchelsea Football Netball Club

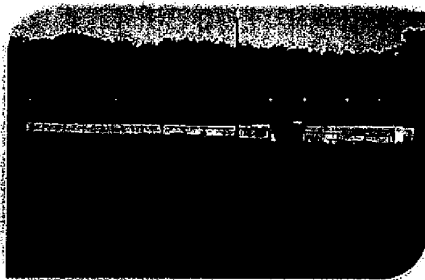
The Winchelsea Football Netball Club is located at the Eastern Reserve Community Hub within the Surf Coast Shire, approximately 25km from the Birregurra Recreation Reserve.

The Eastern Reserve Community Hub was completed in 2011 at a cost of \$2.5m and includes a community gym, meeting rooms, function space and football and netball change facilities.

The Reserve is located on Crown land with Council operating as the Committee of Management. Council delegates the management of the Reserve to a special Committee of Management under Section 86 of the Local Government Act. The Committee of Management is governed by Council and has responsibility for the overall operation, programming, usage and financial management of Reserve activities.

The project was funded by the Australian Government, Surf Coast Shire and the local community who raised \$100,000, with support from the Bendigo Community Bank.

The BRRCM view this facility as the yardstick for sport and community facilities in the region and hope to explore funding and partnership opportunities with the Bendigo Community Bank for the development of the Birregurra Recreation Reserve.



## 5. Future directions

This section provides a summary of the BRRCM preferred development options based on the provision of benchmarked sporting facilities within the region and an understanding of the requirements of the Birregurra community.

Future directions, vision statements and key development principles for the Birregurra Recreation Reserve have been prepared based on the analysis from previous report sections and from observations made by the consulting team.

Vision statements and principles will be used to guide the future development and improvement of the Birregurra Recreation Reserve. Actions have been prepared in-line with the vision statement and development opportunities.

### 5.1 Key drivers for change

A range of Reserve and external influences will guide the future direction of the Birregurra Recreation Reserve. Key drivers likely to influence change in the future include:

- Limited external funding for infrastructure improvement or upgrades for many years;
- Limited plans and strategies relating to the Reserve and township have been implemented;
- Implementation of the Neighbourhood Character Study and the future adoption of the Birregurra Structure Plan;
- Meeting local sporting leagues and association facility requirements for the provision of change rooms and other contemporary facilities and amenities;
- Recent connection of main sewage to the town and the need to cap the existing septic system currently at the Reserve;
- Historical uncoordinated and unplanned development of the site, resulting in the need for a long term vision and implementation plan;
- Local area demographic growth and change, proximity to Bellarine Peninsula, Geelong and Colac attracting more people and;
- Increased community use of the Reserve and demand for quality facilities that respond to community need.

### 5.2 Birregurra Recreation Reserve vision statement

Birregurra Recreation Reserve provides an integrated, healthy and welcoming sporting and community precinct for the town and surrounding district.

The vision is based on the key elements of the Reserve most valued by key stakeholder groups and the local community. These include:

- the range of sport and recreational opportunities available at the Reserve;
- the family friendly atmosphere and the mix of sport and recreation groups all using the same facilities;
- a meeting place for the community and an opportunity to connect and socialise and;
- The history and character of the place and the significance of sport in the town and surrounding district.



### 5.3 Improvement principles

The following principles have been developed to guide the proposed future improvement program for the Birregurra Recreation Reserve. Priority has been given to projects that promote these principles.

- Ensure future enhancement provides strong connection with the Birregurra Structure Plan and creates a sense of ownership of the Reserve from the local community;
- Continue to provide for a wide range of interests and support development and improvements that reinforce the site as a community sporting and recreation hub;
- Ensure future site or building improvements support increased community use, access, functionality and visual amenity;
- Promote a sense of place and community for people of all ages and for families;
- Create flexible spaces that encourage shared and multi-purpose use, maximise spectator viewing of playing areas, and that are capable of adapting over time;
- Create spaces that are fit for purpose, meet the minimum standard for facility development, and are safe, useable and can be easily maintained;
- Prioritise activities within the Reserve that are capable of maximising the use of existing spaces, activity areas and infrastructure, with priority to retain around the ground parking;
- Encourage future use and management opportunities that increase partnerships between all site stakeholders, including Colac Otway Shire and DSE;
- Utilise environmentally friendly and sustainable design principles for water, energy consumption and building materials, in line with the Birregurra Neighbourhood Character Study and;
- Utilise Universal Design and access principles.

### 5.4 Future priorities

To ensure that the vision for the Birregurra Recreation Reserve, - **To provide an integrated, healthy and welcoming sporting and community precinct** for the town and surrounding district - is realised, there are a number of priority actions that need to be owned, managed and implemented within a timely and efficient manner.

The following provides a breakdown of future priorities tailored to achieving the best outcome for the Birregurra Recreation Reserve, key stakeholders, and the local community.

1. Undertake detailed planning for the development of a new multi-purpose community sports facility and remove any residual non-functional buildings;
2. Increase the capacity of the oval and netball / tennis courts to accommodate future participation growth and playability;
3. Create safe access and a sense of arrival for vehicles and pedestrians to the site on Barry Street, and create a separate egress point onto Strachan Street;
4. Upgrade supporting infrastructure such as sports field and Reserve lighting;
5. Improve car parking, traffic management and circulation, fencing and waste management;
6. Create a functional use for existing vacant spaces and consider the development of a multi-purpose training facility to accommodate cricket and potential growth in other activities such as small sided football (soccer);
7. Create and enhance connections between the Reserve and the town centre and school interface;
8. Introduce a Reserve precinct planting plan that provides increased visual amenity, space delineation and shade for spectators;
9. Remove existing toilet block and create provision for public toilet facilities on site to be integrated into the design of any new community sports facility and;
10. Upgrade park furniture, spectator seating and incorporate a new playground, hit up wall and half-court basketball court.

## 6. MASTER PLAN IMPLEMENTATION

The implementation of the Birregurra Recreation Reserve Master Plan will be dependent on available funding, stakeholder involvement and key priorities.

Priorities will need to be considered in the future planning of annual budgets and capital projects and should also be considered in line with Colac Otway Shire priority projects. Where relevant, funding support and resource contributions from key Reserve user groups may be required where there is a direct benefit received.

Establishing strong relationships with Government Departments (DSE, SRV and Council), existing and potential sponsors and the Bendigo Community Bank will also be essential to explore future funding opportunities.

### 6.1 Management considerations

In order to drive the proposed Birregurra Recreation Reserve improvement program and to ensure commitment to ongoing and sustainable development is achieved, the following strategic management recommendations should be considered, in addition to the following Action Plan.

- Integrate BRRCM planning with the Neighbourhood Character Study and Birregurra Structure Plan (when complete);
- Continue to encourage Council and DSE to support the BRRCM to implement the recommendations of the Reserve Master Plan, particularly as they relate to funding applications and project development;
- Engage local traders, existing and potential sponsors, and the Bendigo Community Bank to explore opportunities for funding contributions towards Reserve improvements and potential naming rights opportunities;
- Update the BRRCM Business Plan to reflect current operating needs, issues and future directions;

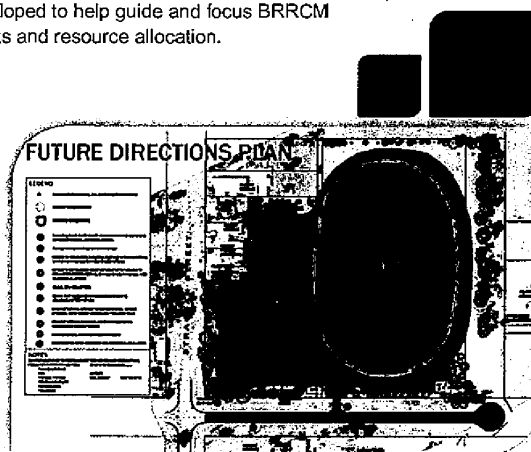
- Involve all permanent and casual user groups and other key stakeholders in the planning and development of Reserve infrastructure and provide regular updates on the implementation of the Master Plan at committee meetings and;
- Encourage community participation in Master Plan implementation (e.g. community planting day or community open day launching the Master Plan).
- Investigate the opportunities and benefits of developing a sports club model to promote and encourage involvement and decision making from all sporting groups.

### 6.2 Action and implementation

The Birregurra Recreation Reserve Master Plan has been developed to provide actions that are practical and realistic. The priority actions of the Master Plan are provided in the following table(s), as well as visually represented in the Birregurra Recreation Reserve Future Directions Plan in **Appendix 3**.

Actions provided in the following tables are displayed in a logical and sequential order to provide the BRRCM with a clear and easy to understand step by step process of achieving the desired outcomes of the Master Plan.

In addition to specific actions identified, four key stages of implementation have been developed to help guide and focus BRRCM efforts and resource allocation.



### 6.2.1 Stages of implementation

The planning and development of major reserve infrastructure takes time. From the development of a high level plan similar to this Master Plan, to the delivery and implementation of building and reserve amenities can take years to achieve. On this basis it is recommended that the implementation and action plan occurs across the following four key stages.

#### Stage 1 – Community awareness

This stage focuses on advocacy, and communicating the key messages and vision for the Recreation Reserve to the local community, the district, Council, and other State and Federal Government stakeholders.

#### Stage 2 – Detailed design and costing

The major infrastructure components proposed for the Reserve will require further detailed planning and design work prior to applying for external funding. Architectural, engineering and quantity surveyor services will be required to progress projects from concept stage to detailed design and to determine 'real' project costs.

#### Stage 3 – Funding procurement

This stage will focus on establishing partnerships with key funding providers and developing a funding strategy for the delivery of actions identified in the Master Plan. A number of potential funding partners have been identified below (section 6.3). An understanding of the requirements and capacity of each funding program will be required to determine the most appropriate funding mix for key projects.

#### Stage 4 – Infrastructure development

This is the delivery stage where key infrastructure projects are constructed in line with Master Plan priorities.

The staged development of key infrastructure projects will be essential in the delivery of this Master Plan.

### 6.2.2 Priority actions

Proposed actions have been allocated a level of priority based on their relative impact on delivering the desired outcomes for Birregurra Recreation Reserve and its primary user groups.

The levels of priority are defined below and are based on the understanding that some items such as the new entry and roadway to the Reserve are required first to allow the netball / tennis court expansion to be realised.

It should be acknowledged that priorities can change and are based on available funding. The presentation of new or unknown opportunities or changes in community demands can also alter priorities.

- **High**  
Important action that contributes significantly to improving the presentation and/or functionality of the Reserve
- **Medium**  
Action that contributes to meeting overall Master Plan objectives
- **Low**  
Action that contributes to overall site improvement activities
- **Ongoing**  
Action that will require an ongoing commitment of the Reserve Committee and / or users

It is proposed that works be scheduled over a ten year timeframe (2013 to 2023) to take into account the scale of the works program, the need to apply to various State and Federal funding programs across a number of years and to manage expenditure within the context of various funding programs.



Colac Otway Birregurra  
S H I R E

The following stakeholder acronyms used to identify funding sources and delivery responsibility in the following action plan is defined below:

- **Community**  
Local Birregurra community (3242 post code)
- **COSC**  
Colac Otway Shire Council
- **BRRCM**  
Birregurra Recreation Reserve Committee of Management
- **BFNC**  
Birregurra Football and Netball Club
- **BTC**  
Birregurra Tennis Club
- **BCC**  
Birregurra Cricket Club
- **TA**  
Tennis Australia
- **TVIC**  
Tennis Victoria
- **NVIC**  
Netball Victoria
- **VCFL**  
Victorian Country Football League
- **NII**  
No specific stakeholder identified

### 6.3 Potential funding opportunities

The successful implementation of the Master Plan will rely on the BRRCM capacity to secure external funding to support program delivery. Following is a summary of several external funding programs available.

**Note:** Budget estimates provided in the following section are for a broad range of costs commensurate with the likely scale of development anticipated for each documented action. Full budget prices will only be realised following the detailed design and implementation of each identified action.

#### 6.3.1 Australian Sports Foundation

It is recommended that once the Master Plan is formally adopted by Council and accepted by DSE, the BRRCM establish links with the Australian Sports Foundation (ASF).

The ASF was established by the Australian Government to assist community organisations to raise funds for the development of Australian Sport.

ASF assists not for profit sporting clubs and community groups in raising crucial funds for development projects by offering tax deductible donations. A project is registered and individuals and businesses can make tax deductible donations to the ASF.

In line with taxation law, all donations must be made unconditionally to the ASF. Donors may nominate a registered project as a preferred beneficiary; however donors cannot insist or direct that their donations to benefit a specific project. Although the ASF cannot guarantee donations will be directed to a specific project, as the tax deductibility of the donation would be compromised, in most cases the donation is attributed to the nominated project.

Some recent successful case studies that generated funds through this program for facility development projects include the Greenvale Cricket Club, Port Adelaide Football Club, Old Bar Tennis Club Pavilion Development (NSW) and the Hamilton Lawn Tennis Club.

#### 6.3.2 Sport and Recreation, Country Football and Netball Program

The Country Football and Netball Program provides funding to assist grass roots country football and netball clubs to develop facilities in rural, regional and outer metropolitan locations. Priority is given to projects that can demonstrate a positive impact on participation levels in country football and netball.

The BRRCM can submit an expression of interest to the Colac Otway Shire who must endorse the project and submit an application to State Government for funding consideration. Some examples of potential projects include modifying existing facilities to improve usage, upgrade or development of playing fields (football and netball), and the development or upgrading of lighting facilities.

Council's may apply for up to \$100,000 per financial year with a ratio of \$2 (SRV grant) to \$1 from the Club or Community.

### 6.3.3 Sport and Recreation Victoria, Minor Facilities Program

The Community Facility Funding Program helps provide high-quality, accessible community sport and recreation facilities across Victoria by encouraging:

- increased sport and recreation participation
- increased access to sport and recreation opportunities
- better planning of sport and recreation facilities
- innovative sport and recreation facilities
- environmentally sustainable facilities
- universally designed facilities.

Grants are provided for planning and building new and improved existing facilities where communities meet, interact and participate in sport and recreation. Of relevance to the BRRCM's vision for improving the Recreation Reserve is the Planning, Minor and Major Facilities Grants.

- Grants of up to \$30,000 are available for projects focussing on recreation planning in one municipality.
- Grants of up to \$100,000 for any one project (where the total cost is up to \$500,000) are available for community groups, working in partnership with local government, to develop or upgrade community sport and recreation facilities.
- Grants of up to \$650,000 (where the total project cost is more than \$500,000) are available to develop or upgrade major sport and recreation facilities.

### 6.3.4 Regional Development Victoria – Putting Locals First

The Putting Locals First Program (PLFP) component of the Regional Growth Fund (RGF) is a \$100 million initiative designed to enable regional communities to devise and deliver service and infrastructure responses which reflect local priorities.

The PLFP will support stronger and more sustainable regional communities by building their capacity to drive development in their region. The program is administered by Regional Development Victoria (RDV) regional offices to achieve the following primary outcomes:

- improved infrastructure, facilities and services
- increased business and employment opportunities
- improved community connections
- communities taking action on their own behalf

Developing local infrastructure is a key component of the funding as communities need a range of well located, designed and operated facilities if they are to be socially inclusive, active and liveable.

### 6.3.5 Tennis Australia National Court Rebate Scheme (NCRS)

The NCRS assists member affiliates and local government to develop new tennis courts or upgrade old courts and associated infrastructure.

The scheme will offer more than \$2 million annually for the next three years. Tennis Australia's member affiliates are invited to submit applications for funding to develop or upgrade court surfaces and associated infrastructure.

Clubs can apply for funding in base preparation and development, lighting, resurfacing, fencing, water saving and ancillary items. The likely maximum funding level for Birregurra would be approximately \$6,000 per court.

Preference for NCRS funding will include the development of floodlit acrylic hard courts within environments similar to the Birregurra Recreation Reserve.

### 6.3.6 Colac Otway Shire budget process

The Colac Otway Shire contributes to the development of facilities, services and key infrastructure across the Shire.

Due to the Recreation Reserve being located on Crown Land it is unlikely that projects from the Reserve Master Plan would be eligible for capital works funding from Council. Council officers have indicated that projects on Crown Land do rarely meet the capital works funding criteria.

Funding proposals can be developed for projects on Crown Land, in conjunction with Council officers, to access funding through Council's annual budget process. Any funding from Council towards a project on Crown Land would be considered a contribution rather than a capital works investment.

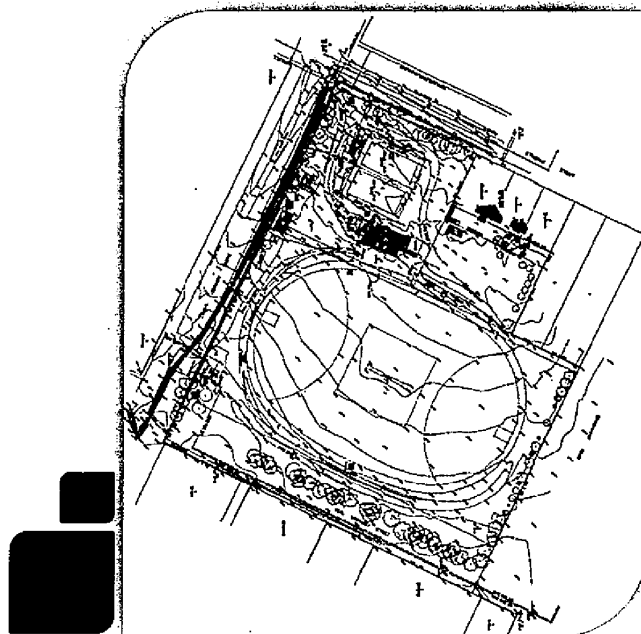
Funding from Council would be necessary to support and match any funding applications to State or Federal Government for facility improvements or upgrades.

### 6.3.7 Bendigo Community Bank

Bendigo Community Bank provides sponsorship opportunities for local community based activities and events, infrastructure improvements, and sporting club projects. Bendigo Community Bank define sponsorship as a business relationship whereby all parties involved - Bendigo Bank, the sponsorship partner and the associated target markets - aim to receive a financial or mutually beneficial return.

Project sponsorship is in partnership with the local community where banking activity can often be linked to the value of the sponsorship received. For example the local Winchelsea community raised \$100,000, which included a \$30,000 cash injection from the Bank, for the development of the Eastern Reserve Community Hub. The remaining funds were raised through community banking activity.

The BRRCM is encouraged to partner with the local Bendigo Community Bank (Anglesea and Winchelsea) to provide information on the vision and key objectives of the Master Plan for the Reserve.



## 6.4 Birregurra Recreation Reserve Priority Actions List

| No.   | Action Name / Description   | Cost Estimate / Allowance  | Priority | Potential funding source       |
|---|---|----------------------------|----------|--------------------------------|
| <b>Stage 1 – Community Awareness and advocacy</b> |   |                            |          |                                |
| 1   | Seek endorsement of the Birregurra Recreation Reserve Master Plan and its recommendations from the Colac Otway Shire, Department of Planning and Community Development and Department of Sustainability and Environment.  | Nil                        | High     | Nil                            |
| 2   | Present the vision and desired actions from the Master Plan to key community and sporting stakeholders including current and potential user groups, Birregurra Festival Committee, Birregurra Community Group Committee, VCFL, and representatives from Netball Victoria and Tennis Victoria.                                     | Nil                        | High     | Nil                            |
| 3   | Seek meetings with the State Member for Western Victoria, Mr Simon Ramsay and the Federal Member for Corangamite, Mr Darren Cheeseman to present the Master Plan and discuss support for the implementation of key actions.   | Nil                        | High     | Nil                            |
| 4   | Display the Master Plan at the 2012 Birregurra Festival to create awareness of the Plan and to discuss the future direction, vision and aspirations for the Reserve with key community members, the general public and tourists.  | \$500 for printed material | High     | Nil                            |
| 5   | Display the key elements of the Master Plan in the Reserve Pavilion to provide user groups with a reminder of what is aiming to be achieved and provide updates on actions as they progress.  | Nil                        | High     | Nil                            |
| <b>Stage 2 – Detailed Design</b>                  |   |                            |          |                                |
| 6   | In conjunction with the Colac Otway Shire design the extension of Barry Street to include a sealed asphalt road, drainage and off street parking. The design should complement the proposal for a new entry point to the Reserve and improved access to surrounding residential properties.                                       | \$20,000                   | High     | BRRCM, COSC                    |
| 7   | In conjunction with the Colac Otway Shire re-design the main entrance to form a major gateway into the Reserve off Barry Street and close off the existing entrance to accommodate future expansion of the netball / tennis courts.   | \$30,000                   | High     | BRRCM, COSC                    |
| 8   | Develop design plans and costs for the replacement of the netball and tennis courts, including fencing, court lighting and shelters. The footprint of the courts should be designed to accommodate five courts of a surface suitable for both netball and tennis and consider tree impact, drainage requirements and car parking. | \$12,500                   | High     | SRV, BRRCM, COSC, TATVIC, NVIC |

| No.   | Action Name / Description  | Cost Estimate / Allowance | Priority | Potential funding source |
|---|--|---------------------------|----------|--------------------------|
| 9   | Undertake detailed planning, design documentation and cost estimates for a new multi-purpose community sports facility to replace the existing pavilion.   | \$30,000                  | High     | BRRCM, COSC              |
| 10  | Develop a planting plan to increase visual amenity, improve space delineation and shade for spectators   | \$20,000                  | Medium   | BRRCM                    |
| 11  | Investigate the feasibility of a designated walking path to connect the Reserve to the Town Centre, Park and Birregurra Primary School, with pedestrian access provided on the corner of Strachan Street and Barry Street.     | Ongoing                   | Low      | BRRCM, COSC              |
| <b>Stage 3 – Funding Procurement</b>        |  |                           |          |                          |
| 12  | Investigate all potential funding opportunities outlined in section 6.3 of the master plan report to determine priorities, eligibility, timelines and capacity of the funding program to deliver project objectives.           | Ongoing                   | High     | BRRCM                    |
| 13  | Present the Master Plan and vision for the Reserve to key funding providers to explore future funding opportunities, identify any gaps in funding requirements and establish a process and timelines for funding applications. | Ongoing                   | High     | BRRCM                    |
| 14  | Develop a funding strategy in line with priority projects outlined in Stage 4 to understand future funding opportunities, timelines the most appropriate funding model for the identified project.                             | Ongoing                   | High     | BRRCM                    |
| <b>Stage 4 – Infrastructure Development</b> |  |                           |          |                          |
| 15  | In partnership with the Colac Otway Shire, formalise Barry Street with asphalt, kerb and channel, and a footpath, to accommodate a proposed new entrance to the Reserve and cater for parking outside the Reserve.             | \$150,000                 | High     | COSC                     |
| 16  | Define and upgrade vehicle access and parking through the Reserve and around the oval with a consolidated gravel pavement.   | \$60,000                  | High     | BRRCM, COSC, BFNC        |
| 17  | Develop a separate vehicle egress point on the western side of the Reserve (onto Strachan Street) to accommodate traffic flow and vehicle movement in and around the Reserve. This will require some tree removal.             | \$30,000                  | High     | BRRCM, COSC              |

| No. | Action Name / Description  | Cost Estimate / Allowance    | Priority | Potential funding source   |
|-----|--|------------------------------|----------|--|
| 18  | Upgrade power to the Reserve to better service sports field lighting infrastructure and projected increase in festival activities and camping.   | Indicative estimate \$50,000 | Medium   | BRRCM, BFNC  |
| 19  | Remove the existing tennis club room to allow for the future expansion of the netball / tennis courts and accommodate the needs of the tennis club into any future multi-purpose community sports facility.  | \$5,000                      | Medium   | BTC  |
| 20  | Redevelop the existing netball / tennis courts and expand the footprint to five courts, including three tennis only courts, one netball only court and one combined netball and tennis courts.   | \$450,000                    | High     | BRRCM, SRV, BFNC, BTC  |
| 21  | Demolish the existing sports pavilion and develop a fully accessible multi-purpose sports facility that includes change rooms, functions space and social area, meeting room, kitchen facilities, bar and cool room, and combined undercover viewing and spectator areas for the oval and netball / tennis courts (refer Appendix 3 for preliminary floor plan concept). | \$2,000,000                  | High     | BRRCM, SRV, Australian Government, BFNC, BTC, Bendigo Community Bank |
| 22  | Replace the existing toilet block and incorporate public accessible toilets within the building envelope of any future multi-purpose community sports facility.  | \$150,000                    | Medium   | BRRCM, COSC  |
| 23  | Install a new multi-purpose training facility to accommodate cricket practice and future use for small sided football (soccer). The location of the training facility should be in-line with master plan directions and layout.  | \$120,000                    | Medium   | SRV, BRRCM, BCC  |
| 24  | Upgrade the oval to increase the capacity and playability of the playing surface. The scope of works should include installation of an in ground irrigation system, improved drainage, planting of warm season grasses, and perimeter fencing, new AFL standard goals and all season cricket pitch.  | \$600,000                    | Low      | BRRCM, BFNC, SRV   |
| 25  | Replace the existing sports field lighting on the oval with new lighting to Australian Standards for training purposes (minimum 50 lux).   | \$140,000                    | Medium   | SRV, BRRCM, BFNC, VCFL   |
| 26  | Consider the installation of cyclone fencing around the perimeter of the Reserve to secure the venue for future football and netball finals.   | \$100,000                    | Low      | BRRCM, BFNC  |

| No. | Action Name / Description   | Cost Estimate / Allowance | Priority | Potential funding source |
|-----|---|---------------------------|----------|--------------------------|
| 27  | Provide adequate seating, shade and spectator areas around the oval and netball / tennis courts to enhance spectator amenity, and provide a water bubbler to encourage casual use of the Reserve.             | \$25,000                  | Low      | BRRCM, COSC, BFNC        |
| 28  | Install a new children's playground with safety fencing to Australian Standards and consider including provision for a half-court basketball court and tennis hit up wall to replace the existing facilities. | \$50,000                  | Low      | Community, BRRCM         |
| 29  | Introduce new planting to create improved visual amenity and welcoming nature of the site along Barry Street.   | \$30,000                  | Low      | BRRCM                    |
| 30  | Introduce a waste management system for the Reserve in conjunction with the development of the new community sports pavilion that promotes the use, management and awareness of recycled materials.           | Nil                       | Medium   | BRRCM                    |
| 31  | Introduce new planting to screen the bed and breakfast building from the Reserve.   | \$2,000                   | Low      | BRRCM                    |

# Appendix 1 | Consultation Findings

Following is a summary of discussions, interviews and meetings with current and potential users regarding their priorities and aspirations for the future development of the Recreation Reserve.

## Consultation Outcomes

### Colac and District Football Netball

- Focus should be on upgrading change rooms and social area to attract league finals;
- Birregurra has been mentioned but not seriously considered as a finals venue due to the poor standard of the change rooms and no security fencing around the Reserve;
- Birregurra would rank in the bottom two venues in terms of the standard of change facilities;
- The league currently use two grounds in Colac for all finals matches and plan to continue to do so;
- Birregurra could potentially be used as a finals venue in the future as it is close enough to Colac and is a town based ground with ample parking outside the venue;
- The oval is also one of the first in the league to deteriorate during the season due to poor drainage and being close to the Barwon River;
- The league doesn't currently participate in senior interleague matches, only juniors;
- The yardstick facility for football and netball in the region is the Winchelsea Football Netball Club.

### Birregurra Cricket Club

#### History / current usage

- Club went into recess approximately ten years ago and reformed five years ago;
- Have previously had up to two teams, but currently only have one team playing in the Colac and District Cricket Association;
- The Club has a number of junior players that play in a junior competition at Deans Marsh but return to play seniors with Birregurra;
- The Club pay a rental fee to the Committee of Management for use of the facilities;
- Training is held every Tuesday and Thursday evening during the summer season and competition is Saturday afternoon;
- Training takes place on the oval as there are no training nets. The Club set up a portable net in the middle of the oval;
- The Club conducts their own oval preparation and maintenance which includes mowing, top dressing, seeding and watering each year. Water from the river is used to water the oval under a permit. Tank water (50,000 litres each) is also used and topped up by potable water if required;
- The Club use the change rooms (home and away) and the social rooms.

#### Priorities

- New change rooms, kitchen and social area. Existing rooms should be demolished;
- Two cricket training nets facing the oval and located in the North West corner of the Reserve;
- Formed gravel roadway around the oval, currently unsafe in winter.

### **Boot Camp**

#### *History / usage*

- Two personal training contractors operate from the Recreation Reserve (Birre Fit and Get Fit)
- Current program is:
  - Monday 6am, 9am, 6.30pm
  - Wednesday 6am, 9am, 6.30pm
  - Friday 6am
- Average 6-8 people per class, with 9am classes catering for mothers with children;
- Classes are mostly held on the netball / tennis courts and the oval (summer only due to the condition of the surface);
- Classes are relocated to the Birregurra Hall in wet weather but they could be held at the Recreation Reserve if the facilities were improved. Need a space similar to the hall to accommodate indoor classes;
- Program includes boxing, light weights, running and circuit format;
- The instructors are not charged to use the facilities but instructors must have public liability and professional indemnity insurance;
- Use public toilet facilities on site which are in very poor condition.

#### *Priorities*

- Upgrade the surface of the netball courts, they are currently unsafe to train on;
- Secure fencing around the courts and lockable gates to protect children from traffic entering the reserve;
- A fenced playground located in close proximity to the netball / tennis courts;
- Formed gravel roadway around the oval, currently unsafe in winter.

### **Birregurra Lions Club**

#### *History / usage*

- The Lions Club has approximately 20 members that meet twice a month at various venues including the Birregurra Community Centre;
- The Club hold functions at the Birregurra Golf Club and the Birregurra Hotel;
- Currently involved in raising money and land acquisition with Council to build elderly citizens units in Birregurra;
- 

- The Club also supply wood to community members and raise money for other activities at the Birregurra festival;
- The Club are not currently using Recreation Reserve for any activities or meetings.

#### *Priorities*

- The Club would use a redeveloped Recreation Reserve for meetings and functions if the facilities were appropriate and meet the needs of the group to host meeting and functions.

### **Birregurra Tennis Club**

#### *History / usage*

- Club formed in 1936 and play in the Powarth and District Tennis Association in the summer competition only;
- Currently have 30 playing members (juniors only) and about the same number of social members;
- Club use the courts three times per week for training and play on Saturday morning between October and March and pay an annual rental fee to the Committee of Management;
- Two teams are playing at the same time so only one court per team can be used;
- Court surface is slippery and sometimes dangerous to play on;
- Registered as a Level 0 Good Sports Club which doesn't serve alcohol;
- Junior participation is building and the Club started a fundraising campaign 15 years ago to extend the number of courts and improve lighting;
- The Club's major fundraising event is at the Birregurra Festival each year and they have raised approximately \$50,000 for the court improvement fund;
- Some local players participate in social tennis in winter which is played at Deans Marsh due to the set up and pack up of netball equipment (poles etc.).

#### *Priorities*

- Redevelop courts and increase the number of courts to four, including three tennis only and one combined netball / tennis;
- Ideally the court surface would be rebound ace but the Club accepts shared use with netball so acrylic or a synthetic surface suitable for both sports is preferred;
- A new pavilion with a social room, storage for nets in the off season, space for club honour boards and trophies, and a viewing area to the courts;
- Develop dedicated tennis only courts to accommodate social tennis in winter and avoid the need to rent other courts to accommodate competition.

#### **Birregurra Primary School**

##### *History / usage*

- Currently has 77 students enrolled in four classes. Capacity is about 100;
- The school on a waiting list for budget to build a new school. Facilities are ageing and spending on building maintenance is increasing;
- There is a small uneven oval and an asphalt area for basketball and other activities;
- The school has not used the Reserve recently but in the past have used it for combined sports days, football and netball clinics etc.
- Facilities at the school cater for day to day use and there are only a limited number of times the Reserve may be required for district sports;

##### *Priorities*

- Improve the condition of the tennis courts and provide access during summer;
- Provision of cricket nets would encourage school use.

#### **Birregurra Festival**

- At present the Festival Committee does not rely heavily on the Recreation Reserve during the Festival event, due to the poor quality of roads and footpaths.
- Using the Reserve for festival activities has been discussed in the past however some improvements including sealed pathways, car parking and toilet facilities will need improvement before the reserve is considered.

- Tourists and stall holders have in the past used the Recreation Reserve as a camping ground.
- The festival does use other community venues such as the Church for music programs so the use of the Recreation Reserve is a possibility.

#### **Country Women's Association (CWA)**

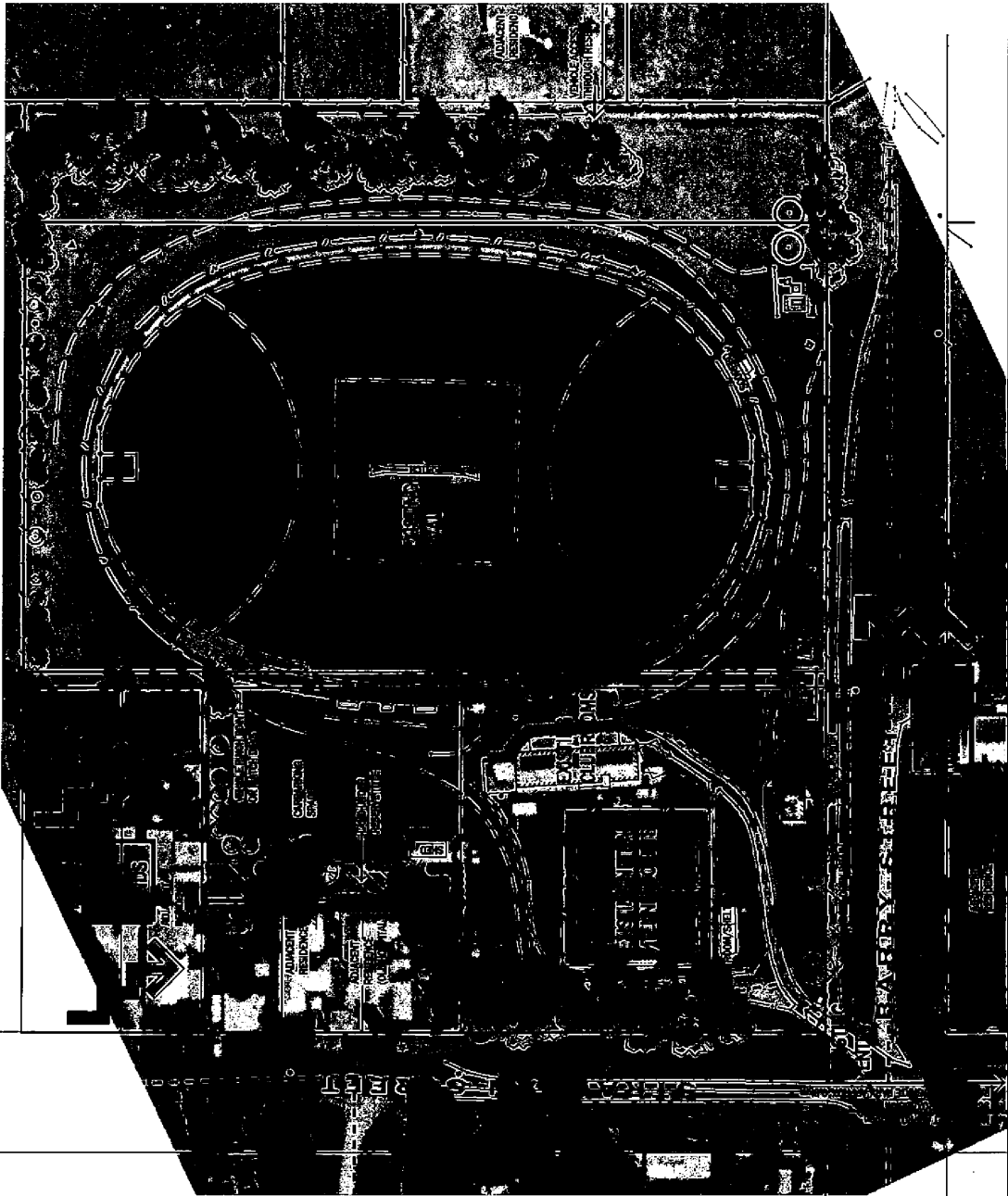
- The CWA has only recently reformed and has 40 to 50 members.
- Meeting are held in the local hall but the group will require a larger space to conduct activities as numbers grow.
- CWA expressed a strong desire to utilise the facilities at the Reserve for functions and events if they were improved.

#### **Birregurra Garden Club**

- The Garden Club have never used the Reserve but at one point attempted to raise money for a rotunda and garden area which didn't eventuate;

#### **Department of Sustainability and Environment (DSE)**

- Responsible for appointing the Committee of Management under the Crown Land Reserves Act 1978;
- Would be interested in providing feedback on the Draft Master Plan;
- The Committee must consist of between three and nine community representatives elected every three years;
- A Councillor from Colac Otway has chaired the AGM in the past but is not required on the Committee;
- It is a requirement of the Committee to send all lease and licence agreements for the use of the Reserve to DSE;
- Leases and licences can extend the terms of the Committee's tenure to manage the Reserve, but first must be approved by Council;
- Additional information can be found on the DSE website under Committees of Management.



1 SITE ANALYSIS PLAN

Scale- 1:1000



**G|DESIGN & DRAFTING**

1480 WINCHELSEA - DEANS MARSH ROAD BAMBRA VIC 3241  
Ph: 0638 521 741 Email: gdw@wednet.com.au REGISTRATION No. 06AD 28410

title SITE ANALYSIS PLAN  
EXISTING CONDITIONS

dwg no. 10.10 SA00

owner / proposal

BIRREGURRA RECREATION RESERVE  
PROPOSED CLUBROOMS

address

STRACHAN STREET, BIRREGURRA



scale 1:1000 date 23.08.12  
revision

# FUTURE DIRECTIONS PLAN

**LEGEND**

- NEW LIGHTS FOR FOOTBALL OVAL & NETBALL/TENNIS COURTS
- EXISTING TREES/VEGETATION
- PROPOSED TREES/SHRUBS
- ROAD SEALING OF BARRY STREET - IMPROVE DRAINAGE AND CREATE OFF STREET PARKING AND KERB & CHANNEL
- PROVIDE NEW ENTRY POINT OFF BARRY STREET
- PROVIDE 3x TENNIS ONLY 1x NETBALL ONLY & 5x TENNIS/NETBALL COURTS WITH SUITABLE SURFACE FOR BOTH SPORTS
- DEVELOP A NEW ELEVATED MULTIPURPOSE SPORTS PAVILLION TO REPLACE THE EXISTING FOOTBALL CHANGE ROOMS AND SOCIAL AREA TO SERVICE ALL SPORTS
- INSTALL NEW CRICKET NETS
- CREATE NEW VEHICLE EXIT ONTO STRACHAN STREET TO ACCOMMODATE TRAFFIC FLOW
- UPGRADE THE OVAL WITH NEW IRRIGATION SYSTEM, IMPROVE DRAINAGE, WARM SEASON GRASSES AND PERIMETER FENCE
- UPGRADE INTERNAL ROADWAYS AND CARPARKING WITH A CONSOLIDATED GRAVEL PAVEMENT
- PROVIDE SEATING, SHADE AND SPECTATOR AREAS
- CLOSE EXISTING ENTRY AND CREATE NEW PEDESTRIAN ONLY ACCESS

**NOTES**

REFURISHMENT IS SET TO COMMENCE NEXT YEAR AND WE NEED YOUR SUPPORT. DONATIONS ARE NEEDED.

\*TENNIS AUSTRALIA

\*AFL

\*NETBALL VICTORIA

\*STATE GOVERNMENT

\*REDWOOD BANK

\*VIA HEALTH

\*COAL TRYATH SHIRE

CONTACT: PAUL DREWRY 0427 52 44 75

**G|DESIGN & DRAFTING**

14450 WINCHELSEA - DEANS MARSH ROAD BAMBURGA VIC 32041  
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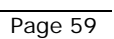
scale 1:10000@A3 date 10.10.12  
revision

**BIRREGURRA RECREATION RESERVE  
MASTER PLAN**

address STRACHAN STREET, BIRREGURRA

file **FUTURE DIRECTIONS PLAN**  
sketch design

date **10.10 FDOO**







**COLAC OTWAY SHIRE COUNCIL**  
**Instrument of Delegation**

In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989 (the Act) and all other powers enabling it, the Colac Otway Shire Council (Council) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation.

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 28 March 2013;
2. the delegation
  - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.2 is subject to any conditions and limitations set out in the Schedule;
  - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.4 remains in force until Council resolves to vary or revoke it.
3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

The common seal of the  
Colac Otway Shire Council  
was hereto affixed in accordance  
with Local Law No 4.

.....  
Chief Executive Officer

## **SCHEDULE**

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

## **Conditions and Limitations**

The delegate must not determine the issue, take the action or do the act or thing

4. if the issue, action, act or thing is an issue, action, act or thing which involves
  - 4.1 awarding a contract exceeding the value of \$250,000.
  - 4.2 making a local law under Part 5 of the Act;
  - 4.3 approval of the Council Plan under s.125 of the Act;
  - 4.4 adoption of the Strategic Resource Plan under s.126 of the Act;
  - 4.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
  - 4.6 adoption of the Auditor's Report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
  - 4.7 noting Declarations of Impartiality by Valuers pursuant to section 13DH(2) of the Valuation of Land Act 1960;
  - 4.8 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;
  - 4.9 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;
  - 4.10 appointment of councillor or community delegates or representatives to external organisations; or
  - 4.11 the return of the general valuation and any supplementary valuations;
5. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
6. if the determining of the issue, taking of the action or doing of the act or thing would or would likely to involve a decision which is inconsistent with a
  - 6.1 policy; or
  - 6.2 strategyadopted by Council; or
7. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a) – (f)(inclusive) of the Act or otherwise; or
8. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

S13. List of CEO Powers

**Powers, duties and functions vested in Council's Chief Executive Officer under the *Local Government Act 1989***

| Provision   | Power/Duty/Function   |
|-------------|---|
| s.13(4)     | duty to enrol certain persons (where it appears that there are more than 2 owners)  |
| s. 13(5)    | duty to give effect to request regarding enrolment on voters' roll  |
| s. 13(7)    | duty to choose one rateable property in respect of which the ratepayer entitlement to be enrolled is to be exercised  |
| s. 15(6)    | duty to notify the owner or joint owners that the Council has received an application under s.15(1)   |
| s. 17(1)    | duty to enrol person on voters' roll unless belief of non-entitlement   |
| s. 17(2)(a) | duty to refuse to enrol person  |
| s. 17(2)(b) | duty to advise person of refusal to enrol in writing, and to give person the reason for the refusal   |
| s. 17(3)    | power to request orally, or in writing, any person or corporation to provide information to enable determination of enrolment eligibility   |
| s. 17(4)    | power to require information be given in writing and signed by the person giving the information  |
| s. 20       | power to determine request that address of person not be shown on voters' roll and notify person accordingly  |
| s. 21(3)    | duty to supply Victorian Electoral Commission with information requested to prepare voters' list  |
| s. 22(1)    | function of being responsible for preparation of the voters' list of ratepayers and the maintenance of any records to facilitate preparation of an accurate and complete voters' list |
| s. 22(2)    | duty to prepare and supply voters' list of ratepayers to Registrar within 7 days of general election  |
| s. 23A(1)   | duty to give a letter to a person or a corporation as specified   |
| s. 23A(2)   | duty to send a letter to a person or corporation as specified   |
| s. 24(5)    | duty to provide Registrar sufficient information to update exhibition roll in respect to ratepayer entitlements under ss.13 - 16  |
| s. 24(6)    | duty to certify that voters' roll had been prepared in accordance with the Act  |

November 2012 Update

|                  |   |
|------------------|---|
| s. 24A(1)        | power to amend voters' roll in the circumstances listed in (i)-(iii)  |
| s. 24A(2)        | duty to obtain the approval of the Victorian Electoral Commission in certain circumstances  |
| s. 24A(3)        | duty to certify an amendment to the voters' roll under subsection (1)   |
| s. 24B           | duty to ensure voters' roll is available for public inspection  |
| s. 24C(2)        | duty to provide voters' roll to election candidates   |
| s. 24C(4)        | power to provide voters' roll to any person or organisation, subject to the requirements in subsections (a)-(c)   |
| s. 24C(4)(a)-(c) | power to determine form, conditions and fees under section 24C(4)   |
| s. 24C(7)        | duty to forward a request for a 'permitted purpose' to the Privacy Commissioner   |
| s. 24C(10)       | duty to reject a request for a copy of the voters' roll to be used for a public interest purpose, if the Privacy Commissioner does not approve the proposed use                     |
| s. 37(2)         | duty to notify the Minister of decision to fill an extraordinary vacancy within 6 months before a general election, within 3 working days of the Council making the decision        |
| s. 38(1B)        | duty to notify the Minister that an extraordinary vacancy has occurred within 3 working days  |
| s. 40(2)         | power to appoint a prosecution officer for the purposes of s.40   |
| s.62             | function of receiving election campaign donation return   |
| s.62A(1)         | duty to submit report to Minister specifying names of persons who were candidates in the election and those who submitted an election donation return within 28 days of election    |
| s.62A(2)         | duty to ensure that a summary of each election campaign donation return is made available on Council's website, within the prescribed time  |
| s.62A(2A)        | duty to ensure that a summary of each election campaign donation return is made available on Council's website (where return is given after time period specified in section 62(1)) |
| s.62A(2C)        | duty to ensure that a summary of each election campaign donation return is made available on Council's website until the entitlement date for next general election                 |
| s.62A(3)         | duty to ensure election campaign donation return is available for inspection  |
| s.68A(1)         | function of receiving resignation from a Councillor   |
| s. 68A(4)        | power to commence the holding of an election to fill extraordinary vacancy  |

|                 |   |
|-----------------|---|
| s.77(2)(c)      | power to designate information to be 'confidential information' for the purposes of s.77A   |
| ss.79(2)(a)(ii) | function of receiving advice of a conflict of interest of a Councillor or member of a special committee   |
| s. 79(5)(a)     | duty to keep written disclosures given to him or her under this section in a secure place for 3 years after the date the Councillor or member of a special committee who made the disclosure ceases to be Councillor or member of a committee                           |
| s. 79(5)(b)     | duty to destroy the written disclosure when the 3 year period referred to in section 79(5)(a) has expired   |
| s. 79(8)        | duty to record a conflict of interest in the minutes of a meeting   |
| s. 80(1)(b)     | power to apply, in writing, to the Minister, after receiving written declarations of conflicts of interest from a majority of Councillors, for an exemption of those Councillors from any or all of the provisions of section 79  |
| s. 80(1A)       | function of providing additional information regarding an application made under section 80(1)(b)   |
| s. 80A(1)       | duty to ensure that at an assembly of Councillors, a written record is kept of the names of all Councillors and members of Council staff attending, the matters considered and any conflict of interest disclosures made by a Councillor attending under section 80A(3) |
| s. 80A(2)(a)    | duty to ensure a written record of an assembly of Councillors is, as soon as practicable, reported at an ordinary meeting of the Council  |
| s. 80A(2)(b)    | duty to ensure a written record of an assembly of Councillors is , as soon as practicable, incorporated in the minutes of that Council meeting  |
| s. 80B(2)(b)    | duty to disclose type and nature of conflict of interest to the Mayor or the Council  |
| s. 80B(2)(c)    | function of receiving disclosure of conflict of interest from staff member  |
| s.81(1)         | power to nominate a 'nominated officer'   |
| s.81(2)         | function of receiving a primary return from a Councillor or a member of a special committee   |
| s.81(4)         | function of receiving a primary return from a nominated person  |
| s.81(5)         | function of receiving an ordinary return from a Councillor, member of a special committee or a nominated officer  |
| s.81(9)         | duty to maintain a register of the interests of Councillors, members of special committees and nominated officers   |
| s.81(10)        | duty to allow a person to inspect the register following a written request to the Chief Executive Officer   |

|             |   |
|-------------|---|
| s.81(12)    | duty to take all reasonable steps to ensure that only persons who made written applications may inspect the register  |
| s. 81(13A)  | duty to maintain a record of the names of persons who have inspected the register of interests under section 81(10)   |
| s.81(16)    | duty to remove all the returns submitted by a Councillor or a member of a special committee or a nominated officer from the register, as soon as practicable after a person ceases to hold that position  |
| s.84(3)     | duty to call the special meeting as specified in a notice or resolution   |
| s.84A       | power to call a special meeting within 14 days after the results of a general election are publicly declared  |
| s.85(1)     | power to call require all Councillors to attend a call of the Council meeting if a quorum cannot be formed or maintained  |
| s.85(4)     | duty to immediately advise the Minister if a Councillor does not remain at or attend a call of the Council meeting within 30 minutes after the fixed time   |
| s.94A(2)    | power to appoint members of Council staff to enable the statutory functions of Council or the Chief Executive Officer to be carried-out   |
| s. 94A(3)   | function of appointing, directing, managing and dismissing Council staff  |
| s.94B(1)    | power to appoint a senior officer   |
| s.94B(3)    | duty to ensure that a person who has filled a senior officer's position on an acting basis for 12 months is not remunerated in any way for anything the person does in respect of that position after that 12 month period (unless subsection (1) applies). |
| s.94D       | duty to give Council staff an opportunity to apply for any vacant permanent full-time Council staff position  |
| s. 95AA(1)  | duty to develop and implement a code of conduct for Council staff   |
| s. 95AA(3)  | duty to ensure members of Council staff have access to the code of conduct for Council staff  |
| s. 95B(5)   | duty to comply with a notice under section 95B(3)(b)  |
| s.95B(6)    | duty to employ a person on an acting basis where the Council or the Chief Executive officer is forbidden to fill a vacancy by a notice  |
| s.97A(2)    | duty to review the performance of every senior officer at least once each year  |
| s.138       | duty to give quarterly statements at a Council meeting that is open to the public   |
| s.219(12)   | duty to summon a Council meeting within 14 days after the public declaration of the election result   |
| s.229(2)(b) | function of receiving an application for a land information certificate   |

|                    |   |
|--------------------|---|
| s.242(2)           | power to sign a certificate certifying any matter relating to the contents of any document kept by a Council  |
| Cl.14(1) Sch 3     | function of receiving returning officer's report  |
| Cl.14(3) Sch 3     | duty to ensure that the returning officer's report is submitted to the Council at the earliest meeting of Council that is practicable   |
| Cl.17(1)(c) Sch 3  | power to appoint a scrutineer   |
| Cl.7A(1)(a) Sch 3A | function of receiving notice of failure of the countback or the returning officer's failure to fill an extraordinary vacancy  |
| Cl.7(e) Sch 5      | function of receiving record of Councillor Conduct Panel process  |
| Cl.8(1) Sch 5      | duty to appoint a member of Council staff to be the CCP Registrar   |
| Cl.8(2)(a) Sch 5   | duty to ensure that the members of a Councillor Conduct Panel are paid in accordance with the schedule of fees set by the MAV   |
| Cl.8(2)(b) Sch 5   | duty to ensure the sealed records of the Councillor Conduct Panel are stored safely and made accessible only in accordance with sub-clause (3) for a period of 7 years after the conclusion of the matter |
| Cl.8(3) Sch 5      | duty to comply with a request for the sealed records from VCAT, a court or an Inspector of Municipal Administration   |



Maddocks Delegations and Authorisations

***S6. Instrument of Delegation – Members of Staff***

**Colac Otway Shire Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

**28 March 2013**

S6. Instrument of Delegation – Members of Staff

### Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. records that a reference in the Schedule to:

|         |  |
|---------|--|
| "BEA"   | means Building and Environment Administrator               |
| "CC"    | means Contracts Co-ordinator                               |
| "EHC"   | means Environmental Health Co-ordinator                    |
| "EHO"   | means Environmental Health Officer (FSO)                   |
| "EO"    | means Environment Officer                                  |
| "EP"    | means Environment Planner                                  |
| "GMCCS" | means General Manager Corporate and Community Services     |
| "GMSPD" | means General Manager Sustainable Planning and Development |
| "GMIS"  | means General Manager Infrastructure and Services          |
| "LLC"   | means Local Laws Co-ordinator                              |
| "LLO"   | means Local Laws Officer                                   |
| "MBS"   | means Municipal Building Surveyor                          |
| "MCW"   | means Manager Capital Works                                |
| "MCWS"  | means Manager Cosworks                                     |
| "MECS"  | means Manager Environment & Community Safety               |
| "MFCS"  | means Manager Finance & Customer Services                  |
| "MFPO"  | means Municipal Fire Prevention Officer                    |
| "MHCS"  | means Manager Health & Community Services                  |
| "MPB"   | means Manager Planning and Building                        |
| "MSA"   | means Manager Sustainable Assets                           |
| "PA"    | means Planning Assistant                                   |
| "PC"    | means Planning Co-ordinator                                |
| "PCoC"  | means Planning Committee of Council                        |
| "PRC"   | means Property & Rates Co-ordinator                        |
| "PLO"   | means Planning Officer (inc. Planning Enforcement Officer) |

3. declares that:

- 3.1 this Instrument of Delegation is authorised by resolution of Council passed on 28 March 2013.
- 3.2 the delegation:
  - 3.1.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 3.1.2 remains in force until varied or revoked;
  - 3.1.3 is subject to any conditions and limitations set out in the Schedule; and
  - 3.1.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts.

Deleted: 2

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Deleted: 2

THE COMMON SEAL of the )  
COLAC OTWAY SHIRE COUNCIL was )  
hereunto affixed in the presence of: )

Date \_\_\_\_\_

**SCHEDULE**

S6. Instrument of Delegation – Members of Staff

28 March 2013

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1

| CEMETERIES AND CREMATORIA ACT 2003<br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |  |                      |   |
|---|--|----------------------|---|
| Column 1  | Column 2   | Column 3             | Column 4  |
| PROVISION   | THING DELEGATED  | DELEGATE             | CONDITIONS & LIMITATIONS  |
| s.8(1)(a)(ii)   | power to manage one or more public cemeteries  | PRC<br>GMCCS<br>MFCS | <ul style="list-style-type: none"> <li>where appointed to manage cemetery by Governor in Council</li> </ul> |
| s.12(1)   | function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act. | PRC<br>GMCCS<br>MFCS | where Council is a Class B cemetery trust   |
| s.12(2)   | duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions   | PRC<br>GMCCS<br>MFCS | where Council is a Class B cemetery trust   |
| s.13  | duty to do anything necessary or convenient to enable it to carry out its functions  | PRC<br>GMCCS<br>MFCS |   |
| s.14  | power to manage multiple public cemeteries as if they are one cemetery   | PRC<br>GMCCS<br>MFCS |   |
| s.15(1) and (2)   | power to delegate powers or functions other than those listed  | PRC<br>GMCCS<br>MFCS |   |
| s.15(4)   | duty to keep records of delegations  | PRC<br>GMCCS<br>MFCS |   |
| s.17(1)   | power to employ any persons necessary  | PRC<br>GMCCS<br>MFCS |   |

[MAR: 2264237v1] S6. Instrument of Delegation – Members of Staff

28 March 2013

2

| CEMETERIES AND CREMATORIA ACT 2003<br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |  |                      |   |
|---|--|----------------------|---|
| Column 1  | Column 2   | Column 3             | Column 4  |
| PROVISION   | THING DELEGATED  | DELEGATE             | CONDITIONS & LIMITATIONS  |
| s.17(2)   | power to engage any professional, technical or other assistance considered necessary | PRC<br>GMCCS<br>MFCS |   |
| s.17(3)   | power to determine the terms and conditions of employment or engagement              | PRC<br>GMCCS<br>MFCS | subject to any guidelines or directions of the Secretary  |
| s.18(3)   | duty to comply with a direction from the Secretary                                   | PRC<br>GMCCS<br>MFCS |   |
| s.19  | power to carry out or permit the carrying out of works                               | PRC<br>GMCCS<br>MFCS |   |
| s.20(1)   | duty to set aside areas for the interment of human remains                           | PRC<br>GMCCS<br>MFCS |   |
| s.20(2)   | power to set aside areas for the purposes of managing a public cemetery              | PRC<br>GMCCS<br>MFCS |   |
| s.20(3)   | power to set aside areas for those things in paragraphs (a) – (e)                    | PRC<br>GMCCS<br>MFCS |   |
| s.21(1)   | power to establish and operate a crematorium in a public cemetery                    | PRC<br>GMCCS<br>MFCS | Council must not establish or operate a crematorium set aside for particular religious or community groups. |
| s.22  | power to establish mausolea facilities   | PRC<br>GMCCS<br>MFCS | subject to the prior written approval of the secretary  |

28 March 2013

S6. Instrument of Delegation – Members of Staff

3

| CEMETERIES AND CREMATORIA ACT 2003<br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(i) as though it were a cemetery trust (see section 53) |  |                      |  |
|--|--|----------------------|--|
| Column 1   | Column 2   | Column 3             | Column 4   |
| PROVISION  | THING DELEGATED  | DELEGATE             | CONDITIONS & LIMITATIONS   |
| s.24(2)  | power to apply to the Secretary for approval to alter the existing distribution of land                                    | PRC<br>GMCCS<br>MFCS |  |
| s.26(1)  | power to make rules for or with respect to the general care, protection and management of a public cemetery                | PRC<br>GMCCS<br>MFCS |  |
| s.36   | power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section | PRC<br>GMCCS<br>MFCS | subject to the approval of the Minister  |
| s.37   | power to grant leases over land in a public cemetery in accordance with this section                                       | PRC<br>GMCCS<br>MFCS | subject to the Minister approving the purpose  |
| s.39(1)  | power to fix fees and charges or a scale of fees and charges for its services in accordance with this section              | PRC<br>GMCCS<br>MFCS | Subject to the Minister approving the purpose  |
| s.39(3)  | power to fix different fees and charges for different cases or classes of cases  | PRC<br>GMCCS<br>MFCS |  |
| s.40   | duty to notify Secretary of fees and charges fixed under section 39  | PRC<br>GMCCS<br>MFCS |  |
| s.45   | power to invest money  | PRC<br>GMCCS<br>MFCS | subject to any direction of the Minister.<br>This provision does not apply if the management of the public cemetery is a |

S6. Instrument of Delegation – Members of Staff

28 March 2013

4

| CEMETERIES AND CREMATORIA ACT 2003<br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |  |                      |  |
|---|--|----------------------|--|
| Column 1  | Column 2   | Column 3             | Column 4   |
| PROVISION   | THING DELEGATED  | DELEGATE             | CONDITIONS & LIMITATIONS   |
| s.46  | power to borrow money to enable it to perform its functions and exercise its powers  | PRC<br>GMCCS<br>MFCS | municipal council, not a cemetery trust. In this case the borrowing and investment powers are governed by the <i>Local Government Act 1989</i> .<br>subject to the approval and conditions of the Treasurer.<br>This provision does not apply if the management of the public cemetery is a municipal council, not a cemetery trust. In this case the borrowing and investment powers are governed by the <i>Local Government Act 1989</i> . |
| s.47  | power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery | PRC<br>GMCCS<br>MFCS | provided the street was constructed pursuant to the <i>Local Government Act 1989</i>   |
| s.57(1)   | duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act                         | PRC<br>GMCCS<br>MFCS | applies only to municipal councils, not cemetery trusts.<br>Report must contain the particulars listed in s.57(2)  |
| s.59  | duty to keep records for each public cemetery  | PRC<br>GMCCS<br>MFCS |  |
| s.60(1)   | duty to make information in records available to the public for historical or research purposes  | PRC<br>GMCCS<br>MFCS |  |

S6. Instrument of Delegation – Members of Staff

28 March 2013

5

| CEMETERIES AND CREMATORIA ACT 2003<br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |   |                      |  |
|---|---|----------------------|--|
| Column 1  | Column 2  | Column 3             | Column 4   |
| PROVISION   | THING DELEGATED   | DELEGATE             | CONDITIONS & LIMITATIONS   |
| s.60(2)   | power to charge fees for providing information  | PRC<br>GMCCS<br>MFCS |  |
| s.64(4)   | duty to comply with a direction from the Secretary under section 64(3)  | PRC<br>GMCCS<br>MFCS |  |
| s.64B(d)  | power to permit interments at a reopened cemetery   | PRC<br>GMCCS<br>MFCS |  |
| s.66(1)   | power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park                 | PRC<br>GMCCS<br>MFCS | the application must include the requirements listed in s.66(2)(a)-(d) |
| s.69  | duty to take reasonable steps to notify of conversion to historic cemetery park   | PRC<br>GMCCS<br>MFCS |  |
| s.70(1)   | duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed | PRC<br>GMCCS<br>MFCS |  |
| s.70(2)   | duty to make plans of existing place of interment available to the public   | PRC<br>GMCCS<br>MFCS |  |
| s.71(1)   | power to remove any memorials or other structures in an area to which an approval to convert applies                            | PRC<br>GMCCS<br>MFCS |  |

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| CEMETERIES AND CREMATORIA ACT 2003<br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |  |                      |                          |
|---|--|----------------------|--------------------------|
| Column 1  | Column 2   | Column 3             | Column 4                 |
| PROVISION   | THING DELEGATED  | DELEGATE             | CONDITIONS & LIMITATIONS |
| s.71(2)   | power to dispose of any memorial or other structure removed  | PRC<br>GMCCS<br>MFCS |                          |
| s.72(2)   | duty to comply with request received under section 72  | PRC<br>GMCCS<br>MFCS |                          |
| s.73(1)   | power to grant a right of interment  | PRC<br>GMCCS<br>MFCS |                          |
| s.73(2)   | power to impose conditions on the right of interment   | PRC<br>GMCCS<br>MFCS |                          |
| s.75  | power to grant the rights of interment set out in subsections (a) and (b)  | PRC<br>GMCCS<br>MFCS |                          |
| s.76(3)   | duty to allocate a piece of interment if an unallocated right is granted   | PRC<br>GMCCS<br>MFCS |                          |
| s.77(4)   | power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application | PRC<br>GMCCS<br>MFCS |                          |
| s.80(1)   | function of receiving notification and payment of transfer of right of interment   | PRC<br>GMCCS<br>MFCS |                          |

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| CEMETERIES AND CREMATORIA ACT 2003<br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(i) as though it were a cemetery trust (see section 53) |  |                      |  |
|--|--|----------------------|--|
| Column 1   | Column 2   | Column 3             | Column 4   |
| PROVISION  | THING DELEGATED  | DELEGATE             | CONDITIONS & LIMITATIONS   |
| s.80(2)  | function of recording transfer of right of interment   | PRC<br>GMCCS<br>MFCS |  |
| s.82(2)  | duty to pay refund on the surrender of an unexercised right of interment   | PRC<br>GMCCS<br>MFCS |  |
| s.83(2)  | duty to pay refund on the surrender of an unexercised right of interment (sold holder)   | PRC<br>GMCCS<br>MFCS |  |
| s.83(3)  | power to remove any memorial and grant another right of interment for a surrendered right of interment                                 | PRC<br>GMCCS<br>MFCS |  |
| s.84(1)  | function of receiving notice of surrendering an entitlement to a right of interment  | PRC<br>GMCCS<br>MFCS |  |
| s.85(1)  | duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry                                     | PRC<br>GMCCS<br>MFCS | the notice must be in writing and contain the requirements listed in s.85(2) |
| s.86   | power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified | PRC<br>GMCCS<br>MFCS |  |
| s.87(3)  | duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment                  | PRC<br>GMCCS<br>MFCS |  |

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| CEMETERIES AND CREMATORIA ACT 2003<br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |   |                      |  |
|---|---|----------------------|--|
| Column 1  | Column 2  | Column 3             | Column 4   |
| PROVISION   | THING DELEGATED   | DELEGATE             | CONDITIONS & LIMITATIONS   |
| s.88  | function to receive applications to carry out a life and reposition procedure at a place of interment   | PRC<br>GMCCS<br>MFCS |  |
| s.89(1)   | power to approve or refuse an application for a lift and re-position procedure in accordance with sub-section (2) & (3)                               | PRC<br>GMCCS<br>MFCS | <ul style="list-style-type: none"> <li>Can only be delegated to members of a committee established under section 86 of the <i>Local Government Act 1989</i></li> </ul> |
| s.90  | power to authorise a person without an exhumation licence to carry out a lift and re-position procedure as set out in section 90(1)(a)-(d)            | PRC<br>GMCCS<br>MFCS | <ul style="list-style-type: none"> <li>Can only be delegated to members of a committee established under section 86 of the <i>Local Government Act 1989</i></li> </ul> |
| s.91(1)   | power to cancel a right of interment in accordance with this section  | PRC<br>GMCCS<br>MFCS |  |
| s.91(3)   | duty to publish notice of intention to cancel right of interment  | PRC<br>GMCCS<br>MFCS |  |
| s.92  | power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment | PRC<br>GMCCS<br>MFCS |  |
| s.98(1)   | function of receiving application to establish or alter a memorial or a place of interment  | PRC<br>GMCCS<br>MFCS |  |
| s.99  | power to approve or refuse an application made under section 98 or to cancel an approval  | PRC<br>GMCCS<br>MFCS |  |

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| CEMETERIES AND CREMATORIA ACT 2003<br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |   |                      |                          |
|---|---|----------------------|--------------------------|
| Column 1  | Column 2  | Column 3             | Column 4                 |
| PROVISION   | THING DELEGATED   | DELEGATE             | CONDITIONS & LIMITATIONS |
| s.99(4)   | duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested | PRC<br>GMCCS<br>MFCS |                          |
| s.100(1)  | power to require a person to remove memorials or places of interment  | PRC<br>GMCCS<br>MFCS |                          |
| s.100(2)  | power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)   | PRC<br>GMCCS<br>MFCS |                          |
| s.100(3)  | power to recover costs of taking action under section 100(2)  | PRC<br>GMCCS<br>MFCS |                          |
| s.101   | function of receiving applications to establish or alter a building for ceremonies in the cemetery  | PRC<br>GMCCS<br>MFCS |                          |
| s.102(1)  | power to approve or refuse (if satisfied of the matters in (b) and (c)) an application under section 101  | PRC<br>GMCCS<br>MFCS |                          |
| S.102(2)&(3)  | power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)   | PRC<br>GMCCS<br>MFCS |                          |
| s.103(1)  | power to require a person to remove a building for ceremonies   | PRC<br>GMCCS<br>MFCS |                          |

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| CEMETERIES AND CREMATORIA ACT 2003<br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |  |                      |                          |
|---|--|----------------------|--------------------------|
| Column 1  | Column 2   | Column 3             | Column 4                 |
| PROVISION   | THING DELEGATED  | DELEGATE             | CONDITIONS & LIMITATIONS |
| s.103(2)  | power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)   | PRC<br>GMCCS<br>MFCS |                          |
| s.103(3)  | power to recover costs of taking action under section 103(2)   | PRC<br>GMCCS<br>MFCS |                          |
| s.106(1)  | power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs             | PRC<br>GMCCS<br>MFCS |                          |
| s.106(2)  | power to require the holder of the right of interment to provide for an examination  | PRC<br>GMCCS<br>MFCS |                          |
| s.106(3)  | power to open and examine the place of interment if section 106(2) not complied with   | PRC<br>GMCCS<br>MFCS |                          |
| s.106(4)  | power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under section 106(1) is not complied with | PRC<br>GMCCS<br>MFCS |                          |
| s.107(1)  | power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs   | PRC<br>GMCCS<br>MFCS |                          |

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| CEMETERIES AND CREMATORIA ACT 2003<br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(fi) as though it were a cemetery trust (see section 53) |  |                      |  |
|---|--|----------------------|--|
| Column 1  | Column 2   | Column 3             | Column 4   |
| PROVISION   | THING DELEGATED  | DELEGATE             | CONDITIONS & LIMITATIONS   |
| s.107(2)  | power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with                                 | PRC<br>GMCCS<br>MFCS |  |
| s.108   | power to recover costs and expenses  | PRC<br>GMCCS<br>MFCS |  |
| s.109(1)(a)   | power to open, examine and repair a place of interment   | PRC<br>GMCCS<br>MFCS | where the holder of right of interment or responsible person cannot be found |
| s.109(1)(b)   | power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial   | PRC<br>GMCCS<br>MFCS | where the holder of right of interment or responsible person cannot be found |
| s.109(2)  | power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies                    | PRC<br>GMCCS<br>MFCS | where the holder of right of interment or responsible person cannot be found |
| s.110(1)  | power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder with consent of the Secretary | PRC<br>GMCCS<br>MFCS |  |
| s.110(2)  | power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary         | PRC<br>GMCCS<br>MFCS |  |

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| CEMETERIES AND CREMATORIA ACT 2003<br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |   |                      |                          |
|---|---|----------------------|--------------------------|
| Column 1  | Column 2  | Column 3             | Column 4                 |
| PROVISION   | THING DELEGATED   | DELEGATE             | CONDITIONS & LIMITATIONS |
| s.111   | power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment    | PRC<br>GMCCS<br>MFCS |                          |
| s.112   | power to sell and supply memorials  | PRC<br>GMCCS<br>MFCS |                          |
| s.116(4)  | duty to notify the Secretary of an interment authorisation granted  | PRC<br>GMCCS<br>MFCS |                          |
| s.116(5)  | power to require an applicant to produce evidence of the right of interment holder's consent to application           | PRC<br>GMCCS<br>MFCS |                          |
| s.118   | power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met    | PRC<br>GMCCS<br>MFCS |                          |
| s.119   | power to set terms and conditions for interment authorisations  | PRC<br>GMCCS<br>MFCS |                          |
| s.131   | function of receiving an application for cremation authorisation  | PRC<br>GMCCS<br>MFCS |                          |
| s.133(1)  | duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with | PRC<br>GMCCS<br>MFCS |                          |

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| CEMETERIES AND CREMATORIA ACT 2003<br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(i) as though it were a cemetery trust (see section 53) |   |                      |  |
|--|---|----------------------|--|
| Column 1   | Column 2  | Column 3             | Column 4                                 |
| PROVISION  | THING DELEGATED   | DELEGATE             | CONDITIONS & LIMITATIONS                 |
| s.145  | duty to comply with an order made by the Magistrates' Court or a coroner  | PRC<br>GMCCS<br>MFCS |  |
| s.146  | power to dispose of bodily remains by a method other than interment or cremation with the approval of the Secretary     | PRC<br>GMCCS<br>MFCS | subject to the approval of the Secretary |
| s.147  | power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation | PRC<br>GMCCS<br>MFCS |  |
| s.149  | duty to cease using method of disposal if approval revoked by the Secretary   | PRC<br>GMCCS<br>MFCS |  |
| s.150 & 152(1)   | power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met        | PRC<br>GMCCS<br>MFCS |  |
| s.151  | function of receiving an application to inter or cremate body parts   | PRC<br>GMCCS<br>MFCS |  |
| s.152(2)   | power to impose terms and conditions on authorisation granted under section 150   | PRC<br>GMCCS<br>MFCS |  |

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| <b>CEMETERIES AND CREMATORIA ACT 2003</b><br>The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |  |                      |   |  |
|--|--|----------------------|---|--|
| Column 1   | Column 2   | Column 3             | Column 4  |  |
| PROVISION  | THING DELEGATED  | DELEGATE             | CONDITIONS & LIMITATIONS                                      |  |
| Schedule 1A<br>Clause 8(3)   | power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication | PRC<br>GMCCS<br>MFCS | where Council is a Class B cemetery trust                     |  |
| Schedule 1<br>Clause 8(8)  | power to regulate own proceedings  | PRC<br>GMCCS<br>MFCS | where Council is a Class B cemetery trust subject to clause 8 |  |

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| DOMESTIC ANIMALS ACT 1994 |   |            |  |
|---------------------------|---|------------|--|
| Column 1                  | Column 2                                    | Column 3   | Column 4   |
| PROVISION                 | THING DELEGATED                             | DELEGATE   | CONDITIONS AND LIMITATIONS                               |
| s.41A(1)                  | power to declare a dog to be a menacing dog | LLC<br>LLO | Council may delegate this power to an authorised officer |

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| ENVIRONMENT PROTECTION ACT 1970 |   |  |   |
|---------------------------------|---|--|---|
| Column 1                        | Column 2  | Column 3                                 | Column 4  |
| PROVISION                       | THING DELEGATED   | DELEGATE                                 | CONDITIONS & LIMITATIONS                                  |
| s.53M(3)                        | power to require further information                              | MHCS<br>EHC<br>EHO<br>MECS<br>LLC<br>LLO |   |
| s.53M(4)                        | duty to advise applicant that application is not to be dealt with | MHCS<br>EHC<br>EHO<br>MECS<br>LLC<br>LLO |   |
| s.53M(5)                        | duty to approve plans, issue permit or refuse permit              | MHCS<br>EHC<br>EHO                       | refusal must be ratified by Council or it is of no effect |
| s.53M(6)                        | power to refuse to issue septic tank permit                       | MHCS<br>EHC<br>EHO                       | refusal must be ratified by Council or it is of no effect |
| s.53M(7)                        | duty to refuse to issue a permit in circumstances in (a)-(c)      | MHCS<br>EHC<br>EHO                       | refusal must be ratified by Council or it is of no effect |

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| FOOD ACT 1984 |   |                    |   |
|---------------|---|--------------------|---|
| Column 1      | Column 2  | Column 3           | Column 4  |
| PROVISION     | THING DELEGATED   | DELEGATE           | CONDITIONS & LIMITATIONS  |
| s.19(2)(a)    | power to direct by written order that the food premises be put into a clean and sanitary condition  | MHCS<br>EHC<br>EHO | If section 19(1) applies  |
| s.19(2)(b)    | power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable   | MHCS<br>EHC<br>EHO | If section 19(1) applies  |
| s.19(4)(a)    | power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises and (ii) inform the public by notice in a published newspaper or otherwise | MHCS<br>EHC<br>EHO | If section 19(1) applies  |
| s.19(4)(b)    | duty to notify the Department of the making of the order  | MHCS<br>EHC<br>EHO | If section 19(1) applies  |
| s.19(4)(c)    | duty to notify the registration authority of the making of the order any appeal and the outcome of the appeal   | MHCS<br>EHC<br>EHO | If section 19(1) applies and if Council is not the registration authority |
| s.19(6)(a)    | duty to revoke any order under s.19 where the subject of the order has been attended to   | MHCS<br>EHC<br>EHO |   |
| s.19(6)(b)    | duty to give written notice of revocation under s.19(6)(a)  | MHCS<br>EHC<br>EHO | If section 19(1) applies  |
| s.19AA(2)     | power to direct, by written order, that a person must take any of the actions described in (a) – (c)  | MHCS<br>EHC<br>EHO | Where Council is the registration authority                               |

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| FOOD ACT 1984 |  |                    |  |
|---------------|--|--------------------|--|
| Column 1      | Column 2   | Column 3           | Column 4   |
| PROVISION     | THING DELEGATED  | DELEGATE           | CONDITIONS & LIMITATIONS   |
| s.19AA(4)(c)  | power to direct, in an order under s.19AA(2), or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises | MHCS<br>EHC<br>EHO | Note. The power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution |
| s.19AA(7)     | duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with                                    | MHCS<br>EHC<br>EHO | Where Council is the registration authority  |
| s.19A(4)(b)   | function of receiving notice from authorised officer   | MHCS<br>EHC<br>EHO | Where Council is the registration authority  |
| s.19BA(3)     | duty to give notice of the variation or revocation of the order to the general public in the same manner as the original notice  | MHCS<br>EHC<br>EHO | Must be done by the same person as gave the original notice  |
| s.19CB(4)(b)  | power to request copy of records   | MHCS<br>EHC<br>EHO | Where Council is the registration authority  |
| s.19E(1)(d)   | power to request a copy of the food safety program   | MHCS<br>EHC<br>EHO | Where Council is the "registration authority"  |
| s.19EA(3)     | function of receiving a copy of any significant revision made to the food safety program   | MHCS<br>EHC<br>EHO | Where Council is the registration authority  |
| s.19GB        | power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor                                  | MHCS<br>EHC<br>EHO | Where Council is the registration authority  |

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| FOOD ACT 1984        |   |                    |  |
|----------------------|---|--------------------|--|
| Column 1             | Column 2  | Column 3           | Column 4   |
| PROVISION            | THING DELEGATED   | DELEGATE           | CONDITIONS & LIMITATIONS   |
| s.19H(5)(a) & (5)(b) | duty to take into account (a) the food safety performance of the food business; and (b) any guidelines issued by the secretary in determining the frequency and intervals of the assessments and audits | MHCS<br>EHC<br>EHO | Where Council is the registration authority                            |
| s.19I                | duty to conduct a food safety assessment as required under section 19H  | MHCS<br>EHC<br>EHO | Subject to section 19J.<br>Where Council is the registration authority |
| s.19IA(2)            | duty to give written notice to proprietor if food safety requirements or section 19DC(2) have not been complied with unless subsection (3) applies  | MHCS<br>EHC<br>EHO | Where Council is the registration authority                            |
| s.19M(4)(a)&(5)      | power to conduct a food safety audit and take actions where deficiencies are identified   | MHCS<br>EHC<br>EHO | Where Council is the registration authority                            |
| s.19N                | function of receiving information from a food safety auditor  | MHCS<br>EHC<br>EHO | Where Council is the registration authority                            |
| s.19NA(1)            | power to request food safety audit reports  | MHCS<br>EHC<br>EHO | Where Council is the registration authority                            |
| s.19U(3)             | power to waive and vary the costs of a food safety audit if there are special circumstances   | MHCS<br>EHC<br>EHO |  |
| s.19U(4)             | duty to ensure that information relating to costs of a food safety audit are available for inspection by the public   | MHCS<br>EHC<br>EHO |  |

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| FOOD ACT 1984 |  |                    |  |
|---------------|--|--------------------|--|
| Column 1      | Column 2   | Column 3           | Column 4   |
| PROVISION     | THING DELEGATED  | DELEGATE           | CONDITIONS & LIMITATIONS   |
| s.19UA        | power to charge fees for conducting a food safety assessment or inspection   | MHCS<br>EHC<br>EHO | Except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39                             |
| s.19UA(4)     | duty to consider proprietor's history of compliance in deciding whether to charge the fee  | MHCS<br>EHC<br>EHO |  |
| s.19UA(5)     | duty to ensure that the method of determining a fee under subsection (3)(a) and the considerations that apply under subsection (4) are available for inspection by the public          | MHCS<br>EHC<br>EHO |  |
| s.19W         | power to direct a proprietor of a food premises to comply with any requirement under Part IIIB   | MHCS<br>EHC<br>EHO | power of registration authority  |
| s.19W(3)(a)   | power to direct a proprietor of a food premises to have staff at the premises undertake training or induction  | MHCS<br>EHC<br>EHO | power of registration authority  |
| s.19W(3)(b)   | power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises | MHCS<br>EHC<br>EHO | power of registration authority  |
| —             | power to register, renew or transfer registration  | MHCS<br>EHC<br>EHO | Where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see sec.58A(2)) |

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| FOOD ACT 1984 |  |                    |   |
|---------------|--|--------------------|---|
| Column 1      | Column 2   | Column 3           | Column 4                                    |
| PROVISION     | THING DELEGATED  | DELEGATE           | CONDITIONS & LIMITATIONS                    |
| s.35A         | function of registering food premises  | MHCS<br>EHC<br>EHO |   |
| s.35A(2)      | function of receiving notice of operation from the proprietor of a food premises   | MHCS<br>EHC<br>EHO | where Council is the registration authority |
| s.37          | function of receiving application, information and documents required under section 36 from the proprietor of a food business              | MHCS<br>EHC<br>EHO |   |
| s.38(3)       | duty to consult with the secretary about the proposed exemption under section 38(2)  | MHCS<br>EHC<br>EHO |   |
| s.38AA(2)     | Function of being notified of operation  | MHCS<br>EHC<br>EHO | Where Council is the registration authority |
| s.38AA(4)     | duty to determine whether the food premises are exempt from the requirement of registration  | MHCS<br>EHC<br>EHO | Where Council is the registration authority |
| s.38AA(5)     | power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt | MHCS<br>EHC<br>EHO | Where Council is the registration authority |
| s.38AB(4)     | power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)              | MHCS<br>EHC<br>EHO | Where Council is the registration authority |

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| FOOD ACT 1984  |  |                    |   |
|----------------|--|--------------------|---|
| Column 1       | Column 2   | Column 3           | Column 4                                    |
| PROVISION      | THING DELEGATED<br>subsection (1)  | DELEGATE           | CONDITIONS & LIMITATIONS                    |
| s.38A(4)       | Power to request a copy of a completed food safety program template  | MHCS<br>EHC<br>EHO | Where Council is the registration authority |
| s.38A(5) & (6) | function of receiving a food safety audit certificate from a proprietor  | MHCS<br>EHC<br>EHO | Where Council is the registration authority |
| s.38B(1)(a)    | duty to assess the application and determine which class of food premises under section 19C the food premises belongs      | MHCS<br>EHC<br>EHO | Where Council is the registration authority |
| s.38B(1)(b)    | duty to ensure proprietor has complied with requirements of section 38A  | MHCS<br>EHC<br>EHO | Where Council is the registration authority |
| s.38B(1)(c)    | duty to inspect premises   | MHCS<br>EHC<br>EHO | Where Council is the registration authority |
| s.38B(2)       | duty to be satisfied of the matters in section 38B(2)(a)-(b)   | MHCS<br>EHC<br>EHO | Where Council is the registration authority |
| s.38D(1)       | duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39 | MHCS<br>EHC<br>EHO | Where Council is the registration authority |
| s.38D(2)       | duty to be satisfied of the matters in section 38D(2)(a)-(d)   | MHCS<br>EHC<br>EHO | Where Council is the registration authority |

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| FOOD ACT 1984 |   |                    |   |
|---------------|---|--------------------|---|
| Column 1      | Column 2  | Column 3           | Column 4  |
| PROVISION     | THING DELEGATED   | DELEGATE           | CONDITIONS & LIMITATIONS  |
| s.38D(3)      | power to request copies of any audit reports  | MHCS<br>EHC<br>EHO | Where Council is the registration authority   |
| s.38E(1)(c)   | function of assessing the requirement for a food safety program                                       | MHCS<br>EHC<br>EHO | Where Council is the registration authority   |
| s.38E(2)      | power to register the food premises on a conditional basis  | MHCS<br>EHC<br>EHO | Where Council is the registration authority<br>Not exceeding the prescribed time limit defined under subsection (5) |
| s.38E(3)(a)   | function of receiving certificates  | MHCS<br>EHC<br>EHO | Where Council is the registration authority   |
| s.38E(4)      | duty to register the food premises when conditions are satisfied                                      | MHCS<br>EHC<br>EHO | Where Council is the registration authority   |
| s.38F(3)(a)   | duty to note the change to the classification of the food premises on the certificate of registration | MHCS<br>EHC<br>EHO | Where Council is the registration authority   |
| s.38F(3)(b)   | power to require proprietor to comply with requirements of this Act                                   | MHCS<br>EHC<br>EHO | Where Council is the registration authority   |
| s.39(2)       | duty to inspect within 12 months before renewal of registration                                       | MHCS<br>EHC<br>EHO | Where Council is the registration authority   |
| s.39(3)       | duty to inspect within 3 months before renewal of   | MHCS<br>EHC        | Where Council is the registration authority   |

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| FOOD ACT 1984 |   |                    |   |
|---------------|---|--------------------|---|
| Column 1      | Column 2  | Column 3           | Column 4  |
| PROVISION     | THING DELEGATED   | DELEGATE           | CONDITIONS & LIMITATIONS  |
|               | registration if circumstances in section 39(3)(a)-(d) apply   | EHO                |   |
| s.39A         | power to register, renew or transfer food premises despite minor defects  | MHCS<br>EHC<br>EHO | Where Council is the registration authority<br>Only if satisfied of matters in subsections (2)(a)-(c) |
| s.39A(6)      | duty to comply with direction of Secretary  | MHCS<br>EHC<br>EHO |   |
| s.40(1)       | duty to issue a certificate of registration in the prescribed form  | MHCS<br>EHC<br>EHO | Where Council is the registration authority   |
| s.40(2)       | power to incorporate the certificate of registration in one document with any certificate of registration under the <i>Public Health and Wellbeing Act 2008</i> | MHCS<br>EHC<br>EHO |   |
| s.40C(2)      | power to grant or renew the registration of food premises for a period less than 1 year   | MHCS<br>EHC<br>EHO | Where Council is the registration authority   |
| s.40D(1)      | power to suspend or revoke the registration of food premises  | MHCS<br>EHC        | Where Council is the registration authority   |
| s.40D(2)      | duty to specify how long a suspension is to last under s.40D(1)   | MHCS<br>EHC        | Where Council is the registration authority   |
| s.40E(4)      | duty to comply with direction of Secretary  | MHCS<br>EHC<br>EHO | Where Council is the registration authority   |

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| FOOD ACT 1984   |  |                    |   |
|-----------------|--|--------------------|---|
| Column 1        | Column 2   | Column 3           | Column 4                                    |
| PROVISION       | THING DELEGATED  | DELEGATE           | CONDITIONS & LIMITATIONS                    |
| s.43(1) and (2) | duty to maintain records of the prescribed particulars and orders in force under Part III  | MHCS<br>EHC        | Where Council is the registration authority |
| s.43(3)         | duty to make available information held in records, free of charge, on request   | MHCS<br>EHC<br>EHO | Where Council is the registration authority |
| s.43F(6)        | duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business   | MHCS<br>EHC<br>EHO | Where Council is the registration authority |
| s.43F(7)        | power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements  | MHCS<br>EHC<br>EHO | Where Council is the registration authority |
| s.43I           | function of receiving a statement of trade of a proprietor of a food business  | MHCS<br>EHC<br>EHO |   |
| s.46(5)         | power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution without proceedings first being instituted against the person first charged | MHCS<br>EHC<br>EHO | Where Council is the registration authority |

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| HERITAGE ACT 1995 |  |          |   |
|-------------------|--|----------|---|
| Column 1          | Column 2   | Column 3 | Column 4  |
| PROVISION         | THING DELEGATED                                      | DELEGATE | CONDITIONS & LIMITATIONS                                |
| s.84(2)           | power to sub-delegate Executive Director's functions | GMSPD    | must obtain Executive Director's written consent first. |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |                                 |                               |
|-----------------------------------|---|---------------------------------|-------------------------------|
| Column 1                          | Column 2  | Column 3                        | Column 4                      |
| PROVISION                         | THING DELEGATED   | DELEGATE                        | CONDITIONS & LIMITATIONS      |
| s.4B                              | power to prepare an amendment to the Victoria Planning Provisions   | PCofC<br>GMSPD<br>PC<br>MPB     | if authorised by the Minister |
| s.4G                              | function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister   | GMSPD<br>PC<br>MPB              |                               |
| s.4H                              | duty to make amendment to Victorian Planning Provisions available   | GMSPD<br>PC<br>MPB<br>PLO<br>PA |                               |
| s.4I                              | duty to keep Victoria Planning Provisions and other documents available   | GMSPD<br>PC<br>MPB<br>PLO<br>PA |                               |
| s.8A(3)                           | power to apply to Minister to prepare an amendment to the planning scheme   | PCofC<br>GMSPD<br>PC<br>MPB     |                               |
| s.11(3)(b)                        | duty to submit amendment to planning scheme to Minister for approval if the Minister withdraws authorisation  | GMSPD<br>PC<br>MPB              |                               |
| s.12A (1)                         | duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s 19 of the Planning and Environment (Planning Schemes) Act 1996) | PCofC<br>GMSPD<br>PC<br>MPB     |                               |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |   |                          |
|-----------------------------------|---|---|--------------------------|
| Column 1                          | Column 2  | Column 3                                  | Column 4                 |
| PROVISION                         | THING DELEGATED   | DELEGATE                                  | CONDITIONS & LIMITATIONS |
| s.12(3)                           | power to carry out studies and do things to ensure proper use of land in which Council is the planning authority and consult with other persons to ensure co-ordination of planning scheme with these persons | PCofC<br>GMSPD<br>PC<br>MPB<br>EP<br>MECS |                          |
| s.12B(1)                          | duty to review planning scheme  | PCofC<br>GMSPD<br>PC<br>MPB<br>EP<br>MECS |                          |
| s.12B(2)                          | Duty to review planning scheme at direction of Minister   | PCofC<br>GMSPD<br>PC<br>MPB<br>EP<br>MECS |                          |
| s.12B(5)                          | duty to report findings of review of planning scheme to Minister without delay  | PCofC<br>GMSPD<br>PC<br>MPB<br>EP<br>MECS |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |  |                          |
|-----------------------------------|---|--|--------------------------|
| Column 1                          | Column 2  | Column 3   | Column 4                 |
| PROVISION                         | THING DELEGATED   | DELEGATE   | CONDITIONS & LIMITATIONS |
| s.14                              | Duties of a Responsible Authority as set out in subsections (a) to (d)  | PCofC<br>GMSPD<br>PC<br>PLO<br>EP<br>MPB<br>MECS |                          |
| s.17(1)                           | duty of giving copy amendment to the planning scheme  | GMSPD<br>PC<br>MPB<br>PLO<br>PA                  |                          |
| s.17(2)                           | duty of giving copy s.173 agreement   | GMSPD<br>PC<br>PLO<br>MPB<br>PA<br>EP<br>MECS    |                          |
| s.18                              | duty to make amendment etc. available   | GMSPD<br>PC<br>MPB<br>PLO<br>PA                  |                          |
| s.19                              | power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme | GMSPD<br>PC<br>MPB                               |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |   |                          |
|-----------------------------------|--|---|--------------------------|
| Column 1                          | Column 2   | Column 3                                      | Column 4                 |
| PROVISION                         | THING DELEGATED  | DELEGATE                                      | CONDITIONS & LIMITATIONS |
| s.20(1)                           | power to apply to Minister for exemption from the requirements of s 19 | PCofC<br>GMSPD<br>PC<br>MPB                   |                          |
| s.21 (2)                          | duty to make submissions available                                     | GMSPD<br>PC<br>MPB<br>PLO<br>PA<br>EP<br>MECS |                          |
| s.21A(4)                          | duty to publish notice in accordance with section                      | GMSPD<br>PC<br>MPB<br>PLO<br>PA<br>EP<br>MECS |                          |
| s.22                              | duty to consider all submissions                                       | PCofC<br>GMSPD<br>PC<br>MPB                   |                          |
| s.23(2)                           | power to refer submissions to a panel                                  | PCofC<br>GMSPD<br>PC<br>MPB                   |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                                 |  |
|-----------------------------------|--|---------------------------------|--|
| Column 1                          | Column 2   | Column 3                        | Column 4   |
| PROVISION                         | THING DELEGATED  | DELEGATE                        | CONDITIONS & LIMITATIONS   |
| s.24                              | function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D) | GMSPD<br>PC<br>PLO<br>MPB       |  |
| s.26(1)                           | power to make report available for inspection  | GMSPD<br>PC<br>MPB<br>PLO<br>PA |  |
| s.26(2)                           | duty to keep report of panel available for inspection  | GMSPD<br>PC<br>MPB<br>PLO<br>PA |  |
| s.27 (2)                          | power to apply for exemption if panel's report not received  | PCofC<br>GMSPD<br>PC<br>MPB     |  |
| s.28                              | duty to notify the Minister if abandoning an amendment   | GMSPD<br>PC<br>MPB              | Note: the power to make a decision to abandon an amendment cannot be delegated |
| s.30(4)(a)                        | duty to say if amendment has lapsed  | GMSPD<br>PC<br>MPB              |  |
| s.30(4)(b)                        | duty to provide information in writing upon request  | GMSPD<br>PC<br>MPB              |  |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |                             |                          |
|-----------------------------------|---|-----------------------------|--------------------------|
| Column 1                          | Column 2  | Column 3                    | Column 4                 |
| PROVISION                         | THING DELEGATED   | DELEGATE                    | CONDITIONS & LIMITATIONS |
| s.31                              | duty to submit adopted amendment to Minister and, if applicable, details under s.19(1B)               | GMSPD<br>PC<br>MPB          |                          |
| s.32(2)                           | duty to give more notice if required  | GMSPD<br>PC<br>MPB          |                          |
| s.33(1)                           | duty to give more notice of changes to an amendment   | GMSPD<br>PC<br>MPB          |                          |
| s.35A(2)                          | duty to not approve an amendment under s.35B unless the amendment has been certified by the Secretary | GMSPD<br>PC<br>MPB          |                          |
| s.35B(1)                          | power to approve amendment in form certified under s.35A  | PCofC<br>GMSPD<br>PC<br>MPB |                          |
| s.35B(2)                          | duty to give to Minister notice of approval, copy of approved amendment and other documents           | PCofC<br>GMSPD<br>PC<br>MPB |                          |
| s.36(2)                           | duty to give notice of approval of amendment  | GMSPD<br>PC<br>MPB          |                          |
| s.38(5)                           | duty to give notice of revocation of an amendment   | GMSPD<br>PC<br>MPB          |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                                 |                          |
|-----------------------------------|--|---------------------------------|--------------------------|
| Column 1                          | Column 2   | Column 3                        | Column 4                 |
| PROVISION                         | THING DELEGATED  | DELEGATE                        | CONDITIONS & LIMITATIONS |
| s.39                              | function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT | GMSPD<br>PC<br>MPB              |                          |
| s.40(1)                           | function of lodging copy of approved amendment   | GMSPD<br>PC<br>MPB              |                          |
| s.40(1A)                          | duty to lodge prescribed documents and copy of approved amendment with the relevant authorities              | GMSPD<br>PC<br>MPB              |                          |
| s.41                              | duty to make approved amendment available  | GMSPD<br>PC<br>MPB<br>PLO<br>PA |                          |
| s.42                              | duty to make copy of planning scheme available   | GMSPD<br>PC<br>PLO<br>MPB<br>PA |                          |
| s.46N(1)                          | duty to include condition in permit regarding payment of development infrastructure levy                     | PCofC<br>GMSPD<br>PC<br>MPB     |                          |
| s.46N(2)(c)                       | function of determining time and manner for receipt of development contributions levy                        | PCofC<br>GMSPD<br>PC<br>MPB     |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                                     |                          |
|-----------------------------------|--|-------------------------------------|--------------------------|
| Column 1                          | Column 2   | Column 3                            | Column 4                 |
| PROVISION                         | THING DELEGATED  | DELEGATE                            | CONDITIONS & LIMITATIONS |
| s.46N(2)(d)                       | power to enter into an agreement with the applicant regarding payment of development infrastructure levy                                   | GMSPD<br>PC<br>MPB                  |                          |
| s.46Q(1)(a) & (2)(a)              | power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit                     | GMSPD<br>PC<br>MPB<br>MBS           |                          |
| s.46Q(1)(d) & (2)(d)              | power to enter into agreement with the applicant regarding payment of community infrastructure levy  | GMSPD<br>PC<br>MPB<br>MBS           |                          |
| s.46P(1)                          | power to require payment of amount of levy under s.46N or s.46O to be satisfactorily secured   | GMSPD<br>PC<br>MPB                  |                          |
| s.46P(2)                          | power to accept provision of land, works, services or facilities in part or full payment of levy payable                                   | GMSPD<br>CEO<br>PC<br>MPB           |                          |
| s.46Q(1)                          | duty to keep proper accounts of levies paid  | GMSPD<br>GMCCS<br>MFCS<br>PC<br>MPB |                          |
| s.46Q(1A)                         | duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency | GMSPD<br>GMCCS<br>MFCS<br>PC<br>MPB |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                            |   |
|-----------------------------------|--|----------------------------|---|
| Column 1                          | Column 2   | Column 3                   | Column 4  |
| PROVISION                         | THING DELEGATED  | DELEGATE                   | CONDITIONS & LIMITATIONS  |
| s.46Q(2)                          | duty to apply levy only for a purpose relating to the provision of the works, services and facilities in respect of which the levy was paid etc. | GMSPD<br>CEO<br>PC<br>MPB  |   |
| s.46Q(3)                          | power to refund any amount of levy paid if it is satisfied the development is not to proceed   | GMSPD<br>PC<br>MPB         |   |
| s.46Q(4)(c)                       | duty to pay amount to current owners of land in the area   | GMSPD<br>CEO<br>PC<br>MPB  | <ul style="list-style-type: none"> <li>must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister</li> </ul> |
| s.46Q(4)(d)                       | duty to submit to the Minister an amendment to the approved development contributions plan   | GMSPD<br>CEO<br>PC<br>MPB  | <ul style="list-style-type: none"> <li>must be done in accordance with Part 3</li> </ul>  |
| s.46Q(4)(e)                       | duty to expend that amount on other works etc.   | GMSPD<br>CEO<br>PC<br>MPB  | <ul style="list-style-type: none"> <li>with the consent of, and in the manner approved by, the Minister</li> </ul>  |
| s.46QC                            | power to recover any amount of levy payable under Part 3B  | GMSPD<br>MFCS<br>PC<br>MPB |   |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |   |                          |
|-----------------------------------|---|---|--------------------------|
| Column 1                          | Column 2  | Column 3  | Column 4                 |
| PROVISION                         | THING DELEGATED   | DELEGATE  | CONDITIONS & LIMITATIONS |
| s.46V(3)                          | duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available | GMSPD<br>PC<br>MPB                                |                          |
| s.46Y                             | duty to carry out works in conformity with the approved strategy plan   | PCofC<br>GMSPD<br>GMIS<br>PC<br>MPB<br>EP<br>MECS |                          |
| s.47                              | power to decide that an application for a planning permit does not comply with that Act.  | GMSPD<br>PC<br>MPB<br>EP<br>MECS                  |                          |
| s.49(1)                           | duty to keep a register of all applications for permits and determinations relating to permits  | GMSPD<br>PC<br>MPB<br>PLO<br>PA<br>EP<br>MECS     |                          |
| s.49(2)                           | duty to make register available for inspection  | GMSPD<br>PA<br>PC<br>PLO<br>MPB                   |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                                 |                          |
|-----------------------------------|--|---------------------------------|--------------------------|
| Column 1                          | Column 2   | Column 3                        | Column 4                 |
| PROVISION                         | THING DELEGATED  | DELEGATE                        | CONDITIONS & LIMITATIONS |
| s.50(4)                           | duty to amend application  | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.50(5)                           | power to refuse to amend application   | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.50(6)                           | duty to make note of amendment to application in register                                    | GMSPD<br>PC<br>PLO<br>MPB<br>PA |                          |
| s.50A(1)                          | power to make amendment to application   | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.50A(3)                          | power to require applicant to notify owner and make a declaration that notice has been given | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.50A(4)                          | duty to note amendment to application in register  | GMSPD<br>PC<br>PLO<br>MPB<br>PA |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |                                 |                          |
|-----------------------------------|---|---------------------------------|--------------------------|
| Column 1                          | Column 2  | Column 3                        | Column 4                 |
| PROVISION                         | THING DELEGATED   | DELEGATE                        | CONDITIONS & LIMITATIONS |
| s.51                              | duty to make copy of application available for inspection   | GMSPD<br>PC<br>PLO<br>MPB<br>PA |                          |
| s.52(1)(a)                        | duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.52(1)(b)                        | duty to give notice of the application to other municipal councils where appropriate  | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.52(1)(c)                        | duty to give notice of the application to all persons required by the planning scheme   | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.52(1)(ca)                       | duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant                     | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.52(1)(cb)                       | duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant        | GMSPD<br>PC<br>PLO<br>MPB       |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                                    |                          |
|-----------------------------------|--|------------------------------------|--------------------------|
| Column 1                          | Column 2   | Column 3                           | Column 4                 |
| PROVISION                         | THING DELEGATED  | DELEGATE                           | CONDITIONS & LIMITATIONS |
| s.52(1)(d)                        | duty to give notice of the application to other persons who may be detrimentally effected    | GMSPD<br>PC<br>PLO<br>MPB          |                          |
| s.52(1A)                          | power to refuse an application   | PCofC<br>GMSPD.<br>PC<br>MPB       |                          |
| 52(1AA)                           | duty to give notice of an application to remove or vary a registered restrictive covenant    | PCofC<br>GMSPD<br>PC<br>MPB        |                          |
| s.52(3)                           | power to give any further notice of an application where appropriate                         | GMSPD<br>PC<br>PLO<br>MPB          |                          |
| s.53(1)                           | power to require the applicant to give notice under section 52(1) to persons specified by it | GMSPD<br>PC<br>PLO<br>MPB          |                          |
| s.53(1A)                          | power to require the applicant to give the notice under section 52(1AA)                      | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB |                          |
| s.54(1)                           | power to require the applicant to provide more information                                   | GMSPD<br>PC<br>MPB<br>PLO          |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                                 |                          |
|-----------------------------------|--|---------------------------------|--------------------------|
| Column 1                          | Column 2   | Column 3                        | Column 4                 |
| PROVISION                         | THING DELEGATED  | DELEGATE                        | CONDITIONS & LIMITATIONS |
| s.54(1A)                          | duty to give notice in writing of information required under s.54(1)                           | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.54(1B)                          | duty to specify the lapse date for an application  | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.54A(3)                          | power to decide to extend time or refuse to extend time to give required information           | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.54A(4)                          | duty to give written notice of decision to extend or refuse to extend time und s.54A(3)        | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.55(1)                           | duty to give copy application to every referral authority specified in the planning scheme     | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.57(2A)                          | power to reject objections considered made primarily for commercial advantage for the objector | GMSPD<br>PC<br>MPB              |                          |
| s.57(3)                           | function of receiving name and address of persons to whom notice of decision is to go          | GMSPD<br>PC<br>PLO<br>PA<br>MPB |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |                                 |                          |
|-----------------------------------|---|---------------------------------|--------------------------|
| Column 1                          | Column 2  | Column 3                        | Column 4                 |
| PROVISION                         | THING DELEGATED   | DELEGATE                        | CONDITIONS & LIMITATIONS |
| s.57(5)                           | duty to make available for inspection copy of all objections                          | GMSPD<br>PC<br>PLO<br>PA<br>MPB |                          |
| s.57A(4)                          | duty to amend application in accordance with applicant's request, subject to s.57A(5) | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.57A(5)                          | power to refuse to amend application  | GMSPD<br>PC<br>CEO<br>MPB       |                          |
| s.57A(6)                          | duty to note amendments to application in register                                    | GMSPD<br>PC<br>PLO<br>PA<br>MPB |                          |
| s.57B(1)                          | duty to determine whether and to whom notice should be given                          | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.57B(2)                          | duty to consider certain matters in determining whether notice should be given        | GMSPD<br>PC<br>PLO<br>MPB       |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |  |  |
|-----------------------------------|--|--|--|
| Column 1                          | Column 2   | Column 3                                     | Column 4   |
| PROVISION                         | THING DELEGATED  | DELEGATE                                     | CONDITIONS & LIMITATIONS   |
| s.57C(1)                          | duty to give copy of amended application to referral authority | GMSPD<br>PC<br>PLO<br>PA<br>MPB              |  |
| s.58                              | duty to consider every application for a permit                | PCoFC<br>GMSPD<br>PC<br>PLO<br>MPB           |  |
| s.60                              | duty to consider certain matters                               | PCoFC<br><br>GMSPD<br>PLO<br>PA<br>MPB<br>PC | <p>Save where the proposed use and/or development.</p> <ul style="list-style-type: none"> <li>Does not provide the required amount of car parking spaces pursuant to Clause 52.06, Colac Otway Planning Scheme.</li> <li>Or proposed development is in excess of eight (8) metres in overall height above natural ground level.</li> <li>Or four (4) or more objections have been lodged against the grant of a permit.</li> </ul> |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |  |  |
|-----------------------------------|--|--|--|
| Column 1                          | Column 2   | Column 3                               | Column 4   |
| PROVISION                         | THING DELEGATED  | DELEGATE                               | CONDITIONS & LIMITATIONS   |
|                                   |  |  | Or where the application may have an affect on the broader community.  |
| s60(1A)                           | power to consider certain matters before deciding on application | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB     |  |
| s.61(1)(a)                        | power to decide to grant a permit                                | PCofC<br><br>GMSPD<br>PC<br>PLO<br>MPB | Save where the proposed use and/or development.<br><ul style="list-style-type: none"> <li>Does not provide the required amount of car parking spaces pursuant to Clause 52.06, Colac Otway Planning Scheme.</li> <li>Or proposed development is in excess of eight (8) metres in overall height above natural ground level.</li> <li>Or four (4) or more objections have been lodged against the grant of a permit.</li> </ul> |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |                                    |   |
|-----------------------------------|---|------------------------------------|---|
| Column 1                          | Column 2  | Column 3                           | Column 4  |
| PROVISION                         | THING DELEGATED                                   | DELEGATE                           | CONDITIONS & LIMITATIONS  |
| s.61(1)(b)                        | power to decide to grant a permit with conditions | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB | <p>Save where the application may have an affect on the broader community.</p> <p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>Save where the proposed use and/or development.</p> <ul style="list-style-type: none"> <li>Does not provide the required amount of car parking spaces pursuant to Clause 52.06, Colac Otway Planning Scheme.</li> <li>Or proposed development is in excess of eight (8) metres in overall height above natural ground level.</li> <li>Or four (4) or more objections have been lodged against the grant of a permit.</li> </ul> <p>Save where the application may have an affect on the broader community.</p> |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                                 |  |
|-----------------------------------|--|---------------------------------|--|
| Column 1                          | Column 2   | Column 3                        | Column 4   |
| PROVISION                         | THING DELEGATED  | DELEGATE                        | CONDITIONS & LIMITATIONS   |
| s.61(1)(c)                        | power to refuse the permit                                       | PCofC<br><br>GMSPD<br>PC<br>MPB | The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006.<br><br>Save where the proposed use and/or development.<br><ul style="list-style-type: none"> <li>Does not provide the required amount of car parking spaces pursuant to Clause 52.06, Colac Otway Planning Scheme.</li> <li>Or proposed development is in excess of eight (8) metres in overall height above natural ground level.</li> <li>Or four (4) or more objections have been lodged against the grant of a permit.</li> </ul> Save where the application may have an affect on the broader community. |
| s.61(2)                           | duty to decide to refuse to grant a permit if referral authority | PCofC<br>GMSPD                  |  |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |                                    |  |
|-----------------------------------|---|------------------------------------|--|
| Column 1                          | Column 2  | Column 3                           | Column 4   |
| PROVISION                         | THING DELEGATED   | DELEGATE                           | CONDITIONS & LIMITATIONS   |
|                                   | objects to grant of permit  | PC<br>MPB                          |  |
| s.61(3)(a)                        | duty not to decide to grant a permit to use coastal Crown land without Minister's consent                 | PCofC<br>GMSPD<br>PC<br>MPB        |  |
| s.61(3)(b)                        | duty to refuse to grant the permit without the Minister's consent   | PCofC<br>GMSPD<br>PC<br>MPB        |  |
| s.61(4)                           | duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant | PCofC<br>GMSPD<br>PC<br>MPB        |  |
| s.62(1)                           | duty to include certain conditions in deciding to grant a permit  | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB | Save where the proposed use and/or development. <ul style="list-style-type: none"> <li>Does not provide the required amount of car parking spaces pursuant to Clause 52.06, Colac Otway Planning Scheme.</li> <li>Or proposed development is in excess of eight (8)</li> </ul> |

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| PLANNING AND ENVIRONMENT ACT 1987 |                                   |          |  |
|-----------------------------------|-----------------------------------|----------|--|
| Column 1                          | Column 2                          | Column 3 | Column 4   |
| PROVISION                         | THING DELEGATED                   | DELEGATE | CONDITIONS & LIMITATIONS   |
|                                   |                                   |          | <p>metres in overall height above natural ground level.</p> <ul style="list-style-type: none"> <li>• Or four (4) or more objections have been lodged against the grant of a permit.</li> <li>• Or where the application may have an effect on the broader community.</li> </ul>  |
| s.62(2)                           | power to include other conditions | PCofC    | <p>Save where the proposed use and/or development.</p> <ul style="list-style-type: none"> <li>• Does not provide the required amount of car parking spaces pursuant to Clause 52.06, Colac Otway Planning Scheme.</li> <li>• Or proposed development is in excess of eight (8) metres in overall height above natural ground level.</li> <li>• Or four (4) or more objections have been lodged against the grant of a permit.</li> <li>• Or where the application may have an effect on the</li> </ul> |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |  |   |
|-----------------------------------|---|--|---|
| Column 1                          | Column 2  | Column 3                               | Column 4  |
| PROVISION                         | THING DELEGATED   | DELEGATE                               | CONDITIONS & LIMITATIONS  |
| s.62(4)                           | duty to ensure conditions are consistent with subsections (a), (b) and (c)  | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB     | broader community.  |
| s.62(5)(a)                        | power to include a permit condition to implement an approved development contributions plan   | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB     |   |
| s.62(5)(b)                        | power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement | PCofC<br><br>GMSPD<br>PC<br>PLO<br>MPB | Save where the proposed use and/or development. <ul style="list-style-type: none"> <li>Does not provide the required amount of car parking spaces pursuant to Clause 52.06, Colac Otway Planning Scheme.</li> <li>Or proposed development is in excess of eight (8) metres in overall height above natural ground level.</li> <li>Or four (4) or more objections have been lodged against the grant of a permit.</li> </ul> |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                                    |   |
|-----------------------------------|--|------------------------------------|---|
| Column 1                          | Column 2   | Column 3                           | Column 4  |
| PROVISION                         | THING DELEGATED  | DELEGATE                           | CONDITIONS & LIMITATIONS  |
| s.62(5)(c)                        | power to include a permit condition that specified works be provided or paid for by the applicant  | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB | <ul style="list-style-type: none"> <li>Or where the application may have an effect on the broader community.</li> </ul> |
| s.62(6)(a)                        | duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with s.46N  | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB |   |
| s.62(6)(b)                        | duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s.62(1)(a) | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB |   |
| s.63                              | duty to issue the permit where made a decision in favour of the application (if no one has objected)   | GMSPD<br>PC<br>PLO<br>MPB          |   |
| s.64(1)                           | duty to give notice of decision to grant a permit to applicant and objectors   | GMSPD<br>PC<br>PLO<br>PA<br>MPB    |   |
| s.64(3)                           | duty not to issue a permit until after the specified period  | GMSPD<br>PC                        |   |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |   |                          |
|-----------------------------------|--|---|--------------------------|
| Column 1                          | Column 2   | Column 3  | Column 4                 |
| PROVISION                         | THING DELEGATED  | DELEGATE  | CONDITIONS & LIMITATIONS |
| s.64(5)                           | duty to give each objector a copy of an exempt decision                        | PLO<br>PA<br>MPB<br>GMSPD<br>PC<br>PLO<br>PA<br>MPB |                          |
| s.65(1)                           | duty to give notice of refusal to grant permit to applicant and objector       | GMSPD<br>PC<br>PLO<br>PA<br>MPB                     |                          |
| s.66                              | duty to give notice under s.64 or s.65 and copy permit to referral authorities | GMSPD<br>PC<br>PLO<br>PA<br>MPB                     |                          |
| s.69(1)                           | function of receiving application for extension of time of permit              | GMSPD<br>PC<br>PLO<br>PA<br>MPB                     |                          |
| s.69(2)                           | power to extend time   | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB                  |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                                    |                          |
|-----------------------------------|--|------------------------------------|--------------------------|
| Column 1                          | Column 2   | Column 3                           | Column 4                 |
| PROVISION                         | THING DELEGATED  | DELEGATE                           | CONDITIONS & LIMITATIONS |
| s.70                              | duty to make copy permit available for inspection  | GMSPD<br>PC<br>PLO<br>PA<br>MPB    |                          |
| s.71(1)                           | power to correct certain mistakes  | GMSPD<br>PC<br>PLO<br>MPB          |                          |
| s.71(2)                           | duty to note corrections in register   | GMSPD<br>PC<br>PLO<br>PA<br>MPB    |                          |
| s.73                              | power to decide to grant amendment subject to conditions                                       | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB |                          |
| s.74                              | duty to issue amended permit to applicant if no objectors                                      | GMSPD<br>PC<br>PLO<br>MPB          |                          |
| s.76                              | duty to give applicant and objectors notice of decision to refuse to grant amendment to permit | GMSPD<br>PC<br>PLO<br>PA<br>MPB    |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |                                 |  |  |
|-----------------------------------|---|---------------------------------|--|--|
| Column 1                          | Column 2  | Column 3                        | Column 4   |  |
| PROVISION                         | THING DELEGATED   | DELEGATE                        | CONDITIONS & LIMITATIONS   |  |
| s.76A                             | duty to give referral authorities copy of amended permit and copy of notice                               | GMSPD<br>PC<br>PLO<br>PA<br>MPB |  |  |
| s.76D                             | duty to comply with direction of Minister to issue amended permit   | GMSPD<br>PC<br>PLO<br>MPB       |  |  |
| s.83                              | function of being respondent to an appeal   | GMSPD<br>PC<br>PLO<br>MPB       |  |  |
| s.83B                             | duty to give or publish notice of application for review  | GMSPD<br>PC<br>PLO<br>MPB       |  |  |
| s.84(1)                           | power to decide on an application at any time after an appeal is lodged against failure to grant a permit | PCofC<br>GMSPD<br>PC<br>MPB     | Save where the proposed use and/or development. <ul style="list-style-type: none"> <li>Does not provide the required amount of car parking spaces pursuant to Clause 52.06, Colac Otway Planning Scheme.</li> <li>Or proposed development is in excess of eight (8)</li> </ul> |  |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |                           |  |
|-----------------------------------|---|---------------------------|--|
| Column 1                          | Column 2  | Column 3                  | Column 4   |
| PROVISION                         | THING DELEGATED   | DELEGATE                  | CONDITIONS & LIMITATIONS   |
|                                   |   |                           | metres in overall height above natural ground level.<br><ul style="list-style-type: none"> <li>Or four (4) or more objections have been lodged against the grant of a permit.</li> </ul> Save where the application may have an affect on the broader community. |
| s.84(2)                           | duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit    | GMSPD<br>PC<br>MPB        |  |
| s.84(3)                           | duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit | GMSPD<br>PC<br>MPB        |  |
| s.84(6)                           | duty to issue permit on receipt of advice within 3 working days   | GMSPD<br>PC<br>PLO<br>MPB |  |
| s.86                              | duty to issue a permit at order of Tribunal within 3 working days   | GMSPD<br>PC<br>PLO<br>MPB |  |
| s.87(3)                           | power to apply to VCAT for the cancellation or amendment of a permit  | GMSPD<br>PC<br>MPB        |  |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                           |                          |
|-----------------------------------|--|---------------------------|--------------------------|
| Column 1                          | Column 2   | Column 3                  | Column 4                 |
| PROVISION                         | THING DELEGATED  | DELEGATE                  | CONDITIONS & LIMITATIONS |
| s.90(1)                           | function of being heard at hearing of request for cancellation or amendment of a permit                    | GMSPD<br>PC<br>PLO<br>MPB |                          |
| s.91(2)                           | duty to comply with the directions of VCAT   | GMSPD<br>PC<br>PLO<br>MPB |                          |
| s.91(2A)                          | Duty to issue amended permit to owner if Tribunal so directs   | GMSPD<br>PC<br>PLO<br>MPB |                          |
| s.92                              | duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90 | GMSPD<br>PC<br>PLO<br>MPB |                          |
| s.93(2)                           | duty to give notice of VCAT order to stop development  | GMSPD<br>PC<br>PLO<br>MPB |                          |
| s.95(3)                           | function of referring certain applications to the Minister   | GMSPD<br>PC<br>MPB        |                          |
| s.95(4)                           | duty to comply with an order or direction  | GMSPD<br>PC<br>PLO        |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                             |   |
|-----------------------------------|--|-----------------------------|---|
| Column 1                          | Column 2   | Column 3                    | Column 4  |
| PROVISION                         | THING DELEGATED  | DELEGATE                    | CONDITIONS & LIMITATIONS  |
| s.96(1)                           | duty to obtain a permit from the Minister to use and develop its land  | MPB<br>GMSPD<br>PC<br>MPB   |   |
| s.96(2)                           | function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land  | GMSPD<br>PC<br>MPB          |   |
| s.96A(2)                          | power to agree to consider an application for permit concurrently with preparation of proposed amendment   | GMSPD<br>PC<br>PLO<br>MPB   |   |
| s.96C                             | power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C  | GMSPD<br>PC<br>MPB          |   |
| s.96F                             | duty to consider the panel's report under section 96E  | GMSPD<br>PC<br>MPB          |   |
| s.96G(1)                          | power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> ) | PCofC<br>GMSPD<br>PC<br>MPB | Save where the proposed use and/or development.<br><ul style="list-style-type: none"> <li>Does not provide the required amount of car parking spaces pursuant to Clause 52.06, Colac Otway Planning Scheme.</li> <li>Or proposed development is in excess of eight (8)</li> </ul> |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |                           |   |
|-----------------------------------|---|---------------------------|---|
| Column 1                          | Column 2  | Column 3                  | Column 4  |
| PROVISION                         | THING DELEGATED   | DELEGATE                  | CONDITIONS & LIMITATIONS  |
|                                   |   |                           | metres in overall height above natural ground level.<br>Or four (4) or more objections have been lodged against the grant of a permit.<br><ul style="list-style-type: none"><li>• Or where the application may have an effect on the broader community.</li></ul> |
| s.96H(3)                          | power to give notice in compliance with Minister's direction  | GMSPD<br>PC<br>MPB        |   |
| s.96J                             | power to issue permit as directed by the Minister   | GMSPD<br>PC<br>PLO<br>MPB |   |
| s.96K                             | duty to comply with direction of the Minister to give notice of refusal                                 | GMSPD<br>PC<br>PLO<br>MPB |   |
| s.97C                             | power to request Minister to decide the application   | GMSPD<br>PC<br>MPB        |   |
| s.97D(1)                          | duty to comply with directions of Minister to supply any document or assistance relating to application | GMSPD<br>PC<br>PLO<br>MPB |   |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                                 |                          |
|-----------------------------------|--|---------------------------------|--------------------------|
| Column 1                          | Column 2   | Column 3                        | Column 4                 |
| PROVISION                         | THING DELEGATED  | DELEGATE                        | CONDITIONS & LIMITATIONS |
| s.97G(3)                          | function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister            | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.97G(6)                          | duty to make a copy of permits issued under s.97F available for inspection   | GMSPD<br>PC<br>PLO<br>PA<br>MPB |                          |
| s.97L                             | duty to include Ministerial decisions in a register kept under s.49  | GMSPD<br>PC<br>PLO<br>PA<br>MPB |                          |
| s.97MCA(2)                        | function of consulting with advisory committee regarding the areas for which the Development Assessment Committee is to be established | GMSPD<br>PC<br>MPB              |                          |
| s.97MG                            | duty to provide documents and information to development assessment committee  | GMSPD<br>PLO<br>PA<br>PC<br>MPB |                          |
| s.97MH                            | duty to provide assistance to the development assessment committee   | GMSPD<br>PLO<br>PA<br>PC<br>MPB |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |   |                          |
|-----------------------------------|--|---|--------------------------|
| Column 1                          | Column 2   | Column 3                                | Column 4                 |
| PROVISION                         | THING DELEGATED  | DELEGATE                                | CONDITIONS & LIMITATIONS |
| s.97MJ(2)                         | duty to ensure that the register of application specifies whether the development assessment committee has made the decision | GMSPD<br>PLO<br>PA<br>PC<br>MPB         |                          |
| s.97MK                            | function of nominating member of the development assessment committee  | GMSPD<br>MPB<br>PC                      | Deleted: PLO<br>PA       |
| s.97ML(4)                         | power to nominate alternate members of the development assessment committee  | GMSPD<br>MPB<br>PC                      | Deleted: PLO<br>PA       |
| s.97O                             | duty to consider application and issue or refuse to issue certificate of compliance  | GMSPD<br>PC<br>PLO<br>MPB               |                          |
| s.97P(3)                          | duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate    | GMSPD<br>PC<br>PLO<br>MPB               |                          |
| s.97Q(2)                          | function of being heard by VCAT at hearing of request for amendment or cancellation of certificate                           | GMSPD<br>PC<br>PLO<br>EP<br>MPB<br>MECS |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |                                 |                          |
|-----------------------------------|---|---------------------------------|--------------------------|
| Column 1                          | Column 2  | Column 3                        | Column 4                 |
| PROVISION                         | THING DELEGATED   | DELEGATE                        | CONDITIONS & LIMITATIONS |
| s.97Q(4)                          | duty to comply with directions of VCAT  | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.97R                             | duty to keep register of all applications for certificate of compliance and related decisions | GMSPD<br>PC<br>PLO<br>PA<br>MPB |                          |
| s.98(1)&(2)                       | function of receiving claim for compensation in certain circumstances                         | GMSPD<br>MPB                    |                          |
| s.98(4)                           | duty to inform any person of the name of the person from whom compensation can be claimed     | GMSPD<br>MPB                    |                          |
| s.101                             | function of receiving claim for expenses in conjunction with claim                            | GMSPD<br>MPB                    |                          |
| s.103                             | power to reject a claim for compensation in certain circumstances                             | PCofC<br>GMSPD<br>MPB           |                          |
| s.107(1)                          | function of receiving claim for compensation  | GMSPD<br>MPB                    |                          |
| s.107(3)                          | power to agree to extending time for making claim   | GMSPD<br>MPB                    |                          |
| s.114(1)                          | power to apply to the VCAT for an enforcement order   | GMSPD<br>PC<br>MPB              |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |   |                          |
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| Column 1                          | Column 2  | Column 3                                | Column 4                 |
| PROVISION                         | THING DELEGATED   | DELEGATE                                | CONDITIONS & LIMITATIONS |
| s.117(1)(a)                       | function of making a submission to the VCAT where objections are received   | GMSPD<br>PC<br>PLO<br>EP<br>MPB<br>MECS |                          |
| s.120(1)                          | power to apply for an interim enforcement order where s.114 application has been made                                     | GMSPD<br>PC<br>MPB                      |                          |
| s.123(1)                          | power to carry out work required by enforcement order and recover costs   | GMSPD<br>PC<br>MPB                      |                          |
| s.123(2)                          | power to sell buildings, materials, etc salvaged in carrying out work under s.123(1)                                      | GMSPD<br>MPB                            | Except Crown Land        |
| s.125                             | power to apply for an Injunction restraining a person from contravening an enforcement order or interim enforcement order | GMSPD<br>MPB                            |                          |
| s.129                             | function of recovering penalties  | GMSPD<br>MFCS<br>MPB                    |                          |
| s.130(5)                          | power to allow person served with an infringement notice further time   | GMSPD<br>PC<br>PLO<br>MPB               |                          |
| s.149A(1)                         | power to refer a matter to the VCAT for determination   | GMSPD<br>PC<br>MPB                      |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |                             |   |
|-----------------------------------|---|-----------------------------|---|
| Column 1                          | Column 2  | Column 3                    | Column 4  |
| PROVISION                         | THING DELEGATED   | DELEGATE                    | CONDITIONS & LIMITATIONS                          |
| s.156                             | duty to pay fees and allowances (including a payment to the Crown under subsection (2A) and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B)), power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4) | GMSPD<br>PC<br>MPB          | Where Council is the relevant planning authority. |
| s.171(2)(f)                       | power to carry out studies and commission reports   | GMSPD<br>PC<br>MPB          |   |
| s.171(2)(g)                       | power to grant and reserve easements  | PCofC<br>GMSPD<br>PC<br>MPB |   |
| s.173                             | power to enter into agreement covering matters set out in s.174   | GMSPD<br>PC<br>MPB          |   |
| ---                               | power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority   | GMSPD<br>PC<br>PLO<br>MPB   |   |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |                             |                          |
|-----------------------------------|---|-----------------------------|--------------------------|
| Column 1                          | Column 2  | Column 3                    | Column 4                 |
| PROVISION                         | THING DELEGATED   | DELEGATE                    | CONDITIONS & LIMITATIONS |
|                                   | power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority | GMSPD<br>PC<br>MPB          |                          |
| s.177(2)                          | power to end a section 173 agreement with approval of the Minister or the consent of all those bound by any covenant in the agreement   | GMSPD<br>PC<br>MPB          |                          |
| s.178                             | power to amend a s.173 agreement  | PCofC<br>GMSPD<br>PC<br>MPB |                          |
| s.179(1)                          | duty to lodge agreement with Minister   | GMSPD<br>PC<br>PLO<br>MPB   |                          |
| s.179(2)                          | duty to make available for inspection copy agreement  | GMSPD<br>PC<br>PLO<br>MPB   |                          |
| s.181                             | power to apply to the Registrar of Titles for registration of the agreement and to deliver a memorial to Registrar-General  | GMSPD<br>PC<br>PLO<br>MPB   |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |  |                                 |                          |
|-----------------------------------|--|---------------------------------|--------------------------|
| Column 1                          | Column 2   | Column 3                        | Column 4                 |
| PROVISION                         | THING DELEGATED  | DELEGATE                        | CONDITIONS & LIMITATIONS |
| s.182                             | power to enforce an agreement  | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.183                             | duty to tell Registrar of Titles of ending/amendment of agreement      | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.198(1)                          | function to receive application for planning certificate               | GMSPD<br>PC<br>PLO<br>PA<br>MPB |                          |
| s.199(1)                          | duty to give planning certificate to applicant                         | GMSPD<br>PC<br>PLO<br>MPB       |                          |
| s.201(1)                          | function of receiving application for declaration of underlying zoning | GMSPD<br>PC<br>PLO<br>PA<br>MPB |                          |
| s.201(3)                          | duty to make declaration   | GMSPD<br>PC<br>PLO<br>MPB       |                          |

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| PLANNING AND ENVIRONMENT ACT 1987 |   |                                    |                          |
|-----------------------------------|---|------------------------------------|--------------------------|
| Column 1                          | Column 2  | Column 3                           | Column 4                 |
| PROVISION                         | THING DELEGATED   | DELEGATE                           | CONDITIONS & LIMITATIONS |
| -                                 | power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council         | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB |                          |
| -                                 | power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council. | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB |                          |
|                                   | power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or a condition in a permit | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB |                          |
|                                   | power to give written authorisation in accordance with a provision of a planning scheme   | PCofC<br>GMSPD<br>PC<br>PLO<br>MPB |                          |
| s.201UAB(1)                       | function of providing the Growth Areas Authority with information relating to any land within municipal district                                      | GMSPD<br>MPB                       |                          |
| s.201UAB(2)                       | duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible  | GMSPD<br>MPB                       |                          |

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| PLANNING AND ENVIRONMENT REGULATIONS 2005 |   |                                 |                          |
|---|---|---------------------------------|--------------------------|
| Column 1                                  | Column 2  | Column 3                        | Column 4                 |
| PROVISION                                 | THING DELEGATED   | DELEGATE                        | CONDITIONS & LIMITATIONS |
| r 6                                       | duty of responsible authority to provide copy of matter considered under section 60(1A)(g) for inspection free of charge  | GMSPD<br>PC<br>PLO<br>PA<br>MPB |                          |
| r7  | duty of responsible authority to provide copy information or report requested by Minister   | GMSPD<br>PC<br>PLO<br>PA<br>MPB |                          |
| r22                                       | power of responsible authority to require verification of information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in application for permit or to amend a permit or any information provided under section 54 of the Act | GMSPD<br>PC<br>PLO<br>PA<br>MPB |                          |
| r 55                                      | duty of responsible authority to tell Registrar of Titles under r 183 of the Act of the cancellation or amendment of an agreement   | GMSPD<br>PC<br>PLO<br>PA<br>MPB |                          |

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| PLANNING AND ENVIRONMENT (FEES) INTERIM REGULATIONS 2012<br>*These regulations expire on 22 April 2013 |   |                    |  |
|--|---|--------------------|--|
| Column 1   | Column 2  | Column 3           | Column 4                                   |
| PROVISION  | THING DELEGATED   | DELEGATE           | CONDITIONS & LIMITATIONS                   |
| r.16   | power to waive or rebate fee in prescribed circumstances  | GMSPD<br>MPB<br>PC | Where Council is the responsible authority |
| r.17   | power to waive or rebate fee for amendment to a planning scheme in prescribed circumstances                                   | GMSPD<br>MPB<br>PC | Where Council is the responsible authority |
| r.18   | duty if fee waivers or rebated to record in writing the matters taken into account and which formed the basis of the decision | GMSPD<br>MPB<br>PC | Where Council is the responsible authority |

Deleted: 23 July 2012

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| RAIL SAFETY ACT 2006 |  |             |   |
|----------------------|--|-------------|---|
| Column 1             | Column 2   | Column 3    | Column 4                                    |
| PROVISION            | THING DELEGATED  | DELEGATE    | CONDITIONS & LIMITATIONS                    |
| s.33                 | duty to comply with a direction of the Safety Director under this section  | GMIS<br>MCW | duty of Council as a utility under s.3      |
| s.33A                | duty to comply with a direction of the Safety Director to give effect to arrangements under this section.                                      | GMIS<br>MCW | duty of Council as a utility under s.3      |
| s.34                 | duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s.33(1) | GMIS<br>MCW | duty of Council as a utility under s.3      |
| s.34C(2)             | function of entering into safety interface agreements with rail infrastructure manager   | GMIS<br>MCW | where Council is the relevant road manager  |
| s.34D(1)             | function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed                  | GMIS<br>MCW | where Council is the registration authority |
| s.34D(2)             | function of receiving written notice of opinion  | GMIS<br>MCW | where Council is the registration authority |
| s.34D(4)             | function entering into safety interface agreement with infrastructure manager  | GMIS<br>MCW | where Council is the registration authority |
| s.34E(1)(a)          | duty to identify and assess risks to safety  | GMIS<br>MCW | where Council is the registration authority |
| s.34E(1)(b)          | duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)                 | GMIS<br>MCW | where Council is the registration authority |

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| RAIL SAFETY ACT 2006 |  |             |   |
|----------------------|--|-------------|---|
| Column 1             | Column 2   | Column 3    | Column 4                                    |
| PROVISION            | THING DELEGATED  | DELEGATE    | CONDITIONS & LIMITATIONS                    |
| s.34E(3)             | duty to seek to enter into a safety interface agreement with rail infrastructure manager   | GMIS<br>MCW | where Council is the registration authority |
| s.34F(1)(a)          | duty to identify and assess risks to safety if written notice has been received under section 34D(2)(a)                                  | GMIS<br>MCW | where Council is the registration authority |
| s.34F(1)(b)          | duty to determine measures to manage any risks identified and assessed if written notice has been received under section 34D(2)(a)       | GMIS<br>MCW | where Council is the registration authority |
| s.34F(2)             | duty to seek to enter into a safety interface agreement with rail infrastructure manager   | GMIS<br>MCW | where Council is the registration authority |
| s.34H                | power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c) | GMIS<br>MCW | where Council is the registration authority |
| s.34I                | function of entering into safety interface agreements  | GMIS<br>MCW | where Council is the registration authority |
| s.34J(2)             | function of receiving notice from Safety Director  | GMIS<br>MCW | where Council is the registration authority |
| s.34J(7)             | duty to comply with a direction of the Safety Director given under section 34J(5)  | GMIS<br>MCW | where Council is the registration authority |
| s.34K(2)             | duty to maintain a register of items set out in subsections (a)-(b)  | GMIS<br>MCW | where Council is the registration authority |

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| RESIDENTIAL TENANCIES ACT 1997 |   |                   |                               |
|--------------------------------|---|-------------------|-------------------------------|
| Column 1                       | Column 2  | Column 3          | Column 4                      |
| PROVISION                      | THING DELEGATED   | DELEGATE          | CONDITIONS & LIMITATIONS      |
| s.142D                         | function of receiving notice regarding an unregistered rooming house  | MHCS<br>EHC       |                               |
| s.252                          | power to give tenant a notice to vacate rented premises if subsection(1) applies  | GMCCS<br>PRC      | where Council is the landlord |
| s.262(1)                       | power to give tenant a notice to vacate rented premises   | GMCCS<br>PRC      | where Council is the landlord |
| s.262(3)                       | power to publish its criteria for eligibility for the provision of housing by Council   | GMCCS<br>PRC      |                               |
| s.518F                         | power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements | MHCS              |                               |
| s.522(1)                       | give a compliance notice to a person  | PRC<br>LLC<br>LLO |                               |
| s.525(2)                       | power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)  | GMCCS             |                               |
| s.525(4)                       | duty to issue Identity card to authorised officers  | GMCCS             |                               |
| s.526(5)                       | duty to keep record of entry by authorised officer under section 526  | PRC<br>LLC        |                               |
| s.526A(3)                      | function of receiving report of inspection  | PRC<br>LLC        |                               |
| s.527                          | power to authorise a person to institute proceedings (either generally or in a particular case)   | LLC               |                               |

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| ROAD MANAGEMENT ACT 2004 |  |                            |   |
|--------------------------|--|----------------------------|---|
| Column 1                 | Column 2   | Column 3                   | Column 4  |
| PROVISION                | THING DELEGATED  | DELEGATE                   | CONDITIONS & LIMITATIONS  |
| s11(1)                   | power to declare a road by publishing a notice in the Government Gazette                     | GMIS<br>MSA                | obtain consent in circumstances specified in s11(2)   |
| s11(8)                   | power to name a road or change the name of a road by publishing notice in Government Gazette | GMCCS<br>PRC               |   |
| s11(9)(b)                | duty to advise Registrar   | GMCCS<br>PRC               |   |
| s11(10)                  | duty to inform Secretary to Department of Sustainability and Environment of declaration etc. | MSA<br>PRC                 | clause subject to s.11(10A)   |
| s.11(10A)                | duty to inform Secretary to Dept of Sustainability and Environment or nominated person       | GMIS<br>MSA<br>MCWS<br>MCW | duty of co-ordinating road authority  |
| s.12(2)                  | power to discontinue road or part of a road  | GMIS<br>MSA                | power of co-ordinating road authority   |
| s12(4)                   | power to publish, and provide copy, notice of proposed discontinuance                        | GMIS<br>MSA                | power of coordinating road authority where it is the discontinuing body<br>- unless subsection (11) applies     |
| s.12(5)                  | duty to consider written submissions received within 28 days of notice                       | GMIS<br>MSA                | duty of co-ordinating road authority where it is the discontinuing body<br>- unless subsection (11) applies     |
| s.12(6)                  | function of hearing a person in support of their written submission                          | GMIS<br>MSA                | function of co-ordinating road authority where it is the discontinuing body<br>- unless subsection (11) applies |
| s.12(7)                  | duty to fix day, time and place of meeting under subsection (6) and to give notice           | GMIS<br>MSA                | duty of co-ordinating road authority where it is the discontinuing body<br>- unless subsection (11) applies     |

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| ROAD MANAGEMENT ACT 2004 |   |             |  |
|--------------------------|---|-------------|--|
| Column 1                 | Column 2  | Column 3    | Column 4   |
| PROVISION                | THING DELEGATED   | DELEGATE    | CONDITIONS & LIMITATIONS   |
| s12(10)                  | duty to notify of decision made   | GMIS<br>MSA | duty of coordinating road authority where it is the discontinuing body<br>- does not apply where an exemption is specified by the regulations or given by the Minister |
| s13(1)                   | power to fix a boundary road by publishing notice in Government Gazette   | GMIS<br>MSA | power of coordinating road authority and obtain consent under s13(3) and s13(4) as appropriate   |
| s.14(4)                  | function of receiving notice from VicRoads  | GMIS<br>MSA |  |
| s14(7)                   | power to appeal against decision of VicRoads  | GMIS        |  |
| s15(1)                   | power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport. | GMIS        |  |
| s15(1A)                  | power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority  | GMIS<br>MSA |  |
| s15(2)                   | duty to include details of arrangement in public roads register   | GMIS<br>MSA |  |
| s16(7)                   | power to enter into an arrangement under s15  | GMIS        |  |
| s16(8)                   | duty to enter details of determination in public roads register   | GMIS<br>MSA |  |

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| ROAD MANAGEMENT ACT 2004 |   |             |   |
|--------------------------|---|-------------|---|
| Column 1                 | Column 2  | Column 3    | Column 4  |
| PROVISION                | THING DELEGATED   | DELEGATE    | CONDITIONS & LIMITATIONS  |
| s17(2)                   | duty to register public road in public roads register   | MSA         | power of coordinating road authority  |
| s17(3)                   | power to decide that a road is reasonably required for general public use                           | GMIS<br>MSA | power of coordinating road authority  |
| s17(3)                   | duty to register a road reasonably required for general public use in public roads register         | MSA         | power of coordinating road authority  |
| s17(4)                   | power to decide that a road is no longer reasonably required for general public use                 | GMIS        | power of coordinating road authority  |
| s17(4)                   | duty to remove road no longer reasonably required for general public use from public roads register | MSA         | power of coordinating road authority  |
| s18(1)                   | power to designate ancillary area   | GMIS        | power of coordinating road authority, and obtain consent in circumstances specified in s18(2) |
| s18(3)                   | duty to record designation in public roads register   | GMIS<br>MSA | power of coordinating road authority  |
| s19(1)                   | duty to keep register of public roads in respect of which it is the coordinating road authority     | GMIS<br>MSA |   |
| s19(4)                   | duty to specify details of discontinuance in public roads register                                  | GMIS<br>MSA |   |
| s19(5)                   | duty to ensure public roads register is available for public inspection                             | GMIS<br>MSA |   |

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| ROAD MANAGEMENT ACT 2004 |   |                     |  |
|--------------------------|---|---------------------|--|
| Column 1                 | Column 2  | Column 3            | Column 4   |
| PROVISION                | THING DELEGATED   | DELEGATE            | CONDITIONS & LIMITATIONS   |
| s.21                     | power to reply to request for information or advice   | GMIS<br>MSA         | obtain consent in circumstances specified in s11(2)              |
| s.22(2)                  | power to comment on proposed direction  | GMIS<br>MSA         |  |
| s.22(4)                  | duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report | GMIS<br>MSA         |  |
| s.22(5)                  | duty to give effect to a direction under this section   | GMIS<br>MSA         |  |
| s.40(1)                  | duty to inspect, maintain and repair a public road.   | GMIS<br>MSA<br>MCWS |  |
| s.40(5)                  | power to inspect, maintain and repair a road which is not a public road                                       | GMIS<br>MSA<br>MCW  |  |
| s.41(1)                  | power to determine the standard of construction, inspection, maintenance and repair                           | GMIS<br>MCWS<br>MSA |  |
| s.42(1)                  | power to declare a public road as a controlled access road  | GMIS                | power of coordinating road authority and Schedule 2 also applies |
| s.42(2)                  | power to amend or revoke declaration by notice published in Government Gazette                                | GMIS                | power of coordinating road authority and Schedule 2 also applies |

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| ROAD MANAGEMENT ACT 2004 |   |                    |   |
|--------------------------|---|--------------------|---|
| Column 1                 | Column 2  | Column 3           | Column 4  |
| PROVISION                | THING DELEGATED   | DELEGATE           | CONDITIONS & LIMITATIONS  |
| s.42A(3)                 | duty to consult with VicRoads before road is specified  | GMIS               | duty of co-ordinating road authority<br>- if road is a municipal road or part thereof   |
| s.42A(4)                 | power to approve Minister's decision to specify a road as a specified freight road  | GMIS<br>MSA        | power of co-ordinating road authority<br>- if road is a municipal road or part thereof and where road is to be specified a freight road |
| s.48EA                   | duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport). | GMIS<br>MSA<br>MCW | duty of responsible road authority, infrastructure manager or works manager   |
| s.48M(3)                 | function of consulting with the Secretary for purposes of developing guidelines under section 48M   | GMIS<br>MSA<br>MCW |   |
| s.48N                    | duty to notify the Secretary of the location of the bus topping point and the action taken by Council   | GMIS<br>MSA<br>MCW |   |
| s.49                     | power to develop and publish a road management plan   | GMIS<br>MSA        |   |
| s.51                     | power to determine standards by incorporating the standards in a road management plan   | GMIS<br>MSA        |   |
| s.53(2)                  | power to cause notice to be published in Government Gazette of amendment etc of document in road management plan  | GMIS<br>MSA        |   |
| s.54(2)                  | duty to give notice of proposal to make a road management plan  | GMIS<br>MSA        |   |

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| ROAD MANAGEMENT ACT 2004 |  |                            |  |
|--------------------------|--|----------------------------|--|
| Column 1                 | Column 2   | Column 3                   | Column 4   |
| PROVISION                | THING DELEGATED  | DELEGATE                   | CONDITIONS & LIMITATIONS                         |
| s.54(5)                  | duty to conduct a review of road management plan at prescribed intervals                               | GMIS<br>MSA                |  |
| s.54(6)                  | power to amend road management plan  | GMIS<br>MSA                |  |
| s.54(7)                  | duty to incorporate the amendments into the road management plan                                       | GMIS<br>MSA                |  |
| s.55(1)                  | duty to cause notice of road management plan to be published in Government Gazette and newspaper       | GMIS<br>MSA                |  |
| s.63(1)                  | power to consent to conduct of works on road   | GMIS<br>MCWS<br>MCW<br>MSA | power of coordinating road authority             |
| s.63(2)(e)               | power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency     | GMIS<br>MCWS<br>MCW<br>MSA | power of infrastructure manager                  |
| s.64(1)                  | duty to comply with clause 13 of Schedule 7  | GMIS<br>MCWS<br>MCW<br>MSA | duty of infrastructure manager or works manager  |
| s.66(1)                  | power to consent to structure etc  | LLC<br>LLO                 | power of coordinating road authority             |
| s.67(2)                  | function of receiving the name and address of the person responsible for distributing the sign or bill | LLC<br>LLO                 | where Council is the coordinating road authority |

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| ROAD MANAGEMENT ACT 2004 |   |                            |                                      |
|--------------------------|---|----------------------------|--------------------------------------|
| Column 1                 | Column 2  | Column 3                   | Column 4                             |
| PROVISION                | THING DELEGATED   | DELEGATE                   | CONDITIONS & LIMITATIONS             |
| s.67(3)                  | power to request information                              | LLC<br>LLO                 | power of coordinating road authority |
| s.68(2)                  | power to request information                              | LLC<br>LLO                 | power of coordinating road authority |
| s71(3)                   | power to appoint an authorised officer                    | GMSPD<br>GMCCS<br>GMIS     |                                      |
| s.72                     | duty to issue an identity card to each authorised officer | GMCCS                      |                                      |
| s.85                     | function of receiving report from authorised officer      | GMIS<br>MCWS<br>MSA        |                                      |
| s86                      | duty to keep register re s85 matters                      | GMIS                       |                                      |
| s.87(1)                  | function of receiving complaints                          | GMIS<br>MCWS<br>MSA        |                                      |
| s87(2)                   | duty to investigate complaint and provide report          | GMIS                       |                                      |
| s.112(2)                 | power to recover damages in court                         | GMIS<br>MCWS<br>MCW        |                                      |
| s116                     | power to cause or carry out inspection                    | GMIS<br>MCWS<br>MCW<br>MSA |                                      |

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| ROAD MANAGEMENT ACT 2004  |  |                            |                          |
|---------------------------|--|----------------------------|--------------------------|
| Column 1                  | Column 2   | Column 3                   | Column 4                 |
| PROVISION                 | THING DELEGATED  | DELEGATE                   | CONDITIONS & LIMITATIONS |
| s.119(2)                  | function of consulting with VicRoads   | GMIS<br>MCWS<br>MCW<br>MSA |                          |
| s.120(1)                  | power to exercise road management functions on an arterial road (with the consent of VicRoads) | GMIS<br>MCWS<br>MSA        |                          |
| s120(2)                   | power to seek consent of VicRoads  | GMIS<br>MCW                |                          |
| s121(1)                   | power to enter into an agreement re works  | GMIS<br>MCW                |                          |
| s.122(1)                  | power to charge and recover fees   | GMIS<br>MCW<br>MSA         |                          |
| s.123(1)                  | power to charge for any service  | GMIS<br>MCW<br>MSA         |                          |
| Schedule 2<br>Clause 2(1) | power to make a decision re controlled access roads  | GMIS                       |                          |
| Schedule 2<br>Clause 3(1) | power to make policy about controlled access roads   | GMIS                       |                          |
| Schedule 2<br>Clause 3(2) | power to amend, revoke or substitute policy about controlled access roads                      | GMIS                       |                          |
| Schedule 2<br>Clause 4    | function of receiving details of proposal from VicRoads  | GMIS<br>MCW<br>MSA         |                          |

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| ROAD MANAGEMENT ACT 2004    |  |                            |   |
|-----------------------------|--|----------------------------|---|
| Column 1                    | Column 2   | Column 3                   | Column 4  |
| PROVISION                   | THING DELEGATED  | DELEGATE                   | CONDITIONS & LIMITATIONS  |
| Schedule 2<br>Clause 5      | duty to publish notice of declaration  | GMIS                       |   |
| Schedule 7,<br>Clause 7(1)  | duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve   | GMIS<br>MCW<br>MSA         | duty of infrastructure manager or works manager   |
| Schedule 7,<br>Clause 8(1)  | duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road                                     | GMIS<br>MCW<br>MCWS<br>MSA | duty of infrastructure manager or works manager   |
| Schedule 7,<br>Clause 9(1)  | duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works | GMIS<br>MCW<br>MSA         | duty of infrastructure manager or works manager responsible for non-road infrastructure |
| Schedule 7,<br>Clause 9(2)  | duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance.   | GMIS<br>MCWS<br>MCW<br>MSA | duty of infrastructure manager or works manager   |
| Schedule 7,<br>Clause 10(2) | where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected  | GMIS<br>MCW<br>MSA         | duty of infrastructure manager or works manager   |

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| ROAD MANAGEMENT ACT 2004    |   |                            |                                      |
|-----------------------------|---|----------------------------|--------------------------------------|
| Column 1                    | Column 2  | Column 3                   | Column 4                             |
| PROVISION                   | THING DELEGATED   | DELEGATE                   | CONDITIONS & LIMITATIONS             |
| Schedule 7<br>Clause 12(2)  | power to direct infrastructure manager or works manager to conduct reinstatement works  | GMIS                       | power of coordinating road authority |
| Schedule 7<br>Clause 12(3)  | power to take measures to ensure reinstatement works are completed  | GMIS<br>MCW<br>MSA         | power of coordinating road authority |
| Schedule 7<br>Clause 12(4)  | duty to ensure that works are conducted by an appropriately qualified person  | GMIS<br>MCW<br>MSA         | power of coordinating road authority |
| Schedule 7<br>Clause 12(5)  | power to recover costs  | GMIS<br>MCW<br>MFCs<br>MSA | power of coordinating road authority |
| Schedule 7,<br>Clause 13(1) | duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2) | GMIS<br>MCWS<br>MCW<br>MSA | duty of works manager                |
| Schedule 7<br>Clause 13(2)  | power to vary notice period   | GMIS<br>MCWS<br>MCW<br>MSA | power of coordinating road authority |
| Schedule 7,<br>Clause 13(3) | duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)                               | GMIS<br>MCW                | duty of infrastructure manager       |

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| ROAD MANAGEMENT ACT 2004   |  |                            |   |
|----------------------------|--|----------------------------|---|
| Column 1                   | Column 2   | Column 3                   | Column 4  |
| PROVISION                  | THING DELEGATED  | DELEGATE                   | CONDITIONS & LIMITATIONS  |
| Schedule 7<br>Clause 16(1) | power to consent to proposed works                                   | GMIS<br>MCWS<br>MCW<br>MSA | power of coordinating road authority  |
| Schedule 7<br>Clause 16(4) | duty to consult  | GMIS<br>MCWS<br>MCW<br>MSA | where Council is the co-ordinating road authority responsible authority or infrastructure manager |
| Schedule 7<br>Clause 16(5) | power to consent to proposed works                                   | GMIS<br>MCW<br>MSA         | where Council is the co-ordinating road authority   |
| Schedule 7<br>Clause 16(6) | power to set reasonable conditions on consent                        | GMIS<br>MCW<br>MSA         | where Council is the co-ordinating road authority   |
| Schedule 7<br>Clause 16(8) | power to include consents and conditions                             | GMIS<br>MCW<br>MSA         | where Council is the co-ordinating road authority   |
| Schedule 7<br>Clause 17(2) | power to refuse to give consent and duty to give reasons for refusal | GMIS                       | power of coordinating road authority  |
| Schedule 7<br>Clause 18(1) | power to enter into an agreement                                     | GMIS<br>MCW<br>MSA         | power of coordinating road authority  |

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28 March 2013

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| ROAD MANAGEMENT ACT 2004           |   |                                  |   |
|------------------------------------|---|----------------------------------|---|
| Column 1                           | Column 2  | Column 3                         | Column 4  |
| PROVISION                          | THING DELEGATED   | DELEGATE                         | CONDITIONS & LIMITATIONS  |
| Schedule 7<br>Clause 19(1)         | power to give notice requiring rectification of works   | GMIS<br>MSA<br>MCW               | power of coordinating road authority  |
| Schedule 7<br>Clause 19(2)&<br>(3) | power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred        | GMIS<br>MSA<br>MCW               | where Council is the co-ordinating road authority   |
| Schedule 7<br>Clause 20(1)         | power to require removal, relocation, replacement or upgrade of existing non-road infrastructure  | GMIS<br>MSA<br>LLC<br>MCW<br>LLO | power of coordinating road authority  |
| Schedule 7A<br>Clause 2            | power to cause street lights to be installed on roads   | GMIS<br>MSA                      | power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road.                               |
| Schedule 7A<br>Clause 3(1)(d)      | duty to pay installation and operation costs of street lighting – where road is not an arterial road.                                     | GMIS<br>MSA                      | where Council is the responsible road authority for the road.   |
| Schedule 7A<br>Clause 3(1)(e)      | duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas.    | GMIS<br>MSA                      | where Council is the responsible road authority.  |
| Schedule 7A<br>Clause (3)(1)(f)    | duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4. | GMIS<br>MSA                      | where Council is responsible road authority that installed the light (re. installation costs) and where Council is relevant municipal Council (re operating costs). |

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| CEMETERIES AND CREMATORIA REGULATIONS 2005<br>These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act 2003</i> and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |   |                      |                                 |
|--|---|----------------------|---------------------------------|
| Column 1   | Column 2  | Column 3             | Column 4                        |
| PROVISION  | THING DELEGATED   | DELEGATE             | CONDITIONS & LIMITATIONS        |
| r.17   | power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)                                  | PRC<br>GMCCS<br>MFCS |                                 |
| r.18(1)  | power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator | PRC<br>GMCCS<br>MFCS |                                 |
| r.18(2)  | duty to ensure any fittings removed of are disposed in an appropriate manner  | PRC<br>GMCCS<br>MFCS |                                 |
| r.19   | power to dispose of any metal substance or non-human substance recovered from a cremator  | PRC<br>GMCCS<br>MFCS |                                 |
| r.20(2)  | power to release cremated human remains to certain persons  | PRC<br>GMCCS<br>MFCS | Subject to any order of a court |
| r.21(1)  | duty to make cremated human remains available for collection within 2 working days after the cremation  | PRC<br>GMCCS<br>MFCS |                                 |
| r.21(2)  | duty to hold cremated human remains for at least 12 months from the date of cremation   | PRC<br>GMCCS<br>MFCS |                                 |
| r.21(3)  | power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation                               | PRC<br>GMCCS<br>MFCS |                                 |

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| CEMETERIES AND CREMATORIA REGULATIONS 2005<br>These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act 2003</i> and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |  |                      |                          |
|--|--|----------------------|--------------------------|
| Column 1   | Column 2   | Column 3             | Column 4                 |
| PROVISION  | THING DELEGATED  | DELEGATE             | CONDITIONS & LIMITATIONS |
| r.21(4)  | duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period                           | PRC<br>GMCCS<br>MFCS |                          |
| r.22   | duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)  | PRC<br>GMCCS<br>MFCS |                          |
| r.26   | duty to provide statement that alternative vendors or supplier of monuments exist  | PRC<br>GMCCS<br>MFCS |                          |
| r.36   | power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)  | PRC<br>GMCCS<br>MFCS |                          |
| r.38(2)  | power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area                              | PRC<br>GMCCS<br>MFCS |                          |
| Schedule 6, clause 4   | power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 6   | PRC<br>GMCCS<br>MFCS |                          |
| Schedule 6, clause 5(1)  | duty to display the hours during which pedestrian access is available to the cemetery  | PRC<br>GMCCS<br>MFCS |                          |
| Schedule 6, clause 5(2)  | duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours | PRC<br>GMCCS<br>MFCS |                          |
| Schedule 6, clause 6(1)  | power to give directions regarding the manner in which a funeral is to be conducted  | PRC<br>GMCCS<br>MFCS |                          |

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| CEMETERIES AND CREMATORIA REGULATIONS 2005<br>These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act 2003</i> and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |  |                      |                          |  |
|--|--|----------------------|--------------------------|--|
| Column 1   | Column 2   | Column 3             | Column 4                 |  |
| PROVISION  | THING DELEGATED  | DELEGATE             | CONDITIONS & LIMITATIONS |  |
| Schedule 6, clause 7(1)  | power to give directions regarding the dressing of places of interment and memorials                       | PRC<br>GMCCS<br>MFCS |                          |  |
| Schedule 6, clause 11(1)   | power to remove objects from a memorial or place of interment  | PRC<br>GMCCS<br>MFCS |                          |  |
| Schedule 6, clause 11(2)   | duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner                 | PRC<br>GMCCS<br>MFCS |                          |  |
| Schedule 6, clause 12  | power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies | PRC<br>GMCCS<br>MFCS |                          |  |
| Schedule 6, clause 14  | power to approve an animal to enter into or remain in a cemetery   | PRC<br>GMCCS<br>MFCS |                          |  |

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| RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010 |   |                    |                          |
|---|---|--------------------|--------------------------|
| Column 1  | Column 2  | Column 3           | Column 4                 |
| PROVISION   | THING DELEGATED   | DELEGATE           | CONDITIONS & LIMITATIONS |
| r.7   | function of entering into a written agreement with a caravan park owner                           | MHCS<br>EHC<br>EHO |                          |
| r.11  | function of receiving applications for registration   | MHCS<br>EHC<br>EHO |                          |
| r.13(1)   | duty to grant registration if satisfied that the caravan park complies with these regulations     | MHCS<br>EHC<br>EHO |                          |
| r.13(2)   | duty to renew the registration if satisfied that the caravan park complies with these regulations | MHCS<br>EHC<br>EHO |                          |
| r.13(4) & (5)   | duty to issue certificate of registration   | MHCS<br>EHC<br>EHO |                          |
| r.15(1)   | function of receiving notice of transfer of ownership   | MHCS<br>EHC<br>EHO |                          |
| r.15(3)   | power to determine where notice of transfer is displayed  | MHCS<br>EHC<br>EHO |                          |
| r.16(1)   | duty to transfer registration to new caravan park owner   | MHCS<br>EHC<br>EHO |                          |
| r.16(2)   | duty to issue certificate of transfer of registration   | MHCS<br>EHC<br>EHO |                          |

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| RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010 |   |                    |                          |
|---|---|--------------------|--------------------------|
| Column 1  | Column 2  | Column 3           | Column 4                 |
| PROVISION   | THING DELEGATED   | DELEGATE           | CONDITIONS & LIMITATIONS |
| r.17(1)   | power to determine the fee to accompany applications for registration or applications for renewal of registration | MHCS<br>EHC<br>EHO |                          |
| r.18  | duty to keep register of caravan parks  | MHCS<br>EHC        |                          |
| r.19(4)   | power to determine where the emergency contact person's details are displayed                                     | MHCS<br>EHC<br>EHO |                          |
| r.19(6)   | power to determine where certain information is displayed   | MHCS<br>EHC<br>EHO |                          |
| r.22(6)   | duty to notify caravan park owners of emergency service agencies  | MHCS<br>EHC<br>EHO |                          |
| r.22(7)   | duty to consult with relevant emergency services agency   | MHCS<br>EHC<br>EHO |                          |
| r.23(2)   | power to determine places in which caravan park owner must display a copy of emergency procedures                 | MHCS<br>EHC<br>EHO |                          |
| r.24(1)   | power to determine places in which caravan park owner must display copy of public emergency warnings              | MHCS<br>EHC<br>EHO |                          |
| r.25(3)   | duty to consult with relevant floodplain management authority   | MHCS<br>EHC<br>EHO |                          |

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| RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010 |  |                    |                          |
|---|--|--------------------|--------------------------|
| Column 1  | Column 2   | Column 3           | Column 4                 |
| PROVISION   | THING DELEGATED  | DELEGATE           | CONDITIONS & LIMITATIONS |
| r.26  | duty to have regard to any report of the relevant fire authority   | MHCS<br>EHC<br>EHO |                          |
| r.28(c)   | power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling | MHCS<br>EHC<br>EHO |                          |
| r.39  | function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe            | MHCS<br>EHC<br>EHO |                          |
| r.39(b)   | power to require notice of proposal to install unregistrable movable dwelling or rigid annexe                      | MHCS<br>EHC<br>EHO |                          |
| r.40(4)   | function of receiving installation certificate   | MHCS<br>EHC<br>EHO |                          |
| r.42  | Power to approve use of a non-habitable structure as a dwelling or part of a dwelling                              | MHCS<br>EHC<br>EHO |                          |
| Schedule 3<br>Clause 4(3)   | power to approve the removal of wheels and axles from unregistrable movable dwelling                               | MHCS<br>EHC<br>EHO |                          |

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| ROAD MANAGEMENT (GENERAL) REGULATIONS 2005 |   |             |                                      |
|--|---|-------------|--------------------------------------|
| Column 1                                   | Column 2  | Column 3    | Column 4                             |
| PROVISION                                  | THING DELEGATED   | DELEGATE    | CONDITIONS & LIMITATIONS             |
| r.301(1)                                   | duty to conduct reviews of road management plan   | GMIS<br>MSA |                                      |
| r.302(2)                                   | duty to give notice of review of road management plan   | GMIS<br>MSA |                                      |
| r.302(5)                                   | duty to produce written report of review of road management plan and make report available  | GMIS<br>MSA |                                      |
| r.303                                      | duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act | GMIS<br>MSA |                                      |
| r.306(2)                                   | duty to record on road management plan the substance and date of effect of amendment  | MSA         |                                      |
| r.501(1)                                   | power to issue permit   | GMIS<br>MSA | power of coordinating road authority |
| r.501(4)                                   | power to charge fee for issuing permit under r.501(1)   | GMIS<br>MSA | power of coordinating road authority |
| r.503(1)                                   | power to give written consent to person to drive on road a vehicle which is likely to cause damage to road                                | GMIS<br>MSA | power of coordinating road authority |
| r.508(3)                                   | power to make submission to Tribunal  | GMIS        | power of coordinating road authority |
| r.509(1)                                   | power to remove objects, refuse, rubbish or other material deposited or left on road  | LLC<br>MCWS | power of responsible road authority  |

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| ROAD MANAGEMENT (GENERAL) REGULATIONS 2005 |   |          |                                     |
|--|---|----------|-------------------------------------|
| Column 1                                   | Column 2  | Column 3 | Column 4                            |
| PROVISION                                  | THING DELEGATED   | DELEGATE | CONDITIONS & LIMITATIONS            |
| r.509(2)                                   | power to sell or destroy things removed from road or part of road (after first complying with r.509(3)) | GMIS LLC | power of responsible road authority |
| r.509(4)                                   | power to recover in the Magistrates' Court, expenses from person responsible                            | GMIS LLC |                                     |

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| ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2005 |   |             |                                      |
|---|---|-------------|--------------------------------------|
| Column 1  | Column 2  | Column 3    | Column 4                             |
| PROVISION   | THING DELEGATED   | DELEGATE    | CONDITIONS & LIMITATIONS             |
| r.10  | power, where consent given under s.63(1) of the Act, to exempt a person from requirement under clause 13(1) of Schedule 7 to that Act to give notice as to the completion of those work | GMIS<br>MCW | power of coordinating road authority |
| r.18(2)   | power to waive whole or part of fee in certain circumstances  | GMIS        | power of coordinating road authority |

28 March 2013

S6. Instrument of Delegation – Members of Staff





PO Box 4724  
Melbourne Victoria 3001  
Australia  
Telephone 1800 800 007  
ptv.vic.gov.au

15 March 2013

Mr Neil Allen  
General Manager, Infrastructure  
Colac Otway Shire Council  
PO Box 283  
COLAC VIC 3250

Dear Mr Allen,

**COLAC HEAVY TRUCK BYPASS – USE OF RAIL CORRIDOR**

I refer to your meeting with Chris Banger on Friday, 22 February 2013 regarding the use of the rail corridor through central Colac for a heavy truck bypass.

PTV has considered the concept and does not support an at-grade truck bypass for the following reasons:

- PTV needs to preserve the current integrity of the corridor and to allow for the future expansion of rail services. The construction of a road within the corridor would compromise the ability to provide additional capacity when required. As a minimum, PTV would need to preserve the option to provide a second track in the corridor. It would also prefer to retain long term options for further tracks.
- The operation of heavy road vehicles adjacent to the rail line would be a safety risk.

The alternative options of elevating the road over the line or dropping the railway line into a cutting through the length of Colac present other issues.

Firstly, any structure built over the railway line would have to provide a minimum rail clearance of 7.1 metres to preserve the option of operating double stack container trains in this corridor. Secondly, the supporting structure would have to allow for a minimum of two tracks under the structure, although further investigation may establish the need to protect the option of more tracks.

Dropping the line into a cutting would need to allow for the 7.1 metre rail clearance and for a minimum of two tracks, although the option of preserving more may be necessary after further consideration. It would also be necessary to provide a new passenger station at Colac under this scenario.

Given the complexities associated with elevating or dropping the rail line into a cutting, the uncertainties surrounding future requirements in the rail corridor, and the availability of alternative routes for the heavy truck bypass, PTV would not support the elevation or dropping of the rail line through Colac.

Please contact Chris Banger on (03) 9027 4804 if you wish to discuss anything in regards to the above.

Yours sincerely



**Ray Kinnear**  
Director  
Network Planning  
Public Transport Victoria

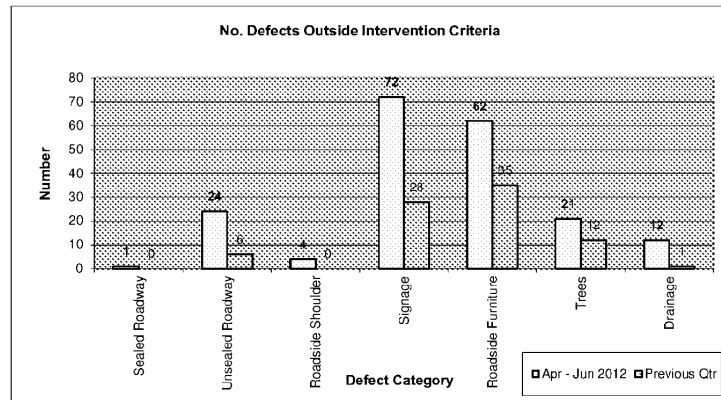
15/3/2013

**INFRASTRUCTURE DEPARTMENT**

Mission: To effectively manage infrastructure and  
provide Best Value community services.

| Road Management Plan Compliance Report |                       |
|--|-----------------------|
| Asset Category:                        | Roads                 |
| Reporting for the Period:              | July to December 2012 |
| Inspections Completed By:              | Kevin O'Gorman        |
| Report Prepared By:                    | Adam Lehmann          |

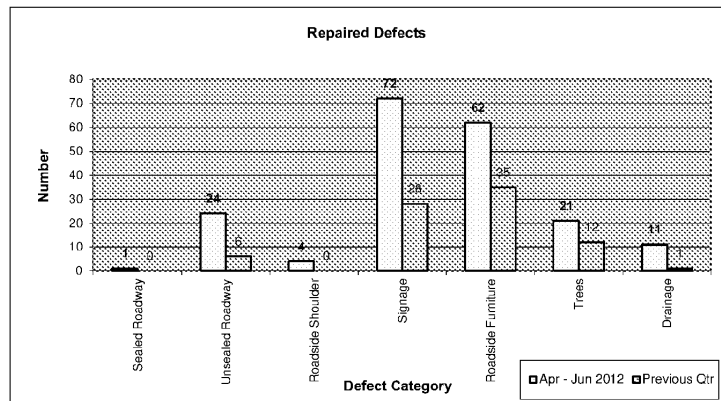
**No. of Defects Identified - Outside Intervention**



**Comments**

A total length of 966km of Council's local road network was inspected for the six (6) months between July 2012 and December 2012. A total of 198 defects outside Council's intervention standards were identified over this period. Road inspected included a combination of rural and urban type roads.

**No. of Defects Repaired - Outside Intervention**



**Comments**

Of the 198 routine maintenance defects identified, 196 or 99% have been actioned. As with previous reporting periods the vast majority of these works related to the replacement of damaged or missing signs and guideposts.

**INFRASTRUCTURE DEPARTMENT**

Mission: To effectively manage infrastructure and provide Best Value community services.

**Inspection Performance Summary**

Proportion of routine inspections completed for Period to meet prescribed frequencies

| Hierarchy |            | Name            | Score |
|-----------|------------|-----------------|-------|
| Network   | Identifier |                 |       |
| Rural     | RL         | Rural Link      | 100%  |
|           | RC         | Rural Collector | 100%  |
|           | RA         | Rural Access    | 100%  |
| Urban     | UL         | Urban Link      | N/A   |
|           | UC         | Urban Collector | 100%  |
|           | UA         | Urban Access    | 100%  |

**Comments**

All scheduled road inspections for the reporting period July to December 2012 have been completed on time.

**Maintenance Performance Summary**

Proportion of reported defects that have been actioned

| Defect Category    | Score |
|--------------------|-------|
| Sealed Roadway     | 100%  |
| Unsealed Roadway   | 100%  |
| Roadside Shoulder  | 100%  |
| Signage            | 100%  |
| Roadside Furniture | 100%  |
| Trees              | 100%  |
| Drainage           | 92%   |

Proportion of defects actioned within prescribed response times

| Defect Category    | Score |
|--------------------|-------|
| Drainage           | 82%   |
| Roadside Furniture | 97%   |
| Sealed Roadway     | 100%  |
| Signage            | 83%   |
| Trees              | 100%  |
| Unsealed Roadway   | 92%   |
| Roadside Shoulder  | 75%   |

**Comments**

Of the maintenance items that have been responded to, 90% were completed within the timeframes prescribed in Council's Road Management Plan. The key performance indicator for this criterion is 85%.

**Overall Comments**

This period's compliance results relating to the management of the local road network are generally consistent with past performance reports and exceed the key performance indicators specified in Council's Road Management Plan.

**INFRASTRUCTURE DEPARTMENT**

Mission: To effectively manage infrastructure and provide Best Value community services.

**Asset Inspection Regime - Roads (Current)**

| Asset Class   | Hierarchy       | Inspection Type, Frequency & Responsibility |                     |           |                              |
|---|-----------------|---|---------------------|-----------|------------------------------|
|   |                 | Frequency                                   | Relevant Department | Frequency | 3rd Quarter (Jan - Mar 2011) |
| <b>Urban Road Network</b><br>* Includes sealed and unsealed roads | Urban Link      | Not Applicable                              | Cosworks            | 3 years   | Infrastructure & Services    |
|   | Urban Collector | 4 months                                    | Cosworks            | 3 years   | Infrastructure & Services    |
|   | Urban Access    | 6 months                                    | Cosworks            | 3 years   | Infrastructure & Services    |
|   | Urban Minor     | 2 years                                     | Cosworks            | 3 years   | Infrastructure & Services    |
| <b>Rural Road Network</b><br>* Includes sealed and unsealed roads | Rural Link      | 3 months                                    | Cosworks            | 3 years   | Infrastructure & Services    |
|   | Rural Collector | 4 months                                    | Cosworks            | 3 years   | Infrastructure & Services    |
|   | Rural Access    | 12 months                                   | Cosworks            | 3 years   | Infrastructure & Services    |
|   | Rural Minor     | 3 years                                     | Cosworks            | 3 years   | Infrastructure & Services    |

**Inspection Definitions**

**Routine Inspections**

Inspections undertaken in accordance with the formal inspection schedule to determine if road asset complies with the levels of service as specified by the Maintenance Performance Criteria.

Identified defects are rated against the standards adopted for routine maintenance works on the asset. These performance standards indicate the magnitude of the undesirable condition for each defect requiring remedial action.

A record of each street/road is completed detailing the name of the inspector, the inspection date, time, road name/asset description and report of any defects found that are at the 'tolerable' defects level as defined by Council's Maintenance Performance Criteria.

In addition, a notation is recorded of any road/asset inspected where no defect was apparent under the specific rigour of the inspection.

**Condition Inspections**

Condition inspections are undertaken specifically to identify deficiencies in the structural integrity of the various components of the road infrastructure that if untreated, are likely to adversely affect network values. The deficiencies may well impact on short-term serviceability as well as the ability of the component to continue to perform at the level of service for the duration of its intended useful life.

The condition inspection process must also meet the requirements for accounting regulations and asset management.

Regular or periodic assessment, measurement and interpretation of the resulting condition data is required so as to determine the need for any preventive or remedial action and is used in the development of relevant programs of rehabilitation or renewal works.

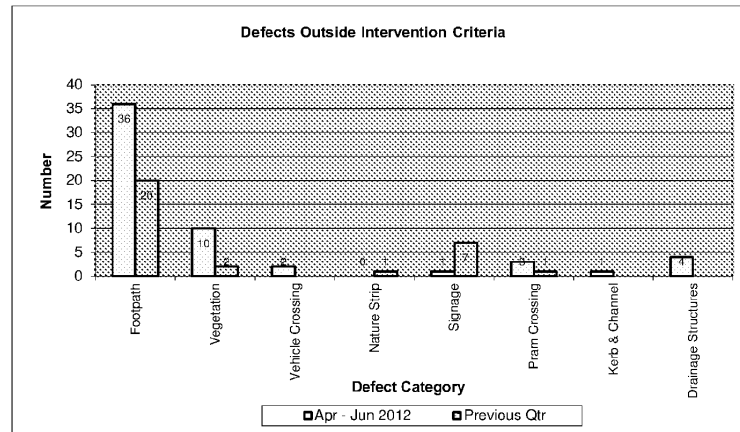


**INFRASTRUCTURE DEPARTMENT**

Mission: To effectively manage infrastructure and provide Best Value community services.

| Road Management Plan Compliance Report |                      |
|--|----------------------|
| Asset Category:                        | Footpaths            |
| Reporting for the Period:              | July - December 2012 |
| Inspections Completed By:              | Kevin O'Gorman       |
| Report Prepared By:                    | Adam Lehmann         |

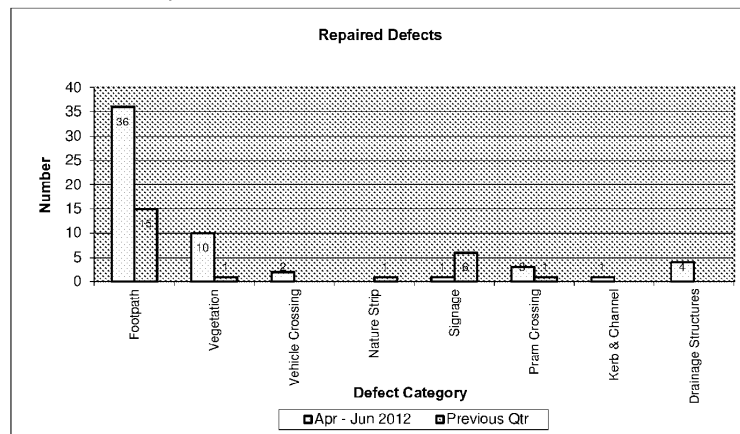
**No. of Defects Identified - Outside Intervention**



**Comments**

Approximately 14.5km of Council managed footpaths were inspected for the period between Jul and December 2012. Areas of footpaths in Colac and Apollo Bay were assessed by Council's Asset Inspection Officer over this time.

**No. of Defects Repaired - Outside Intervention**



**Comments**

A total of 57 defects were identified which required some level of rectification under for the reporting period extending from July 2012 to December 2012. A large proportion of these related directly to the condition of the footpath network.

Road Management Plan Compliance Report

\\COLACDOCS\Infrastructure\Asset Development\Manager Sustainable Assets\C Drive\Adam\Assets\Road Management\Audit Report\Footpaths\2012-13\Jul - Dec\RMP Compliance (Footpaths)\_Jul to Dec 2012.xls

Page - 1 of 3

**INFRASTRUCTURE DEPARTMENT**

Mission: To effectively manage infrastructure and provide Best Value community services.

**Inspection Performance Summary**

Proportion of routine inspections completed for Period to meet prescribed frequencies

| Hierarchy Identifier | Name               | Score |
|----------------------|--------------------|-------|
| HR                   | High Risk Area     | 100%  |
| SR                   | Standard Risk Area | 100%  |
| LR                   | Low Risk Area      | N/A   |

**Comments**

All routine inspections programmed for this quarter were completed as scheduled.

**Maintenance Performance Summary**

Proportion of reported defects that have been actioned/repaired

| Defect Category     | Score |
|---------------------|-------|
| Footpath            | 100%  |
| Vegetation          | 100%  |
| Vehicle Crossing    | 100%  |
| Nature Strip        |       |
| Signage             | 100%  |
| Pram Crossing       | 100%  |
| Kerb & Channel      | 100%  |
| Drainage Structures | 100%  |

Proportion of defects actioned within prescribed response times

| Defect Category     | Score |
|---------------------|-------|
| Footpath            | 86%   |
| Vegetation          | 90%   |
| Vehicle Crossing    | 100%  |
| Nature Strip        |       |
| Signage             | 83%   |
| Pram Crossing       | 67%   |
| Kerb & Channel      | 100%  |
| Drainage Structures | 75%   |

**Comments**

All routine maintenance defects which were identified by the Asset Inspection Officer have been responded to. Of these, 86% were rectified within the timeframes prescribed in our Road Management Plan. The performance target for this activity is 85%.

**Overall Comments**

Performance in relation to the operational management of Council's footpath network has generally been in accordance with the adopted standards.

**INFRASTRUCTURE DEPARTMENT**

Mission: To effectively manage infrastructure and provide Best Value community services.

**Asset Inspection Regime - Footpaths**

| Asset Class | Hierarchy          | Inspection Type, Frequency & Responsibility |                     |               |                           |
|-------------|--------------------|---|---------------------|---------------|---------------------------|
|             |                    | Routine                                     | Relevant Department | Condition     | Relevant Department       |
| Footpath    | High Risk Area     | 6 months                                    | Cosworks            | 2 years       | Infrastructure & Services |
|             | Standard Risk Area | 12 months                                   | Cosworks            | 2 years       | Infrastructure & Services |
|             | Low Risk Area      | Request Inspection                          | Cosworks            | No Inspection | Not Applicable            |

**Inspection Definitions**

**Routine Inspections**

Inspections undertaken in accordance with the formal inspection schedule to determine if road asset complies with the levels of service as specified by the Maintenance Performance Criteria.

Identified defects are rated against the standards adopted for routine maintenance works on the asset. These performance standards indicate the magnitude of the undesirable condition for each defect requiring remedial action.

A record of each street/road is completed detailing the name of the inspector, the inspection date, time, road name/asset description and report of any defects found that are at the tolerable defects level as defined by Council's Maintenance Performance Criteria.

In addition, a notation is recorded of any road/asset inspected where no defect was apparent under the specific rigour of the inspection.

**Condition Inspections**

Condition inspections are undertaken specifically to identify deficiencies in the structural integrity of the various components of the road infrastructure that if untreated, are likely to adversely affect network values. The deficiencies may well impact on short-term serviceability as well as the ability of the component to continue to perform at the level of service for the duration of its intended useful life.

The condition inspection process must also meet the requirements for accounting regulations and asset management.

Regular or periodic assessment, measurement and interpretation of the resulting condition data is required so as to determine the need for any preventive or remedial action and is used in the development of relevant programs of rehabilitation or renewal works.



**OM132301-12 GREAT OCEAN ROAD TOURISM INTERIM REGIONAL TOURISM BOARD  
REPORT TO STAKEHOLDERS**

|             |                                       |           |            |
|-------------|---------------------------------------|-----------|------------|
| AUTHOR:     | Mike Barrow                           | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning<br>& Development | FILE REF: | F11/3291   |

## **Purpose**

The purpose of this report is to seek Council's endorsement of a six week community engagement period to seek tourism industry and community feedback on the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012. (Attachment 1)

## **Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

## **Background**

During 2007/08 Tourism Victoria undertook a review of Regional Tourism that included extensive consultation with industry and Local Government stakeholders. The review resulted in the release in December 2008 of the State Government Regional Tourism Action Plan (RTAP) 2009 – 2012.

The key focus of the RTAP is to establish Regional Tourism Boards (RTBs) across Victoria to address the following areas:

- Improve regional industry structures
- Improve supply and quality of regional tourism experiences
- Increase consumer demand for regional tourism experiences
- Address skills, service standards and environmental sustainability

In the Tourism Victoria state structure, Colac Otway Shire is in the Great Ocean Road Region that also includes the municipalities of City of Greater Geelong, Borough of Queenscliffe, Golden Plains, Surf Coast, Corangamite, Moyne and Glenelg Shires and Warrnambool City Council.

Colac Otway Shire is also a member of Geelong Otway Tourism, the peak body for the eastern end of the region that includes the City of Greater Geelong, Borough of Queenscliffe, Golden Plains, and Surf Coast Shires. This structure chronologically precedes the G21 Regional Alliance but since the inception of G21, it has aligned itself to that structure. In terms of the RTAP, Geelong Otway Tourism represents half the region.

In the western half of the region, Shipwreck Coast Tourism represents Corangamite and Moyne Shires and Warrnambool City Council. Glenelg Shire stands alone as Discovery Coast Tourism. The Tourism Victoria goal is to include the entire region in the restructure under one new peak organisation.

The method for creating the Great Ocean Road RTB was to be through an Implementation Committee consisting of Local Government and Tourism Industry representatives with Tourism Victoria.

Over a period of several months, many meetings and a number of proposed options, the Implementation Committee was not able to agree on a structure supported by the whole Committee. To resolve the matter it was agreed that the CEOs of the various Local Governments involved would meet with the CEO of Tourism Victoria to finally determine the process for establishment of the RTB.

The result was to create an Interim Great Ocean Road RTB, charged with developing a report that included the establishment, strategic objectives, priorities, governance and operational model of the proposed new RTB. Mr Wayne Kayler – Thompson, former CEO of VECCI and former Deputy CEO of Tourism Victoria, was appointed by Tourism Victoria as Chairperson. Council appointed Manager Economic Development, Mike Barrow, as Council's representative. In December 2012, the interim RTB delivered its final report - 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders'.

This report examines the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, and provides advice to Council on the recommendations within the report and how they align with previous Council policy on the proposed new RTB including resolutions that the Regional Tourism Board should be:

- Representative of not only the tourism industry through skills based appointees but also of the local governments that would provide a major proportion of the funding
- Supported by a long term State Government funding agreement
- Sustainable without unduly increasing the burden on local government
- Led by a Chief Executive appointed through an independent open recruitment process.

### **Council Plan / Other Strategies / Policy Economic Development**

Council is committed to facilitating a healthy and resilient economy through effective leadership, advocacy, and partnership.

### **Issues / Options**

The following are the recommendations of the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, with comment.

| <b>Recommendation</b>   | <b>Comment</b>  |
|---|---|
| 1. That a new Regional Tourism Organisation (RTO) and Board be established for the geographic area of South West Victoria incorporating the Local Government Areas (LGA's) of Greater Geelong, Queenscliffe, Golden Plains, Surf Coast, Colac Otway, Corangamite, Warrnambool, Moyne and Glenelg. | <p>The Regional Tourism Organisation (RTO) and the Regional Tourism Board (RTB) are the same entity. The RTO would more broadly describe the operational functions of the RTB. For the purposes of simplicity in this report the recommendations will only refer to the RTB.</p> <p>The Interim RTB acknowledges that each municipality would determine whether or not it supports the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, and its recommendations.</p> <p>The Interim RTB believes that the proposed new RTB would be successful regardless of municipal</p> |

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|  | <p>membership by adapting its operations to its geographic boundaries and budget.</p> <p>Support for this recommendation would be consistent with Council policy on the regional restructure.</p>  |
| 2. That the RTB be established as a Company Limited by Guarantee with the LGA Councils as its shareholders.  | <p>This is a common structure for not-for-profit organisations that reinvest any surplus funds to serve its primary purpose.</p> <p>These companies are formed on the principle that the liability of members is limited to the amount they agree to contribute in the event the company is wound up.</p> <p>As public companies limited by guarantee are registered under the Corporations Act, directors of not-for-profits (which have this structure) generally have the same legal duties, responsibilities and liabilities as directors of commercial entities that are public companies registered under the Act. Support for this recommendation would be consistent with best practice.</p> |
| 3. That Structure Option 2 (Fully Integrated) be implemented   | <p>See 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, p15. (Attachment 1)</p> <p>Support for this recommendation would be consistent with Council policy on the regional restructure and resolution on the structure of the RTB.</p>  |
| 4. That the name of the RTB be South West Victoria Regional Tourism Pty Ltd (SWVRT) to represent the geographic reach of the region beyond the Great Ocean Road. | <p>This name better represents municipal membership geographic boundaries and ensures that hinterland areas of the region such as the Otways and Colac are considered in strategic planning and resource allocation as well as the Great Ocean Road coastal strip.</p> <p>Tourism marketing campaigns would still trade on the brand, 'Great Ocean Road,' as it is this region's most globally recognised tourism product.</p> <p>Support for this recommendation would be consistent with Council policy on tourism marketing and development.</p>  |
| 5. That the board of SWVRT be as follows: <ul style="list-style-type: none"> <li>LGA x 4 (2 x G21 Councils &amp; 2 x GSC Councils) - Councillors</li> </ul>      | <p>This recommendation responds to Council's resolution that the RTB be representative of not only the tourism industry through skills based appointees but also of the local governments that would provide a major proportion of the funding.</p>  |

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| <p>or Officers</p> <ul style="list-style-type: none"> <li>• Industry/Skill based x 5</li> <li>• Independent Chair x 1</li> <li>• Tourism Victoria, Parks Victoria and Regional Development Victoria be invited to nominate a senior executive as ex officio representatives</li> <li>• The independent Chair and industry/skill based Directors be appropriately remunerated.</li> <li>• All positions to be for 3 years with 3 members retiring annually to provide for continuity and renewal. Skill and industry positions to be appointed via an expression of interest process. The Independent Chair to be appointed by Tourism Victoria in consultation with Local government shareholders.</li> </ul> | <p>The Interim RTB believes that it would be up to member municipalities to determine how the LGA representation would be achieved.</p> <p>The GSC and G21 Boards would be viable and credible structures to coordinate this task.</p> <p>The RTB recommends that the municipal representatives be Councillors or Council Officers. This would be a matter for the individual municipalities to resolve.</p> <p>It is expected that community and/or business leaders would identify themselves for the skills based roles through an expression of interest process and be selected for appointment by the Chairperson and Tourism Victoria.</p> <p>Support for this recommendation would be consistent with Council policy on the regional restructure and resolution on the structure of the RTB.</p> |
| <p>6. That formal 3 Year Agreements between SWVRT and its shareholders/stakeholders (performance based) be negotiated, to provide for both ongoing (BASE) and value added resourcing contributions.</p>   | <p>See 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, p19. (Attachment 1)</p> <p>Three year agreements would enable the level of strategic work that needs to be completed by the RTB.</p> <p>The issue of "performance based" would have to be explored and reasonable key performance indicators agreed.</p> <p>The issue of "value added resourcing contributions" would have to be negotiated within the context of the Council Budget cycle and the requirement that contributions above current or agreed annual contributions would have to undergo the normal budget process.</p>   |
| <p>7. That the Competitive Financial Model contributions be applied in year 1, in addition to transferred resources, with progression to the Optimum Model over 3 years.</p>  | <p>This recommendation, at least in the first year of operation, responds to Council's resolution that the RTB be sustainable without unduly increasing the burden on local government.</p> <p>The BASE model of funding includes 'Minimum', 'Competitive' and 'Optimum' but in each level the recommendation limits Council's funding</p>   |

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|   | <p>commitment in year one, to the same level as current payments for regional tourism participation.</p> <p>See 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, p19. (Attachment 1)</p> <p>It would be appropriate for Council to reiterate the need for sustainability without unduly increasing the long term burden on local government.</p>  |
| <p>8. That the RTB Board prepare a Strategic Business Plan for the region, based on the vision, mission, objectives and strategic goals developed by the Interim Regional Tourism Board. The plan to incorporate the Great Ocean Road Destination Management Plan and the progressive preparation of Tourism Destination Plans for the regions specific local destinations.</p> | <p>The draft Strategic Business Plan included in the Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, is a business plan for the RTB not a strategic plan for the development of regional tourism. This work still needs to be completed.</p> <p>See 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, p13 . (Attachment 1)</p> <p>Support for this recommendation would be consistent with previous Council policy on the regional restructure.</p> |

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| <p>9. That the core roles of the RTB be:</p> <ul style="list-style-type: none"> <li>• Strategic tourism planning for the development, marketing and management of the region.</li> <li>• Cooperative marketing for the region and its destinations.</li> <li>• Identification and facilitation of infrastructure, product and industry development priorities and initiatives for the region and specific destinations, in collaboration with stakeholders.</li> <li>• Advocacy for the sustainable tourism development, marketing and management of the region.</li> <li>• Discretionary tourism development, marketing and management functions, services and projects for LGA shareholders as delegated and agreed.</li> <li>• Prepare and maintain a risk management plan for the region and its destinations.</li> </ul> | <p>All of the statements in this recommendation are congruent with the work of a regional tourism industry body.</p> <p>Support for this recommendation would be consistent with previous Council policy on the regional restructure.</p>  |
| <p>10. That Local Governments consider what functions be retained or transferred to the RTB and the relevant resourcing mix (staffing, funding, facilities and support).</p>  | <p>Functions referred to in this recommendation would be the Colac Otway Shire Visitor Centres and Tourism Development Officer.</p> <p>These functions provide a regional tourism service and a local community service and there is a risk that devolving responsibility to a regional authority would diminish the role of local service delivery.</p> <p>It would be appropriate once appointed that the RTB commence a process to evaluate the benefits of devolving responsibility to the regional authority and that it consults with member municipalities before a final recommendation is made.</p> <p>Council would retain the authority to endorse or reject the recommendation of this separate process.</p> |
| <p>11. That the current total staffing and funding contributions by Local Governments for tourism be maintained as a minimum for the 2013-14 year.</p>  | <p>See comment above for recommendation 7.</p> <p>Support for this recommendation would be consistent with previous Council policy on the regional restructure and resolution on the funding of the RTB.</p>   |

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| <p>12. That Shipwreck Coast Tourism be wound up and its functions, funding contributions and staffing be transferred to the Regional Tourism Board.</p>   | <p>The proposed RTB would take responsibility for all of the functions of the current regional bodies and so there would be no reason to continue their respective operations.</p> <p>Support for this recommendation would be consistent with previous Council policy on the regional restructure.</p>  |
| <p>13. That Geelong Otway Tourism be wound up and its functions, funding contributions and staffing be transferred to the Regional Tourism Board.</p>   | <p>Support for this recommendation would be consistent with previous Council policy on the regional restructure.</p>   |
| <p>14. That the RTB prepares a 3-year Operational Business Plan for 2013-15 based on the staffing and funding outcomes as determined by its foundation shareholders, Tourism Victoria cooperative marketing funding and industry contributions. The Business Plan to include a management and staffing organisation plan.</p> | <p>The recommendation seeks to entrust the new Board with all responsibility for staffing the operations of the RTB. This recommendation is relevant to Council's resolution that the RTB be led by a Chief Executive appointed through an independent open recruitment process.</p> <p>Council could maintain this position while still supporting the recommendation as the success of the recommendation is not reliant on one single Council resolution. It would need a majority vote at the RTB.</p> <p>Support for this recommendation would be consistent with Council policy on the regional restructure however it would be appropriate to reiterate Council's resolution that the CEO position should be appointed through an independent and open recruitment process.</p> |
| <p>15. That the RTB give consideration to the concept of industry contributions via a business services model rather than traditional membership subscriptions (i.e. a prospectus of marketing services with free digital online presence as its base to maximise business participation).</p>                                | <p>Currently operators opt to pay a membership of a local tourism association that entitles them to membership of the regional association Geelong Otway Tourism. Under the Memorandum of Understanding that Council has signed with Geelong Otway Tourism, only members may display promotional material in the Visitor Information Centres and be part of regional marketing campaigns. The Tourism Development Officer would also generally not be working with non members.</p> <p>The proposal to do away with membership would remove these restrictions and may lead to greater engagement and involvement of tourism businesses in the development of the industry and the marketing of the region.</p>  |

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|  | <p>It may diminish available funds, but it could alternatively achieve a higher financial return through campaign 'buy in'.</p> <p>It would be appropriate once appointed that the RTB commence a process to evaluate the benefits of discarding the traditional membership subscriptions model that it consults with member municipalities before a final recommendation is made.</p> <p>Council would retain the authority to endorse or reject the recommendation of this separate process.</p>  |
| <p>16. That SWVRT negotiate formal strategic alliance agreements with Tourism Victoria, Parks Victoria, Regional Development Victoria, G21, Great South Coast, neighbouring Regional Tourism Organisations and the Victoria Tourism Industry Council.</p>  | <p>This recommendation responds to Council's resolution that the RTB be supported by a long term State Government funding agreement.</p> <p>Partnerships with State and regional bodies involved with tourism marketing, product development or industry development is vital for the effectiveness of the RTB.</p> <p>Tourism Victoria would need to include reference to long term funding support in any agreement. Tourism Victoria sponsored the Regional Tourism Action Plan (RTAP) that has led to the review of regional tourism across the State. It has funded the process of review and the Interim RTB. It has also released marketing funds to the region. It is highly likely that a long term commitment by Tourism Victoria would be made.</p> <p>It would be appropriate that the long term funding support of tourism Victoria is included in the strategic agreement with that body.</p> |
| <p>17. That SWVRT negotiate cooperative agreements with Local Tourism Organisations regarding industry contributions/ membership funding share arrangements to encourage business participation and support at the local level. The agreements to also facilitate destination development, community participation and communication. This may include regular "Regional Tourism Forums"</p> | <p>Local Tourism Organisations are municipal tourism bodies such as Otways Tourism or Surf Coast Tourism. Regional Tourism Forums could include Colac Otway, Surf Coast and Corangamite Shire tourism organisations and operators.</p> <p>This recommendation is linked to Recommendation 15 where membership is discussed. It indicates an interim measure to promote regional cooperation and campaign 'buy in' for a period while the RTB makes a decision on the membership subscriptions model.</p> <p>Support for this recommendation would be consistent with previous Council policy on the regional restructure.</p>   |

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| <p>18. That Local Governments continue to support Visitor Information Centres (VICs) and services for the first term of the new RTB (3 years). During this period a process be agreed to enhance collaboration between VICs across the region and to consider the possible transfer of management responsibility for VICs to the RTB over time.</p>   | <p>This recommendation is linked with Recommendation 10 and while not preferred it is reasonable that Colac Otway Shire support a process for review of current arrangement.</p> <p>One of the key issues that has been raised at the Interim RTB is the lack of coordination of Visitor Centres. This is not the case in the eastern end where there is a high level of cooperation through the Geelong Otway Tourism Visitor Centre Coordinator.</p> <p>It would be appropriate once appointed, that Colac Otway Shire reiterates the local importance of the Visitor Centres and that there is a high level of cooperation amongst Visitor Centres at the eastern end of the region.</p> |
| <p>19. That the process to establish SWVRT be:</p> <ul style="list-style-type: none"> <li>a) Stakeholders to consider the Interim Regional Tourism Board recommendations and confirm decisions by 29 March 2013.</li> <li>b) Continue the Interim Regional Tourism Board for the period January - June 2013 to consult with stakeholders as required and to facilitate the establishment of SWVRT Pty Ltd.</li> </ul> | <p>It is advised that there be a period for community input before a final resolution is confirmed. The deadline can be met within Council's normal operational timeframe.</p> <p>Support for this recommendation would be consistent with previous Council policy on the regional restructure.</p>   |

The 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, is a comprehensive document that includes the background of stakeholder and community input into this process to establish a RTB over the past two and a half years. The recommendations in the document are generally consistent with previous Colac Otway Shire resolutions on the RTB.

However, before proceeding it would be important that the community is provided an opportunity to comment on the proposed final changes to the regional structure of tourism.

Option one is that Council endorse the Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012 and form resolutions aligned to previous Council policy on the structure and operations of the proposed RTB.

Option two is that Council release the Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, for a period of 6 weeks consultation.

Option two is preferred as the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, has not been available to the public. This consultation period would provide a final opportunity for comment before a Council decision is made. It would be consistent with Council's Community Engagement Policy January 2010.

### **Proposal**

That Council endorse the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, for a period of six weeks for comment from the community.

Following this, an Officer's report would be prepared for the 27 March 2013 meeting of Council. This would comply with the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' recommendation that a decision be confirmed by 29 March 2013.

### **Financial and Other Resource Implications**

There are no financial resource implications related to this report.

It should be noted that the Great 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, forecasts a request for an increased contribution to regional tourism funding in future years.

### **Risk Management & Compliance Issues**

There are no risk management or compliance issues related to this report or any action from the report.

### **Environmental and Climate Change Considerations**

There are no environmental or climate change considerations related to this report or any action from the report.

### **Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

While the regional restructure has been in process for over two years and there has been a significant amount of consultation with the tourism industry and other stakeholders, the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, has not been seen by the general public. There have been discussions at the Otway Tourism Advisory Committee meetings on the draft reports leading to this final statement however this Committee has not made a formal statement or submission on the report or its recommendations. In accordance with the Colac Otway Shire Council Community Engagement Policy of January 2010, it is appropriate that the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, be released for public comment.

The Colac Otway Shire Council Community Engagement Policy of January 2010, details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected in this case would be 'consult'.

A media release would be prepared advising the public that the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, is available on Council's web site and at customer service centres. A letter would be sent to members of the Otways Tourism Advisory Committee advising the Council resolution and directing them to the website or Customer Service centres. The report would also be distributed by newsletter to all tourism operators who are members of Otways Tourism.

The results of the community engagement process would be included in a report to the March 2013 Council meeting.

### **Implementation**

It is proposed that Council issue a media release and distribute the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, to the local tourism industry and community as outlined in the Community engagement section above.

Once the period of engagement is completed the input received will be included in an Officer's report for the 27 March 2013 meeting of Council.

### **Conclusion**

The tourism industry is an important emerging industry for Colac Otway Shire producing \$104.7m in direct economic output. It support 643 jobs and the economic multiplier effect of tourism is responsible for another 937 jobs.

While Colac Otway Shire holds some of the most scenic sections of the Great Ocean Road, one of Australia's key international attractions and the beauty of the Otways with its forest walks, waterfalls and historic townships, most of our tourism operations are small or micro businesses.

It has long been recognised in the tourism industry that independent business marketing can have only limited effect and that cooperative action is the only way to achieve sustainability and growth. This is true at the Shire level and also at the regional level and is why organisations like Otways Tourism and Geelong Otway Tourism exist.

Geelong Otway Tourism, formed in 1993, recognises the importance of industry development, supporting infrastructure and strategic partnerships as well as regional marketing. This is not the case across Victoria and in 2009, Tourism Victoria released the 'Regional Tourism Action Plan' to encourage a higher level of regional tourism industry cooperation and development.

In the State Government model of regional tourism, Colac Otway Shire along with City of Greater Geelong, Borough of Queenscliffe, Golden Plains, Surf Coast, Corangamite, Moyne and Glenelg Shires and Warrnambool City Council, have been in the Great Ocean Road Region. Apart from Geelong Otway Tourism, operating at the eastern end of the region there has also been Shipwreck Tourism operating in Corangamite and Moyne Shires and Warrnambool City Council and Discovery Coast in Glenelg Shire. The 'Regional Tourism Action Plan' directed that tourism organisations, and local government cooperate in the development a new organisation that would encompass the entire region.

The process to establish the new regional body has been fraught with difficulties and delays however the Interim RTB has now delivered a report that provides a plausible structure, and a credible financial model.

The 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, takes into account the discussions that have taken place over the past two years and it has focused stakeholder representatives on the priority needs of the region for tourism industry development. The regional restructure is at its final stage.

However before Council takes the step of endorsing this report it is recommended that the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012 be released for public comment. While many tourism operators and Otways Tourism

have been informed and involved in the restructure process none of them has seen this final report.

**Attachments**

1. Final - GORT Interim RTB Report to Stakeholders 30 Pages

**Recommendation(s)**

***That Council endorse the 'Great Ocean Road Tourism Interim Regional Tourism Board, Report to Stakeholders' Dec 2012, for a period of six weeks community engagement.***

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Draft document for community and stakeholder comment:

Masterplan for the site of the former  
**Colac High School**  
Concepts, research, and possible site uses.

March 2013

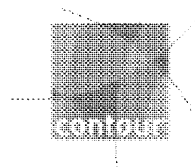


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Carlton Victoria 3053



## 1. Executive Summary

This is a draft masterplan for the future of the former Colac High School. Pending input from community and stakeholders on the proposals made herein, a final masterplan will be completed by June 30 2013.

The Department of Education and Early Childhood Development, who currently own the site, have agreed to return 67% of the site to the community (via Colac Otway Shire Council). The location of the former High School is likely to make the site central to Colac West's future expansion, should this be the outcome of Structure Plan reviews. These future changes need to be reflected in outcomes for the site in addition to current needs.

This masterplan aims to test the feasibility of suggestions made by the community for the site. It finds several uses – a kindergarten / younger years hub; aged independent living; community education; a truck museum; affordable housing – that appear viable, and that have the ability to provide 'lead tenant' services to a grass roots community hub (which in turn makes use of the space by a large number of smaller groups possible). It is also found that an emergency services hub and a sports field may be possible.

It is suggested that some existing buildings should be demolished, and that others are brought back to a usable condition. Potential funding streams to support these works are identified.

### Credits and thanks

Community by Design thanks the community of Colac and surrounds for their generous input into this masterplan for the future of the Colac High School site. This input has been highly valuable.

Colac Otway Shire Council is thanked for making available many staff and other resources throughout the project. The Department of Planning and Community Development and the Department of Education and Early Childhood Development have been similarly helpful.

Individual stakeholder organisations (as listed in Appendix 12.1) are thanked for their considerable input and perspective.

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## **2. Introduction**

In 2009, in response to changing demographics and falling student numbers, Colac High School (CHS) was closed. The land and buildings owned by the Department of Education and Early Childhood Development (DEECD) were identified as being surplus to future needs. Typically, this would result in the land being sold for residential development.

The community of Colac responded strongly to the closure, making a case for the retention of some or all of the site for various community uses. Reference was made to the fact that the land that the School was on was originally donated by the community, along with 50% of the cost of establishing buildings and equipment, and considerable other efforts towards the development of the School over the years. There was a strong feeling that CHS had played an important role in the development of Colac, but if it was no longer needed for its original purpose, then the asset should be returned to the community.

DEECD entered into discussions about the future of the site with the Colac Otway Shire Council (COS) and the Department of Planning and Community Development (DPCD). It was agreed that the community's interest in the site warranted further exploration, and that the site represents an unusual opportunity to strengthen the fabric of Colac (and Colac West, in particular), if suitable stakeholders and uses of the space can be found. Through dialogue with COS, DEECD have ultimately committed to return 67% of the land to the community (via the Council) in recognition of the need to value both the community's and DEECD's investment in CHS over the last 100 years.

The development of this masterplan was jointly instigated by DEECD, COS, and DPCD to explore options for the site. This version of the masterplan is not a final plan; it is released to give the community (and other stakeholders) an opportunity to have further input on the various options that have emerged before plans are finalised.

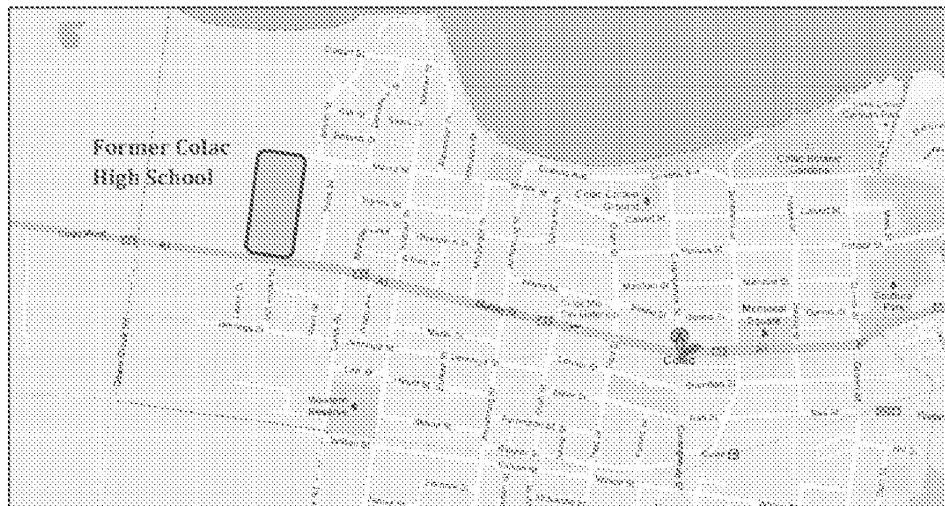
This draft masterplan aims to outline suggestions for the site that appear to be feasible. The community of Colac has been creative and generous in contributing ideas for the site, and each suggestion has been explored. To the extent that space allows, research into the various ideas for the site is summarised in this report.

The final version of this report and masterplan will outline any further research conducted, and add more detail to the ultimate recommendations being made for the site.

Feedback on the proposals made in this draft version of the report can be lodged via Council's website.

The brief for the development of this masterplan (as defined by COS, DEECD, and DPCD) requires:

- The masterplan was overseen by a steering group (comprised of staff from COS, DPCD, DEECD) and a technical reference group. The project commenced in September 2012.



## 4. Background Issues

### 4.1. History

The history of Colac High School is described in the Colac Otway Heritage Study as follows:

“The Colac High School was established in 1911 as the Colac Agricultural High School. The red brick building was opened in 1912 and, although variously extended, the building has retained its original external appearance. The Colac High School is of historic, aesthetic and social importance to the State of Victoria. The Colac High School is historically important through association with the development of agricultural high schools in the State, the precursor of secondary education provision in Victoria. The High School is historically important in demonstrating, through the various alterations and changes undertaken, the growth and development of secondary education in Victoria. The original 1912 main building is aesthetically important as an excellent example of a Federation Arts and Crafts style building designed by the Education Department and built around a courtyard model. The High School has social importance for its ability to demonstrate the values placed on education by the local community and the State of Victoria. The High School is socially important in illustrating the shift in education philosophy in Victoria from an agricultural focus to mainstream teaching.”

“HISTORY :

“Demands for higher educational facilities in Victoria began at the same time that the provision of primary educational services were extended to most parts of the state. After 1907 agricultural high schools began to be organised. These were the precursor of state secondary education in Victoria, introduced with the Education Act of 1910 and provided for higher elementary, district high, and technical schools.

“In the first decades of the century moves began at both Colac and Warrnambool for the establishment of facilities orientated towards rural and agricultural vocational training. The initial move for a high school at Colac came from the Colac Pastoral and Agricultural Society in 1908. The Colac Shire Council decided to shoulder the full financial responsibility of £1,500 required to establish the school by imposing an additional rate levy on all rate payers within the shire for two successive years. This resulted in £2,130 being raised and enabled 20 acres of the ‘Lady Franklin’ farm to be procured by the Council. The land was then handed to the Education Department by deed of gift. The Colac Agricultural High School was opened on 7 February 1911, in temporary premises (near the present 3CS building), with an enrolment of 64 pupils.

“A A Billson, Minister for Education, laid the foundation stone for the permanent brick school in June 1912. In 1914, when enrolment at the school had risen to 175, two additional rooms were added to the site. By 1928 enrolments had increased to 220 pupils. Three more rooms were added and parts of the farm buildings were converted to a sheet metal and black-smithing shop. The school had ceased to be an agricultural school by this time and became the Colac High School.

“Subsequent additions to the school included a three-room Army hut in 1940, a two-room Bristol, aluminium unit in 1951 and a two-room Jennings prefabricated unit in 1953 when the school’s enrolment was 573. A domestic arts block was erected in 1956.

“Secondary education expanded rapidly after the Second World War. In 1950, of students entering high school in Victoria, only one in eleven remained until the final form. By 1960 the ratio had dramatically improved to one in four. This extension of secondary education in Victoria is reflected in the building programs undertaken at the Colac High School. A major rebuilding program was undertaken between 1967 and 1969 with the erection of more classroom wings and an assembly hall. A further expansion program in 1986 included a library, courtyard and remodelled administration area.”

The School was closed in 2009 following the merging of Colac High School and Colac College to form Colac Secondary College on a new site.

#### 4.2. Site conditions

The land area of the site is approximately 8.4 hectares (84,000 square meters) in total<sup>1</sup>, including approximately 5.6 hectares of open space bordered by trees and shrubs. In terms of the natural environment:

- There are no environmental overlays on the site;
- No threatened or significant flora or fauna has been recorded on the site;
- The usual protections (and approvals process for removal and / or exemptions) apply to native trees.

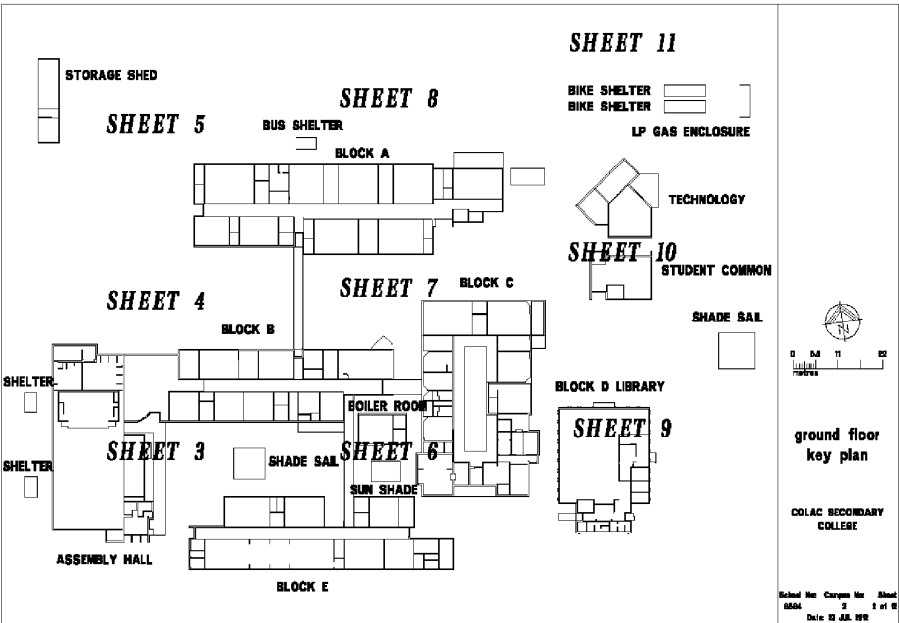
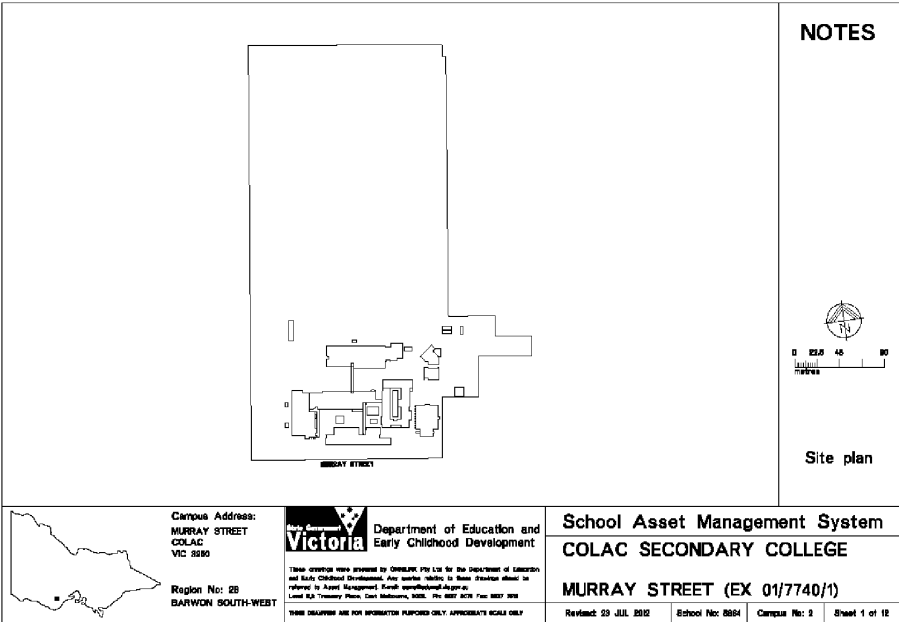
The site is level, and serviced by Barwon Water’s sewerage system. It is currently zoned PU22 (Public Use Zone – 2). It has a southern street frontage to the Princes Highway (Murray Street) of approximately 234 meters, and extends northwards by approximately 471 metres. Its rear boundary is an extension of the line of Moore Street, which currently ends at the site’s eastern edge. (Future planning may need to allow for Moore Street as an access point for development to the immediate north, and possibly west, of the CHS site).

The property boundary has an irregular protrusion to the east of the School buildings, including a connection through to Ross Street.

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<sup>1</sup> Documentation provided by Colac Otway Shire.

4.3.Existing buildings and landscape



#### 4.3.1. Former administration building

This building measures approximately 26 by 48 meters (~1248sqm), including an open central courtyard of approximately 11 by 32 meters (352sqm).

The building is in need of some significant roof repairs, works to correct a rising damp problem evidenced in some rooms, a new fit-out and other works.

As per the uses detailed in chapter 8 of this report, it is recommended to retain and repair this building for a variety of community uses if funding can be found (as described in chapter 7).

In keeping with its heritage listing, the former administration building must be preserved as a part of any future site use.



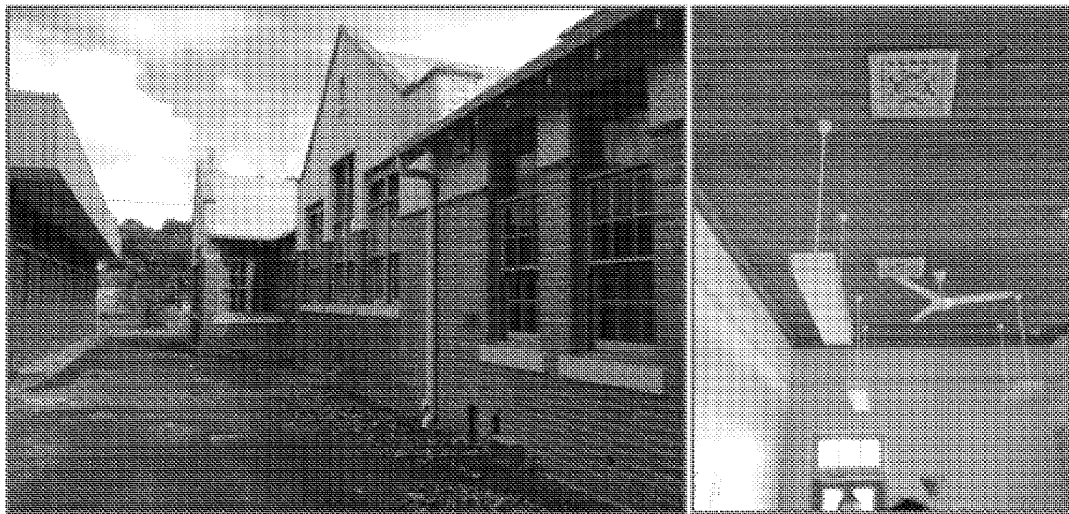
#### *4.3.1.1. Heritage listing*

The former administration building has a locally relevant heritage listing. It has been recommended for a heritage listing of State significance, however this has not been realised. The relevant heritage overlay HO149 (duplicated in Appendix 12.2) relates to the entire CHS site and not just the heritage building; however, the majority of other more recent buildings are of poor quality and condition and are unlikely to warrant retention for heritage reasons.

The listing 'HO149 Colac High School' is likely to mean that:

- The former administration building (and especially its external fabric) needs to be retained substantially as it stands, or altered in a way that does not negatively affect its interpretation.
- Development of the area surrounding the building will need to be sympathetic, by
  - Increasing visibility and access to the building, rather than further enclosing it
  - Designing new buildings to be aesthetically responsive to the setting and its interpretation, while not mimicking the heritage building in style or design
  - Allowing existing nearby buildings to be removed or modified so long as doing so doesn't detract from the former administration building.
- Limitations exist regarding what paint colours can be used on the former administration building, and adjoining building colour schemes should not clash with the heritage scheme.

Detailed documentation relating to the heritage listing of the building can be found in Appendix 12.2.



#### 4.3.2. Hall

The former hall (or 'gymnasium') is a brick construction built circa ~1970's.

It includes a stage, changing rooms, a small music rehearsal space, and is approximately 17 by 43 meters (~731 square meters), plus foyer, storage spaces, and toilets.

The building requires roof repairs and remediation of damage caused by a small internal fire. It is otherwise generally sound with some useful likely lifespan into the future.

As per the uses detailed in chapter 8, it is recommended to retain and repair this building (including two adjacent shelters) for casual community use if funding can be found (see chapter 7).



#### 4.3.3. Library

The former library is a brick construction built circa ~1970's.

It includes some smaller sectioned off rooms, overall being approximately 22 by 23m (~506m<sup>2</sup>). Additionally, to the south, it has an entry foyer and toilets.

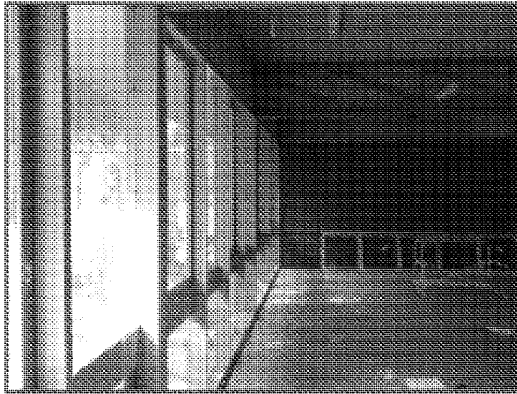
The building shows evidence of minor roof damage, but is otherwise generally sound with some useful likely lifespan into the future.



Although an immediate fit-for-purpose use hasn't been identified for the former library, it is recommended to retain and repair the building as it is likely to be of future value. It is noted that one potential use for the library is as an incident response centre shared by various emergency services (see chapter 8.13).



#### 4.3.4. Student common room



The student common room is a brick construction built circa 1970's and is approximately 15 by 10 meters (~150m<sup>2</sup>).

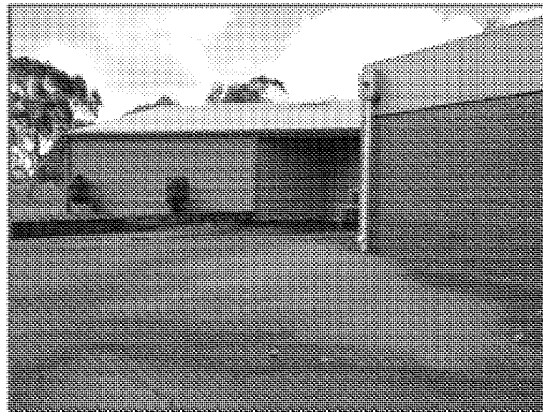
The building is in serviceable condition, needing a new fit-out and other minor works.

The space would be suitable for a variety of uses (identified in chapter 8); its retention is recommended.

#### 4.3.5. Technology rooms

The technology rooms are lightweight constructions built circa 1980's, comparable in overall size to the common room described above. The technology rooms consist of one main room with additional storage / smaller rooms.

The building is in serviceable condition and as at March 2013 is the only building on site being actively used (by the Woodturners Guild).



It is recommended that the building be retained for various potential uses (identified in chapter 8). It may prove to be viable for the Woodturners Guild to remain in the space, if:

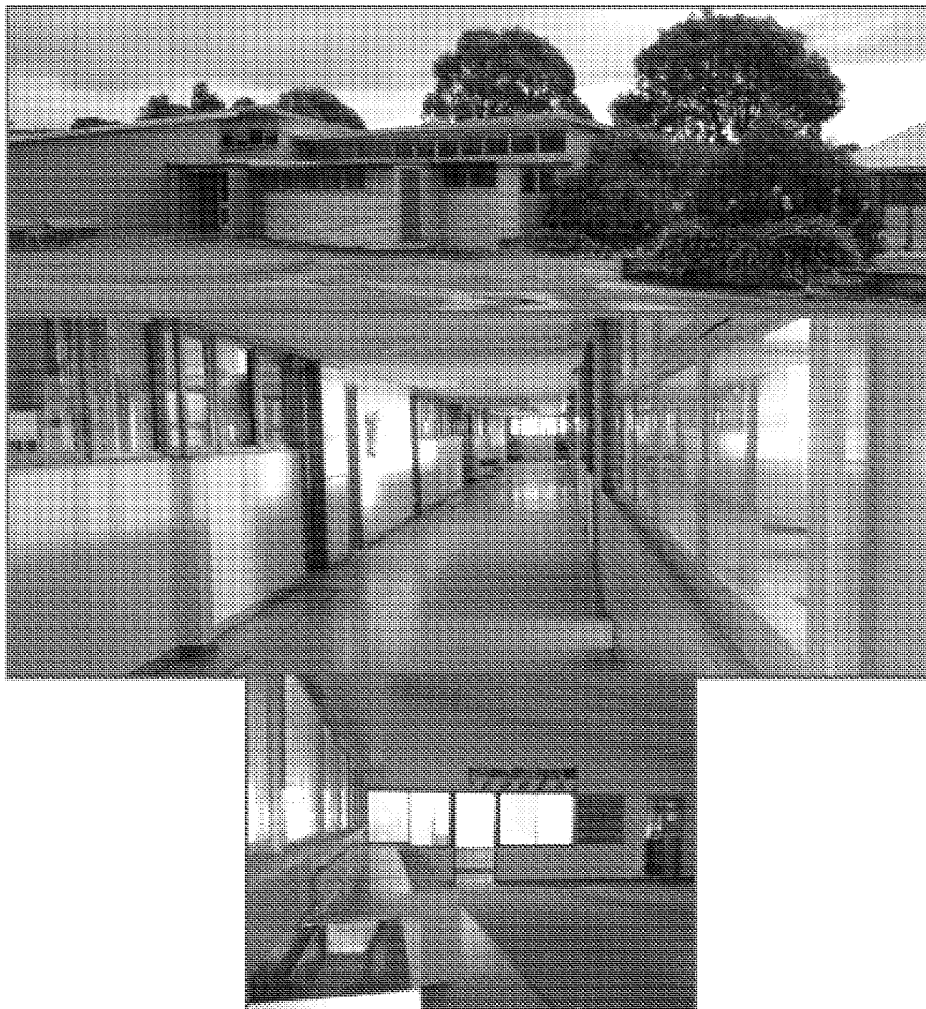
- A suitable community hub lead tenant can be found to provide overall management and administration of community-use spaces (see chapter 8.7);
- There is no competition for the space from other groups able to demonstrate a substantially stronger community benefit case;
- The Guild is able to contribute to the maintenance of the building via their lease arrangements (as proposed for any future community group usage of buildings, detailed in chapter 8.7).

4.3.6. Classroom blocks A, B, E

The classroom blocks are a combination of brick and lightweight construction, built circa 1960's. The three wings are typical of large-scale classroom construction during that era, consisting of a corridor flanked by two rows of classrooms.

The classroom buildings are in varying condition, with some potentially serviceable rooms, but in general they are at or near the end of their useful lifespan. In several areas, restumping and / or roofing works are required. It is highly likely that the buildings contain asbestos, adding a significant liability to their ongoing use. Due to their design, they are inefficient and expensive buildings to maintain at comfortable temperatures.

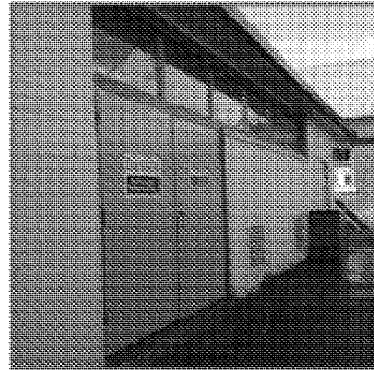
Due to their age, condition, and absence of plausible re-use options, it is recommended that the classroom buildings be demolished by DEECD prior to the site being handed over to Council.



#### 4.3.7. Boiler room

The boiler room is a solid brick construction.

Although it is in serviceable condition, its potential re-use options are limited. It is recommended that the boiler room be demolished prior to handover of the site from DEECD to Council.



#### 4.3.8. Shade sails

There are three shade sail structures. Due to the relative ease of their future removal, it is recommended that the shade sail structures be retained, if other demolition works allow, as they may contribute positively to other site uses.

#### 4.3.9. Various ancillary buildings

Various other ancillary buildings onsite include a storage shed, bike shelters, and a bus shelter. It is recommended that these buildings be demolished prior to handover of the site from DEECD to Council.

#### 4.3.10. Landscape

The landscape of the site (particularly around the school buildings), is overgrown and in poor repair; it has apparently received little maintenance since the School was closed. The most significant landscape space on the site is the courtyard in the centre of the heritage building, which should be considered as part of renovation works to reinterpret a heritage-appropriate planting and layout consistent with its desired future use. The second significant space is the large open space on the northern two-thirds of the site.

Other residual landscape areas between school buildings (finished in bitumen, concrete and soft planting beds, and including ramps and stairs to buildings) may need to be cleared during demolition works, rendering the site free of obstruction.

#### 4.4. Value of land and existing buildings

The buildings onsite are mostly a liability in their current condition. Finding a community-based adaptive re-use for them will lessen DEECD's liability, and provide positive outcomes for the community. This argument is particularly strong in relation to the heritage-listed former administration building; while it could possibly be adapted by a developer for use as boutique or specialist housing or other uses, it would be an expensive and consuming process.

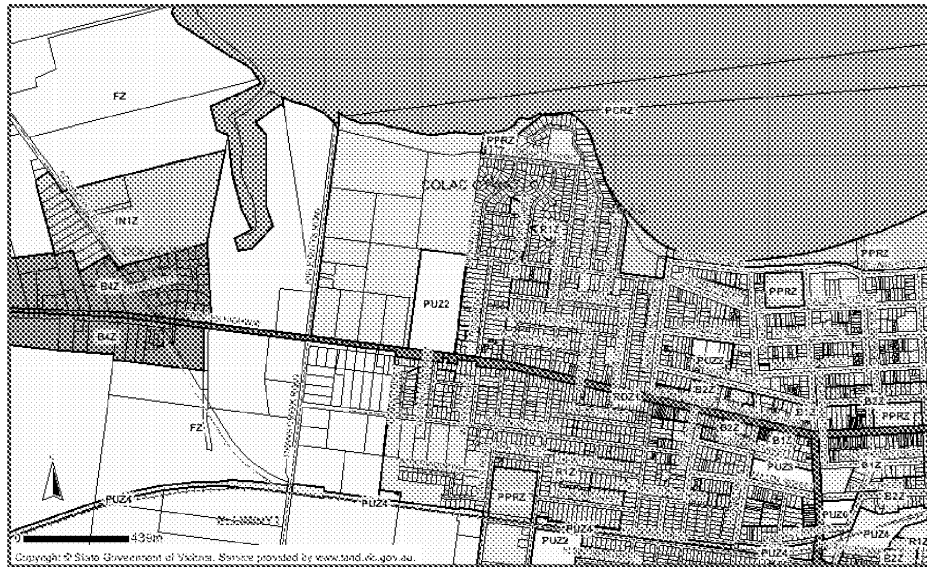
It is proposed that as part of the handover of 67% of the land back to the community, buildings that are effectively at the end of their useful life (as identified in chapter 4.3) should be demolished and the site made good by DEECD. An estimation of demolition expenses is provided in Appendix 12.4 – in summary, the cost of removing dilapidated buildings is in the range of \$390,000. This costing does not include:

- Asbestos removal (which, depending on severity, may increase demolition costs by up to 70%)
- Removal of asphalt and concrete (\$38 - \$65 per square meter)
- Cost recovery through recycling (such as roof and truss steel, doors and windows, flooring, structural timbers)
- Other unforeseen removal or demolition costs, or economies of scale.

It is likely that a vibrant community-use and / or open-space use of the site will increase the value of the 33% of the property disposed of on the open market by DEECD.

## 5. Context

### 5.1. Future of Colac and Colac West



The former Colac High School site is currently on the western edge of Colac. However, future development scenarios may see the site as central to new housing developments on what is currently farmland.

Estimates for the future growth of Colac vary, however the G21 Regional Growth Plan documents suggest an increase from the current population of around 11,000 people<sup>2</sup> to around 20,000 people by 2050. Factors that contribute to these predictions are that:

- Colac is increasingly perceived as a housing overflow option for demand in Geelong (which, in turn, is an overflow for demand in Melbourne). The increasing population of these larger cities (coupled with increasing costs of living) is likely to increase the population of surrounding locales. Colac is somewhat self-contained, but is also within reasonable travelling distance of specialist services and activities in Geelong, Ballarat and Melbourne.
- The highway duplication between Colac and Geelong, currently underway and due for completion in 2016, will make travel between the two locations faster and safer.
- The possibility of increased rail services will further connect Colac to Geelong and Melbourne.
- An assumption of increased State investment into Colac's infrastructure, including streetscaping, beautification works, and renewal of the town's entry points.

Opinions vary regarding precisely where future development around Colac is likely to occur. The Colac Structure Plan (summarised in Appendix 12.3) identifies 80 years of possible land supply within

<sup>2</sup> Australian Bureau of Statistics, from 2006 Census

Colac's existing development boundaries. However, the Colac Otway Planning Scheme Amendment C55, Panel Report, September 2008 (summarised in Appendix 12.3) suggests that some of this supply may be overestimated, and that future use scenarios are modelled around a growth curve that is too modest. The Structure Plan may be reviewed to reflect these changes in the near future.

Substantial new development is likely on land immediately surrounding Colac, principally to the south and west of existing residential areas. This has implications for how the CHS site is perceived. Even if no viable short-term uses for the site can be found, it should be secured until future uses become feasible (ie. until residential development in the immediate area starts to demand more and more local, social services). Saving the CHS site (but without necessarily finding a community-based adaptive reuse in the short term) recognises that access to a large, usable plot of land in the middle of a residential area is a rare opportunity. Retaining this land will allow future planning to be easier and more effective.

Retaining the site without immediate confirmed uses – essentially: Acquiring it (with dilapidated buildings removed), protecting valuable buildings, and putting land into an inexpensive maintenance regime – creates a recommendation of this masterplan based on future benefit if no other concepts prove to be viable in the short term.

## **5.2. Community engagement methodology**

### **5.2.1. Previous engagement**

Community interest in the CHS site has been strong since the announcement of its closure. Several attempts to capture this interest have occurred in the time between the closure announcement and the beginning of this masterplanning process, including:

- In response to the then Mayor Lyn Russell's request in the Colac Herald, some 250 responses / suggestions were received regarding the site.
- The Advancing Country Towns project included the facilitation and documentation of ideas for the site.
- Many written communications between interested groups and COS and / or DEECD have been received over the last five years, including: Formal requests from groups wanting to use a portion of the buildings; suggestions for how the space might be best used to serve the community and; comments about various ideas in circulation.

These earlier elements of community input into the project were considered during this masterplan, both to ensuring that the content of the input was captured (and treated with the same importance as more recent suggestions), and to avoid duplication where possible.

### **5.2.2. Pre-liaison: Key stakeholder discussions**

Before any formal stakeholder engagement activities were conducted, discussions were held with key community representatives to identify groups that would have an interest in the site and to explore the best way to involve them.

#### 5.2.3. Small group consultations

Qualitative input was gathered from groups with an interest in the site (either in small groups or in one-on-one interviews).

#### 5.2.4. Survey

A survey was conducted online and in hard-copy. This sought to gain input from members of the community not otherwise engaged with the site, but who would still have useful input to offer. Around 170 responses were received, adding qualitatively and quantitatively to research.

Including previous engagement activities, roughly 3% of the Colac community has had some direct level of input into the future of CHS. This is a relatively high level of engagement, reflecting a high level of interest in the project.

The results of community engagement activities form the overwhelming majority of concepts presented in this report. In summary, the community is almost unanimous in its perspective that some or all of the site should be retained as a community asset. Most people believe some form of not-for-profit community use would be the most appropriate outcome for a significant portion of the site.

## **6. Issues and themes from community engagement**

### **6.1. What is missing from Colac? Why do you travel to other places, such as Geelong and Melbourne?**

This question was included in the survey to establish in what ways economic activity is being lost from Colac to other areas (and to see if it might be possible to address those needs via the High School masterplan).

Key themes that emerged:

- Creative / boutique classes, clothing and art
- Roller Derby and other skating activities (as participant sport)
- Retail: Clothing, footwear, homewares
- Sports grounds
- Medical services (such as general practice medicine)
- Community focussed meeting spaces (that support a range of other activities)
- School for trades
- Recreational activities
- Care and services for older people
- Community events / festivals
- Big-box retail
- Arts and crafts (and associated studio / workshop spaces)
- Conference facilities
- Tertiary education – youth drain to major centres
- Music performance and rehearsal venues
- Spaces for educational and interest groups for mature adults
- Day care / child care
- Hall usage

## 6.2. What opportunities are facing Colac?

This question was included in the survey to establish what opportunities exist within and around Colac that might become more important over the coming decades. These may be relevant to the CHS masterplan if there is a role the site can play in allowing opportunities to be realised.

| Opportunity           |                                                                                                                                                                                                                                                                                                    | How future uses of the CHS site might address the opportunity                                                                                                                                                                                                                                                                                                                    |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Food production       | The region offers good soil, acreage, and rainfall. Climate change predictions for the area may mean higher food production levels (in terms of the variety of suitable species and total production volumes). Colac is neatly situated between food production areas and Melbourne markets.       | <ul style="list-style-type: none"> <li>Agricultural training (both new farm workers, and retraining of existing). Note: No provider of such training was identified during the project.</li> <li>Community gardens / farms.</li> <li>Small business incubator with boutique food production focus.</li> </ul>                                                                    |
| Highway traffic       | Considerable tourism and other traffic passes through Colac (often associated with the beginning or end of a Great Ocean Road Tour, or travel to Warrnambool and beyond). Being able to offer this market a reason to pause in Colac brings economic activity to the town.                         | <ul style="list-style-type: none"> <li>Tourism drawcard (such as Truck Museum, relocated Historical Society / museum, farmers market, and cafe).</li> <li>The driver reviver, currently located over the road from CHS, goes some way towards creating a motivation for drivers to pause, and could be coupled with activities on the CHS site.</li> </ul>                       |
| Lake Colac            | Lake Colac is sometimes perceived as an underutilised resource. Suggestions for its improvement include cleaning up the water body itself (mainly through better runoff management), restoration of vegetation, development of water-based recreation activities for summer, and improved parking. | <ul style="list-style-type: none"> <li>Development possibilities that tie in with broader lake development strategies.</li> <li>Corridor possibilities between highway and Lake.</li> <li>Driver reviver tie-in (such as a themed walk that begins at the driver reviver and extends to the Lake).</li> </ul>                                                                    |
| Indigenous            | Colac area offers extensive and unique Indigenous history that is not currently celebrated or well utilised.                                                                                                                                                                                       | <ul style="list-style-type: none"> <li>A community hub, particularly if it includes an historical theme, would partner well with a space celebrating Aboriginal culture past and present. This has the potential to develop into an interpretive centre.</li> </ul>                                                                                                              |
| Western town entrance | Western town entrance is currently unremarkable. It doesn't inspire visitors to stop in town.                                                                                                                                                                                                      | <ul style="list-style-type: none"> <li>Any redevelopment of the CHS site must be aesthetically sympathetic to the site's role as part of Colac's western entrance. If interest in improving this entry eventuates, plans for the CHS site should harmonise with them.</li> <li>Re-use of the site, if done well, will bring pride and renewal to the Colac West area.</li> </ul> |

Other opportunities facing broader Colac that were identified through community consultation processes but that don't appear to have immediate relevance to how the CHS site itself include:

- Affordable land and housing (relative to Geelong and Melbourne)
- Doing a better job of incorporating / celebrating multicultural diversity
- Increased population (highway duplication, overflow from Geelong and Melbourne)
- Broader tourism potential: Lake Colac, Colac's location being within striking distance to all of Great Ocean Road, surf, and Otway attractions.

### 6.3. What challenges are facing Colac?

This question was included in engagement activities to help establish what challenges currently exist within Colac, and how redevelopment of the CHS site may help in addressing those challenges.

| Challenge                 |                                                                                                                                                                                                                                                                                                                                                                                                                            | How future uses of the CHS site might address the challenge                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Retaining younger people  | Colac is perceived to have a lack of entertainment and recreational activities relevant to young people. A lack of education opportunities (coupled with career paths) means that the considerable value and investment made in younger people is lost to larger activity centres if individuals relocate. The motivation that comes from younger people in creating new business opportunities within Colac is also lost. | <ul style="list-style-type: none"> <li>• Employment opportunities &amp; economic development, generally.</li> <li>• Music rehearsal / performance spaces.</li> <li>• Business incubator.</li> <li>• Casual meeting spaces – diverse in size, nature.</li> </ul>                                                                                                                                                                                                    |
| Intergenerational poverty | Social disadvantage has, for some Colac residents, become entrenched from one generation to the next. The CHS site is neighboured by a public housing region that has an overrepresentation of intergenerational poverty (and locational disadvantage)                                                                                                                                                                     | <ul style="list-style-type: none"> <li>• Activities that promote easy and casual exchanges between generations, thereby allowing for alternative role modelling and access to wider networks.</li> <li>• Opportunities that are comfortable and inviting to marginalised individuals, and that blend with productive activities (for instance, low cost meeting rooms and community gardens co-located with a business incubator or training facility).</li> </ul> |
| Skills shortages          | The industries of food processing and timber were specifically identified, but other Colac businesses and industries are also likely to be experiencing skills shortages.                                                                                                                                                                                                                                                  | Training opportunities that are closely linked to industry outcomes. (As no providers were found, the retention of certain buildings for future use may help to address this challenge).                                                                                                                                                                                                                                                                           |

The above is not designed to be a complete or weighted analysis of the opportunities and challenges facing Colac. It gives some insight into the perspective of the ~300 people engaged with during the research for this masterplan.

## 7. Funding sources for capital works

If any community use of the site is found to be viable, substantial funds to make good the existing buildings (and possibly construct additional buildings) will need to be secured. A combination of the following sources will likely be needed:



### 7.1.Grants

The following grants were current in January 2013 and may have relevance to proposals made for the site. As plans develop, a watching brief should be maintained on new opportunities, particularly given that both State and Federal elections are due in the next two years.

|                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name of Grant:     | Putting Locals First (component of Regional Growth Fund)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Funder:            | Regional Development Victoria (administered by the Department of Planning and Community Development). (Fund includes the Sustainable Small Towns Development Fund and the Community Support Grants Program, all accessed through this single entry point).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Rounds, due dates: | As at January 2013, funding window is open, with no published closing date.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Amount/s:          | <p>\$100 million total funding, broken into:</p> <ul style="list-style-type: none"> <li>Improved local infrastructure (grants up to \$500,000 with RDV \$3 or \$2:\$1 other co-contribution)</li> <li>Local economic development and job creation (grants up to \$150,000 with RDV \$3:\$1 other)</li> <li>Local community initiatives (grants up to \$150,000 with RDV \$3:\$1 other)</li> <li>Project Planning (grants up to \$30,000 with RDV \$3:\$1 other).</li> </ul>                                                                                                                                                                                                                                                                                                                                         |
| Aim of funding:    | <p>To enable regional communities to devise and deliver service and infrastructure responses which reflect local priorities. To support stronger and more sustainable regional communities by building their capacity to drive development in their region and by maximising the impact of investment on supporting local employment and business opportunities.</p> <p>Primary outcomes:</p> <ul style="list-style-type: none"> <li>improved infrastructure, facilities and services</li> <li>increased local business and employment opportunities</li> <li>improved community connections to resources, services, activities and each other</li> <li>improving community ability to respond to challenges and opportunities, and encourage local decision making and volunteering that builds skills.</li> </ul> |

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Relevance to project: | <p>The Improved Local Infrastructure stream may be relevant to the making good, adaption, and fitting out of CHS buildings for direct community benefit.</p> <p>"Activities that could be supported include ... improving town entrance points; streetscaping; upgrading open spaces; building or upgrading shared community facilities such as meeting places, public halls and facilities supporting integration of organisations delivery services; heritage projects of local significance including renewal; pathways projects; tourism infrastructure".</p> <p>The Local Economic Development and Job Creation stream may be relevant if a significant economic development initiative is undertaken (such as a business incubator, or establishment of community owned enterprise) or if a marketing / promotional campaign becomes central.</p> <p>The Local Community Initiatives stream may be relevant to a community hub, or other activities that provide a direct community benefit.</p> <p>"Activities that could be supported include ... innovative community garden; activities to improve coordination of existing services".</p> <p>Additionally, this funding opportunity allows for funding for Project Planning, which may be useful if recommendations made in this report warrant deeper, more detailed exploration (such as further identification of business models and community need, developing management and partnership models, or detailed architectural plans).</p> |
| Eligibility:          | Yes (local government authorities).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Further information:  | <a href="http://www.rdv.vic.gov.au/community-programs/putting-locals-first">http://www.rdv.vic.gov.au/community-programs/putting-locals-first</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name of Grant:        | Planning for Tomorrow                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Funder:               | Regional Development Victoria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Rounds, due dates:    | "This program is open for applications on an ongoing basis."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Amount/s:             | Up to \$100,000 (\$1:\$1 matched funding).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Aim of funding:       | <p>To provide grants to facilitate local and regional planning studies. To improve local and regional planning within local government authorities.</p> <p>The program will enable local governments to foster economic and community development built on a sound evidence base that considers the needs of local and regional industries as well as the needs of local communities.</p> <p>"The PFT program will fund: economic development strategies; land use planning studies; infrastructure planning studies; industry investment strategies; urban design studies; landscape master plans; car parking, traffic circulation and pedestrian circulation plans. ... Identification of social and community infrastructure required to accommodate long term growth".</p> |
| Relevance to project: | May be relevant if further research or detailed development of options is required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Eligibility:          | Yes (local governments).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Further information:  | <a href="http://www.rdv.vic.gov.au/business-and-industry-programs/planning-for-tomorrow">www.rdv.vic.gov.au/business-and-industry-programs/planning-for-tomorrow</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name of Grant:        | Economic Infrastructure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Funder:               | Regional Development Victoria (under Regional Growth Fund).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Rounds, due dates:    | "This program is open for applications on an ongoing basis."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Amount/s:             | Not stated (but includes co-contributions).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Aim of funding:       | <p>"...to improve the productive potential of regional Victoria by strengthening regional industries, supporting and growing local economies, and providing opportunities for regional Victoria through investment in enabling strategic infrastructure.</p> <p>The Economic Infrastructure Program will provide support for strategic infrastructure projects through the following four sub-programs:</p> <ul style="list-style-type: none"> <li>• Growing and Sustaining Regional Industries and Jobs</li> <li>• Transforming and Transitioning Local Economies</li> <li>• Building Strategic Tourism and Cultural Assets, and</li> <li>• Energy for the Regions."</li> </ul> |
| Relevance to project: | May become relevant if options for CHS involving economic development, industry redevelopment, jobs creation, or tourism development become central.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Eligibility:          | Yes (local government authorities).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Further information:  | <a href="http://www.rdv.vic.gov.au/infrastructure-programs/economic-infrastructure">www.rdv.vic.gov.au/infrastructure-programs/economic-infrastructure</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name of Grant:        | Developing Stronger Regions (Component of Regional Growth Fund)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Funder:               | Regional Development Victoria (through Dep't Planning and Community Development).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Rounds, due dates:    | None stated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Amount/s:             | Generally, funding from the Developing Stronger Regions Program will be limited to no more than 50 % of the total study cost for projects up to \$1 million. Projects over \$1 million will be generally limited to 33% of the total study cost.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Aim of funding:       | <p>The Developing Stronger Regions Program provides support for studies, such as a feasibility study, a demand study or a business case to enable prospective applicants to investigate the technical and / or economic viability of a project. The study will be required to be completed by an organisation with the prerequisite expertise. This generally will require the engagement of an independent third party.</p> <p>Applications should demonstrate how the intended project outcomes, for which the study is being undertaken, will contribute to one or more focus areas of the RGF:</p> <ul style="list-style-type: none"> <li>• provide better infrastructure, facilities and services in regional Victoria</li> <li>• strengthen the economic, social and environmental base of regional communities</li> <li>• facilitate the creation of jobs and improve career opportunities in regional Victoria, and / or</li> <li>• support local project development and planning in regional Victoria.</li> </ul> |
| Relevance to project: | If further detailed study of any options are required, this funding stream is likely to be relevant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Eligibility:          | Yes (local government authorities). An application may conflict with previous applications if any exist.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Further information:  | <a href="http://www.rdv.vic.gov.au/business-and-industry-programs/developing-stronger-regions">www.rdv.vic.gov.au/business-and-industry-programs/developing-stronger-regions</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

### 7.2. Sale of small portion of community owned land

When 67% of the site has been transferred back to the community (via COS), a viable way of raising funds for capital works may be through the sale of a small portion of the community-owned land.

The obvious drawback from this strategy is that community owned land is lost. However, if no other funding sources are located, this may prove to be a positive way forwards. If this strategy is implemented, it should be done once community-use and open-space plans for the site are firmly in place, ensuring that the market value achieved is maximised.

### 7.3. In-kind donations

In-kind donations are contributions made by individuals or organisations that benefit the project, but that are not financial (such as volunteer labour or high quality donated goods). In-kind donations still carry substantial value, demonstrate community support for a project, and are sometimes relevant when applying for grant funding).

Several potential in-kind donations were identified during the development of this masterplan. They include:

#### 7.3.1. Carpentry / construction projects

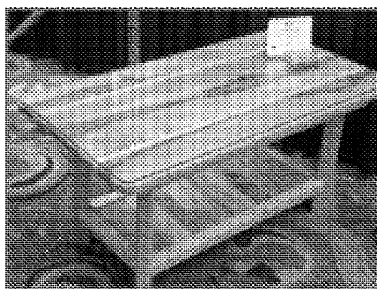
Partnerships may be possible with local TAFES that involve students (of carpentry, drafting, and surveying courses as examples) using a redevelopment of CHS as a real-world project. This provides a high level of interest and engagement for students, and the potential for financial savings for the project.

The drawbacks of this approach are the need to schedule activities around education timetables, and the need to ensure adherence to industrial laws and union regulations.

Gordon TAFE have expressed an enthusiasm to further discussions around student projects.

#### 7.3.2. The Woodturners Guild

The Woodturners Guild, currently using the former technology rooms on the site, have offered to assist with the fit-out of any community use building as part of their contribution towards being able to continue use of their presently occupied buildings (and to make the overall community hub model more viable). The Guild regularly offers timber products to local community groups for the cost of the timber only. Their work is of a very high quality, as artistic as it is functional.



#### 7.3.3. Community planting days and other volunteer works

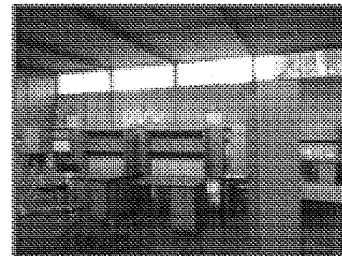


When finishing works of a generalist nature are required - landscaping, painting, cleaning, etc. - it may be appropriate to conduct community working bees. Such activities would most likely be coordinated by the lead tenant of a community hub if it is found to be viable, in partnership with other community organisations and groups planning to make use of the space - groups focussing on LLEN (Local Learning and Employment Networks) and other work skills and volunteering organisations would probably be interested (particularly if they have an ongoing interest in the space).

Such an approach would save money and help to foster a strong community ownership of the space. It would allow the many Colac residents that attended the school in their younger years to play a valuable role in transforming the site into a new use.

#### 7.3.4. Furniture

Some of the groups identified as having an interest in casual or ongoing room use within a community hub have access to furniture and fittings. Additional items still exist throughout the school that, while of little realisable financial value, would be appropriate for helping to fit out community use spaces (even if only temporarily).



#### 7.4. Investment from Development Contribution Fees

Into the future, it is likely that residential development will occur around the High School, in the areas that are currently mostly undeveloped land to the west of the High School (see chapter 5.1).

It is currently under consideration that new developments may be required to pay Development Contribution Fees so that Council can afford to put in place the various pieces of infrastructure that new housing requires. This includes hard infrastructure (such as roads), but also community facilities, sports grounds, kindergartens, etc.

Although the timing of future development in the area is unpredictable, Development Contribution Fees would be a funding channel appropriate to many of the proposals made in this masterplan. In the absence of other plans, the 'Acquire and Hold' strategy would allow for the redevelopment of the site to benefit from Development Contribution Fees in the future.

#### 7.5. State and Federal elections

Both State and Federal elections are due within the timeframe of decision-making on this project. As the CHS site has captured the attention of a large portion of Colac's voting population, it may be possible to leverage wider political interest (and funding commitments) to the project.

## 8. Options for site usage

The following options were proposed by the community of Colac during and prior to the development of this draft masterplan.

### 8.1. Potential TAFE development

|                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Vision:                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                     |
| <ul style="list-style-type: none"> <li>Continue the function of the site as place of education</li> <li>Education is essential to a thriving, strong community (cultural, economic, etc.)</li> <li>More TAFE activity (and educational opportunities, generally) in Colac will reduce the drain of younger people moving to larger towns to get their educational needs filled (and often staying away).</li> </ul> |                                                                                                                                                                                                                                                     |
| Status:                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Not feasible.</b>                                                                                                                                                                                                                                |
| Reason:                                                                                                                                                                                                                                                                                                                                                                                                             | Neither of the two TAFES likely to have an interest in expanding operations in Colac (Gordon TAFE and South West TAFE) are in a position to expand at the moment; both identify decreased funding within the TAFE sector as a barrier to expansion. |

### 8.2. Otway Community College / St Laurence

Otway Community College (OCC) has been operating a variety of community education courses from central Colac for some time. OCC had expressed a firm interest in relocating operations to the CHS site, however exploration of this possibility was paused when OCC went into administration in late 2012. Its activities have since been absorbed into the education arm of St Laurence.

It is too early for St Laurence to assess their level of interest in using the CHS site for their activities, however the concept appears to have merit. St Laurence has the potential to act as highly compatible lead tenants for a community hub. They have indicated a level of interest in providing that role, and identified that the site may be appropriate for an expansion and / or relocation of their activities.

|                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Vision:                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                |
| <ul style="list-style-type: none"> <li>Continue the use of space as education base</li> <li>Education is essential to a thriving, strong community</li> <li>The existing building used for the former College's activities is not ideal, creating a motivation to consider other site options.</li> </ul> |                                                                                                                                                                                                                                                |
| Status:                                                                                                                                                                                                                                                                                                   | <b>Feasible (pending commitment from stakeholders).</b>                                                                                                                                                                                        |
| Area of site:                                                                                                                                                                                                                                                                                             | Flexible. Likely to be well suited to refurbished existing buildings.                                                                                                                                                                          |
| Ability to stand alone:                                                                                                                                                                                                                                                                                   | Yes.                                                                                                                                                                                                                                           |
| Interaction with other uses:                                                                                                                                                                                                                                                                              | The former College's activities would partner well with a community hub; both address overlapping demographic needs, and there would be a positive flow of clients between both services.<br>A cafe would be a mutually beneficial co-locator. |
| Land acquisition funding:                                                                                                                                                                                                                                                                                 | Unlikely (although grant funding may be applicable). Proposal relies on availability of free land.                                                                                                                                             |
| Make-good / construction funding:                                                                                                                                                                                                                                                                         | Maybe. Possible through internal sources, but more likely external grant funding (as part of community hub proposal).                                                                                                                          |
| Ongoing / maintenance funding:                                                                                                                                                                                                                                                                            | Likely, through lease arrangements.                                                                                                                                                                                                            |

|                    |                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Management model:  | Self managed with proven track record.                                                                                                                                                                                                                                                                                                                            |
| Community benefit: | St Laurence is a strong candidate to provide lead tenant services, which in turn makes an onsite community hub (and associated benefits to the community) possible, and be a mutually beneficial partnership.<br>St Laurence has an interest in tying College activities to social enterprise, which would tie in strongly with community hub spaces and markets. |
| Steps forwards:    | <ol style="list-style-type: none"> <li>1. Continue stakeholder discussions on level of interest.</li> <li>2. Confirm desired combination of existing buildings and land.</li> <li>3. Discuss ability to provide lead tenant services for community hub activities.</li> <li>4. Implement.</li> </ol>                                                              |

### 8.3 Affordable housing

|                                   |                                                                                                                                                                                                                                                       |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Vision:                           | <ul style="list-style-type: none"> <li>• 'Social housing' as managed by Housing Providers (rather than the Department of Human Service's Office of Housing).</li> </ul>                                                                               |
| Stakeholders:                     | St Laurence (as future Approved Housing Provider, and in conjunction with education and community hub activities outlined in chapter 8.2).                                                                                                            |
| Status:                           | <b>Feasible.</b>                                                                                                                                                                                                                                      |
| Area of site:                     | Clear residential land.                                                                                                                                                                                                                               |
| Ability to stand alone:           | Yes.                                                                                                                                                                                                                                                  |
| Interaction with other uses:      | Positive compatibility with other potential site uses.                                                                                                                                                                                                |
| Land acquisition funding:         | Unlikely in current funding climate. Proposal is dependent on free land (on 99-year peppercorn lease) in exchange for commitment to provide affordable housing.                                                                                       |
| Make-good / construction funding: | Unlikely in current funding climate, but likely in future. Unknown wait time for project realisation.                                                                                                                                                 |
| Ongoing / maintenance funding:    | Yes. Model is self-maintaining once established.                                                                                                                                                                                                      |
| Management model:                 | Yes. Model is self managing.                                                                                                                                                                                                                          |
| Community benefit:                | Affordable housing is important in addressing the needs of disadvantaged people.                                                                                                                                                                      |
| Steps forward:                    | <ol style="list-style-type: none"> <li>1. Confirm community and provider commitment to concept</li> <li>2. Fit with other site activities. Enact in planning process</li> <li>3. Provider actions when suitable funding is made available.</li> </ol> |

#### 8.4. Aged accommodation

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Vision:</p> <ul style="list-style-type: none"> <li>Housing provider to provide agreed quantity of affordable housing in exchange for 99-year peppercorn lease (or similar) of land. Additional land for market-priced housing at market value.</li> <li>Scale of project may be in the order of ~10 units in the short term, with allowance for additional ~10 units in medium term, pending market research and other constraints.</li> <li>Independent living (with access to external care packages) rather than high level residential care.</li> </ul> <p>Strong national push / best practice approach to keep people in independent accommodation for as long as possible (rather than escalating to higher care arrangements).</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Stakeholders:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Siro Villa Retirement Village (as housing providers). (No other interested provider identified).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Status:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Feasible.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Area of site:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Flexible. Cleared land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Ability to stand alone:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Yes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Interaction with other uses:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Would benefit from any other activities onsite that develop a sense of local activity and community. In particular, a community hub would provide opportunities within easy walking distance for residents to meet and stay actively engaged.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Land acquisition funding:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Unlikely in current funding climate. Proposal relies on availability of free land for low-cost element of proposal. Internal business model likely to be sufficient for at-market-price housing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Make-good / construction funding:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Likely. Construction funding from provider (cash contribution and borrowings).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Ongoing / maintenance funding:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Yes – as per existing model demonstrated by provider at other sites.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Management model:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Self managed. (Siro Villa is a Not for Profit Incorporated Association with volunteer Committee of Management established in 1972).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Community benefit:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | It is difficult for providers of affordable older persons' housing to develop new stock in the current government funding climate. However, Colac has an aging population and a forecast lack of affordable housing. The making available of community owned land in exchange for the provision of affordable housing brings a substantial benefit (albeit to a relatively small number of people). Affordable independent accommodation for older people is needed in Colac <sup>3</sup> . Additional land for commercial housing stock should be made available at market, or reduced market rates. The provider has indicated a willingness to act as lead tenant for a community hub, which would add strong community benefit. |
| Steps forwards:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <ol style="list-style-type: none"> <li>1. Confirm community and COS support for concept.</li> <li>2. Confirm contractual arrangements (including area of land required, interplay with other site uses, ability to provide lead tenant role and details of same, sale and lease terms and conditions).</li> <li>3. Implement</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                             |
| Notes:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Provider has strong interest in expanding operations in Colac, including board-level and strategic plan support. According to provider: "We are a not for profit retirement village and different from a registered social housing provider in that we provide affordable housing to low and middle income older persons under the Retirement Villages Act. Housing providers operate under the Residential Tenancies Act and unlike housing organisations under the regulatory framework we are not obligated to adhere to Office of Housing asset and income limits. Our Constitution (and PBI & DGR status) means we have historically had similar target groups but we can be much more flexible about whom we house."          |

<sup>3</sup> Colac Structure Plan

### 8.5.Younger years: Kindergarten

|                                   |                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Vision:                           | <ul style="list-style-type: none"> <li>• Redevelop some of the admin building or (more likely) develop new building</li> <li>• At least one existing kindergarten in Colac is not fit for purpose, is landlocked, or is due for substantial repairs</li> <li>• CHS site is well located for current and future kindergarten needs</li> </ul> |
| Stakeholders:                     | Glastonbury (as operators of multiple kindergartens in Colac) and COS (as owners of kindergartens).                                                                                                                                                                                                                                          |
| Status:                           | <b>Feasible (pending stakeholder commitment).</b>                                                                                                                                                                                                                                                                                            |
| Area of site:                     | Flexible. Adaption of existing buildings may be complicated due to very specific requirements and standards required for a kindergarten, so may be more suited to cleared land.                                                                                                                                                              |
| Ability to stand alone:           | Yes.                                                                                                                                                                                                                                                                                                                                         |
| Interaction with other uses:      | High compatibility with younger years hub (see chapter 8.7).<br>Strong incompatibility with emergency services or other high-traffic uses unless well separated.                                                                                                                                                                             |
| Land acquisition funding:         | Possible through Council's budget process (although more likely with free land). Sale of existing kindergarten site(s) would offset some or all acquisition funding (or contribute to construction / make-good costs.                                                                                                                        |
| Make-good / construction funding: | See 'Land acquisition funding', above.                                                                                                                                                                                                                                                                                                       |
| Ongoing / maintenance funding:    | Yes – as per Council's existing maintenance allocations.                                                                                                                                                                                                                                                                                     |
| Management model:                 | As per Glastonbury's and Council's existing arrangements.                                                                                                                                                                                                                                                                                    |
| Community benefit:                | Kindergartens are an essential piece of community infrastructure, and existing facilities are lacking. Benefit to community is therefore strong.<br>Location of CHS is likely to be central to future housing developments to west of site, which is likely to include younger families.                                                     |
| Steps forwards:                   | <ol style="list-style-type: none"> <li>1. Confirm commitment to kindergarten on site from COS and Glastonbury.</li> <li>2. Fit with neighbouring uses, proceed.</li> </ol>                                                                                                                                                                   |
| Notes:                            | Decision making regarding the importance of relocating one or more kindergartens is included as part of the Advancing Country Towns project being currently conducted.                                                                                                                                                                       |

### 8.6. Younger years (ages 0-8) hub

|                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Vision:                           | <ul style="list-style-type: none"> <li>In addition to abovementioned kindergarten, a younger years hub would establish multiple services addressing needs of children aged ~0-8</li> <li>Maternal &amp; child health, kindergarten, spaces for pre-natal and parents' groups, day-care, specialist children's medical services</li> <li>CHS site is well located for current and future needs of this demographic.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Stakeholders:                     | Glastonbury (as project proponents and managers), COS (as owners of kindergartens)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Status:                           | <b>Feasible (pending stakeholder commitment and compatibility with other similar projects).</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Area of site:                     | Flexible. Likely to be easier on clear land, rather than adapting existing buildings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Ability to stand alone:           | Yes (assuming involvement of a new kindergarten).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Interaction with other uses:      | Strong incompatibility with emergency services or other high-traffic uses – need for careful design consideration.<br>General compatibility with community hub.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Land acquisition funding:         | Unlikely; project is dependent on free land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Make-good / construction funding: | Likely via provider's capital works budget.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Ongoing / maintenance funding:    | Likely – business model includes ongoing maintenance allowance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Management model:                 | Managed by Glastonbury's existing structure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Community benefit:                | See Kindergarten proposal, chapter 8.5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Steps forwards:                   | <ol style="list-style-type: none"> <li>COS and Glastonbury to confirm interest in site.</li> <li>Fit use in with neighbouring uses.</li> <li>Implement.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Notes:                            | <p>Colac Area Health have an interest in establishing a similar younger years hub more centrally within Colac. The compatibility and viability of the two projects, should one proceed, needs to be explored.</p> <p>Glastonbury are organisationally committed to the younger years hub concept; a previous attempt at setting up a hub was made (including the purchase of a building in Colac, which proved to be excessively restrictive and so was sold).</p> <p>As operators of a younger years hub, Glastonbury may be able to provide lead tenant services to a wider community hub (as detailed in chapter 8.7). It is recommended that this possibility be explored with Glastonbury (if no other lead tenant provider is available) and built into contractual arrangements.</p> <p>Decision making regarding the importance of establishing a younger years hub (along with one or more kindergartens as discussed in chapter 8.5) is included as part of the Advancing Country Towns project being currently conducted.</p> |

### 8.7. Community hub / miscellaneous community spaces

There are many individuals and organisations within and around Colac (as detailed below) that have expressed an interest in using existing (or possibly new) buildings on the site. If it is possible to provide an overarching model for the governance of a grass roots community hub, a very substantial contribution to the current and future social capital of Colac will be made.

The challenge is that for a grass-roots community hub to be viable, some form of management model is required. The management model needs to be able to take care of day to day administration, as well as long term management, of a complex and high-maintenance suite of buildings and activities.

Leaving individual groups to find these skills internally and coordinate their efforts with other users of the space would place unrealistic demands on groups that were established for other purposes. It is therefore seen that a head organisation (or 'lead tenant') – able to coordinate tenancies, meeting room bookings, attend to building maintenance, implement long-term financial planning, adhere to legal requirements, and provide transparency to Council and the community – needs to be found. As part of this masterplanning process, considerable work and research has gone into addressing this need. Options explored for a lead tenant include:

|                                                               |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DEECD (current site owners)                                   | <b>Not feasible</b> | DEECD's mandate does not extend to community hub activities (or any ongoing involvement in the site).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Council                                                       | <b>Not feasible</b> | Council have indicated they are not in a position to take on management of such a facility.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Self-managed community based cooperative                      | <b>Unlikely</b>     | Although this governance model has been shown to be viable <sup>4</sup> , community energy for such a model has not been demonstrated. The establishment of such an organisation would take a very substantial level of skilled input.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Existing organisation elsewhere in Colac                      | <b>Not feasible</b> | The manager of a community hub needs to be located onsite (to deal with general enquiries, opening up and locking up, maintenance requests, etc).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Lead tenant services provided by other large user of CHS site | <b>Feasible</b>     | <p>As explored elsewhere in this chapter, several organisations (St Laurence, Siro Villa, Glastonbury, and the Merv Brunt Truck Museum) may be in a position, if their own proposals for the site are successful, to play a lead tenant role for a community hub.</p> <p>If a critical mass of onsite activities suggest that a cafe is viable, it may also be able to provide some day-to-day functions.</p> <p>The most likely model is that these organisations allocate additional time to an existing front desk / administrative / community development role, which is covered by space rental fees within the community hub.</p> <p>These are potentially strong partnerships, since:</p> <ul style="list-style-type: none"> <li>• These organisations, if they become occupiers of the site, will need to provide many of the skills required for the successful operation of a community hub (such as basic administration, accounting, building maintenance, and reception).</li> <li>• They would also likely benefit from a close involvement in a community hub as logical extensions of their own activities (and vice versa).</li> </ul> |

A more detailed exploration of the financial viability of a community hub (including the question of whether the rent able to be paid by potential occupiers of the space will be sufficient to cover the ongoing maintenance and

<sup>4</sup> Abbotsford Convent: <http://www.abbotsfordconvent.com.au/abbotsford-convent-foundation/governance> and Ross House Inc: <http://www.rosshouse.org.au/about>

administration costs of the building) will be included with final version of this report, once feedback from the community has been received.

The rent paid by individual user groups of the spaces (offices, meeting rooms, display areas) within a community hub would most likely be divided into sliding scale including categories such as:

- Not for profit groups that are unfunded (except through contributions from members and / or memberships)
- Not for profit groups that are funded (such as through government grants or other sources)
- Businesses, government, or for-profit organisations.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Vision:</p> <ul style="list-style-type: none"> <li>• Redevelopment of admin building, common room, technology rooms, and possibly the library, as multi-use community hub. (The possible use of the former hall is addressed in chapter 8.8).</li> <li>• To suit casual meeting room use, ongoing office space for not-for-profit groups, ongoing leases by small / boutique businesses, possibility of very flexible 'hot-desk' office space use</li> <li>• Some groups expressed an interest in having access to rooms that are shared with other groups, but with lockable storage cabinets. Other groups seek dedicated spaces.</li> <li>• Flexibility for future adaption to suit changing community needs</li> <li>• Model could include a small scale business incubator</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>Stakeholders:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>Individual groups that have expressed some level of interest in using space within a grass roots community hub include:</p> <ul style="list-style-type: none"> <li>• Woodturners Guild</li> <li>• Women's art space</li> <li>• U3A</li> <li>• Boutique / artistic private use</li> <li>• Arts displays</li> <li>• Spaces for various craftworks</li> <li>• Casual meeting rooms (various groups)</li> <li>• Service clubs (Lions, Rotary) (for meeting rooms and / or storage)</li> <li>• Martial arts training</li> <li>• Camera club</li> <li>• Gem club</li> <li>• History groups (Colac and District Historical Society, Colac and District Family History Group)</li> <li>• Music rehearsals</li> <li>• Kitchen - basic food skills courses</li> <li>• Food themes (such as First Bite, a community garden group, and food reclamation and redistribution activities)</li> <li>• Community gardens</li> <li>• Cooking school / community kitchen</li> <li>• Country Women's Association</li> <li>• Public internet terminals (or as part of cafe)</li> <li>• Senior citizens space</li> <li>• Neighbourhood Action Group</li> <li>• Business incubator</li> </ul> |
| <p>Status:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p><b>Feasible (pending lead tenant, business case modelling).</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>Area of site:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>Primarily existing buildings (admin building, common room, technology rooms); funding is unlikely to be found for the development of new buildings, and existing buildings are likely to be suitable for the needs of a community hub.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>Ability to stand alone:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>No. Model is dependent on lead tenant services provided by other organisation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

|                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| Interaction with other uses:      | Strong synergistic relationship with most other site uses.<br>Availability of space for small business would support social enterprises / a business incubator.<br>This would be fed by other high traffic site uses (such as cafe, markets, educational uses, etc).<br>Strong positive link with Neighbourhood Renewal project in Colac West.                                                                                                                                      |
| Land acquisition funding:         | Unlikely. Concept relies on availability of free land and buildings.                                                                                                                                                                                                                                                                                                                                                                                                                |
| Make-good / construction funding: | Possible. See 'funding sources' in chapter 7.                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Ongoing / maintenance funding:    | Remains to be demonstrated.<br>As part of the final version of this report, an assessment will be made of the community groups (and other organisations) likely to have an interest in spaces in a community hub, and their ability to pay for space rental. This will be set against anticipated maintenance costs to prove or disprove the ongoing viability of a community hub.                                                                                                  |
| Management model:                 | Feasible – with lead tenant.<br>Not feasible as community governed cooperative – interest and viability of this model has not been found.                                                                                                                                                                                                                                                                                                                                           |
| Community benefit:                | Very high.<br>As the diversity of interested groups suggests, a community hub on the CHS school would have considerable benefit now and into the future. It would make a large contribution towards marginalised and lower socio-economic groups.<br>Although the viability of this model needs to be based on groups that are in existence now, part of the attraction of this model is its flexibility and ability to adapt to the changing nature of community groups over time. |
| Steps forwards:                   | <ol style="list-style-type: none"> <li>1. Confirm lead tenant.</li> <li>2. Develop business case including likely rental income from users of space, against likely maintenance costs.</li> <li>3. Develop space usage models.</li> <li>4. Implement.</li> </ol>                                                                                                                                                                                                                    |

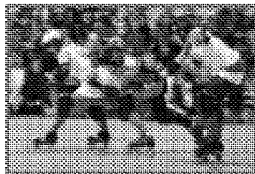
#### 8.7.1. Other community groups

As part of the community engagement during the finalisation of this masterplan, a request was made for contact from any groups interested in using space in a community hub (either for meetings, specific events, ongoing use, etc.). Contact details can be found alongside this report on Council's website, and expressions of interest are encouraged to include details about the size and funding model of the organisation, and likely space needs (size of space, frequency of use, purpose of use).

Groups already contacted via consultation for this project are encouraged to consider and contact other groups that may have an interest.

### 8.8.Casual hall usage

A number of suggestions were made for potential community uses of the hall (detailed below). The challenges in demonstrating the feasibility of this idea include finding a suitable management model (as detailed in chapter 8.7), and in showing that sufficient demand exists from groups that have the ability to pay rental fees to cover the ongoing maintenance of the building.

|                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• CHS hall offers a size of facility uncommon in Colac</li> <li>• Users may be regular (such as weekly) or one-off.</li> <li>• Continuing to use and maintain this building will be of value to the current Colac community, as well as for future residential expansion to the west of Colac.</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Stakeholders:                                                                                                                                                                                                                                                                                                                                    | <p>Individual groups known to have an interest in using the hall include:</p> <ul style="list-style-type: none"> <li>• Indoor sports (such as The Derby Dolls)</li> <li>• Arts displays</li> <li>• Balls, dances, private functions</li> <li>• Casual meeting bookings</li> <li>• Colac Players (theatre group)</li> <li>• Special events by service clubs (such as Lions, Rotary)</li> <li>• Live music venue</li> <li>• Martial arts schools</li> <li>• Dance schools / groups</li> <li>• Orchid shows</li> <li>• Music rehearsals</li> <li>• Food themes (such as First Bite, a community garden group, and food reclamation and redistribution activities)</li> <li>• Primary schools (for events larger than their own halls allow)</li> </ul>  |
| Status:                                                                                                                                                                                                                                                                                                                                          | <b>Feasible (pending lead tenancy, business case modelling).</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Area of site:                                                                                                                                                                                                                                                                                                                                    | Hall and immediate surrounds.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Ability to stand alone:                                                                                                                                                                                                                                                                                                                          | No – requires lead tenant (preferably onsite).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Interaction with other uses:                                                                                                                                                                                                                                                                                                                     | <p>Regular users of spaces within a community hub would benefit from occasional use of a larger space.</p> <p>A farmers' and / or general market may need a large indoor space during poor weather days.</p> <p>An emergency services hub may value the hall as a mustering point, evacuation point, or place for public meetings.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Land acquisition funding:                                                                                                                                                                                                                                                                                                                        | Unlikely. Proposal for community use of hall is dependent on land and building being free of charge.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Make-good / construction funding:                                                                                                                                                                                                                                                                                                                | Feasible – through a combination of DPCD grants, matched with funding from small scale sale of other portions of site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Ongoing / maintenance funding:                                                                                                                                                                                                                                                                                                                   | Feasible – sufficient interest will need to be demonstrated from potential user groups to suggest an adequate income stream from the casual rental of the space. This will be set against anticipated ongoing maintenance costs in the final version of this report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Management model:                                                                                                                                                                                                                                                                                                                                | Feasible – dependent on lead tenancy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Community benefit:                                                                                                                                                                                                                                                                                                                               | High. A considerable variety of groups have expressed an interest in the space, which may serve recreational needs, community development, and some economic development within Colac.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Steps forwards:                                                                                                                                                                                                                                                                                                                                  | <ol style="list-style-type: none"> <li>1. Confirm lead tenant.</li> <li>2. Develop business case including likely rental income from users of space, against likely maintenance costs.</li> <li>3. Confirm make-good funding.</li> <li>4. Enact.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

8.9. Historical precinct (relocated Historical Society, Family History Group,  
Indigenous history, and future general museum)

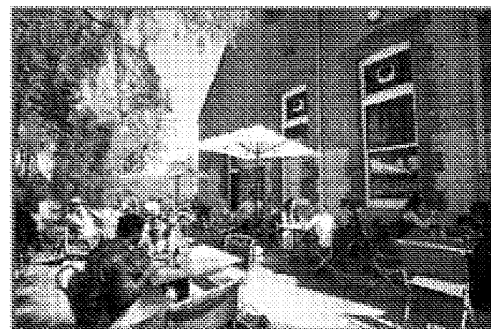
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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Vision:</p> <ul style="list-style-type: none"> <li>• A combination of history-related uses becomes a strong and mutually supportive cluster of activities.</li> <li>• The value of the administration building as an artefact in itself is taken advantage of.</li> <li>• Scope exists for the future establishment of a general museum.</li> <li>• A relocated Historical Society would gain much-needed additional space for displays and storage, and potential is created for future expansion as museum.</li> <li>• The current space occupied by the Historical Society at COPACCC becomes a valuable commercial space – with benefit to Council, and / or availability of funds for Historical Society to renovate former administration building</li> <li>• An Indigenous history / interpretive centre could demonstrate a rich and important cultural history that is currently not realised.</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Stakeholders:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>• Colac and District Historical Society</li> <li>• Colac and District Family History Group</li> <li>• Others</li> </ul>                                                                                                                                                                                                                                                                                                                                               |
| Status:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Feasible (pending stakeholder interest).</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Area of site:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Portion of former administration building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Ability to stand alone:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Maybe. Proposition is stronger as part of community hub.                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Interaction with other uses:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>Compatible with community hub, aged housing, cafe, markets, driver reviver (by providing more reason for drivers to pause in Colac, and opportunities for economic activity).</p> <p>A partnership between the Historical Society, a general museum, and the Merv Brunt Truck Museum makes the viability of each group far stronger; an efficiency of services is gained, and a precinct-scale attraction is created.</p>                                                                                 |
| Land acquisition funding:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Unlikely. Proposals rely on the availability of free land.                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Make-good / construction funding:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Feasible – as for ‘community hub’, chapter 8.7.                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Ongoing / maintenance funding:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>Feasible. Council currently owns and manages the space occupied by the Historical Society in COPACC. As proposed here, relocating the Historical Society would transfer management responsibilities to the lead tenant / community hub. It is suggested Council continues an ongoing contribution to the Society for building maintenance. It is noted that this commitment may be offset by the commercial value of COPACC space.</p> <p>The establishment of a museum requires further exploration.</p> |
| Management model:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Under broader model of ‘community hub’.</p> <p>Historical Society has shown self to be long-term, competent self managers of their own space.</p>                                                                                                                                                                                                                                                                                                                                                         |
| Community benefit:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>Moderate or high.</p> <p>The collection of materials holds significant cultural value.</p> <p>A museum would extend the knowledge and tourism base of Colac. A history-themed precinct has the potential to attract economic activity.</p> <p>The Historical Society provides considerable worth to a relatively small number of actively involved members.</p>                                                                                                                                           |
| Steps forwards:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <ol style="list-style-type: none"> <li>1. Explore level of interest from stakeholders</li> <li>2. Confirm viability of lead tenancy and community hub</li> <li>3. Confirm viability of free land and funding</li> <li>4. Proceed</li> </ol>                                                                                                                                                                                                                                                                  |

#### 8.10. Markets -- farmers' and / or general

|                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Vision:                           | <ul style="list-style-type: none"> <li>Weekly or monthly market stalls, but typically weekly on a Sunday or Saturday morning.</li> <li>At a minimum, proposal only requires open air space and car parking</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Stakeholders:                     | Interested individuals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Status:                           | <b>Feasible once other future uses are established.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Area of site:                     | Any open area of <1,000m <sup>2</sup> (such as grass field, carpark) and / or hall.<br>Needs highway exposure / visibility.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Ability to stand alone:           | Yes, but stronger with other activities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Interaction with other uses:      | <p>Depending on other site uses, a farmers' market could be a valuable and positive addition. A farmers' market, coupled with aspects of a more generalist market, becomes a potential activity tie-in with a community hub and / or business incubator by providing an outlet and promotional opportunity for goods and services.</p> <p>A farmers' market could be a mutually beneficial partner to the Driver Reviver area (over highway). Both of these activities then feed in positively to a Truck Museum and relocated Historical Society.</p> <p>An onsite cafe would be mutually beneficial. Some food related themes have been proposed for the site, such as community gardens, food skills training, and food reclamation spaces. All of these would partner very positively with an onsite farmers' market.</p> |
| Land acquisition funding:         | Not relevant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Make-good / construction funding: | Not relevant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Ongoing / maintenance funding:    | Farmers' markets have been shown to be able to make contributions towards the upkeep of grounds, and minor improvements such as signage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Management model:                 | A farmers' market would likely be an independent organisation that aims to work collaboratively with whatever other organisations share the site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Community benefit:                | <p>A farmers' market appeals to the need to generate new and innovative economic activity within Colac, specifically, within the food generation sector. It would encourage the specialisation of food towards gourmet and / or niche markets (with higher levels of employment than broad scale farming alone). Food production has been identified as a potential strength of the Colac area into the future.</p> <p>A farmers' market has the potential to be a drawcard for people otherwise travelling through Colac.</p>                                                                                                                                                                                                                                                                                                |
| Steps forwards:                   | For a farmers' market to be viable at the CHS site, suitable spaces must first be confirmed. From there, an organisation will need to form itself and gain support from Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Notes:                            | Current moderate activity of Sunday market in town centre suggests only weak demand for an additional general market.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

### 8.11. Cafe

|                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Vision:                           | <ul style="list-style-type: none"> <li>Only viable with multiple other drawcards in place</li> <li>Commercial return on lease adds to financial sustainability of broader model for site</li> <li>Anchors and strengthens several other concepts</li> <li>Could utilise Admin building courtyard / verandas as attractive outdoor seating area, removed from highway</li> </ul>                                                                                             |
| Stakeholders:                     | No leaseholders identified, but considered feasible if other activity drawcards are put into place.                                                                                                                                                                                                                                                                                                                                                                         |
| Status:                           | <b>Feasible (pending a critical mass of other activities).</b>                                                                                                                                                                                                                                                                                                                                                                                                              |
| Area of site:                     | Admin building (as partner to community hub activities) or new construction to suit other site uses.                                                                                                                                                                                                                                                                                                                                                                        |
| Ability to stand alone:           | No. For viability, a cafe would depend on a critical mass of other activities to generate activity.                                                                                                                                                                                                                                                                                                                                                                         |
| Interaction with other uses:      | <p>A cafe would benefit from, and contribute to, most other proposed site uses.</p> <p>A cafe could potentially play a role as front-desk administration for the Merv Brunt Truck Museum, a general museum, and meeting room and hall casual hire.</p> <p>A cafe would provide a solid central point for a community hub and any onsite residential development. On a weekend, it would partner well with the Driver Reviver space, and a farmers' market.</p>              |
| Land acquisition funding:         | <p>Although a cafe could work as an independent freehold title, it is suggested instead that a cafe space be set aside within other development activities, particularly in the admin building, and that this space is then leased out on a long-term basis with the leaseholder addressing their own fit-out needs.</p> <p>This model would provide an ongoing income stream to the lead tenant and / or Council, making the community hub model more self sustaining.</p> |
| Make-good / construction funding: | Incorporate into broader redevelopment plans.                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Ongoing / maintenance funding:    | Likely to be net positive – return from lease should exceed maintenance costs for portion of building used.                                                                                                                                                                                                                                                                                                                                                                 |
| Management model:                 | Self managing, as part of broader community hub.                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Community benefit:                | <p>A cafe stands to reinforce other site uses that offer a more direct community benefit.</p> <p>Income generated from its lease subsidises other activities.</p> <p>A cafe would generate modest local employment.</p>                                                                                                                                                                                                                                                     |
| Steps forwards:                   | <ol style="list-style-type: none"> <li>1. Establish if a critical mass of other activities are to be established on site.</li> <li>2. Fit in / design with other activities.</li> <li>3. Implement.</li> </ol>                                                                                                                                                                                                                                                              |



## 8.12. Open spaces / parklands / sports fields

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Vision:</b></p> <ul style="list-style-type: none"> <li>Using a portion of the site as an open space / parkland / sports field would bring open spaces to a part of town that is lacking in same. Would deliver health and wellbeing benefits to local residents.</li> <li>Existing sports and recreation areas in Colac may be considered to be lacking – there is perhaps evidence for an additional sports field (depending on Council's willingness to provide ongoing maintenance funding).</li> <li>Green and open spaces onsite would help to create walking and cycling linkages between highway and Lake.</li> <li>A multipurpose square field (co-locating two different sporting activities) is the option most likely to be able to demonstrate demand.</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Stakeholders:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>COS (as owners and managers).</p> <p>Multiple interested sporting groups, including:</p> <ul style="list-style-type: none"> <li>Colac Braves Baseball Club</li> <li>Colac Otway Rovers Soccer</li> <li>Colac and District Cricket Association</li> <li>Archery</li> <li>Little Athletics</li> </ul>                                                                                                                                                                                                                                                                            |
| <b>Status:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Feasible if Council commits to management obligations.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Area of site:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Cleared land. ~2 Hectares (~20,000sqm).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Ability to stand alone:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Yes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Interaction with other uses:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>Open spaces make surrounding residential development more valuable.</p> <p>A farmers' market becomes possible with large open spaces.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Land acquisition funding:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Unlikely – proposal is dependent on free land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Make-good / construction funding:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>Sports fields: Limited funding for sports field development exists through respective state and national peak bodies. This would need to be augmented by Council funding and / or other sources (such as grants, benevolent funding, fundraising appeals).</p> <p>Parklands: State-based (and occasionally national) funding sources exist for the development of parklands, but this expense would need to mostly be met through Council's capital works budget process.</p>                                                                                                  |
| <b>Ongoing / maintenance funding:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Although some funding is raised through club memberships and fees, it is insufficient to meet all costs. Funding needed from Council to cover shortfall, as per other open spaces.                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Management model:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | As per Council's existing management strategy for sports fields and recreational spaces.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Community benefit:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>Sports fields and open spaces are important for the health and wellbeing of a community.</p> <p>CHS is situated in area that is lacking in open spaces.</p> <p>An opportunity exists to use the site to provide walking and cycling linkages between the highway and Lake Colac.</p> <p>A strategic decision needs to be made by Council as to whether the investment required to develop and maintain open spaces is justified, and if the amount of land required is justified (particularly if it comes at the expense of other options with strong community benefit).</p> |
| <b>Steps forwards:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <ol style="list-style-type: none"> <li>1. Confirm Council budget commitment to open spaces / sports fields.</li> <li>2. Develop.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                       |

### 8.13. Emergency services hub

|                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Vision:                           | <ul style="list-style-type: none"> <li>There is a substantial benefit in having multiple emergency services co-located; planning throughout the year becomes easier and more integrated, emergencies (such as bushfires) are responded to more effectively, and an economy of scale exists with landscape works – large highway access points, traffic controls, mustering areas, etc.</li> <li>Some existing services (most notably police and Department of Sustainability and Environment) currently occupy buildings that are insufficient.</li> <li>There is a perspective that emergency services have existing budgets for capital works, and shouldn't use land belonging to the community. In practice this might mean that the various emergency services, if interested in forming an emergency services hub, buy land at CHS at market rates, and then regain much or all of their acquisition funding through the sale of their existing sites.</li> <li>An alternative, more complicated model might see the emergency services gain access to free land at CHS, but then gift their existing sites and buildings to the community, which may be of more benefit to the community.</li> </ul> |
| Stakeholders:                     | <ul style="list-style-type: none"> <li>Strong interest from Police, DSE. Moderate interest from courthouse, CFA.</li> <li>Little or no interest from Victorian Ambulance Service (who would prefer to locate closer to hospital and health facilities rather than further away) and State Emergency Service (who are happy with existing location and unlikely to benefit from co-location)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Status:                           | <b>Feasible (pending stakeholder commitment and capital budgets).</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Area of site:                     | Flexible, but requires substantial and safe highway entry point (most likely including traffic control).<br>The existing library has the potential to serve as an incident control centre capable of housing CFA, police, and DSE, aiding the ability of those organisations to work collaboratively in their responses to bushfires and other emergencies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Ability to stand alone:           | Yes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Interaction with other uses:      | Generally incompatible with other uses (due to vehicle movements), so would need to be kept separate by design.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Land acquisition funding:         | Capital works budgets from individual organisations.<br>This is unlikely to be immediately available, meaning that space would have to be set aside for future use.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Make-good / construction funding: | As for 'Land acquisition funding', above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Ongoing / maintenance funding:    | Internal budgets.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Management model:                 | Self managing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Community benefit:                | Emergency services are essential to a functional community. However, this needs to be weighed against the loss of land for other community uses, since the area required by an emergency services hub would be considerable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Steps forwards:                   | <ol style="list-style-type: none"> <li>Broker discussions with emergency services to establish level of interest in shared activities, and likely availability of capital funding.</li> <li>Assess land-use requirements and establish fit with overall site uses.</li> <li>Acquire land, set aside until emergency services hub is able to be enacted. Staged approach may be viable as respective services' budgets become available.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Notes:                            | Establishing an emergency services hub on the site may require a substantial and separate highway entry point to that used by other occupants of the site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

#### 8.14. Merv Brunt Truck Museum

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Vision:</b><br/>Local identity Merv Brunt has been collecting and restoring trucks for many decades. He has a collection featuring ~55 vehicles, principally from 1930 – 1950, with ~45 being restored to a moderate or high standard. The collection may be relevant on a national scale, comparing well with similar collections around Australia. Merv has offered to make his collection available free of charge, so long as any income earned is directly channelled to grass-roots community uses (such as the service clubs that he proposes as principal managers of the collection).<br/>The collection needs to be housed in a basic but built-for-purpose construction, and is a potential tourist drawcard and opportunity to draw people off the highway that would otherwise pass through.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Stakeholders:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>Merv Brunt.</p> <p>Services clubs (Lions, Rotary) as potential operators and beneficiaries.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Status:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Feasible (pending further exploration of business case).</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Area of site:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Flexible, with good highway exposure / visibility.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Ability to stand alone:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Perhaps (but proposal becomes stronger when partnered with other activities as detailed below).                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Interaction with other uses:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>Strong fit with Driver Reviver – an additional motivation is provided for vehicles to pause their travels, and the flow of activity into the Driver Reviver station would create additional patronage to the Truck Museum.</p> <p>Although the Truck Museum is proposed as a stand-alone institution, it would partner well (both thematically and in terms of shared administration and front-desk support) with a relocated Historical Society, future general museum, and cafe.</p> <p>A farmers' market would be mutually beneficial in attracting patronage.</p> |
| <b>Land acquisition funding:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Unlikely; proposal is dependent on availability of free land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Make-good / construction funding:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Unlikely to suit existing buildings, so simple but purpose-built new construction required. Funding potential through private sources and / or grants.                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Ongoing / maintenance funding:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Feasible. Business modelling conducted by Merv Brunt (and associates) suggests self-sustaining model.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Management model:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>As proposed, management model consists of a board of management comprised of services clubs, Council, and family of Merv Brunt. The model is considered viable if commitment from services clubs is demonstrated.</p> <p>Opportunity exists to partner daily administration (entrance fees, locking up, etc.) with other like organisations (cafe, relocated Historical Society or similar group, community hub) to shift emphasis from volunteer base to paid base, possibly creating a stronger management model.</p>                                               |
| <b>Community benefit:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Offers opportunity to generate economic activity for Colac by drawing existing traffic off highway and by becoming a niche tourism drawcard in itself.                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Steps forwards:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <ol style="list-style-type: none"> <li>1. Test commitment of other site stakeholders (Historical Society, community hub lead tenants, services clubs, Merv Brunt family, etc.) to collaborative model.</li> <li>2. Confirm funding availability for construction and ongoing management.</li> <li>3. Fit with other site uses, enact.</li> </ol>                                                                                                                                                                                                                         |

#### 8.15. Other non-feasible options

The following options have also been proposed. However, no interested provider or key stakeholder was identified during research, or stakeholders were identified but not interested, making these options **not feasible**:

- Public housing
- Rental Housing Cooperatives / CERCs (Common Equity Rental Cooperatives)
- Technical / trade / farm skills training
- Colac Specialist School
- Relocation / second base for Colac Neighbourhood House / Community Hub Inc
- Service station
- Bed and breakfast
- Conference centre
- Caravan park / camping ground
- Community gardens (though would fit in easily with community hub, and are listed under same)
- Conservation land management opportunity
- Youth activities centre (although it is noted that a community hub located in the former administration building, and casual hall usage, would address some of the need for youth-focussed activities)
- Student housing
- Agricultural college
- Driving school
- Library annex
- Ten-pin bowling
- Velodrome
- Relocated Neighbourhood House / Community Hub Inc
- Community radio
- Animal farm
- Refugee accommodation
- Showgrounds
- University
- Backpackers accommodation
- Small scale retail
- Big box retail
- Council branch office

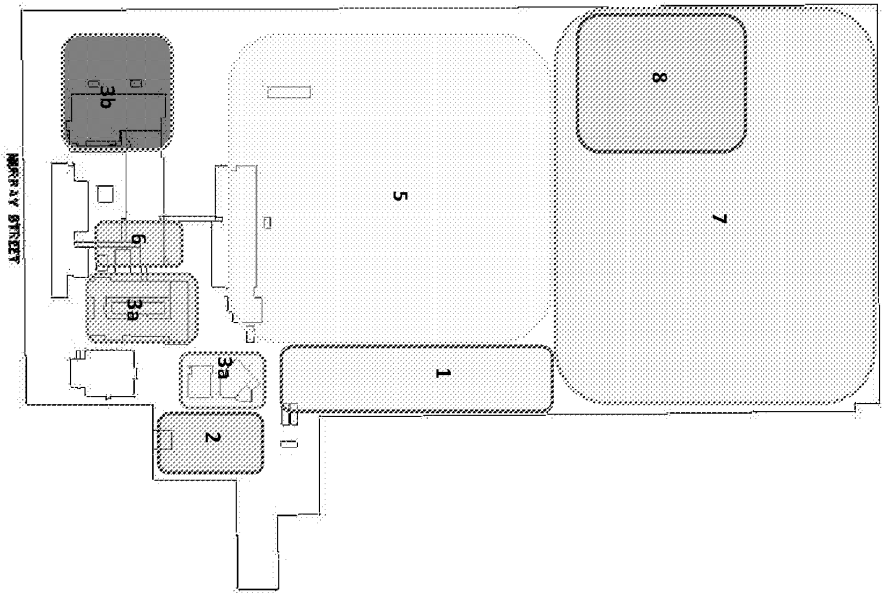
9. Draft recommendations

Based on suggestions made for the site and subsequent research outlined previously in this report, the following table lists the options that may prove to be viable, along with an approximation of how much space they may require.

The sketch below shows aims to demonstrate that all possibly viable options may be able to coexist. Although it would make for a very active use of the space, it is considered unlikely that all options will remain in the final version of this masterplan – community feedback, further business case development, and stakeholder disinterest is likely to remove some currently feasible site uses.

9.1 Space use options

| Usage option                                        | Square meters (approx) | Type of buildings or land required | On sketch as |
|-----------------------------------------------------|------------------------|------------------------------------|--------------|
| Affordable housing                                  | 9,000                  | Clear land                         | 1            |
| Affordable aged housing                             | 6,000                  | Clear land                         |              |
| Kindergarten                                        | 1,000                  | Clear land                         | 2            |
| Younger years hub (including kindergarten)          | 2,200                  | Clear land                         |              |
| College / St Laurence                               | 2,000                  | Admin, common, technical           | 3a           |
| Community hub (including historical precinct, cafe) | 2,000                  | Admin, common, technical           |              |
| Casual hall use                                     | 2,000                  | Hall, surrounding area             | 3b           |
| Farmers market                                      | 1,000                  | Clear land / hall                  |              |
| Open spaces / sports field                          | 20,000                 | Clear land                         | 5            |
| Truck Museum                                        | 2,000                  | Clear land                         | 6            |
| <b>Total described above</b>                        | <b>47,200</b>          |                                    |              |
| <b>Amount of land available</b>                     | <b>56,000</b>          |                                    |              |
| Balance sold for capital-raising or other purposes  | 8,800                  | Clear land                         |              |
| Additional land sold on open market by DEECD        | 28,000                 | Clear land                         | 7            |
| Emergency services hub                              | 10,000                 | Clear land                         | 8            |



## **10. Additional recommendations**

The following recommendations are broadly applicable for most potential site uses:

### **10.1.1. Rezoning**

It is likely that the site (currently zoned PU22 / Public Use Zone – 2) will need to be partially rezoned for residential.

### **10.1.2. Demolition of unusable buildings**

It is recommended that DEECD remove the buildings at the end of their useful lifespan (as identified earlier in this report), along with surrounding asphalt and concrete, and restore the area to grass.

### **10.1.3. Terms**

Any large organisation that is given access to land should be on a 99-year lease basis, where possible. This will allow third parties to fully commit to and develop projects, while keeping community land under Council / community control.

### **10.1.4. Competitive tendering**

Although research and dialogue has progressed for some of the options identified in this draft masterplan with identified stakeholders, it is noted that Council's procurement policy will require a transparent commercial process that allows other parties a reasonable opportunity to quote for services to be carried out onsite. This may include competitive tendering.

### **10.1.5. Acquire for future use**

If final uses become non-viable, or if agreements appear likely to take a lengthy period of time, it is recommended that Council receive 67% of the site from DEECD and put land into a low-maintenance regime. The need to assume a long-term vision for the future of the site and surrounding area should take priority over the short-term challenges of finalising arrangements and designs.

A transfer of title and retention of the site for future community use is a positive outcome. This may include selling a small portion of the land (as described as a fund-raising option in chapter 7.2) to address the need to temporarily maintain the remaining buildings against decay.

### **10.1.6. Pathways and linkages**

As per Council's planning strategies, any final planning for the site should consider the need for walking and cycling linkages from the highway through to the Lake. Additionally, the opportunity to use the redevelopment of the site to shape the western entry into town should be kept in mind.

## **11. Moving forwards: Where to from here**

A public consultation period lasting six weeks will occur on this draft report. During this period, and for the final version of this report:

- Dialogue will be progressed with identified stakeholders;
- Proposals will be developed to a concept plan that shows more detail on possible site design and harmonisation of multiple uses;
- Viable proposals will be explained and described in more detail; and
- A broader implementation plan will be developed.

These final recommendations are scheduled to be proposed to Council before June 30, 2013.

## 12. Appendix

### 12.1. List of groups engaged with

The following is a non-exhaustive list of groups and organisations that were directly liaised with during the course of this masterplan:

- Woodturners Guild
- Driver Reviver
- Women's art collective
- U3A
- Lions club
- Rotary club
- Colac and District Historical Society
- Colac and District Family History Group
- Streetbeat Recording Studio
- First Bite
- Country Women's Association
- Neighbourhood Action Group
- The Derby Dolls
- Colac Players
- Primary schools
- Colac Otway Shire Council
- Department of Planning and Community Development
- Department of Education and Early Childhood Development
- St Laurence
- Vicroads
- Otway Community College
- Ambulance Victoria
- Colac Courthouse
- Department of Sustainability and Environment
- Merv Brunt Truck Museum
- Siro Villa Retirement Village
- Common Equity Housing Limited
- Gordon TAFE
- South West TAFE
- COPACC
- Colac Specialist School
- APCO
- Neighbouring land owners and developers
- Colac Neighbourhood House
- Community Hub Inc
- Current & former Councillors
- Current State and Federal Members
- Country Fire Authority
- State Emergency Service
- Victoria Police
- Colac Braves Baseball Club
- Farmers market advocates
- Colac and District Cricket Association
- Colac Otways Rovers Soccer Club
- South West Community Foundation
- Colac Area Health
- Colac to Coast Real Estate
- Regional Development Victoria

12.2. Heritage listing of former administration building

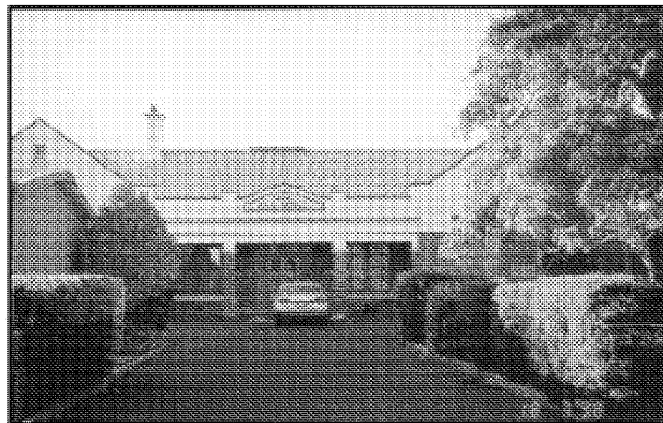
**Colac Otway Heritage Study**

Volume II

Name of Place : COLAC HIGH SCHOOL

Ref. No. : 149

Location : 415 Murray Street  
Colac



STATEMENT OF SIGNIFICANCE :

The Colac High School was established in 1911 as the Colac Agricultural High School. The red brick building was opened in 1912 and, although variously extended, the building has retained its original external appearance. The Colac High School is of historic, aesthetic and social importance to the State of Victoria. The Colac High School is historically important through association with the development of agricultural high schools in the State, the precursor of secondary education provision in Victoria. The High School is historically important in demonstrating, through the various alterations and changes undertaken, the growth and development of secondary education in Victoria. The original 1912 main building is aesthetically important as an excellent example of a Federation Arts and Crafts style building designed by the Education Department and built around a courtyard model. The High School is socially important for its ability to demonstrate the values placed on education by the local community and the State of Victoria. The High School is socially important in illustrating the shift in education philosophy in Victoria from an agricultural focus to mainstream teaching.

RECOMMENDATIONS :

RECOMMENDED LISTING : State

Nominate for addition to the Victorian Heritage Register.

THEMES : Schools (S.2.1)

May Shireland Assoc.

#### HISTORY :

Demands for higher educational facilities in Victoria began at the same time that the provision of primary educational services were extended to most parts of the state. After 1907 agricultural high schools began to be organised. These were the precursor of state secondary education in Victoria, introduced with the Education Act of 1910 and provided for higher elementary, district high, and technical schools. In the first decades of the century moves began at both Colac and Warrambool for the establishment of facilities orientated towards rural and agricultural vocational training. The initial move for a high school at Colac came from the Colac Pastoral and Agricultural Society in 1908. The Colac Shire Council decided to shoulder the full financial responsibility of £1,500 required to establish the school by imposing an additional rate levy on all rate payers within the shire for two successive years. This resulted in £2,130 being raised and enabled 20 acres of the 'Lady Franklin' farm to be procured by the Council. The land was then handed to the Education Department by deed of gift. The Colac Agricultural High School was opened on 7 February 1911, in temporary premises (near the present KCS building), with an enrolment of 64 pupils.

A. A. Billiere, Minister for Education, laid the foundation stone for the permanent brick school in June 1912. In 1914, when enrolment at the school had risen to 175, two additional rooms were added to the site. By 1928 enrolments had increased to 220 pupils. Three more rooms were added and parts of the farm buildings were converted to a sheet metal and black-smithing shop. The school had ceased to be an agricultural school by this time and became the Colac High School.

Subsequent additions to the school included a three-room Army hut in 1940, a two-room Bristol, aluminium unit in 1951 and a two-room Jennings prefabricated unit in 1953 when the school's enrolment was 575. A domestic arts block was erected in 1956.

Secondary education expanded rapidly after the Second World War. In 1950, of students entering high school in Victoria, only one in eleven remained until the final form. By 1960 the ratio had dramatically improved to one in four. This extension of secondary education in Victoria is reflected in the building programs undertaken at the Colac High School. A major rebuilding program was undertaken between 1967 and 1969 with the creation of more classroom wings and an assembly hall. A further expansion program in 1986 included a library, canteen and remodelled administration area.

#### PHYSICAL DESCRIPTION :

A single-storey red brick and roughcast rendered school building, designed around a courtyard is residential in scale and character. It is designed in a picturesque but formal way, with central loggia style entrance porch with strongly articulated elevations designed in-the-round showing projecting parapeted gable wings, breaking up long sections where the dominating roof form has deep eaves and exposed rafters. The windows are multi-paned double hung caskets with upper facelights extending into the rendered upper walls. The ridge roof is clad with corrugated metal sheeting and the original decorative roughcast render chimneys are intact. The building is substantially intact, and is now surrounded with many later additions including another school block.

|                    |           |                             |      |                         |                           |
|--------------------|-----------|-----------------------------|------|-------------------------|---------------------------|
| <u>Condition :</u> | Excellent | <b>Good</b>                 | Fair | Poor                    | Ruins                     |
| <u>Integrity :</u> |           | <b>Substantially intact</b> |      | Altered sympathetically | Altered unsympathetically |
|                    |           | Damaged/destroyed           |      |                         |                           |

### 12.3. Literature Review

The following excerpts from key documents relevant to the future of the former Colac High School site are noted:

#### 12.3.1 Colac Structure Plan, February 2007

##### **Vision:**

The vision for Colac is:

“Colac will be a thriving town with a vibrant town centre that takes pride in its lakeside location, is responsive to the housing needs of its residents and offers a variety of opportunities for employment and economic development.

##### **Relevant Objectives for the Colac Structure Plan:**

###### Managing Growth

- Provide increased opportunities for higher density housing in areas that are close to existing services and facilities.
- Increase the availability of affordable housing in Colac.
- Ensuring sufficient land is available in Colac to meet the needs of industries.
- Provide appropriate buffer distances between industrial and residential development.

###### Enhancing the Environment

- Protect Lake Colac from inappropriate development on surrounding land.
- Ensure new development incorporates water sensitive urban design principles.
- Protect significant landscapes and views from inappropriate development.

###### Balancing Service Provision

- Ensure new development occurs within the boundaries of the Barwon Water sewerage district.
- Ensure that the necessary social and physical infrastructure delivery in a timely manner.
- Encourage walking and cycling as alternative methods of transport within Colac.

###### Integrating Social Change

- Ensure that a variety of residential densities and lifestyle opportunities are provided to meet the changing needs of the Colac community.
- Enhance links between residential areas, employment opportunities, education and community nodes.

Relevant extracts from the Structure Plan are provided below.

| Title / page          | Quote                                                                                      |
|-----------------------|--------------------------------------------------------------------------------------------|
| Physical Form<br>p 17 | “Entrances to Colac currently do not provide a strong statement and are not well defined.” |

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Servicing<br>p17            | "The major issue in terms of infrastructure is in regards to sewerage infrastructure, which is only provided to properties that lie within the Barwon Water sewerage district."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Natural Environment<br>p 18 | "Whilst upgrades to the reclamation plant have occurred to improve the quality of water discharged to the Lake, stormwater runoff from other land uses continues to be an issue."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Climate Change<br>p 22      | "Implementation of Water Sensitive Urban Design principles in new development will be important in ensuring the ability to manage stormwater into the future. In this regard, a strict implementation of the Integrated Water Management objectives of the Planning Scheme will be necessary."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Traffic<br>p 22             | "The Princes Highway (A1) is the key east-west route in south-western Victoria. It provides a strategic transport link between Melbourne and the South Australian border, and beyond to Adelaide."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| SWOT Analysis<br>p 23       | <p>Social:</p> <ul style="list-style-type: none"> <li>• lack of affordable housing</li> <li>• conservative population projections for Colac's future development.</li> </ul> <p>Economic</p> <ul style="list-style-type: none"> <li>• Inappropriate business/activities in commercial centre.</li> </ul> <p>Environmental</p> <ul style="list-style-type: none"> <li>• Historically poor condition of Lake Colac and water quality issues.</li> </ul> <p>Physical</p> <ul style="list-style-type: none"> <li>• Lack of integration with Lake Colac</li> <li>• Necessity for through-traffic utilises Princes Highway/Murray Street, travelling through the town</li> <li>• Limitation created by defined sewerage district imposed by Barwon Water</li> <li>• Lack of open space linkages within the town.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Urban Design<br>p 32        | The west Entry is unattractive and requires major redesign.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Industry<br>p 4 & 38        | <p>Potential environmental concerns for Lake Colac.</p> <p>Possible conflicts with surrounding residential zone.</p> <p>Existing residential zone further west recommended to be rezoned from Industrial 1 to Farming Zone.</p> <p>Focus new Industry to the west of the township.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Residential<br>p 5, 65      | <p>Create additional Residential 1 Zone opportunities close to Colac Town Centre.</p> <p>The Great Ocean Road Regional Strategy (DSE, 2004) identifies Colac as a town where urban growth should be directed, as it has adequate access to reticulated sewerage, land and potable water supply. It also serves as an important connection point between the Great Ocean Road and the Princes Highway.</p> <p>In 2004, Colac had 240ha of vacant Residential 1 Zone land, which at a yield of 10 dwellings per hectare, could result in 2400 lots. It was estimated that the consumption rate of greenfield lots is 20 per year, and based on this Colac has 120 years supply of greenfield residential land. However, this does not take into account consideration of environmental and servicing constraints that reduce developable land supply.</p> <p>In 2007, the Structure Plan Authors estimate 176 hectares of undeveloped Residential 1 Zoned land. Applying densities of 10 dwellings per hectare gives a yield of 1760 lots. Based on a consumption rate of 20 dwellings per year, a supply of 88 years is possible.</p> <p>The Colac Housing and Accommodation Strategy (2002) identified:</p> <ul style="list-style-type: none"> <li>• There is a lack of retirement style housing (the greatest demographic change is</li> </ul> |

|                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                       | <p>in the 45-74 age bracket).</p> <ul style="list-style-type: none"> <li>• Lack of high yield, suitably zoned residential land.</li> <li>• Lack of affordable, good quality housing close to central urban area.</li> <li>• High demand for low cost rental housing as an investment.</li> <li>• Agents indicate few, if any, rental properties available.</li> <li>• Less demand at the top end of the market.</li> <li>• Lack of diversity within existing housing stock.</li> <li>• Lack of vacant residential land close to the central area.</li> <li>• Wider range of housing opportunities could be provided adjacent or near the Lake.</li> <li>• Lack of accommodation impacting on industries that require accommodation for employees.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                         |
| Commercial<br>p 96                    | It is recommended that commercial and retail development be contained to existing areas within Colac.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Recreation &<br>Open Space<br>p6, 104 | <p>Minimum 5% open space to be provided under the Subdivision Act. 8-12% Open space provision typical.</p> <p>Open Space and Leisure trends:</p> <ul style="list-style-type: none"> <li>• Many people want pleasant and well-maintained open space with provision for walking, socialising, relaxing and play.</li> <li>• Strong support for shady trees, seating and quality facilities.</li> <li>• Informal recreation is more important than playing sport for most people.</li> <li>• Shared pathways linked to facilities and residential areas are increasingly important.</li> <li>• Footpaths are a high community priority for improvement in many areas: pedestrian access to facilities and walking for exercise are growing in importance.</li> <li>• More attention to be paid to needs of children, youth and the elderly.</li> <li>• The Improving of existing open space is a higher priority than additional open space (except in new areas).</li> </ul> <p>Assessment of public open space provision in Colac identifies that the site has a deficient supply of parks when assessed against Clause 56 (Standard C16) of the Planning Scheme.</p> |
| Traffic<br>p 117                      | Princes Highway is an important connection (approximately 10,000 vpd) (VicRoads 2000). There was strong opposition to a potential heavy vehicle bypass. No change is expected in the medium term.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

### 12.3.2. Colac Otway Public Open Space Strategy, October 2011

Summary of issues particularly relevant to the site:

- Seek opportunities for community open space at old Colac High School and existing secondary college (p 6)
- The site (or part of the site) of the old Colac High School could be converted to open space which would provide access to an area that currently does not have good access to open space (and as there are neighbourhood renewal areas in this vicinity, the need for open space is well documented). The area also has a lack of connections and lack of footpaths that restrict walking access around Colac and Elliminyt. (p 58)
- An additional future need for active sport open space is in the area of rectangular playing fields to cater for increasing demand for soccer and other future sports that require fields. It

is suggested that either the former Colac High School site, the Colac Secondary College or the Turf Club/Golf Club site could be developed into sports reserves containing rectangular playing fields (p 59).

- Generally neighbourhood spaces are not well developed or well maintained. Playground facilities are limited both in distribution and provision for a range of age groups. There is a reasonable distribution of sports reserves but they generally have a limited range of facilities and often no facilities for sports that require a rectangular playing field such as soccer and rugby. The sports reserves also lack facilities for non-organised active or passive recreation. There is a lack of good connected walking and cycling linkages throughout the urban area. (p77).
- It is recommended to apply a minimum 5% open space contribution for subdivisions of three lots or more and where the number of lots exceeds five, the contribution shall be an additional 1% per lot up to a maximum of 10% (p78).
- Seek opportunities to provide complementary neighbourhood parks and linear corridors that connect open space with new subdivisions where there is an identified gap in open space provision. If subdivisions are small (but a land contribution is required) then consider a land contribution on the edge of the subdivision that can be added to in future developments (p78).

#### 12.3.3. Colac Otway Planning Scheme Amendment C55, Panel Report, September 2008

Amendment C55 introduced a new Local Planning Policy Framework together with a range of zoning and overlay changes (referred to as a Planning Scheme Review). The following discussion and recommendations of the Panel Report are relevant to an assessment of the site:

##### Residential Strategy

- Concerns were expressed over the accuracy of the residential growth estimates that underpin the Colac Structure Plan.
- The Panel was concerned that the real residential land supply may be significantly less than suggested by the Colac Structure Plan.
- The Panel recommended that Council undertake a more realistic estimate of the land supply in Colac.

##### Infill Development

- The Panel was of the view that the strategies of encouraging infill, and preserving heritage of the area within the centre of town are in conflict.
- The Panel recommended removal of infill development from areas included in the Heritage Overlay.

##### Summary Issues to explore:

- Connections to Lake and Open Space (walking and cycling).
- Township entry

- Connection with surrounding 'future' development
- Vehicle Access
- Possible Uses
  - Residential (including affordable housing and housing suitable for investors/renters)
  - Aged Accommodation
  - Hotel/Motel or other short term accommodation
  - Commercial, Bulky Goods Retailing (east Colac identified for this)
  - Community
  - Open Space, Recreation – square pitch soccer fields and unstructured recreation
  - Industry – constrained by proximity of residential development. Structure Plan directs new industry to the west of the township.
- Site constraints
  - not constrained by flooding or servicing
  - Heavy vehicles on Princes Highway present access and amenity implications
  - Water Sensitive Urban Design (WSUD) to protect the Lake.
- Services – the land is serviced by Barwon Water Sewerage District.

#### 12.3.4. Colac Otway Shire - Environmental Strategy (2010-2018)

Of possible relevance to the CHS site, this document makes reference to:

- The need to allow for a balance of (redeveloped) natural and built environments
- Development in a way that is supportive of future Lake Colac revegetation ambitions
- The need for water sustainability
- The Lake Colac Management Plan (2002); "The Lake Colac Management Plan aims to provide a framework for the community, Local and State agencies to manage and promote ecologically sustainable development and land use practices for Lake Colac and its catchment."
- From 4.2 Objectives, Table 12, "Environmental Sustainability principles incorporated into new developments and storm water quality leaving residential, commercial and industrial environment and entering waterways and soil profiles is improved."
- The need to "Achieve a net gain in the quality and quantity of native vegetation on private land."

#### 12.3.5. Public Health and Wellbeing Plan

| Element of Public Health and Wellbeing Plan                                       | Implications for CHS site usage                                                                                                                                                                          |
|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| "Significant Priority 1: Some of Our Children are at Risk"                        | Likely to be relevant to the provision of family services throughout wider Colac. A younger years hub onsite would strengthen strategy.                                                                  |
| "Significant Priority 2: Not all young people are getting the start they deserve" | Ditto                                                                                                                                                                                                    |
| "Core Priority 3: Getting around is a problem for some"                           | Could be interpreted as encouraging of community services as CHS site (so as to be more accessible to local residents) or discouraging (because services should be located more centrally within Colac). |
| "Core Priority 4: Not everyone can get an affordable place to live"               | In favour of options for low-cost housing, such as the models proposed by Siro Villa and St Laurence.                                                                                                    |
| References to the need for water efficiency                                       | Water efficient design.                                                                                                                                                                                  |

#### 12.4. Quantity Surveyor's report on cost of demolition



**Notes:**

This Preliminary Budget Demolition Estimate has been prepared for the sole use of Community By Design in respect of the property known as Colac Secondary College, Murray Street, Colac, Victoria.

The following fees and costs are excluded within our estimate. GST, architectural, structural or any other design fees. Internal fit-out, legal costs, advertising, land costs, real estate fees and commissions. Local contributions, council fees and charges, and service connection fees have also been excluded.

Where there is insufficient information within the drawings, provisional sums have been applied to allow funds for expected projects costs. These figures have been estimated through comparison of other similar projects.

**Drawings and information provided:**

Architectural: Continlink School Number 8864 Campus No 2

Drawings: 1 – 12: Dated 23<sup>rd</sup> July 2012

**Comments:**

|                                     | <u>Area /</u> | <u>Rate /</u> |                  |
|-------------------------------------|---------------|---------------|------------------|
|                                     | m2            | m2            | Total            |
| Demolition                          |               |               |                  |
| Building A                          | 1429          | \$73          | \$104,317        |
| Building B                          | 1964          | \$73          | \$143,372        |
| Building E                          | 942           | \$73          | \$68,766         |
| Boiler Room                         | 90            | \$73          | \$6,570          |
| Covered Walkways                    | 321           | \$51          | \$16,371         |
| Bus Shelters                        | 46            | \$51          | \$2,346          |
| Sun Shade Structure                 | 33            | \$51          | \$1,683          |
| Shade Sail                          | 59            | \$51          | \$3,009          |
| Estimate Summary total              |               |               | \$346,434        |
| Contingency Sum @ 2.5%              |               |               | \$8,660.85       |
| <u>Estimate total Ex. GST</u>       |               |               | <u>\$355,095</u> |
| Add GST @ 10%                       |               |               | \$35,509.49      |
| <u>Estimate total including GST</u> |               |               | <u>\$390,604</u> |

colac secondary college .docx

2



The rates used are based upon normal demolition periods without any site access problems. The rates also include for the removal of all debris, grubbing up of foundations and sealing off existing services. No credit has been included within the rates for recycling or credit of demolished material.

The overall estimate is based upon very basic sketch plans. The main concern with this project is the possible presence of asbestos. Without an asbestos report in full and a detailed demolition plan, we note that the removal of asbestos may be as high as a 60-70% increase overall to our estimated figure.

The walkways have been measured as a typical covered school walkway with concrete base, roofing structure and shelter. No allowance has been made for the removal of other asphalt areas not documented on the drawings. The removal rate for this asphalt will be in the range of \$38-\$65 depending on existing structure.

Disclaimer:

Surf Coast Quantity Surveyors have prepared this estimate for the sole use of providing a cost plan for the construction of the named project. It is not to be used for any other purpose. The report may contain both actual and/or estimated values for items and is not to be used for tendering or ordering purposes.

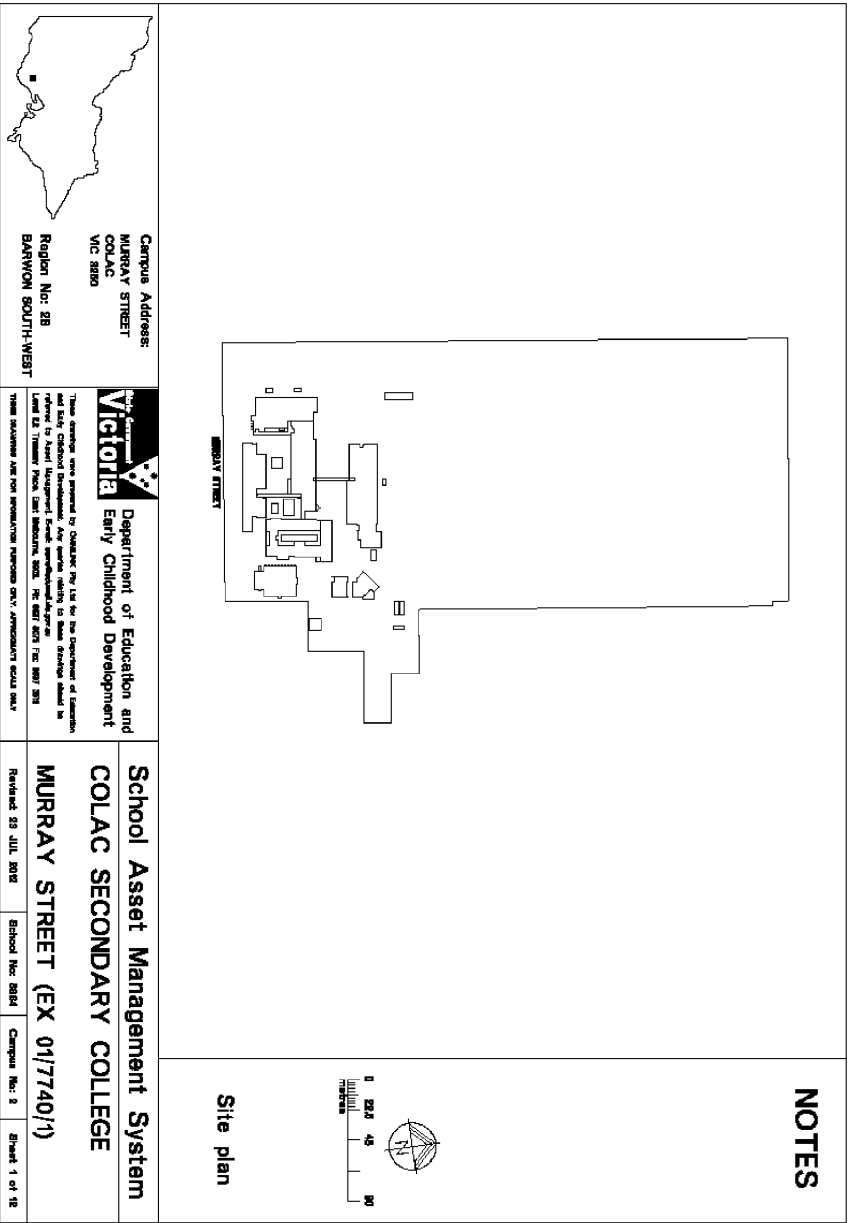
The report has been produced for the sole use of the owner/s as specified in this report, and Surf Coast Quantity Surveyors will not accept any liability for any consequence, loss or damage for any other person acting upon or using this report.

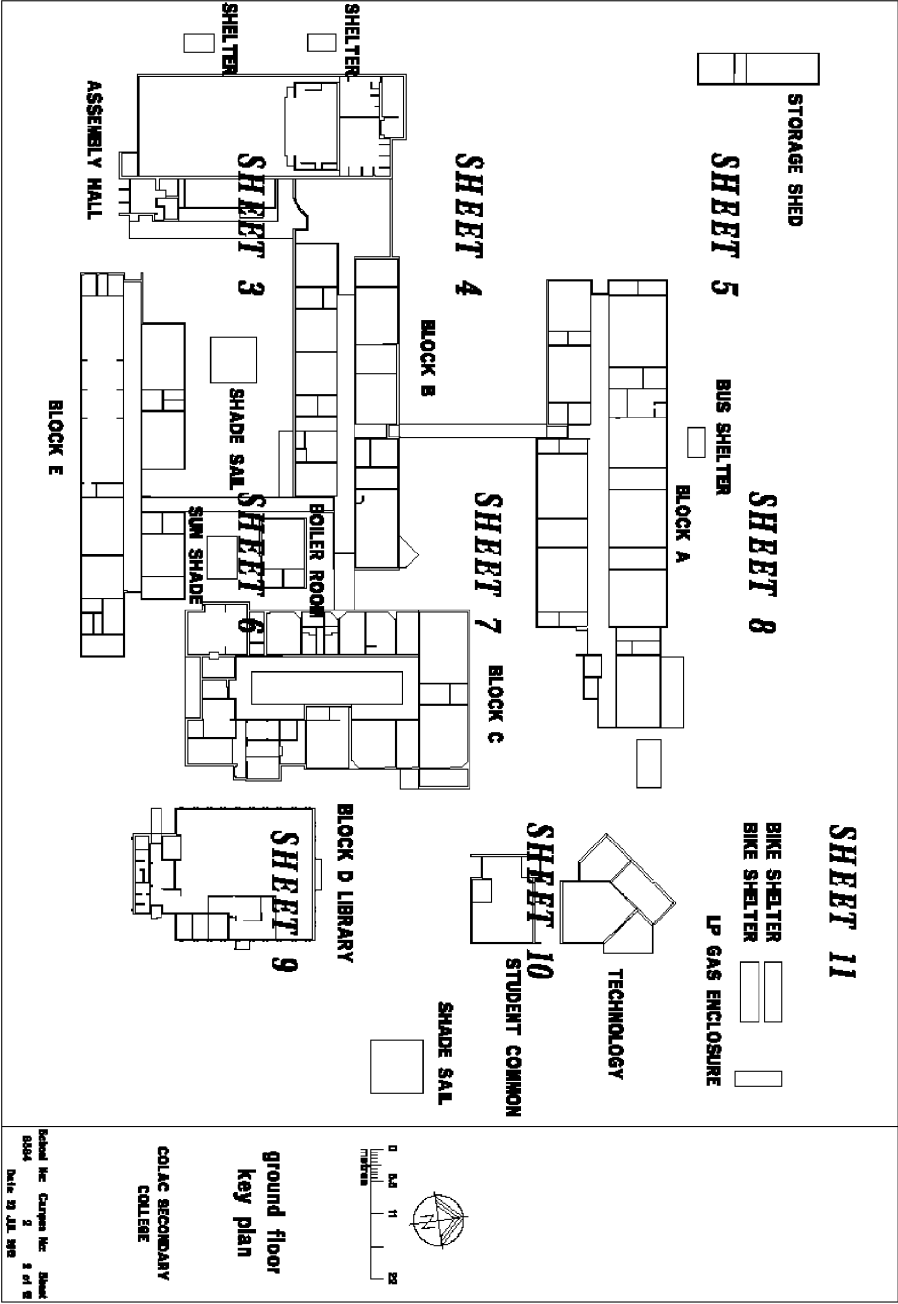
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12.5. Site drawings

The following site drawings were supplied by DEECD:

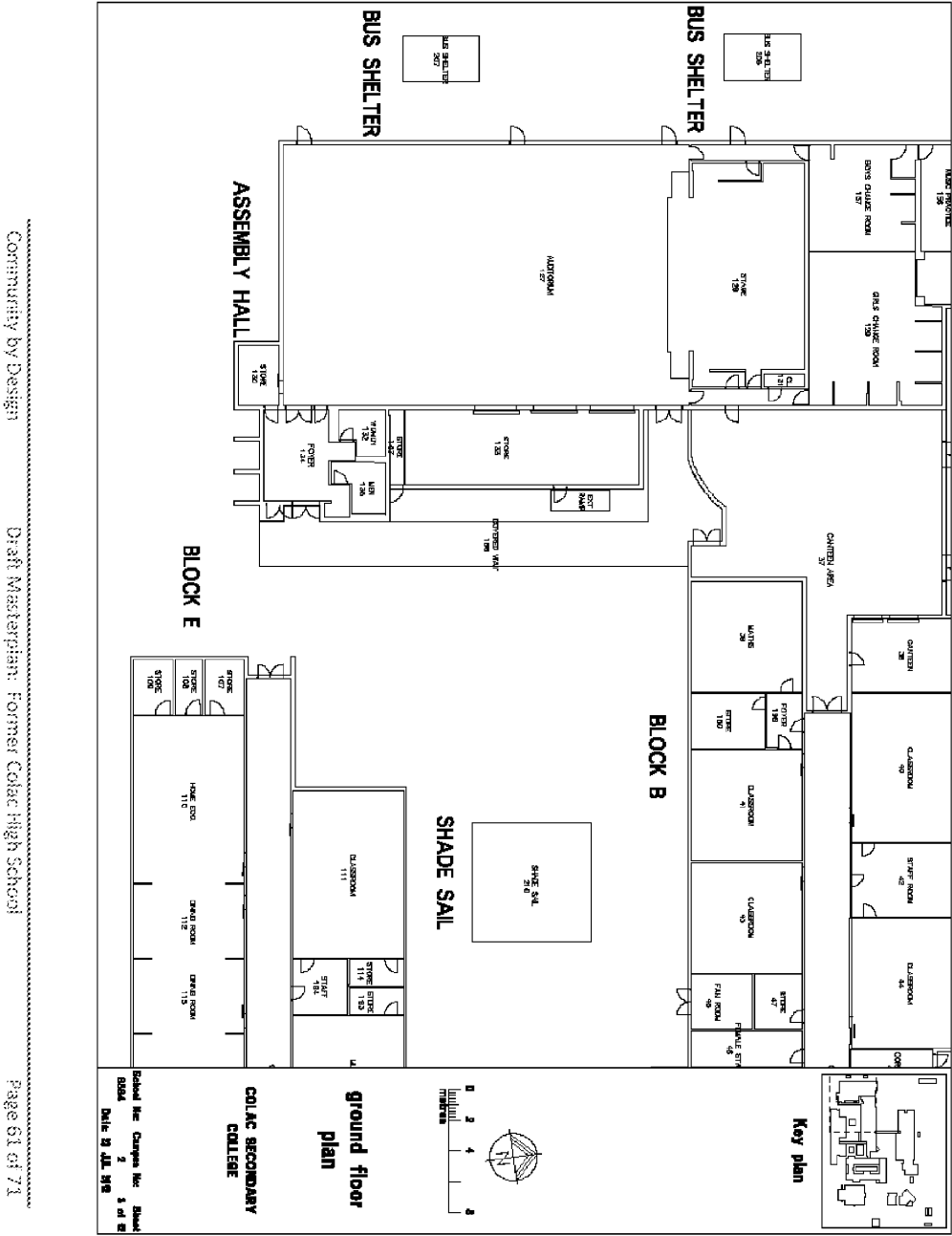




Community by Design

Draft Masterplan: Former Colac High School

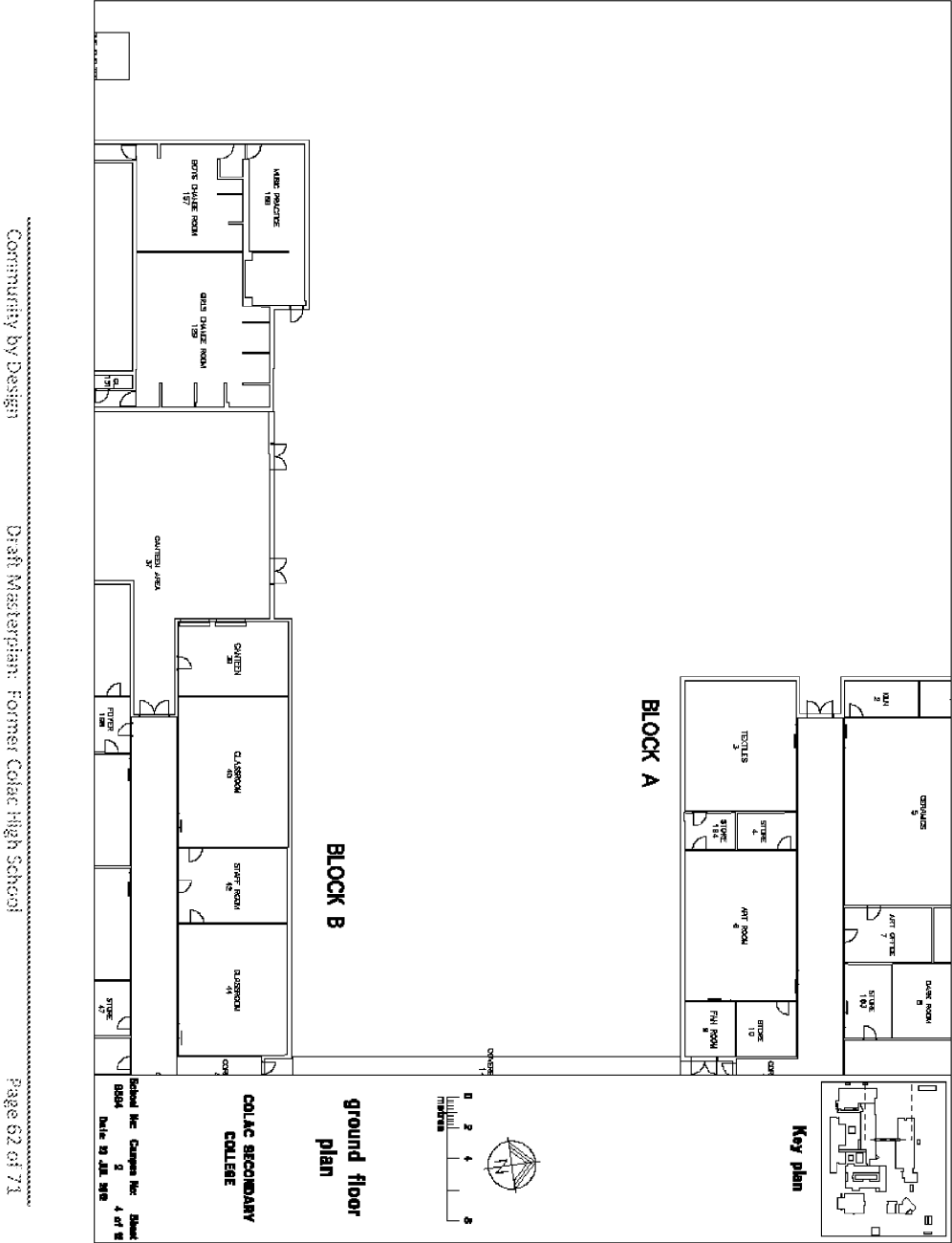
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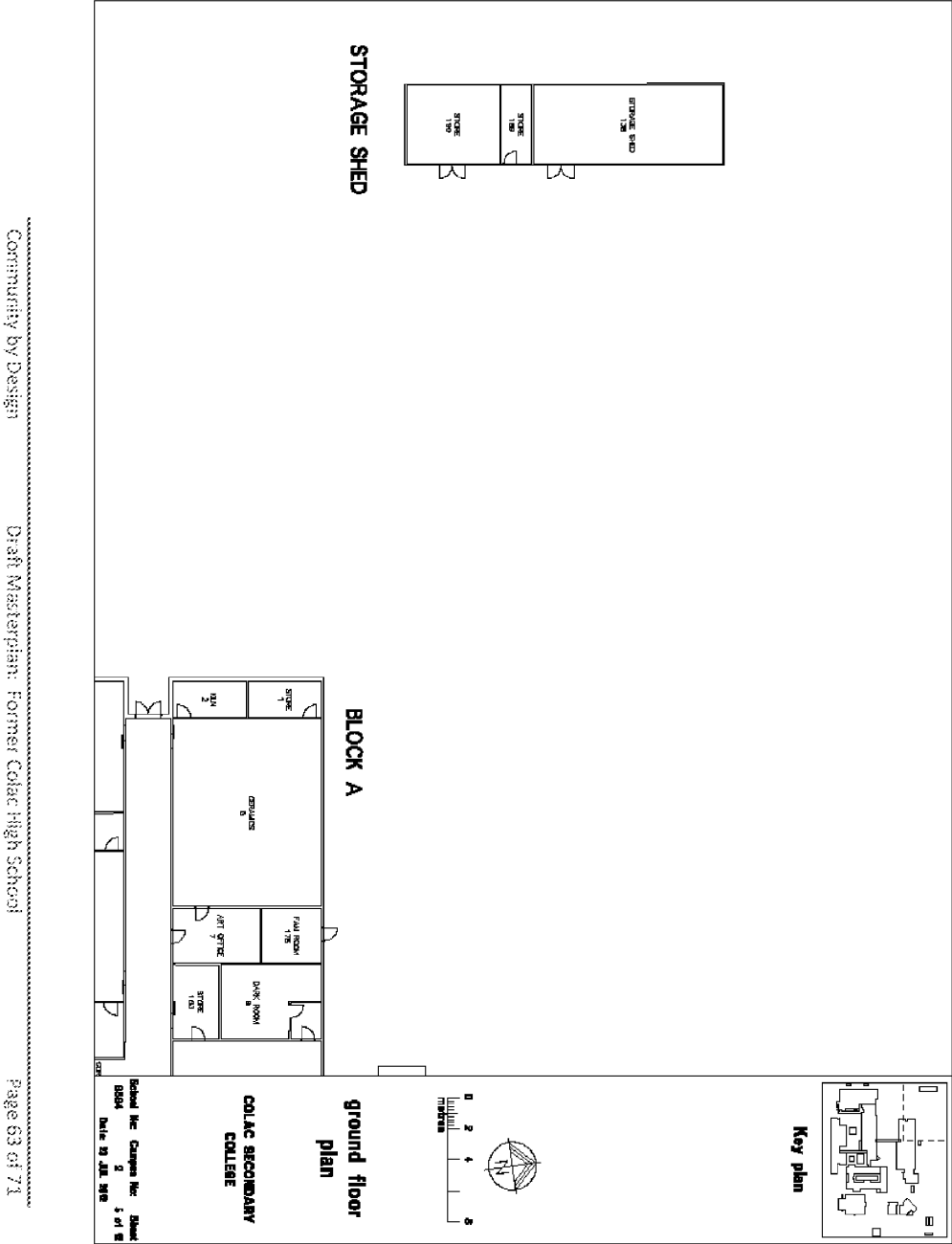


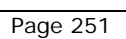
Community by Design

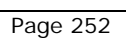
Draft Masterplan: Former Colac High School

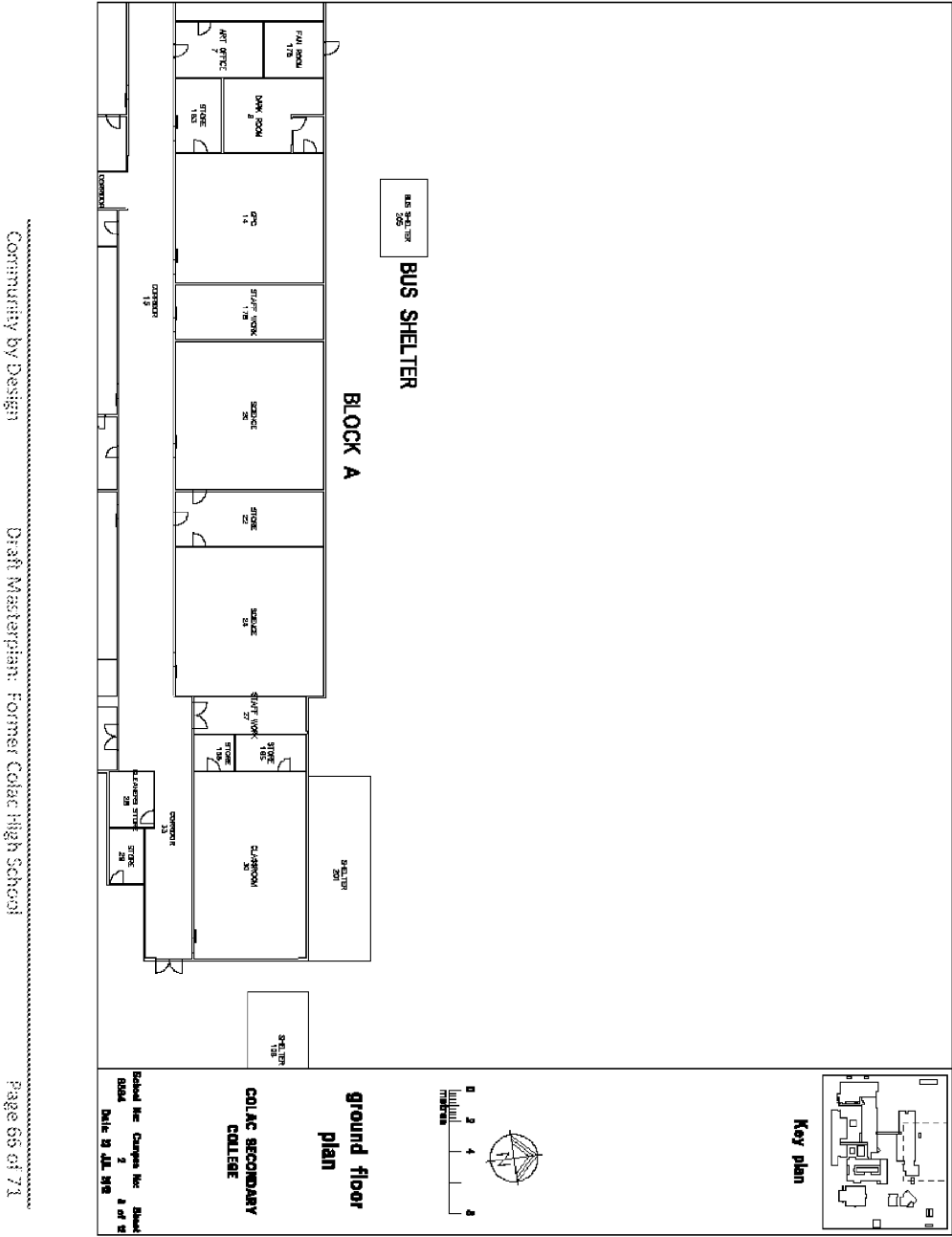
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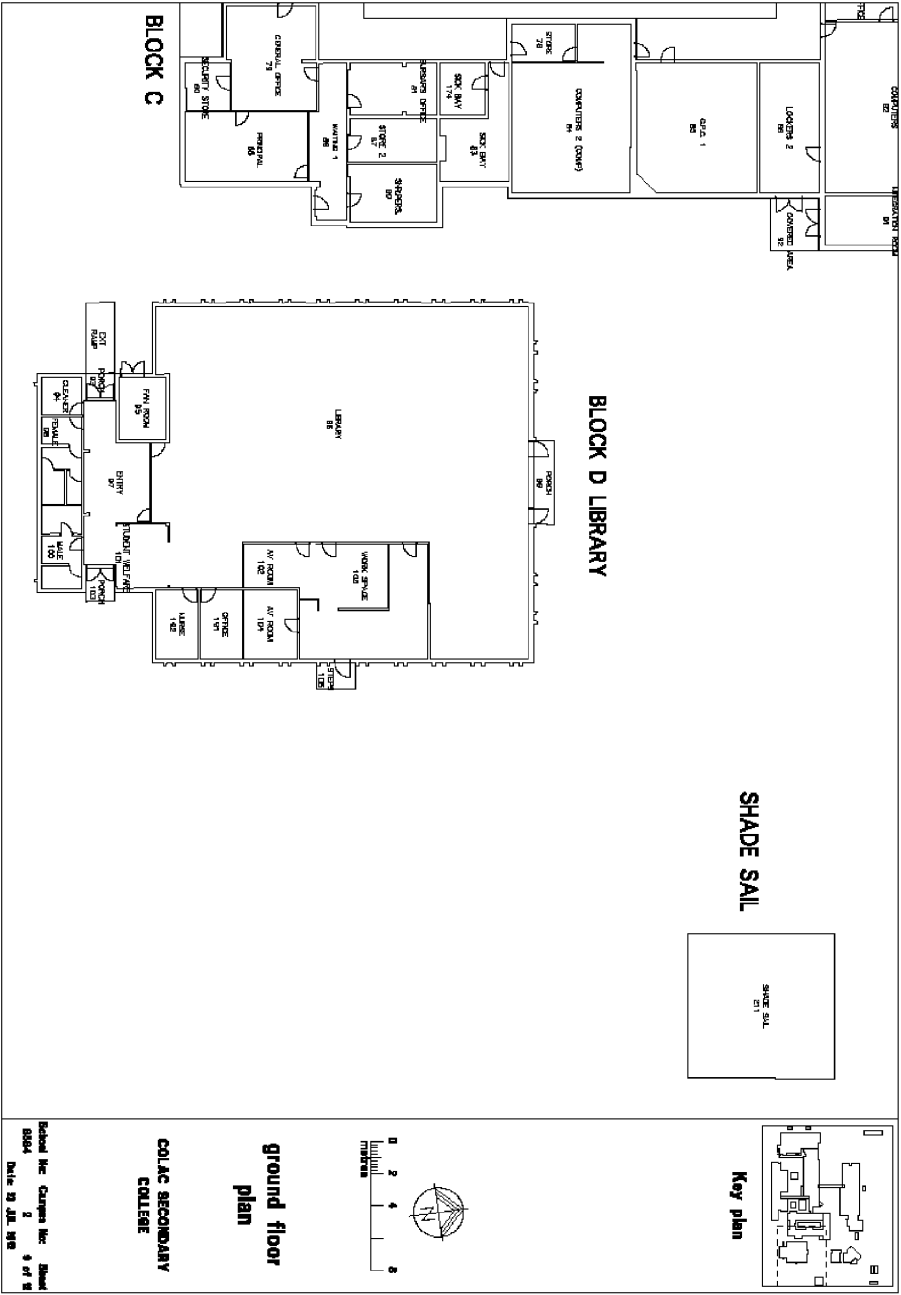








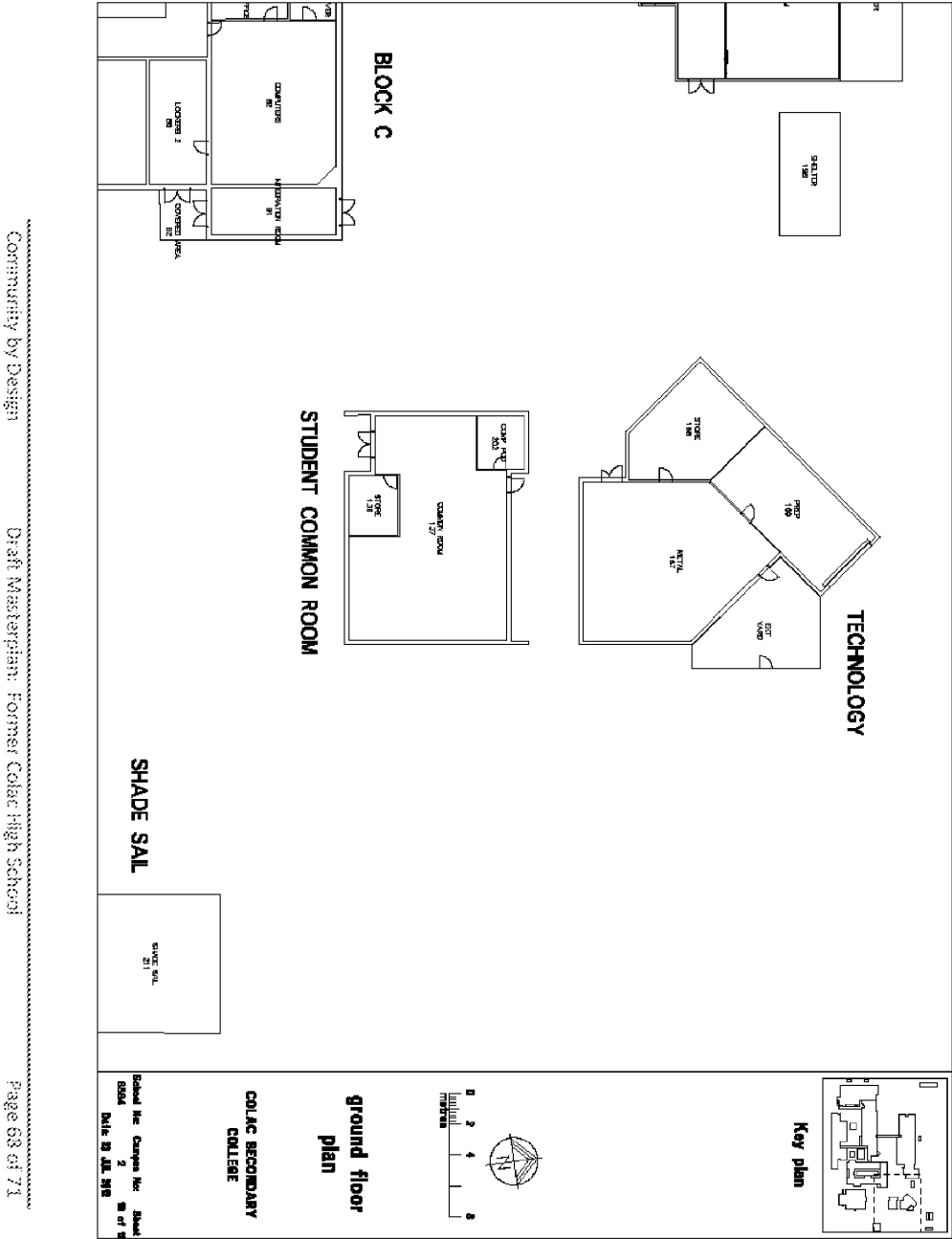


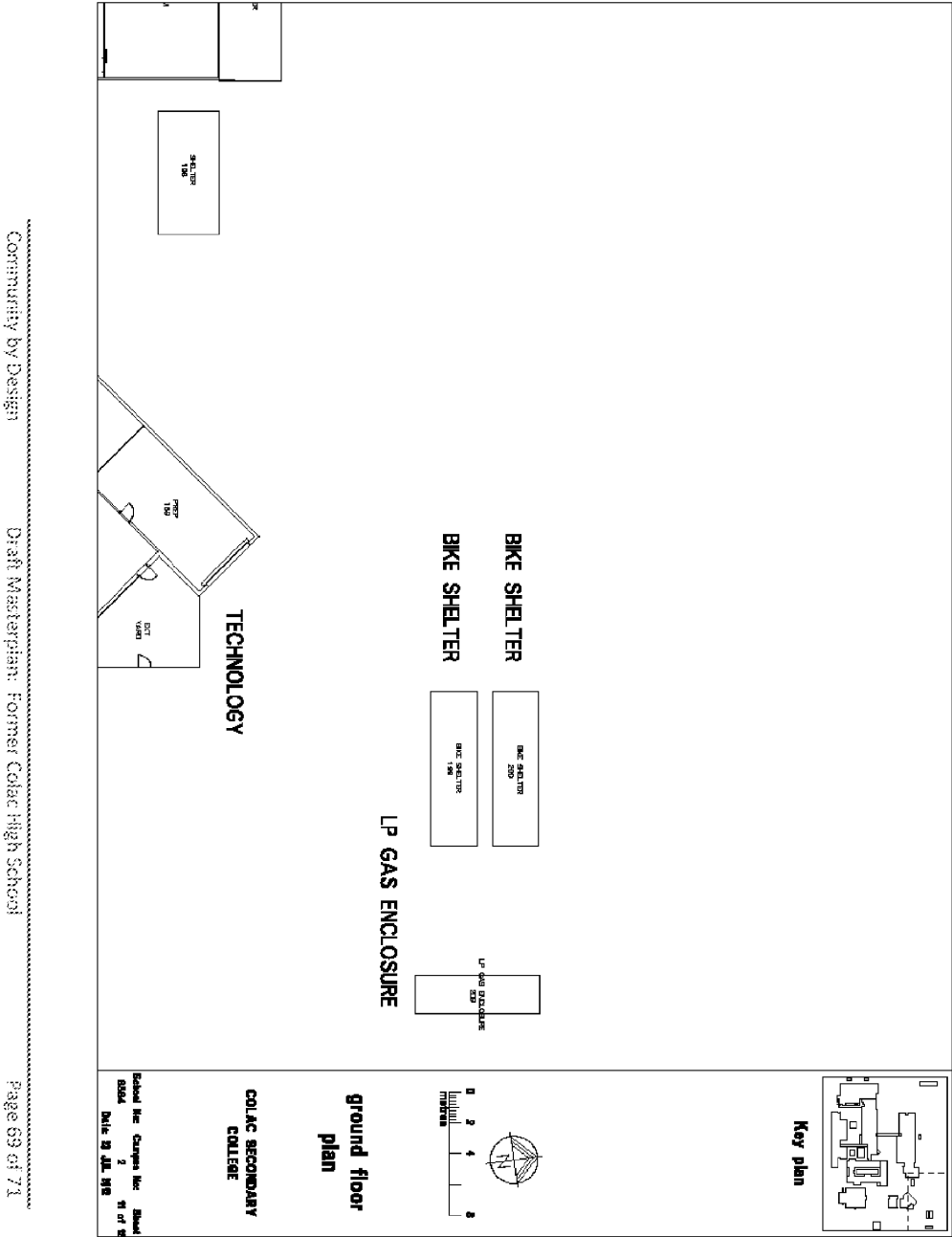


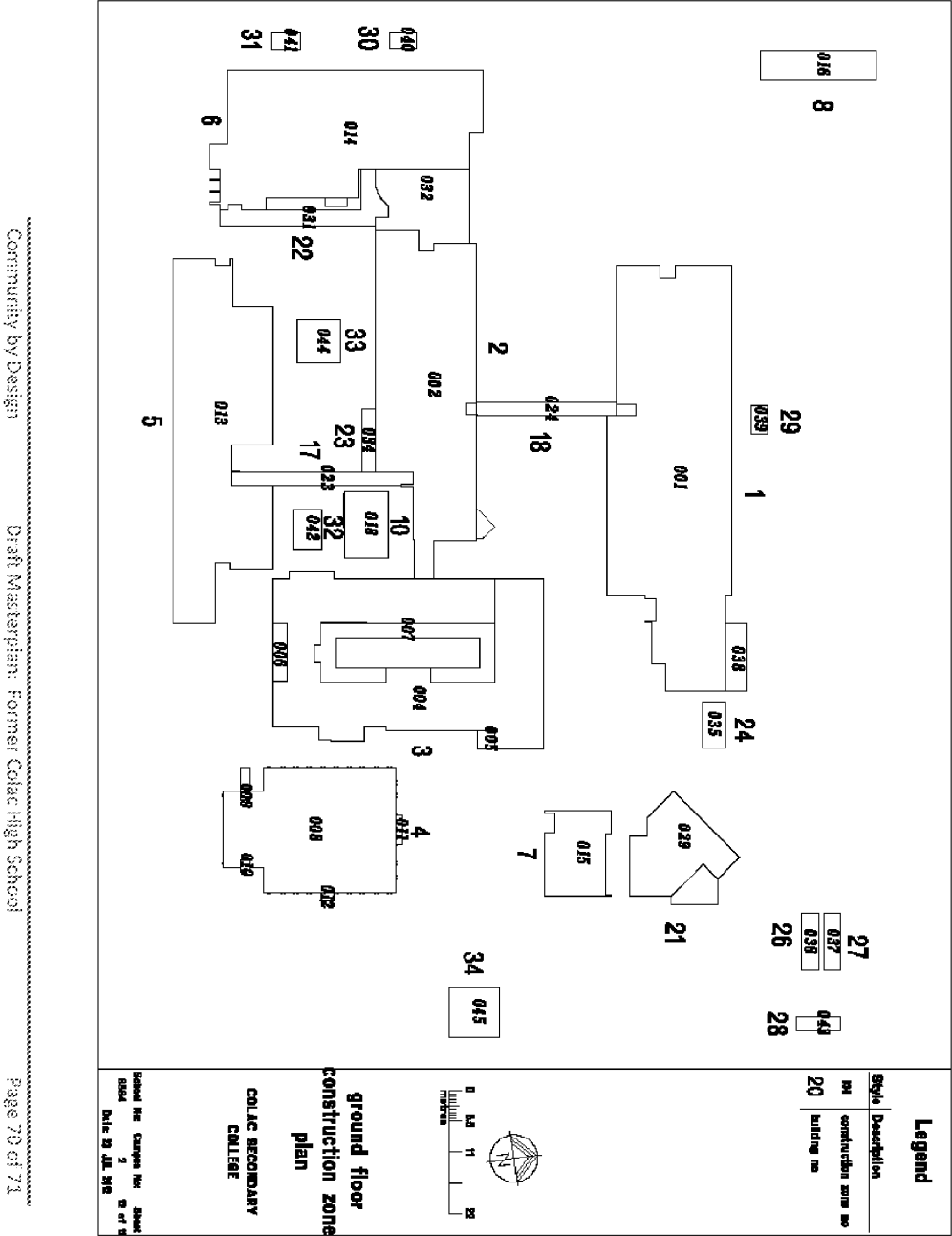
Community by Design

Draft Masterplan: Former Colac High School

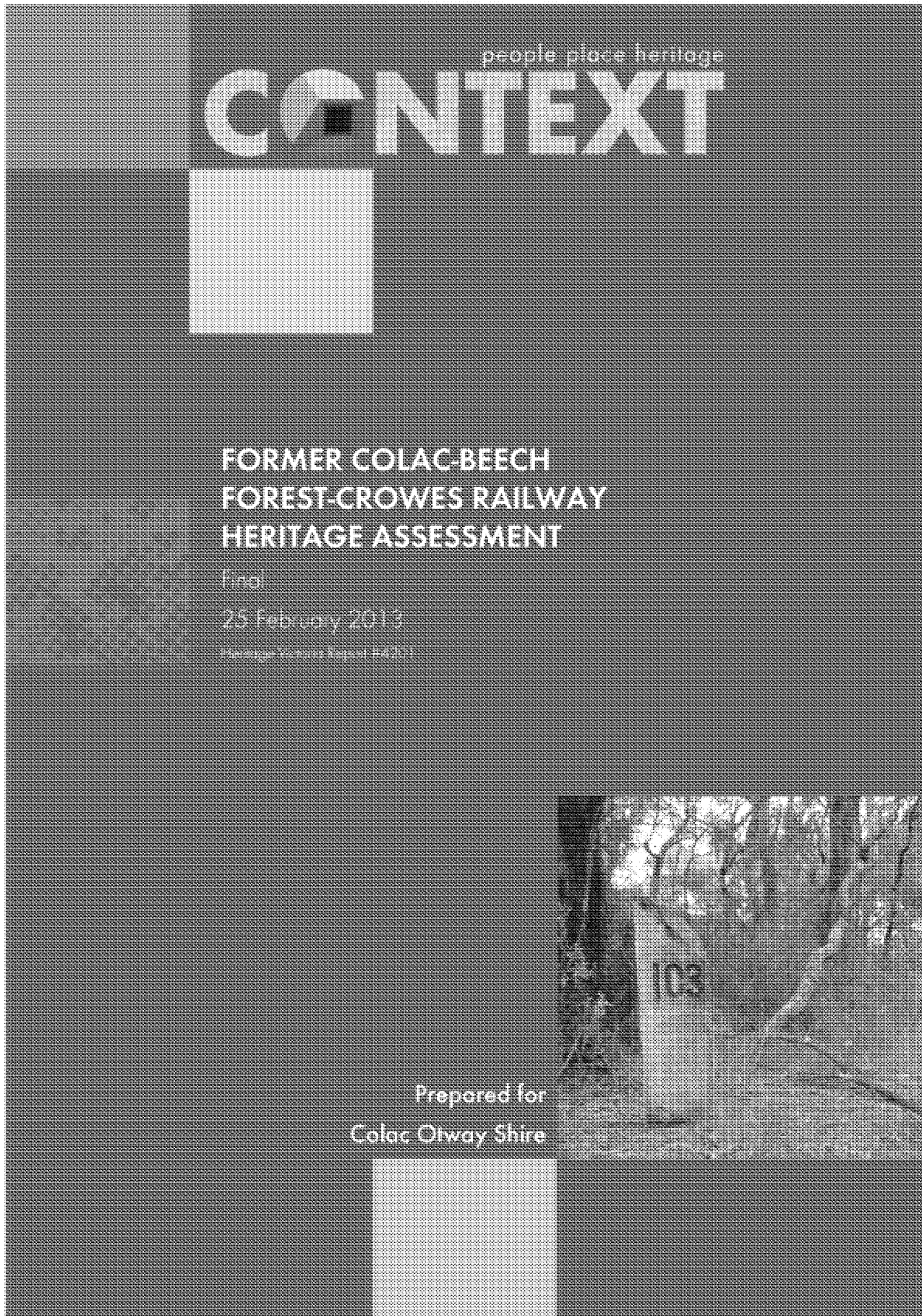
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Project Team:

Louise Honman, Project Manager

Louise Holt, Consultant

#### **Report Register**

This report register documents the development and issue of the report entitled Former Colac-Beech Forest-Crowes Heritage Assessment undertaken by Context Pty Ltd in accordance with our internal quality management system.

| <b>Project No.</b> | <b>Issue No.</b> | <b>Notes/description</b> | <b>Issue Date</b> | <b>Issued to</b>            |
|--------------------|------------------|--------------------------|-------------------|-----------------------------|
| 1638               | 1                | Draft report 1           | 20/12/2012        | Don Lewis, Gemma Browning   |
| 1638               | 2                | Final report 1           | 31/01/2013        | Don Lewis, Gemma Browning   |
| 1638               | 3                | Final report 2           | 11/02/2013        | Don Lewis, Gemma Browning   |
| 1638               | 4                | Final report 3           | 15/02/2013        | Gemma Browning<br>Don Lewis |
| 1638               | 5                | Final report 4           | 25/02/2013        | Gemma Browning<br>Don Lewis |

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## **EXECUTIVE SUMMARY**

### **Introduction**

The former Colac-Beech Forest-Crowes railway runs for approximately 71km. From Colac Railway Station it travels in a southerly direction towards Beech Forest (48km), and then it swings towards the west until it reaches, and terminates at Crowes, a distance of 22.5km.

### **Historical context**

The historical context of the Colac-Beech Forest-Crowes railway is discussed through themes that describe activities. A thematic framework provides a practical and comprehensive research tool which can be used at the state or local level to assist in the identification, assessment, interpretation and management of heritage places and objects.

### **Field survey**

This field work assessed the heritage and archaeology of the study area as a whole, and identified any surface and sub-surface features associated with the former Colac-Beech Forest-Crowes railway line. Since the last survey and assessment in 2003, changes to the features of the railway line have occurred through the construction of the rail trail, damage from or concealment with vegetation, natural deterioration and severe weather events.

### **Assessment of heritage values**

The Colac-Beech Forest-Crowes railway has been found to have heritage significance at both the local and state level for its historic, aesthetic and technical values. These are embodied in the alignment, the formation, the above ground features and the archaeological potential of the place. The whole railway alignment has historical value as a linear corridor.

### **Key findings and recommendations**

Recommendations for statutory controls include the following:

- 8 sites are recommended for the Heritage Overlay
- 11 sites are recommended for the Victorian Heritage Inventory
- A Significant Landscape Overlay is recommended for the section of the rail formation between Harris Road, Elliminyt and the collection weir and water race, 700 metres to the west of Beech Forest

Some changes are recommended to the Heritage Policy of the Colac Otway Planning Scheme to include specific reference to the railway.

## **CHAPTER 1 INTRODUCTION**

### **1.1 Purpose**

The Colac-Beech Forest-Crowes railway line was one of four narrow gauge lines constructed in Victoria during the late 1800s to early 1900s, in an attempt to build cheaper railways and link remote communities. The line played a key role in opening up the west Otways to settlement and timber getting, with many saw mills building tramways to carry timber from the forests to the 'Beechy' line.

In July 2012 Colac Otway Shire Council requested that Context undertake a heritage assessment of features of the former Colac-Beech Forest-Crowes railway line in order to determine what level of statutory protection may be appropriate. A previous assessment undertaken by Norman Houghton (2003) for Colac Otway Shire concluded that the entire railway is of state significance. Thirty-three features associated with the railway were identified to be of individual significance. The recommendation for state listing did not proceed to Heritage Victoria, however some features were added to the Heritage Overlay. These are noted in Section 1.5.

The purpose of this assessment is to undertake a heritage assessment of the Colac-Beech Forest-Crowes railway to record the current condition and integrity of heritage sites previously recorded in 2003. Recommendations for their protection under the appropriate state of local legislation are provided.

A heritage assessment would be incomplete without considering the significance of the railway as a whole system. Accordingly we have considered the line as a whole linear system united through historical processes and the landscape it traverses. The railway is considered as a linear corridor, an alignment (as on a map), a formation visible in the landscape, and a set of associated sites.

### **1.2 Study area**

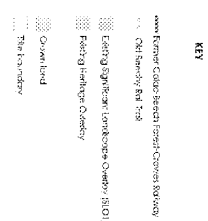
The former Colac-Beech Forest-Crowes railway runs for approximately 71km. From Colac Railway Station it travels in a southerly direction towards Beech Forest (48km), and then it swings towards the west until it reaches, and terminates at Crowes, a distance of 22.5km.

Features along the line include man made clearings (width varying from 3.6m to 40m), earthworks, cuttings and embankments, bridges, culverts, borrow pits, mile posts, water tanks and other associated features.

The terrain through which the former Colac-Beech Forest-Crowes railway travels varies greatly along its length — from gentle terrain to steep mountain ridges. From its starting point at Colac (133 metres above sea level) the formation travels through a series of rises, valleys and flowing watercourses until it starts its near vertical climb towards Beech Forest (at 532 metres above sea level), rising 457 metres in 19km (Houghton 2003:13). The lowest point is at the floor of the Gellibrand River Valley, at 75 metres above sea level. Between Beech Forest and Crowes, the railway traverses the ridge of the Otway Ranges.

See **Map 1 Study Area** below

FORMER COLAC-BEECH FOREST-CROWES RAILWAY HERITAGE ASSESSMENT



**Map 1**  
Farmers' Collective Search Forest: Crosses  
Railway and  
Old Beechey Field Road

**Client:** Cedar Valley Fire  
**Project:** Cedar Valley and Crosses Railway  
**Date:** November 2007 to March 1, 2009  
422713 JE

20-00007-000007-001 v.13 46-1-06  
1-12-03 5:57 PM 12-20-09 0006  
www.danvalley.com/07-01

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### **1.3 Acknowledgements**

Norman Houghton has provided invaluable assistance in the initial stages of this heritage assessment, providing information on the history of the line and guidance and advice as to what features remain.

Noel Barry, Friends of the Old Beechy Rail Trail, provided assistance throughout the field work. Mr Barry has also supplied Context with a range of his own research and historical material including newspaper clippings and Friends of the Old Beechy Rail Trail newsletters.

Gemma Browning, Colac Otway Shire, assisted with field work on 12 September 2012 and again on 3 December 2012.

Don Lewis as project manager for Colac Otway Shire, assisted with fieldwork on 13 September 2012 and provided input to the draft report.

The consultants are grateful to the landholders who allowed access to their properties in order to view sites that were within their parcels.

### **1.4 Approach and methodology**

This assessment has been prepared in accordance with *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance* (1999) and its guidelines.

It is noted that:

- The information contained in this volume is the result of desk based research, a survey of the former Colac-Beech Forest- Crowes railway and consultation with Colac Otway Shire staff.
- In accordance with the Brief, the purpose of the assessment is to physically record the remaining heritage assets which most contribute in representing the former railway and to assess these using the HERCON criteria.
- This survey has been based on the list of extant features recorded by the Land Conservation Council, M. Sheehan and Associates and Norm Houghton over many years. Our field survey has been undertaken to determine the current condition and integrity of these features.
- The Colac Otway Heritage Study (2003) undertaken by M. Sheehan and Associates recommended analysis, detailed description and assessment of the former railway.
- The previous assessment undertaken for Colac Otway Shire by Norman Houghton (2003) concluded that the railway as a whole was of both local and state significance as Victoria's sole surviving relatively intact example of a narrow gauge, mountain railway designed to bring rail communication to a remote region and to facilitate economic development.
- The consultant's approach has been to understand the Colac-Beech Forest-Crowes railway as a linear corridor, albeit one that is incomplete in some substantial parts.

### **1.5 Limitations of the survey**

This assessment considers only the historic heritage values of the former Colac-Beech Forest - Crowes railway. Sites along the railway alignment were surveyed, however more remote sites located some distance from the alignment were not part of this survey and assessment.

The surface visibility along the length of the former railway line proved to be a limitation. Large sections of the line were obscured by thick blackberry bushes and thick pasture grasses, both of which inhibited surface visibility.

The formation was also heavily disturbed by cattle and other activities associated with farming, destroying the surface and subsurface integrity of the formation. The railway formation has

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FORMER COLAC-BEECH FOREST-CROWES RAILWAY HERITAGE ASSESSMENT

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also been heavily distributed, and in some cases obliterated by the construction of the Colac-Beech Forest Road and activities associated with the timber plantations along parts of its length.

Access to some sections of the line also proved to be a limitation. Upon its closure, sections of land on which the Colac-Beech Forrester-Crowes railway travelled were purchased by adjoining landowners. Council sought permission to access sections of the former rail line that passed through private property (where desk based research indicated key features would be present). Of the thirteen landowners contacted, seven landowners granted permission and five properties were accessed.

A further limitation of this study is that it has not included an assessment of natural or Indigenous values, however, in making decisions that will affect the future of a place, it is important to consider all heritage values - natural, cultural and Indigenous.

### **1.6 Notice of intent to survey**

A Notice of Intent to Conduct an Archaeology Survey was submitted to Heritage Victoria (VH) on 10 September 2012. A written response to this notice was sent by VH to Context Pty Ltd on 11 September 2012. The VH archaeological report number for this project is 4201 (see Appendix 3).

## CHAPTER 2 HISTORICAL CONTEXT

### 2.1 Introduction

The *Victoria Framework of Historical Themes* is designed for use by heritage professionals, local government, teachers, managers of museum collections, interpreters and others interested in Victoria's natural and cultural heritage.

The framework recognises that thematic approaches are already in use by heritage professionals, for example, in thematic environmental histories of local government areas. It provides a very broad and flexible framework at the State level, so that these local studies can continue to evolve while being linked to State, and, where relevant, national contexts.

The thematic framework provides a practical and comprehensive research tool which can be used at the State or local level to assist in the identification, assessment, interpretation and management of heritage places and objects. In particular, it can help to encourage a comprehensive approach to listings and provide a comparative context for the better understanding of the historical significance of places and objects.

The purpose of the framework is to provide a consistent set of themes which highlight what is distinctive about Victoria.

The consistent organising principle for the thematic framework is activity. By emphasizing the human activities that produced the places and objects we value, and the human response to Victoria's environment, places and objects are related to the processes and stories associated with them.

The themes are not intended to follow a chronological order. Rather, they are generic, and designed to be applied and interlinked, regardless of place or period. This is consistent with a number of frameworks that are generic or universal, in that they describe the same aspects of human activity whatever the nation, State or region being examined.

They embrace all cultures and time periods, and are capable of accommodating the multiplicity of human activities that have occurred in the area we now call Victoria.

One of the purposes of the thematic framework is to highlight distinctive aspects of the history of Victoria and to recognise the richness of Victoria's cultural heritage. By adopting a purely generic set of themes we run the risk of having a bland, unimaginative approach to heritage—one that routinely sorts places into representative categories, but says little about Victoria's distinctive environment, history and culture.

What we need to ask therefore is:

- What are the major influences responsible for the development of Victoria's distinctive cultural heritage, and how are they demonstrated in our heritage sites and objects?
- What are the key elements of our culture that distinguish Victoria from other States of Australia?

Obviously the process of history is complex, with many competing and overlapping factors and interests influencing the way our landscape, our culture and our way of life have evolved. We need a framework that helps us to:

- Make these connections
- Think widely about historical processes in assessing places
- Explain how things came to be the way they are
- Tell Victoria's stories in an engaging way.

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## 2.2 Understanding the stories

Themes are a way of helping us understand the common threads in the history of an area, across time and across peoples.

*Victoria's Framework of Historical Themes* (2010) was developed by the Victorian Aboriginal Heritage Council and Heritage Council of Victoria jointly and is designed to encompass the whole story of human use and occupancy of Victoria. It is linked to a national set of themes – the *Australian Historic Themes Framework*, and has a comprehensive set of sub-themes to expand upon the major themes. Local themes or stories are derived from these.

**Table 1. Linking themes and stories of the Colac-Beech Forest-Crowes Railway**

| Victoria's Theme                                        | Sub-themes                                                                                                                                                                                       | Stories                                                                                                                                                                               |
|---------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Shaping Victoria's environment                       |                                                                                                                                                                                                  |                                                                                                                                                                                       |
| 2. Peopling Victoria's places and landscapes            | Promoting settlement<br>Settling and clearing the land for small scale farming                                                                                                                   | Promoting settlement in the Otway Ranges                                                                                                                                              |
| 3. Connecting Victorians by transport and communication | Linking Victorians by rail<br>Expanding the Victorian railway network<br>Housing railway workers<br>Supporting forest industries                                                                 | Linking the Otways by rail<br>Narrow gauge railways<br>Developing the timber industry in the Otways<br>Building the formation<br>Housing railway workers<br>Operating a train service |
| 4. Transforming and managing land and natural resources | Growing fruit and vegetables<br>Exploiting natural resources for building materials                                                                                                              | Linking agriculture with markets<br>Lime kilns, quarrying                                                                                                                             |
| 5. Building Victoria's industries and workforce         |                                                                                                                                                                                                  |                                                                                                                                                                                       |
| 6. Building towns, cities and the garden state          | Living in country towns<br>Establishing functional towns<br>Marking significant phases in the development of Victoria's settlements, towns and cities<br>Creating or changing transport networks | Establishing settlements in the Otways<br>Declining importance of rail and establishment of the road network.                                                                         |
| 7. Governing Victorians                                 |                                                                                                                                                                                                  |                                                                                                                                                                                       |
| 8. Building community life                              |                                                                                                                                                                                                  | Connecting people along the Beechy line.<br>Developing the rail trail                                                                                                                 |
| 9. Shaping cultural and creative life                   |                                                                                                                                                                                                  |                                                                                                                                                                                       |

## 2.3 Promoting settlement in the Otway Ranges

A series of land acts were passed in the 1860s in an attempt to create small farm holdings, whilst at the same time recognising the pioneering efforts of the squatters. Under the first land act, the 1860 Land Sales Act, three million acres were surveyed into allotments of between 80 to 640 acres. No person could select more than 640 acres annually, and the land had to be paid

FORMER COLAC-BEECH FOREST-CROWES RAILWAY HERITAGE ASSESSMENT

for outright, or half paid and half leased. Subsequently more land was made available for selection under the *Land Act* (1862) and the *Amendment Act* (1865). Then in 1869, most land - including unsurveyed land - became available for selection under the *Land Act* (Sheehan, 2003:19).

The Otway Ranges, in south west Victoria, were first opened to agricultural selection in 1884, under the *Land Act 1884*, when allotments were selected from pre survey maps prepared by the Lands Department (Minchinton 2011:2). Within ten years more than 200 allotments had been taken up (Houghton 2005:1).

Yet it wasn't until the arrival of the railway, during the 1870s, that Victoria's isolated south western region was considered penetrable. Until this time, the Otway Ranges were virtually impassable and as such, were of little economic value. The introduction of the railway provided the first all weather, fast and reliable transport service into the area, which as Houghton noted was 'characterised by dense timber and high rainfall' (Houghton 2003:5).

## 2.4 Narrow gauge railways

The role of the Colonial government in surveying the area in 1884 and 1889 was instrumental in the change from the design of a broad gauge to a narrow gauge railway, with the resulting decrease in cost. The Beech Forest line, is therefore not the earliest nor the latest, but constructed at the peak of construction in the sparsely settled areas.

During the 1890s pressure rose to find the means to construct cheap railways to the underdeveloped parts of Victoria, as the government realised that the cost of providing communications to the outlying communities by means of railways was excessive for the small populations served. In 1894 the Parliamentary Standing Committee on Railways considered the use of narrow gauge railways. The idea was opposed by the Victorian Railways (VR) in that it would introduce a non-standard operating regime, which would without doubt incur extra costs, especially when stock had to be transferred between the two gauges.

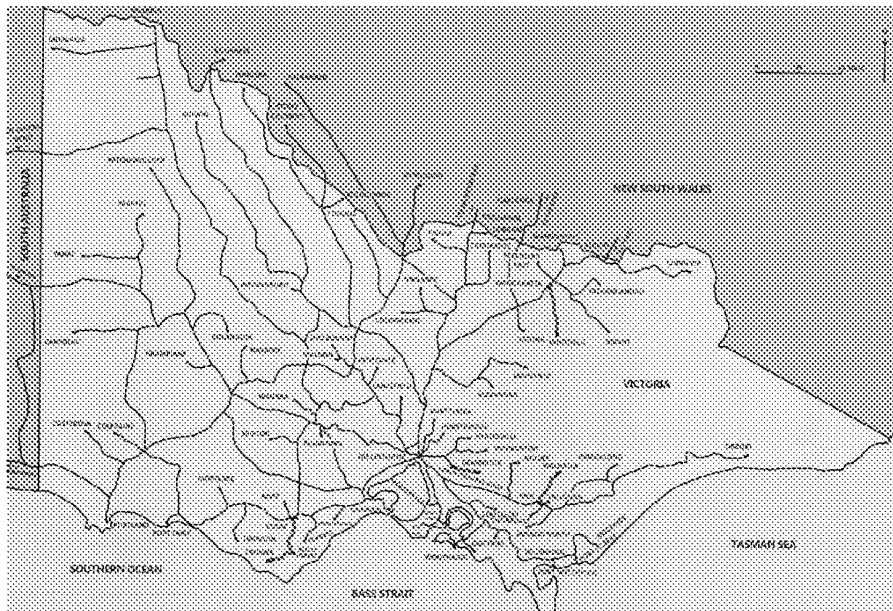


Figure 1: Narrow gauge railways in Victoria. Source: Anchen 2012:1.

In 1895 the Committee recommended that narrow gauge lines be only introduced in sparsely settled areas. The first of the four narrow gauge lines, between Wangaratta and Whitfield

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FORMER COLAC-BEECH FOREST-CROWES RAILWAY HERITAGE ASSESSMENT

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opened in March 1899. It was followed by the Upper Ferntree Gully to Gembrook line in December 1900, the Colac to Beech Forest line in March 1902 and the Moe to Walhalla in May 1910. The Colac to Beech Forest line was extended to Crowes in June 1911 (see Houghton 2003:6 and Thompson 2004:2).

An initial broad gauge line from Colac to the top of the Otway Ridge had been constructed in 1884 but it was abandoned due to the high cost in laying the broad gauge, especially in such difficult terrain. The construction of the narrow gauge railway was delayed until 1900 when the initial section between Colac to Beech Forest was developed. It was completed by March 1902, by which time some 44.7km of line had been laid. The line was extended to Crowes, some 22.5km west of Beech Forest from 1909-1911. Not only did the narrow gauge railways open up these isolated communities, they too provided a vital service for pioneer settlers, allowing food produce and people to travel into and out of the region. The Colac-Beech Forest-Crowes railway was an immediate success providing access to the forests. With this, timber could be harvested and sent out as 'palings, mining props and laths, charcoal, sleepers, posts, piles, barrel staves, furniture and carriage timbers and sawn timber for building purposes' (Houghton 2012:21).

Yet despite the use of these lines and the communities they served, the narrow gauge lines generally suffered heavy financial losses throughout their lifetimes and were closed as soon as conveniently possible (see Anchen 2012:3).

## **2.5 Linking the Otways by rail**

The topography of the Otways required the design of the railway formation to be a complex affair, with a climb of over 400m, traversing east-west flowing creeks on a north-south aspect and several drops into valleys. Designing the engineering solutions was challenging, with the guiding principle of minimizing earthworks in order to save cost. Wherever possible the route was laid over natural surface with a low earthen mound and an occasional slight cut into the high side. This is typical of the section from Colac to Elliminyt.

Other sections required the construction of low embankments to maintain an even bed in undulating terrain or to gain elevation to a hilltop or spur. Steep sided narrow box cuttings are characteristic of the sections from near Elliminyt to Barongarook, Birnam to Gellibrand and southwards from Gellibrand for several kilometres.

The steeper terrain posed further engineering problems where the embankments and cuttings were higher and there is the use of 'borrow pits' and culverts. The cuttings and embankments were formed with curves, following the outward face of the slope. Cuttings and embankments were generally of a short length apart from at the head of the Ten Mile where the long cuttings stand out. The design of the formation was adapted along its length to suit the nature of the terrain through the height, slope, batter and location of the cuttings and embankments, enabling the line to pass through the challenging country.

### LOCALITY MAP

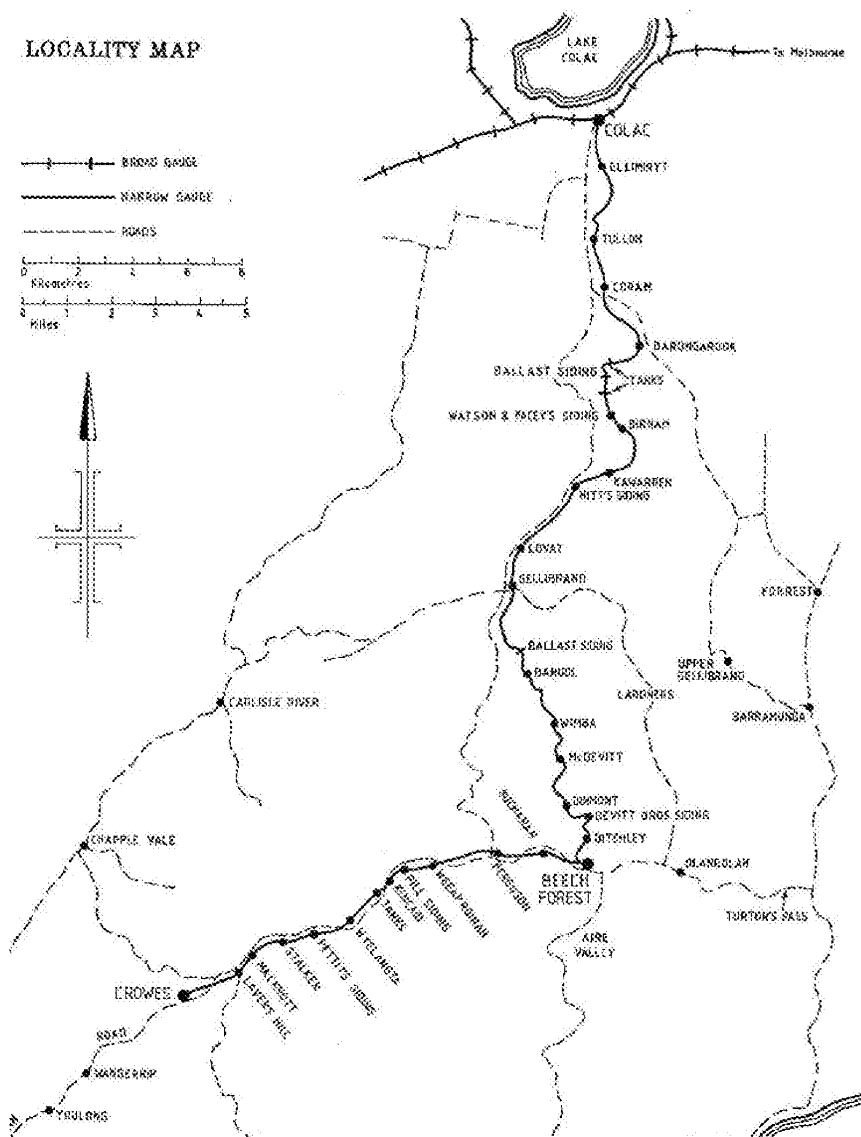


Figure 2: Colac-Beech Forest-Crowes railway. Source: Houghton 2003:3

FORMER COLAC-BEECH FOREST-CROWES RAILWAY HERITAGE ASSESSMENT

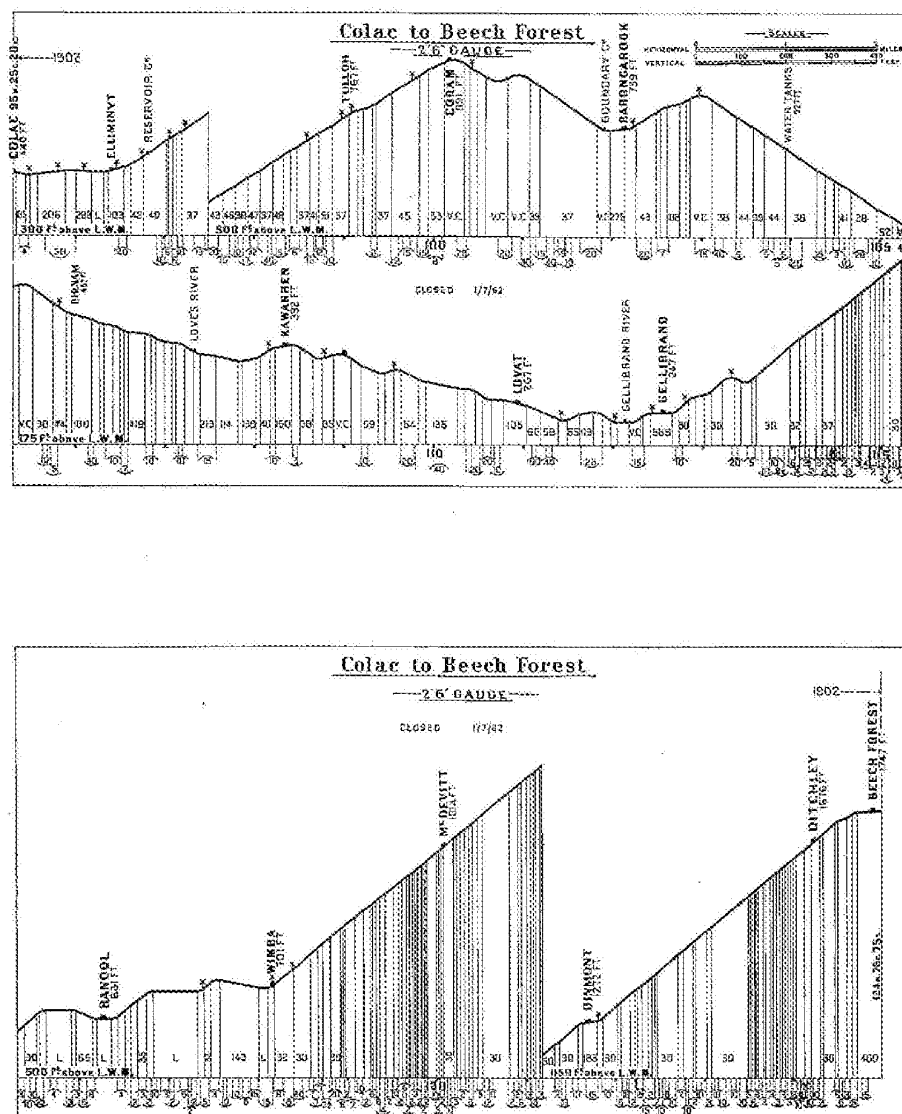


Figure 3: Gradient along which the Colac-Beech Forest-Crowes railway followed. Source: Houghton 1992:4.

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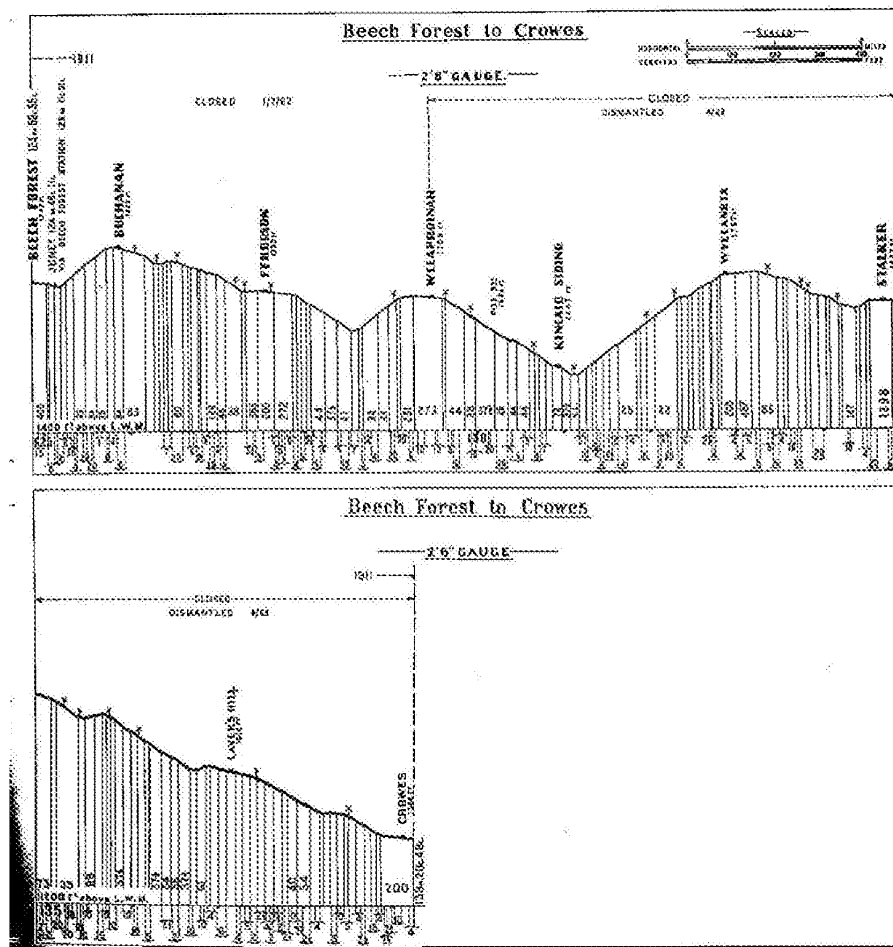


Figure 4: Gradient along which the Colac-Beech Forest-Crowes railway followed. Source: Houghton 1992:5

The railway was used as an important transport corridor for the people and industries of the West Otway Ranges at a time when road transport was primitive. The railway served the area economically for sixty years, carrying freight in and out, particularly as outwards loading of bulk commodities that provided the bulk of the revenue derived from the line. The function of the railway was also to act as a transport conduit for the wider region with railheads connecting with road transport to the coast on the other side of the Otway Ranges.

Construction took place in two periods of activity with the initial 48 kilometres from Colac to Beech Forest between 1900 and 1902, followed by a further 22.5 kilometres to Crowes between 1909-1911. The railway was an immediate stimulus to the development of the region through providing fast, convenient and all weather access to the region. Fifteen bridges were constructed along the entire length of the Colac-Beech Forest-Crowes line. Houghton notes that earth filled embankments were preferred on economic and maintenance grounds, with timber bridges being only used in wet areas and over the more 'substantial watercourses and very steep gullies' (Houghton 2012:14).

The bridges were built to a standard VR narrow gauge design and were constructed from Northern Victorian and Gippsland timber. Although originally built from local timber, this was eventually found to be too soft and other timber was employed. The use of timber bridges

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FORMER COLAC-BEECH FOREST-CROWES RAILWAY HERITAGE ASSESSMENT

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was confined to the wettest areas, the steepest gullies and more substantial watercourses where earth fill was a liability.

The line has, throughout its life had numerous changes brought about through floods, bushfires, washaways and earth-slips. Natural disasters have taken their toll on the infrastructure. Cuttings and embankments have had to be cut back or modified in response to damage, and buildings, stations and sidings needed constant maintenance and some replacement. Generally the modifications were carried out with similar materials and methods to the original construction.

## **2.6 Building the formation**

The Colac-Beech Forest-Crowes railway was a narrow gauge mountain railway that was designed to secure communication between the broad gauge rail network at Colac and Beech Forest, and was specifically designed for rugged terrain. The earthworks, consisting of cuttings and embankments were designed to create an evenly graded bed that allowed for a gentle progression up and down the steep terrain through which it travelled.

Houghton notes that the Colac-Beech Forest-Crowes line was 'not a simple liner (formation) on a constant rising grade because the intervening topography has several east-west flowing watercourses whose valleys had to be negotiated on a north-south axis. This entailed a climb from Colac to the divide between Barongarook Creek and Boundary Creek before dropping into the Boundary Creek valley, then another climb into the Ten Mile Creek valley and a drop into the Loves Creek valley and subsequent continuation to the floor of the Gellibrand River valley at 75 metres above sea level. From Gellibrand the climb to Beech Forest entailed a vertical rise of 457 metres over 19km along the face of a long rising spur to the main Otway Ridge' (Houghton 2005:10).

The variety of topography meant that the railway engineers constructed the rail route with the minimum amount of earthworks and where possible the route was laid onto the natural surface, with sleepers resting on sand/gravel/cinder ballast at 150mm deep.

Low embankments were built to maintain an even track bed in undulating terrain or to gain elevation, where as more extensive earthworks were created in the 'true mountain sections of the route such as the head of the Ten Mile Creek to Birnam section' (Houghton 2005:12). Larger embankments had concrete culverts under them, which allowed water flow.

Extreme engineering feats were undertaken at the mountain sections of the rail line, where roadbeds were built on the 'extremity of the outer edge of the facing slope to minimise deep earthworks' (Houghton 2005:12). This meant that the line had many tight curves, following the contours of the natural environment. Over the length of the line, cuttings and embankments were generally short, with the cutting walls having a sloping batter. Vertical batters were uncommon, as they were prone to slippage.

Standard VR wooden portable or standard corrugated iron passenger shelters were located along the length of the Colac-Beech Forest-Crowes line. The installation of these differed to those of the broad gauge, in that they were placed on the surface, without raised platforms. Houghton notes that goods sheds were 'more solidly built on site and there were platform types of timber or corrugated iron' (see Houghton 2005:13 and Houghton 2012:15).

## **2.7 Operating a train service**

Other infrastructure included ramped platforms for the moving of farm machinery (at Weeaprounah and Wyelangta) and cranes for the timber trade (these were rare but were provided at Beech Forest and Wyelangta).

Stations were built without raised platforms and were of a standard Victorian Railways portable type. Smaller stations were simply corrugated iron shelter sheds and staff housing was provided also to standard design at Barongarook, Banool, Wimba, Weeaprounah, Lavers Hill, Wyelangta, Gellibrand, Crowes and Beech Forest.

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FORMER COLAC-BEECH FOREST-CROWES RAILWAY HERITAGE ASSESSMENT

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The servicing of the locomotives and the line meant that fixtures and other infrastructure were developed along its length, these included water points, coal storage, signals, concrete distance markers, stopping places and a telephone line. Water points were located at Barongarook, Gellibrand, Wimba, Dinmont, Beech Forest, Kincaid and Crowes, and these comprised weirs or pumps, concrete reservoirs, piping and elevated tanks. Further infrastructure included loco sheds, located at Beech Forest and a coal storage, located at Beech Forest (see Houghton 2005:13 and Houghton 2012:25).

Mile posts, or distance markers, were placed along the entire length of the railway. These were constructed from concrete and painted white with black numbering. A telephone line travelled the length of the line, so that there was communication from the Colac Station Master's office all the way to Crowes. The line was carried on wooden or iron poles and was set to the side of the track. Stopping places were only marked by name boards and have no obvious remains.

## **2.8 Housing railway workers**

Staff housing was also provided at a number of locations. These were constructed to standard VR design. Single houses were built at Barongarook, Lovat, Banool, Wimba, Weeaprounah and Lavers Hill, while two houses were built at Wyelangta, three at Gellibrand and Crowes and five at Beech Forest (see Houghton 2012:24-25). Upon closure of the line, all staff houses were removed, except for the dwelling at Gellibrand and the two houses at Beech Forest. Both of these houses are listed on the Colac Otway HO.

## **2.9 Developing the timber industry**

Although initially designed to develop agriculture in the region, it was the timber industry that benefited at first, and up to 100 sawmills provided timber for export. The physical links between the sawmills and the railway was provided by timber tramways to the nearest rail siding. Until the 1950s all heavy loadings went by rail and the line provided the means by which this industry could be established and expand rapidly.

The threat of closure hung over the railway during the 1930s, particularly at the time when road building was being carried out between Colac and Gellibrand, Forrest, Tanybryn and Olangolah. Although the new roads took some traffic away from rail, it was also realised that the roads alone were not capable of meeting the region's transport needs and there was still a place for rail. This was reinforced by the conservative Country Party government that favoured the retention of the rail service.

Changes in timber harvesting after 1945 followed the economies enforced on the never very profitable rail line in the 1930s, and gradually the benefits of rail were outdone by the transfer and handling of goods from rail to road which eventually proved to be cumbersome.

Closure of the line finally occurred through the diminishing transport of softwood timber from the Aire Valley plantation and the increasing costly repairs of the locomotives that had served the line for over thirty years. Once the new Charleys Creek Road was opened, the line finally closed in 1962. The line provided the means by which the timber industry could establish and expand, providing economic growth to the area.

## **2.10 Linking agriculture with markets**

Agricultural selection preceded the development of the Colac-Beech Forest-Crowes railway by eighteen years. The clearing of the Otway forests during the 1880s and 90s provided a source of timber which had no market, since there was no means of transporting it with poor access roads. This contributed to the harsh and difficult economic circumstances of the settlers. Subsistence mixed farming became the way in which settlers survived since there was no market for surplus agricultural products through lack of transport options. The building of a railway was the means by which economic prosperity could be improved.

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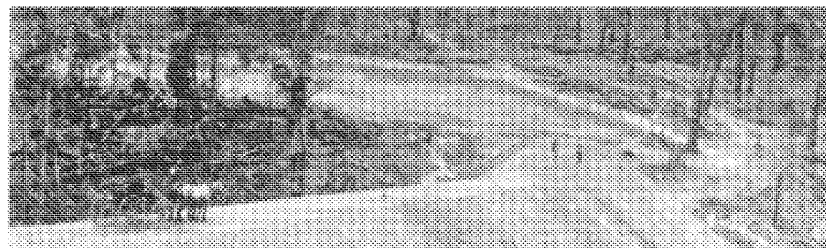
Vegetables and dairy produce were also exported and the development of potato cropping at Weeaprounah was a major development. Enough goods traffic still used the line in the 1950s, leading to an upgrade in locomotives and the renewal of some line-side infrastructure. Generally the return trip took two days with an overnight stop in Crowes.

### **2.11 Lime kilns and quarries**

The transport of large quantities of road gravel facilitated development of the road network by the Otway Shire Council and the Country Roads Board. Stone from the area was also used as ballast for the construction of the railway line. Lime kilns at Kawarren provided lime for the building industry and formed one of the minor exports from the area, contributing to the economics of the line.



*Figure 5: Railway cutting, south of Gellibrand. Source: Houghton2003:12*



*Figure 6: Newly formed earth works. Source: Houghton 2005:6*

### **2.12 Establishing settlements in the Otways**

The communities initiated or advanced by the railway were those at Barongarook, Banool, Gellibrand, Kawarren, Beech Forest, Olangolah, Ferguson, Weeaprounah, Wyelangta, Lavers Hill, Johanna, Yuulong, Princetown, Lower Gellibrand and Kennedy's Creek.

The line also had a dramatic social impact; bringing with it the telephone line and running water (the water supply to the stations and station houses was an asset and the supply was purchased upon closure of the railway by the Otway Shire). Houghton notes that 'the railway houses were special along the line because they possessed running water. Railway children were better washed and bathed than local farm children and had a higher standing as a result (Houghton 2012:45).

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## 2.13 Connecting people along the Beechy line

The railway also had a more indirect impact on the beginnings of the coastal development around Anglesea, Lorne, Aireys Inlet and Apollo Bay, these places becoming more accessible for holidays prior to the construction of the Ocean Road. From 1959 the railway served as a recreational service when occasional picnic trains departed from Colac, run with the Light Railway Historical Society. The railways' social and recreational function contributed to the cultural life of the region until the late 1950s. As a heavy hauler for industry and agriculture, the line was not completely outdone by the road network until 1962. Passengers provided additional traffic and revenue for the line, particularly at the height of sawmilling from 1920-1929, and later as picnic trains to connect communities and provide much needed recreation for isolated people.

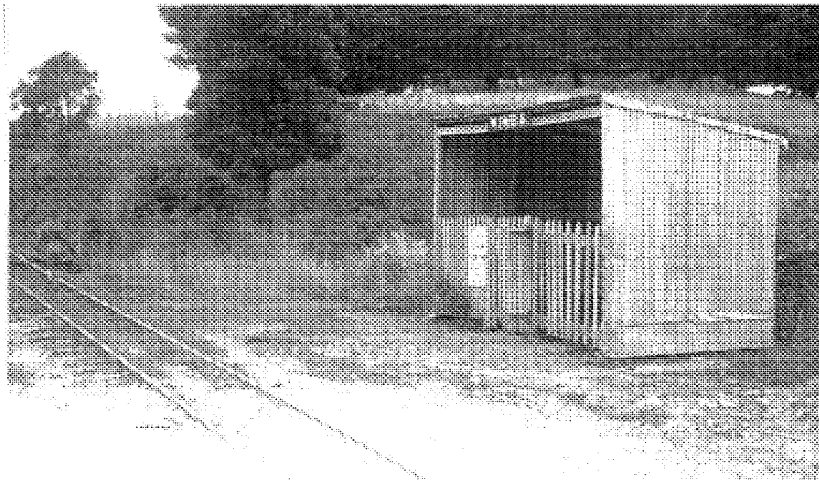


Figure 7: Wimba passenger shelter, constructed from corrugated iron. Source: Thompson 2004: 39



Figure 8: Barongarook station with waiting shelter and van goods shed. Source: Thompson 2004:39

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Figure 9: Barongarook water tank. Source: Thompson 2004:29

## 2.14 Declining importance of rail

By the 1950s traffic along the line had declined and the locos that travelled along its length were aged and were in constant need of repair. In November 1960 the Joint Transport Research Committee advised the Minister for Transport that the railway close in 1961. In June 1961 the Minister announced that the line was to close that year, but due to public pressure and urgent road building works, the line stayed open until 1962. It finally closed on 30 June 1962 (see Downs 1963:99 and Houghton 2003:10).

Parliament passed a Bill in November 1963 authorising the dismantling of the Colac-Beech Forest-Crowes railway line. By December 1963 the points at every sliding and station had been removed and a tender advertised for the purchase and removal of all the buildings. Ballarat contractor Littlehales and Sons won the tender.

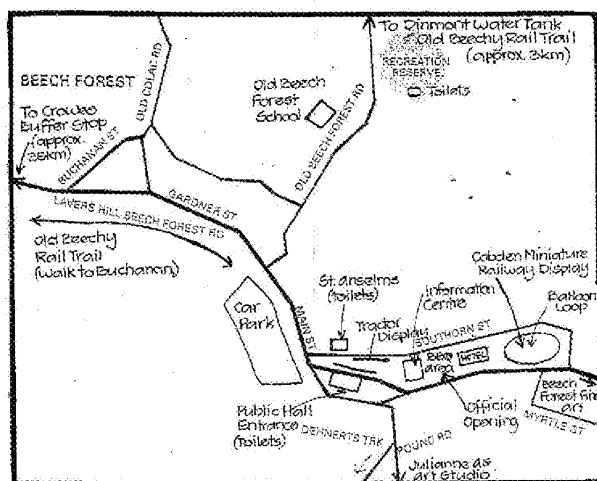
Houghton notes that the rails were first lifted from Weeaprainah, and the removal progressed towards Colac (Houghton 2012:41). The rails were purchased by the Otway Shire Council for engineering purposes. A major rebuild and realignment of the ridge road in the 1970s removed what remained of the railway along the ridge and over time agriculture and farming has obliterated much of the fabric and its associated embankments and cuttings. Sections have also been destroyed where the former line has been incorporated into timber plantations.

## 2.15 Developing the rail trail

In 2000 a Friends of the Old Beechy Rail was formed with the intention of promoting the heritage attractions of the railway and opening the line up to walkers and cyclists. Together with Colac Otway Shire, the Friends worked to establish the Old Beechy Rail Trail which was opened in 2002. Since that time the rail trail has grown to become a tourist and economic

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development asset to the region.



**"The Beechy Line" Centenary**

Saturday 9 March 2002

*Programme of Activities*

| Time           | Activity                                                            | Location                                       |
|----------------|---------------------------------------------------------------------|------------------------------------------------|
| 10.30 am       | Photographic Displays                                               | St Anselm's manse                              |
| 11.30 am       | Colac City Band                                                     | Information Centre                             |
| 12 noon        | <b>Official Opening of The Old Beechy Rail Trail</b>                |                                                |
|                | --- Town Crier                                                      |                                                |
|                | --- Unveiling by Stewart MacArthur, Federal Member for Corangamille |                                                |
| 12.30 pm       | BBQ Lunch                                                           | Beech Forest Information Centre                |
|                | BBQ Lunch                                                           | Gellibrand Railway Station - Gellibrand        |
| 1.30 pm        | Painting Exhibition                                                 | Julianne Andrew Grieve Art Studio (Pound Road) |
| 2.00 pm        | Art Exhibition Opening                                              | Beech Forest Fine Art Gallery (Main Road)      |
| 2.00 - 4.00 pm | Open House                                                          | Beech Forest School (Old Beech Forest Road)    |
| 7.00 pm        | Centenary Banquet                                                   | Beech Forest Public Hall (Main Road)           |

**Throughout the day:**

- Free train rides at the Balloon Loop
- Children's activities at St Anselm's
- Walk along the Old Beechy Rail Trail
- Refreshments available from the BBQ area and St Anselm's

Figure 10: Office opening of The Beechy Rail Trail: Source: Personal document, N. Barry.

## CHAPTER 3 FIELD SURVEY

### 3.1 Introduction

This report includes the findings of the field survey conducted on the former Colac-Beech Forest -Crowes railway line by Context in September and December 2012. It notes previously recorded sites, and when they were first recorded, as well as documenting newly identified sites.

This field work assessed the heritage and archaeology of the study area as a whole, and identified any surface and sub-surface features and deposits associated with the former Colac-Beech Forest-Crowes railway line. Since the last survey and assessment in 2003, changes to the features of the railway line have occurred through the construction of the rail trail, damage from or concealment with vegetation, natural deterioration and severe weather events.

### 3.2 Previously recorded sites

In order to establish what is currently known about the study area, this heritage study commenced with an examination of the existing literature and of any previous work undertaken.

The significance of the line was noted in 1997 by the Land Conservation Council (LCC), in their Historic Places Special Investigation South Western Victoria Report and in 2003 in the Colac Otway Heritage Study (see M. Sheehan and Associates). The line was also investigated as part of a Conservation Management Plan for the Shire (see Houghton 2003). No localised archaeological investigations have been conducted along the former Colac-Beech Forest-Crowes railway line.

Houghton's 2003 CMP identified eleven representative sections and 33 features along the former Colac-Beech Forest-Crowes railway line. This list included 7 potential archaeological sites/features. All sections and features were to be included as elements within a single Heritage Overlay over the entire railway line.

The below table documents all previous research. Houghton's sections and features are listed below, with potential archaeological sites delineated by '\*\*'.

**Table 2. Sections and features identified through previous studies**

| <b>LCC, Historic Places Special Investigation South Western Victoria Report (1997)</b> |                                                                                                                                        |
|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| Location                                                                               | Description                                                                                                                            |
| Colac-Beech Forest Crowes railway line                                                 | No detailed survey, but archaeological evidence remains. Recommended for protection                                                    |
| <b>Sheehan and Associates, Colac Otway Heritage Study (2003)</b>                       |                                                                                                                                        |
| Location                                                                               | Description                                                                                                                            |
| Colac-Beech Forest Crowes railway line                                                 | No detailed survey. Archaeological evidence remains. Heritage study recommended analysis, detailed description and assessment of site. |
| <b>Houghton, Colac-Beech Forest-Crowes CMP (2003)</b>                                  |                                                                                                                                        |
| Location (section)                                                                     | Description                                                                                                                            |
| From Colac railway yard, south side, Colac to Shorts Road, Barongarook                 | This section demonstrates an existing formation in foothill terrain.                                                                   |
| From Shorts Road, Barongarook to Maggio's,                                             | This section demonstrates the long and low                                                                                             |

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|                                                                                                                                 |                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Barongarook                                                                                                                     | cuttings and embankments required to surmount a low divide.                                                                                                                                        |
| From Maggio's, Barongarook to Cashins Road, Birnam                                                                              | This section demonstrates the lead into, the passage through and the lead out of a mountain section. This section is the longest and largest cutting and embankment anywhere on the railway.       |
| From Cashins Road, Birnam to Lovat at E762077 N231355 where the main road intersects and obliterates the existing formations    | This section demonstrates a streamside parallel route.                                                                                                                                             |
| From the south side of the Gellibrand caravan park for 2.2 km to E76200 N205310                                                 | This section demonstrates the foothill lead into a mountainous section via rises and short plateaux.                                                                                               |
| From E762044 N205310 to immediately south of Devitt Bros Sliding at E762044 N240222                                             | This section demonstrates all the characteristics of a mountain railway.                                                                                                                           |
| At Beech Forest township, east end abutting the hotel                                                                           | This section is the remnants of the railway yard and the reversing loop for the turning trains. Reversing loops were rare in Victoria on any gauge and this example is unique to the narrow gauge. |
| At Beech Forest township, west end, from near Public Hall and westwards for approximately 700 metres, currently a walking track | This section demonstrates the roadbed traversing a multi headed gully.                                                                                                                             |
| From near Kincaid E752012 N152195 near Wyelangta E752012 N138184                                                                | This section demonstrates a mountain railway alignment along a ridge top.                                                                                                                          |
| From near Lavers Hills E752012 N078157 and westwards for 800 meters to E752012 N071156                                          | This section shows a south facing, multi curved alignment.                                                                                                                                         |
| At Crowes station and environs                                                                                                  | The rails, infrastructure and a vegetation sample remain intact.                                                                                                                                   |
| Location (features)                                                                                                             | Description                                                                                                                                                                                        |
| 726134-263513                                                                                                                   | bridge remains                                                                                                                                                                                     |
| 726134-265508                                                                                                                   | bridge remains                                                                                                                                                                                     |
| 726134-265504                                                                                                                   | bridge remains                                                                                                                                                                                     |
|                                                                                                                                 | railway reservoir                                                                                                                                                                                  |
| 726133-258478                                                                                                                   | ** sleeper in gravel road near Tulloh station site                                                                                                                                                 |
|                                                                                                                                 | pick marks in cutting wall near Carom                                                                                                                                                              |
|                                                                                                                                 | 101 mile post                                                                                                                                                                                      |
|                                                                                                                                 | sleeper impressions in low cutting near 103 mile post                                                                                                                                              |
|                                                                                                                                 | 103 mile post                                                                                                                                                                                      |
|                                                                                                                                 | ** boiler ash heaps at Barongarook Water (2) stop                                                                                                                                                  |
|                                                                                                                                 | 106 mile post                                                                                                                                                                                      |
| 762133-271378                                                                                                                   | bridge remains at Kwarren                                                                                                                                                                          |
| 762133-269376                                                                                                                   | bridge remains at Kwarren                                                                                                                                                                          |
|                                                                                                                                 | Banool Ballast Sliding formation and                                                                                                                                                               |

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|               |                                                                                                         |
|---------------|---------------------------------------------------------------------------------------------------------|
|               | quarry                                                                                                  |
| 762044-212301 | bridge remains near Banool Ballast Sliding                                                              |
| 762004-214299 | ** cutting roadbed not compromised by machinery near Banool                                             |
|               | four sleepers in road at Wimba station site                                                             |
|               | water collection point at Wimba                                                                         |
|               | remains of overhead road bridge near McDevitt                                                           |
| 762044-227242 | ** horseshoe cutting with near vertical walls and original camber (super elevation) intact near Dinmont |
| 762044-226236 | ** railway telephone pole near Dinmont                                                                  |
|               | water tank at Dinmont                                                                                   |
|               | pipeline for Dinmont water tank in roadbed near Dinmont                                                 |
|               | pick marks in cutting wall near Devitt Bros Siding                                                      |
|               | collecting weir and race for water supply at Beech Forest                                               |
|               | collecting weir for water supply at The Tanks                                                           |
|               | bridge remains at Lavers Hill                                                                           |
|               | rails intact at bypassed road crossing near Crowes                                                      |
|               | ** Cordyline tree and cypress near Crowes station office site from 1916 era                             |
|               | in ground tank for water supply at Crowes                                                               |
|               | buffer stop as reconstructed following 1942 derailment                                                  |
|               | collecting weir for water supply in gully westwards of station site                                     |

\*\*The coordinates noted in the above table derive from the AGM66 co-ordinate system.

### 3.3 Survey

The assessment included a pedestrian and drive by survey of the former Colac-Beech-Forest – Crowes railway line to detect the presence of historical cultural heritage in or associated with the activity area.

As the former Colac-Beech-Forest-Crowes railway travels through a varied landscape, including private and public parcels of land, two field surveys were undertaken to ensure as much of the formation and associated features could be accessed and recorded.

The first survey took place on September 12 and 13 2012 by Louise Holt, Archaeologist at Context Pty Ltd, with assistance from Gemma Browning (September 12, 2012) and Don Lewis (September 13, 2012) representing Colac Otway Shire, and Noel Barry representing Friends of the Beechy Rail Trail (September 12 and 13, 2012). The first survey covered parcels of Crown Land, including the Otway Forest Park and the Great Otway National Park.

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The second survey took place on December 3, 2012 by Louise Holt, Archaeologist at Context Pty Ltd, with assistance from Gemma Browning representing Colac Otway Shire. The second survey covered parcels of private land where background research had identified the likelihood that features of the former railway would be present. Prior to the second round of site inspections, Council requested access to sections of the former rail line that passed through parcels of private property where desk based research indicated features would be present. Seven of the thirteen landholders contacted by Council granted access. Of the seven landowners that granted access, five landholders were visited (see letter to home owners at Appendix 4).

### **3.4 Methodology**

The survey took the form of a drive-by and pedestrian survey of the former railway and associated features on Crown land, Department of Sustainability and Environment (DSE) state forested areas, Council owned land, private land, as well as other features visible and accessible from the road.

Photographs, GPS (GDA94) readings and notes were taken throughout the process, as well as field notes about the conditions, historical remains evident on the surface and noted areas of ground disturbance and erosion.

The result is a fairly comprehensive record of the surviving heritage fabric in the sections identified in Houghton's CMP (2003). However, although every attempt was made to record all of the extant features along the sections and line, features were missed due to poor visibility and access (these included previously recorded sites). The land through which the former railway travels has also been heavily disturbed since 2003. This disturbance has resulted in the further destruction of the formation and associated sites.

### **3.5 Field assessment and results**

'Sections' and 'features' of the former Colac-Beech Forest-Crowes railway were identified and are discussed below.

The 'sections' derive from Houghton's 2003 Conservation Management Plan and are based on the physical remains of the formation. Houghton notes that the formation can be 'divided into several representative sections [which best] reflect the terrain passed over and demonstrate how [the VR] secured a workable gradient' (Houghton 2003:20). The field work associated with this report revisited these sections to determine their current state.

Field work also documented associated features still found within the former rail formation.

See **Map 2 Sites and Sections identified** below.

### 3.5.1 Section One

#### **Colac railway yard to Shorts Road, Barongarook.**

This section demonstrates a formation of embankment and cuttings travelling through a foothill terrain. It runs for approximately 7km, and travels through multiple private properties, as well as recreational zones and public use (educational) zones. This section starts at Colac railway station, where all that remains is the former weighing platform and a reproduction 'Colac' station sign, which was constructed and installed by the Friends of the Beechy Railway (see Friends of the Beechy Railway Newsletter, March 25 2010).

Throughout this section, the former formation is still visible in parts. Fences have been built along some sections, whilst trees have been planted along its embankment in other sections. Some of the sections have been levelled by farmers and are used as cattle tracks or tracks that provide vehicle access. Houghton (2003) recorded three derelict bridges within this section, but these bridges were not located during the survey.

At the site of the Tulloh Station, south of Florence Road, a fire station has been built on the former roadbed, and further south, the formation has been converted into a driveway. The 99 mile post at Tulloh has been repainted and relocated to sit under a reproduction 'Tulloh' station sign, which was constructed and installed by the Friends of the Beechy Railway in 2010 (Friends of the Beechy Railway Newsletter, 25 March 2010).

Two sites were identified in this section.

#### **Site 1: Former railway dam**

The reservoir was built in 1876 for the Colac Railway Station. Locomotives used water from the Railway reservoir between 1901-1911. An estimated several million gallons of water was stored at the reservoir.

The site consist of a large earthen dam embankment. The wall is located at the Barongarook Creek West Branch, approximately 200 meters east of Forest Street and 160 meters south of Harris Road. The dam wall is approximately 30 metres in length and 6 meters in height.

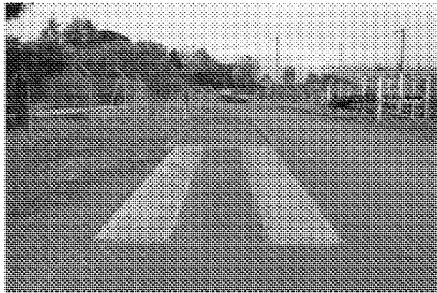
The ridge line of the dam wall is evident, albeit covered in vegetation and mature trees (species unknown). The southern aspect is covered in thick vegetation, and tall grasses. The northern aspect of the wall is exposed.

#### **Site2 : 3 chain curve**

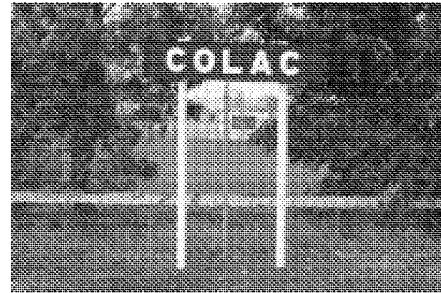
A tight 3 chain left curve on an embankment to the east of Colac-Lavers Hills Road, 300m north of Friends Road was recorded during this survey. The bend is a rare surviving feature on the railway and clearly shows the planning principles of building the railway.

The curve forms part of an embankment which took the route to the other side of the slope. The cut is east facing. The roadbed contains a number of 'dog pegs'. These metal pins were used to secure the railway line to railway sleepers and are still found along the length of the railway, not only at this section (B. Scanlan, pers comms, December 4 2012).

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*Figure 11: Start of Colac-Beech Forest-Crowes narrow gauge railway, former weighing station. Looking west. Source: Context 2012.*



*Figure 12: Reproduced 'Colac' station sign. Looking south. Source: Context 2012.*



*Figure 13: Colac Railway Reservoir. Date unknown. Source: State Library of Victoria*



*Figure 14: Dam wall. Looking east. Source: Context 2012*



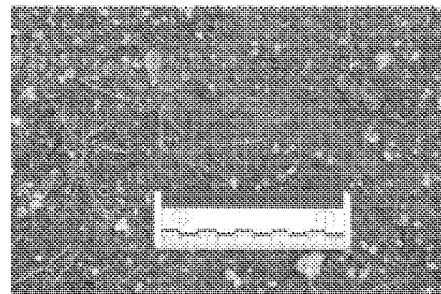
*Figure 15: Northern aspect of former railway earthen dam wall. Looking east. Source: Context 2012*



*Figure 16: Depression associated with former railway reservoir. Looking south. Source: Context 2012*



*Figure 17: 3 chain curve. Looking north east Source: Context 2012*



*Figure 18: Metal 'dog' peg. Archaeological evidence of former railway. Many of these are found along the length of the formation. Source: Context 2012*

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Figure 19: Reproduced 'Tulloh' station sign and '99' mile stone, which has been relocated (and repainted) to sit until the station sign. Looking east. Source: Context 2012



Figure 20: Former roadbed that has been converted into a driveway and access to a private residence at Shorts Road. Looking south. Source: Context 2012

### 3.5.2 Section Two

#### **Shorts Road, to Maggio's, Barongarook.**

At 50 Shorts Road, Barongarook, the formation enters private property (E726180, N5746850, MGA54). Here the formation has trees planted close to it, and it has become over grown with grasses and larger vegetation along its outer limits. The northern section of the formation is used by the property owner as an access track. It is kept clear of grasses and fallen trees (see figure 13). At the properties most southern point the formation is covered by tall grasses, but kept clear of fallen vegetation.

At the southern boundary of this property, at approximately 550m south of Shorts Road (E726440, N5746240), the formation enters Colac Otway Council land until it reaches Barongarook Road. Within this section, the formation becomes part of the Old Beechy Rail Trail. A reproduction Coram station sign has been installed. Cuttings and embankments are visible and intact for approximately 350m.

The line is intersected by Barongarook Road at E726365, N5745870 (MGA 54) after which it again enters private property. At Barongarook Road the line travels south, until it reaches Section Three (Maggio's Road).

Permission to access the formation was sought from 50 Barongarook Road, 565 Colac-Lavers Hill, 245 Wilsons Road and 260 Barongarook Road, however the formation was only inspected at 50 Barongarook Road and 260 Barongarook Road.

Two sites were recorded within Section Two.

#### **Site 3: Culvert (earthenware)**

Site consists of an earthenware culvert, approximately 60cm in diameter and 2.5 meters in length. A culvert has a wider lip that appears darker in colour, possibly the result of a different glaze or exposure to the elements. The culvert runs through the railway formation.

The culvert is secured in place by a stone and cement wall, this extending some 70cm either side of the culvert and approximately 20cm above and below the culvert. This is the only earthenware culvert recorded along the length of the formation.

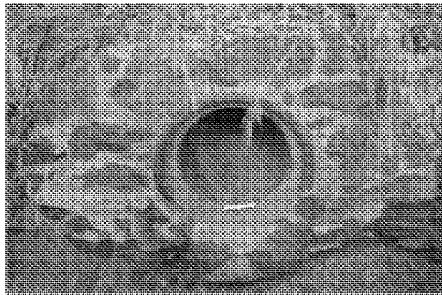
#### **Site 4: 101 mile post**

The moulded concrete mile post is triangular in shape and has a tapered top. It has recessed numbers that read '101' on two of its three faces. The third facade is hollow and shows evidence of the mould used to manufacture the post.

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The mile post is approximately 1 meter in height and it sits east of the formation, on top of the cutting. The 101 mile post is in intact and in reasonable condition.

Concrete mile posts became a popular alternative to stone or wooden posts, in that they were cheaper to manufacture (in regards to material and labour costs) and lasted longer (see The Canberra Times 1926:11).



*Figure 21: Earthenware culvert, located under embankment at 50 Shorts Road, Barongarook. Looking east. Source: Context 2012*



*Figure 22: Railway embankment at 50 Shorts Road, Barongarook. Looking north. Source: Context 2012*



*Figure 233: Former railway formation. Looking north. Source: Context 2012*



*Figure 244: Railway cutting now part of the Old Beechy Rail Trail, complete with reproduction Coram stopping sign. Looking south. Source: Context 2012*



*Figure 255: Railway cutting at 50 Barongarook Road, Barongarook. Looking north. Source: Context 2012*



*Figure 266: 101 mile post at 50 Barongarook Road, Barongarook. Cutting visible to the left of image. Looking north. Source: Context 2012*

### **3.5.3 Section Three**

#### **Maggio's Road, Barongarook to Cashins Road, Birnam.**

This section of the former railway demonstrates the lead into, passage through and lead out of a mountain section with embankments and cuttings. Houghton notes that this section has the

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longest and largest cuttings and embankments anywhere on the railway (Houghton 2003:18). Five sites were recorded within this section,

The former rail formation has been developed into the Beechy Rail Trail and is accessed by walkers, horse riders and cyclists. Damage by these users is not apparent.

**Site 5: 103 mile post**

The concrete triangular mile post is located along the former rail line, just south of its intersection with Maggio's Road. It sits on top of a 200m rail cutting that runs either side of the former line. The mile post has a tapered top and is approximately 110cm in height. The post has recessed numbers that read '103' on two of its three faces. The original black and white painted surface has faded and the milepost is now partially covered in moss.

Concrete mile posts became a popular alternative to stone or wooden posts, in that they were cheaper to manufacture (in regards to material and labour costs) and lasted longer (see The Canberra Times 1926:11).

**Site 6: Borrow pit**

The site consists of one borrow pit, cut into the side embankment, on the northern side of the former railway. It is approximately 8m in length and 4m wide. At its most northern side (furthest from the former railway line) it is approximately 1.8m deep. The borrow pits are covered in thick vegetation, and visibility of the wall cuttings and ground surface are poor.

Borrow pits are associated with the construction of embankments, in that earth was 'borrowed' from an area and used as fill for another area, commonly associated with the construction of embankments.

**Site 7 Culvert (concrete)**

Within this section a large embankment, 110 metres long and 13 metres high, was created to take the route over Ten Mile Creek. Built in association with this embankment, a concrete culvert was constructed underneath the large horseshoe curve earth works.

The culvert is 20 metres long and 2 metres high. The concrete culvert was installed under the embankment to allow water flow and it was formed and poured on site, with earth piled up on top to create the earth bed (see Houghton 2003:39).

The condition of the culvert is unknown, as its entrance is covered in vegetation.

**Site 8: Remains of Barongarook water tank**

The site consists of six concrete and metal circular tank footings. The footings are approximately 60cm in diameter and embedded into the ground, with each containing two bolts, which would have secured the tanks cast iron legs to the footings. Together, these six footings create a circular feature, approximately 2m in diameter.

The original Barongarook water tank was moved to this location, at the bottom of the bank, during the 1920s, because the gradient was more favourable (see Houghton 2003:133). The elevated tank was constructed from riveted steel with cast iron legs, crossed braced with steel rods.

**Site 9: Boiler ash heaps at Barongarook water tank**

The site consists of one boiler ash heaps, located on the eastern side of the former railway and in close proximity (approximately 4 meters south) of the remains of the Barongarook water tank. These two heaps run parallel to the former railway and are covered in vegetation. The ash heap located at the eastern side of the formation is approximately 13meters in length and 5meters wide. The ash heap is covered in thick vegetation.

The ash heap is associated with the Barongarook water tank. Locomotives would have regularly stopped for water at the Barongarook water tank and cleared ash from the locomotive (N. Barry, pers comms, September 13<sup>th</sup> 2012).

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Given the close proximity and association between these two features Site 8 and Site 9 were recorded as one site.



*Figure 27: Concrete '103' mile post. Looking east.  
Source: Context 2012*



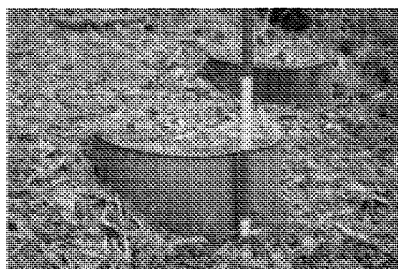
*Figure 28: Former borrow pit. Looking west.  
Source: Context 2012*



*Figure 29: Concrete culvert underneath a large curve embankment. Looking west. Source: Context 2012*



*Figure 30: Remains of Barongarook water tank. Looking west. Source: Context 2012*



*Figure 31: Remains of Barongarook water tank. Looking west. Source: Context 2012*



*Figure 32: Remains of boiler ash heaps at Barongarook water tank. Looking south west. Source: Context 2012*

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### 3.5.4 Section Four

#### ***From Cashins Road, Birnam to Lovat***

This section demonstrates a streamside parallel route. At Cashins road the formation heads in a southerly direction, running parallel to Ten Mile Creek until it diverts in an westerly direction to run parallel to Love Creek. Within this section the formation runs predominantly on private land. Houghton noted in 2003 that the embankments in this section had been heavily disturbed and obliterated, although sections of the embankment are still visible in parts.

At the northern point of this section, the 106 mile post is still intact, and is located on private property. A wooden railway bridge was observed crossing a tributary of Love Creek. At 762044-231355 main road intersects and obliterates the existing formation. Hitt's Sliding was recorded by Houghton in 2003 but it could not be located, due to thick vegetation. From Fry's Road, the former railway embankment has been developed into the Beechy Rail Trail and a section of the former embankment has been developed into a dam retaining wall.

The trail is accessed by walkers, horse riders and cyclists. Damage by these users was not apparent. From here the formation has been turned into a road to serve local farming properties.

Within this section two sites were recorded.

#### ***Site 10: 106 mile post***

The concrete triangular mile post is located along the former rail line. The mile post has a tapered top and is approximately 110cm in height. The post has recessed numbers that read '106' on two of its three faces. The original black and white painted surface has faded and appears to have been repainted in red.

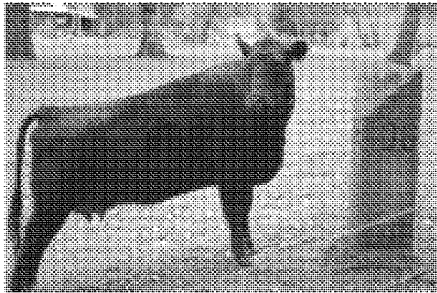
Concrete mile posts became a popular alternative to stone or wooden posts, in that they were cheaper to manufacture (in regards to material and labour costs) and lasted longer (see The Canberra Times 1926:11).

#### ***Site 11: Railway bridge***

The site contains a timber bridge, which is located in line with the formation. The bridge was viewed from McDonalds Road. The bridge appears part of the former railway embankment and looks to be constructed from timber posts. These features are characteristic of bridges built as part of the Colac-Beech Forest-Crowes railway.

Its condition could not be assessed.

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*Figure 33: The 106 Mile Post. Looking west.  
Source: Context: 2012*



*Figure 34: Evidence of former embankment and  
reserve trees. Looking south west. Source: Context*



*Figure 35: Railway bridge, as viewed from  
McDonalds Road. Looking west. Source: Context  
2012*



*Figure 36:: Evidence of former embankment and  
reserve trees. This section now part of Beechy Rail  
Trail. Looking north. Source: Context*



*Figure 37: Part of the former railway embankment  
now developed into a dam retaining wall. This  
section is now part of the Beech Rail Trail. Looking  
south. Source: Context 2012*

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### **3.5.5 Section Five**

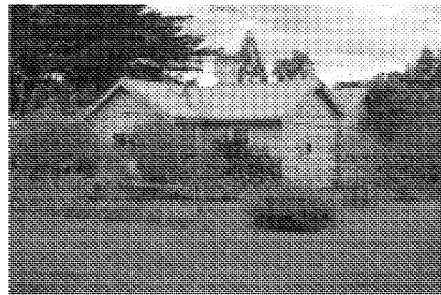
#### ***From the south side of Gellibrand caravan park***

For 2.2km to 762044-205310 the section demonstrates the foothill lead into a mountain section via rises and short plateaux.

The lead into Gellibrand has been destroyed by road works. All that remains is one railway house situated to the east of Colac – Beech Forest Road.

The railways workers house was built of timber in 1911 as a residence for the senior staff posted at Gellibrand Station. The single storey timber dwelling is externally clad with weatherboards. The building has a main double gable roof with transverse gable roof to same detail, double hung sash timber windows and a central brick chimney (see HERMES citation 45750 for further information).

From Gellibrand the rail formation extends for over 2km and takes a steep climb to Beech Forest. The section is reasonably intact and continues until it meets the start of Midways timber plantation.



*Figure 38: Former railway workers house, Gellibrand (HO198). Looking south. Source: Context 2012*



*Figure 39: Evidence of the former railway embankment. Looking north. Source: Context 2012*

### **3.5.6 Section Six**

#### ***From 762044-205310 to immediately south of Devitt Bros Sliding,***

This section to Devitt Brothers siding demonstrates all the characteristics of a mountain railway.

At the point where the former railway way meets the Midway Timber Plantation, the formation has been converted into a logging and farm road. In some instances the formation has been widened and pines have been planted to the edge of the embankments (also see Houghton 2003:53).

Evidence of the former Gellibrand Ballast Siding is no longer evident, as the area is covered in thick vegetation, although Houghton noted in 2003 that the site was still intact at the top of the ridge (see Houghton 2003:53). Sandstone from this quarry provided material for the construction of the railway. The quarry was used until 1920.

The remains of a five span timber trestle bridge are located within this section. Very few timber bridges were built along the Colac-Beech Forest-Crowes railway line, as the engineers preferred to construct earth filled embankments, as they cost less to construct and were easier to maintain. The timber bridge was constructed to a standard VR design and detail. The remains of the overbridge were recorded as an archaeological site.

Between the former Banool station (where a reproduction shelter has been constructed and installed by the Friends of the Beechy Railway) the former formations have been heavily disturbed by felling and pine plantation and harvesting activities. The cuttings and embankments were hard to define as they were overgrown by thick vegetation and blackberries. From Beech Forest Road the formation has been completely obliterated by plantation

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operations. Houghton notes that four sleepers remain in situ at the former Wimba station, yet these were not located during this survey. Travelling south from Wimba station the remains of an overbridge at a deep cutting are still visible. The bridge was constructed to a standard VR design and detail and was installed to allow the property owner access to land on both sides of the railway. The remains of the overbridge were recorded as an archaeological site.

At McDevitt station a reproduction stopping shelter has been constructed and installed by the Friends of the Beechy Railway. The area has been compromised by an access track. Further south four large embankments take the route over gully heads and the route re-enters farming land. A remnant telephone pole, with cross arms and insulators, was recorded within this section. The remnant telephone pole was recorded as an archaeological site.

On the lead up to Dinmont station, a large elevated water tank was recorded. Constructed from riveted steel, it is elevated on top of four cast iron legs, sitting on top of concrete footings. The frame stands at approximately 4 metre high, with horizontal and vertical supports.

**Site 12: Five span timber bridge**

The site consists of a straight timber railway bridge composed of timber abutments and earthworks. The approach to the bridge is flat and at its northern bank, the bridge stands at 1 metre high. The bridge has been obliterated by two fallen trees, but five timber piles (cross braced) remain in situ. The only remaining intact section of the bridge is the longitudinal rail-deck (constructed from rail-sleepers), located on the northern side of the gully.

No metal tracks remain, these having been pulled up and removed in the early 1960s.

**Site 13: Remains of overhead bridge**

The site comprises the remains of a railway bridge. It is of VR design and was installed to allow the property owner access to land on both sides of the railway. All that remains of the bridge is the lead onto the eastern side, two supporting piles and one diagonal brace (original brace has been replaced - date unknown). The supporting piles are 4 metres in height, and 15cm wide. The lead into the bridge was unable to be accessed.

**Site 14: Remnant telephone pole**

The site consists of a remnant wooden telephone pole, with cross arms and insulators. The pole still stands, at approximately 5 metres high. Phone wire still hangs from the cross arms. The telephone pole is located to the western side of the track.

Communication along the full length of the railway line from the Colac Station Master's Office was through a telephone circuit line that was carried on wooden or iron telephone poles. These were located alongside the track (see Houghton 2012:16).

**Site 15: Dinmont water tank**

The site consist of the former Dinmont water tank. Other facilities at Dinmont included a loop sliding for fifteen trucks, and passenger shelter, but these were not identified during the survey. The water tank is constructed from steel and sits atop of a steel frame, and seven cross beams. The frame is vertically braced. The frame sits atop 4 concrete footings that are raised about the ground by approximately 30 cm. The concrete footings are square, differing to the water tank foundations found at Barongarook.

A ladder is secured to the southern side of the tank, along with a pipe, to access water. The local fire service use this tank (N. Barry, pers comms, September 13<sup>th</sup> 2012).

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Figure 40: Cutting associated with former railway.  
Looking south. Source: Context 2012



Figure 41: Cutting associated with former railway.  
Looking south. Source: Context 2012



Figure 42: Location of Gellibrand Ballast Sliding.  
Thick vegetation cover evidence of this feature..  
Looking east Source: Context 2012

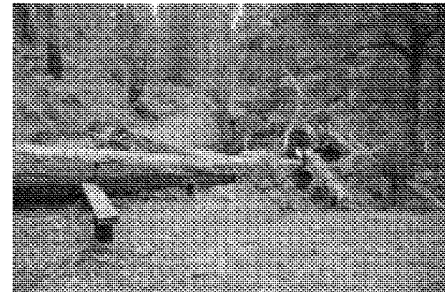


Figure 43: Remains of timber railway bridge.  
Looking south Source: Context 2012



Figure 44: Remains of timber railway bridge.  
Looking south Source: Context 2012



Figure 45: Remains of timber railway bridge.  
Looking south Source: Context 2012

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*Figure 46: Former railway embankment and cutting, alongside Banool station site. The formation has been compromised by pine plantations and timber harvesting. Looking north. Source: Context 2012*



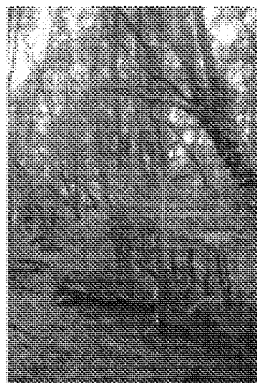
*Figure 47: Former railway cutting. The formation has been compromised by pine plantations and timber harvesting. Looking south. Source: Context 2012*



*Figure 48: Cuttings and embankment curve compromised by pine plantation.. Looking north. Source: Context 2012*



*Figure 49: Remains of an overhead bridge at a deep cutting. Looking north. Source: Context 2012*



*Figure 50: Remnant telephone pole with cross arms and insulators. Looking west. Source: Context 2012*



*Figure 51: Water tank at Dinmont. Looking west. Source: Context 2012*

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### **3.5.7 Section Seven**

#### ***At Beech Forest Township, east and abutting the hotel.***

The remnant remains of the railway yard and the reversing loop, for the turning of trains, as well as two former Beech Forest railway workers houses are found within this section. Both the turning loop and the former Beech Forest railways workers house are listed on the Colac Otway Shire Heritage Overlay (Railway turning loop, Beech Forest (HO68), Railway workers house, Beech Forest (HO69)).

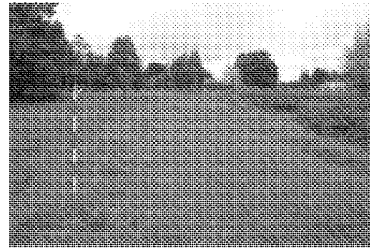
The reversing loop at Beech Forest was constructed in 1902. It was only developed and installed when concerns were raised about turning the rolling stock to even wheel wear. The Victorian Railway Engineers considered installing a turntable or a triangle loop before they decided on the loop (see HERMES citation 45020). After the closure of the line in 1962 the rail tracks and timber sleepers were removed. Now all that remains are the embankments and cuttings associated with the loop. The former tennis court and small corrugated iron 'club rooms' are still evident within the centre of the loop.

The railways workers houses were built in timber in 1905 and were constructed for staff employed on the railway line. The houses are single story dwellings with corrugated iron gable roofs.

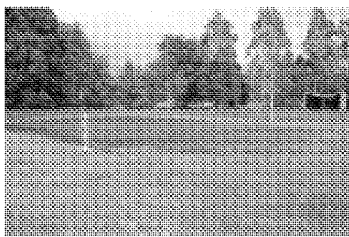
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*Figure 52: Embankment associated with reversing loop at Beech Forest (HO68). Looking east. Source: Context 2012*



*Figure 53: Reversing loop at Beech Forest (HO68). Looking south west. Source: Context 2012*



*Figure 54: Reversing loop at Beech Forest, with remains of tennis court and 'club rooms' within it. Looking west. Source: Context 2012*



*Figure 55: Railway workers house, Beech Forest (HO69). Looking north. Source: Context 2012*



*Figure 56: Railway workers house, Beech Forest (HO69). Looking north. Source: Context 2012*

### **3.5.8 Section Eight**

#### ***At Beech Forest township, west end and westwards for approximately 700 metres.***

Houghton notes that this section demonstrates the roadbed traversing a multi headed gully. From Beech Forest not much of this formation is visible; a road embankment replaces the original road overbridge to the west of Beech Forest, but on the western side of this road the formation returns and is used as a walking track (see Figure 57 to 58 below).

The walking track travels through varying vegetation for approximately 700 metres, running parallel to Beech Forest – Lavers Hill Road and south of the intersection between this road and Berchan Street, until it completely disappears.

#### ***Site 16: Water race and collection weir.***

Of note within this section is a water race (top side drain) that runs parallel to the former railway formation and a collection weir.

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The length of the topside drain is unknown, as it is covered in thick vegetation and filled with leaf litter in parts. The topside drain has been cut directly into the soil and is situated at the northern side of the formation, at the top of the cutting.

The dam at the eastern end of the water race appears to be cut directly into the ground (see figure 60 below). It measures approximately 12 metres in length and 8 metre wide. Its depth is not known.

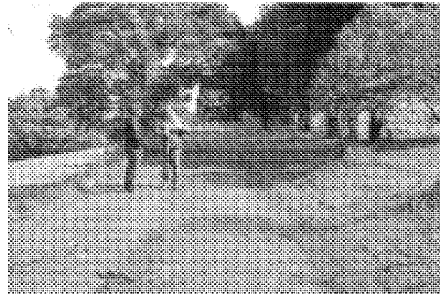


Figure 57: Remains for railway embankment.  
Looking west Source: Context 2012



Figure 58: Remains for railway embankment.  
Looking east back to Beech Forest. Source: Context 2012



Figure 59: Evidence of earthen drain running along  
the topside of the railway formation. Source: Context  
2012



Figure 60: Collection dam, located southwest of  
Beech Forest. Source: Context 2012

### 3.5.9 Section Nine

**From near Kincaid to near Wyelangta, which section demonstrates a mountain railway alignment along a ridge top.**

Houghton's 2003 report noted this section as demonstrating a mountain railway alignment along a ridge top. Sections of the formation are still visible, but is overgrown in most parts. No archaeological features were found within this section. Houghton (2003) noted that 'The Tanks' are located alongside Beech Forest Lavers Hills Road, but poor ground surface visibility meant that these were not located during the survey.

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Figure 61: Evidence of former railway embankment, and curve. Source: Context 2012



Figure 62: Clearing associated with the location of former railway formation. Context 2012

### 3.5.10 Section Ten

**From near Lavers Hill and westwards for 800 meters, which sections shows a south facing, multi curved alignment.**

Within this section the alignment is evident in parts, namely the horseshoe curve between MacKnott and Lavers Hill, some 1.2km east of Lavers Hill and a section of intact railway to the west of Lavers Hills. Although the horse shoe bend has been ploughed, traces of the formation are still evident (see Houghton's Addendum to Conservation Management Plan for the Colac-Beech Forest-Crowes Railway Route 2003). The section of intact railway was recorded as an archaeological site.

**Site 17: Section of intact railway**

Located alongside the Beech Forest Lavers Hill road, 1.5km from Lavers Hill, a small section of the former railway is evident. It is located 5 metres south of the Beech Forest Lavers Hill Road and extends approximately 13 metres in a south western direction. The remnant line has been exposed by Friends of the Old Beechy Rail Trail (N. Barry, pers comms, September 13<sup>th</sup> 2012).

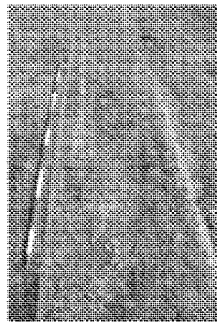


Figure 63: Intact rails at bypass road crossing. Looking south. Source: Context 2012

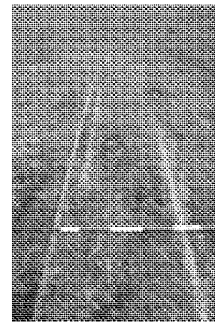


Figure 64: Intact rails at bypass road crossing. Looking south. Source: Context 2012

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### 3.5.11 Section Eleven

#### **Crowes station and environs**

At Crowes station the rail infrastructure and a vegetation sample remain relatively intact. The evidence of the former Crowes railway yard is a gravel clearing, approximately 2.5km west of Lavers Hill. To the north of this clearing, alongside Beech Forest Lavers Hill Road, sits an exotic tree, dating back to about 1915 (see Anchen 2011:78 and Houghton 2003:19).

At the extreme end of the line, a reconstructed 'Crowes' station sign, as well as a rebuilt railway line, wagon and buffer stop have been installed. These features were installed by the Puffing Billy Preservation Society in the late 1980s (see Anchen 2011:211).

#### **Site 18: Exotic tree at station site**

An exotic tree *Cordyline Australis* is located at the former Crowes station. The tree was planted by Stationmaster Norm Blackie during WW1, in an attempt to beautify the station (Thompson 2004:14).



Figure 65: *Cordyline Australis* near Crowes station, near former Crowes office site. Looking west. Source: Context 2012

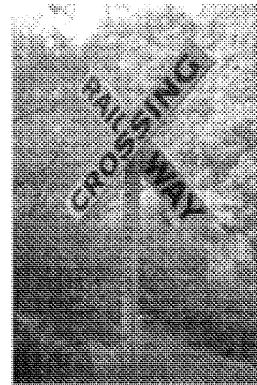


Figure 66: Puffing Billy railway crossing sign. Relocated by the Puffing Billy Preservation Society in the late 1980s. Source: Context 2012

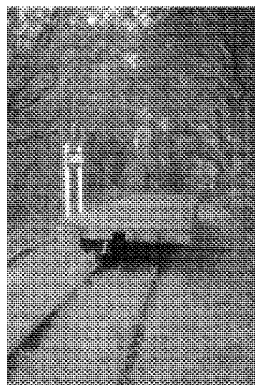


Figure 67: Reconstructed Crowes station, rebuilt railway line and wagon. Looking east. Source: Context 2012

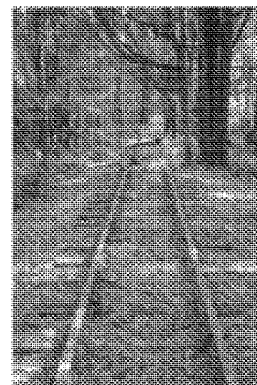


Figure 68: Crowes buffer Stop. Rebuilt by the Puffing Billy Preservation Society in the late 1980s. Looking east. Source: Context 2012

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### 3.6 Field work summary

The table below summarizes the results of the survey. Individual places have been noted as either archaeological places or heritage places according to the distinction and definitions adopted by Heritage Victoria. These are explained in 4.0 Assessment of heritage values.

**Table 5. Summary of survey results**

| Sections                                                          | Description                                                                                                                                                                                  | Identified in 2003 | Identified in 2012 | Place type           |
|-------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|----------------------|
| <b>Section One:</b>                                               |                                                                                                                                                                                              |                    |                    |                      |
| Colac railway yard, south side, Colac to Shorts Road, Barongarook | This section demonstrates an existing formation in foothill terrain. Length of railway recommended for local HO                                                                              | Y                  | Y                  | SLO from Harris Road |
| Site 1: Former railway dam                                        |                                                                                                                                                                                              | Y                  | Y                  | Heritage             |
| Site 2 : 3 chain curve                                            |                                                                                                                                                                                              | Y                  | Y                  | Heritage             |
| Sleeper in gravel road near Tulloh station site                   | Could not locate                                                                                                                                                                             | Y                  | N                  | No identified        |
| <b>Section Two:</b>                                               |                                                                                                                                                                                              |                    |                    |                      |
| From Shorts Road, Barongarook to Maggio's, Barongarook            | This section demonstrates the long and low cuttings and embankments required to surmount a low divide.                                                                                       | Y                  | Y                  | SLO                  |
| Site 3: Culvert (earthenware)                                     |                                                                                                                                                                                              | N                  | Y                  | Arch                 |
| Site 4: 101 mile post                                             |                                                                                                                                                                                              | N                  | Y                  | Heritage             |
| Pick marks in cutting wall near Carom                             | Could not locate                                                                                                                                                                             | Y                  | N                  | No identified        |
| <b>Section Three:</b>                                             |                                                                                                                                                                                              |                    |                    |                      |
| From Maggio's, Barongarook to Cashins Road, Birnam                | This section demonstrates the lead into, the passage through and the lead out of a mountain section. This section is the longest and largest cutting and embankment anywhere on the railway. | Y                  | Y                  | SLO                  |
| Site 5: 103 mile post                                             |                                                                                                                                                                                              | Y                  | Y                  | Heritage             |
| Sleeper impressions in low cutting near 103 mile post             | Could not locate                                                                                                                                                                             | Y                  | N                  | No identified        |
| Site 6: Borrow pit                                                |                                                                                                                                                                                              | Y                  | Y                  | Arch                 |
| Site 7: Culvert (concrete)                                        |                                                                                                                                                                                              | Y                  | Y                  | Arch                 |
| Site 8: Remains of Barongarook water tank                         |                                                                                                                                                                                              | Y                  | Y                  | Arch                 |
| Site 9: Boiler ash heaps at Barongarook water                     |                                                                                                                                                                                              | Y                  | Y                  | Arch                 |

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| Sections                                                                            | Description                                                                                                                                                                                                                                  | Identified in 2003 | Identified in 2012 | Place type    |
|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|---------------|
| tank                                                                                |                                                                                                                                                                                                                                              |                    |                    |               |
| <b>Section Four:</b>                                                                |                                                                                                                                                                                                                                              |                    |                    |               |
| From Cashins Road, Birnam to Lovat.                                                 | This section demonstrates a streamside parallel route. Where the formation meets the Colac-Beech Forest Road, at Kawarren, the formation runs parallel to the Colac Beech Forest Road in some parts and is obliterated by the road in others | Y                  | Y                  | SLO           |
| Site 10: 106 mile post                                                              |                                                                                                                                                                                                                                              | Y                  | Y                  | Heritage      |
| Site 11: Bridge                                                                     |                                                                                                                                                                                                                                              | Y                  | Y                  | Arch          |
| Railway bridge                                                                      | Could not locate                                                                                                                                                                                                                             | Y                  | N                  | No identified |
| <b>Section Five:</b>                                                                |                                                                                                                                                                                                                                              |                    |                    |               |
| From the south side of the Gellibrand caravan park for 2.2 km to E76200 N205310     | This section demonstrates the foothill lead into a mountainous section via rises and short plateaux.                                                                                                                                         | Y                  | Y                  | SLO           |
| <b>Section Six:</b>                                                                 |                                                                                                                                                                                                                                              |                    |                    |               |
| From E762044 N205310 to immediately south of Devitt Bros Sliding at E762044 N240222 | This section demonstrates all the characteristics of a mountain railway.                                                                                                                                                                     | Y                  | Y                  | SLO           |
| Pick marks in cutting wall near Devitt Bros Siding                                  | Could not locate                                                                                                                                                                                                                             | Y                  | N                  | No identified |
| Cutting roadbed not compromised by machinery near Banool                            | Could not locate                                                                                                                                                                                                                             | Y                  | N                  | No identified |
| Banool Ballast Sliding formation and quarry                                         | Covered by thick vegetation. Could not relocate                                                                                                                                                                                              | Y                  | N                  | No identified |
| Four sleepers in road at Wimba station site                                         | Could not locate                                                                                                                                                                                                                             | Y                  | N                  | No identified |
| Water collection point at Wimba                                                     | Could not locate                                                                                                                                                                                                                             | Y                  | N                  | No identified |
| Site 12: Five span timber bridge                                                    |                                                                                                                                                                                                                                              | Y                  | Y                  | Arch          |
| Site 13: Remains of overhead bridge                                                 |                                                                                                                                                                                                                                              | Y                  | Y                  | Arch          |
| Site 14: Remnant telephone post                                                     |                                                                                                                                                                                                                                              | Y                  | Y                  | Arch          |
| Site 15: Dinmont water tank                                                         |                                                                                                                                                                                                                                              | Y                  | Y                  | Heritage      |

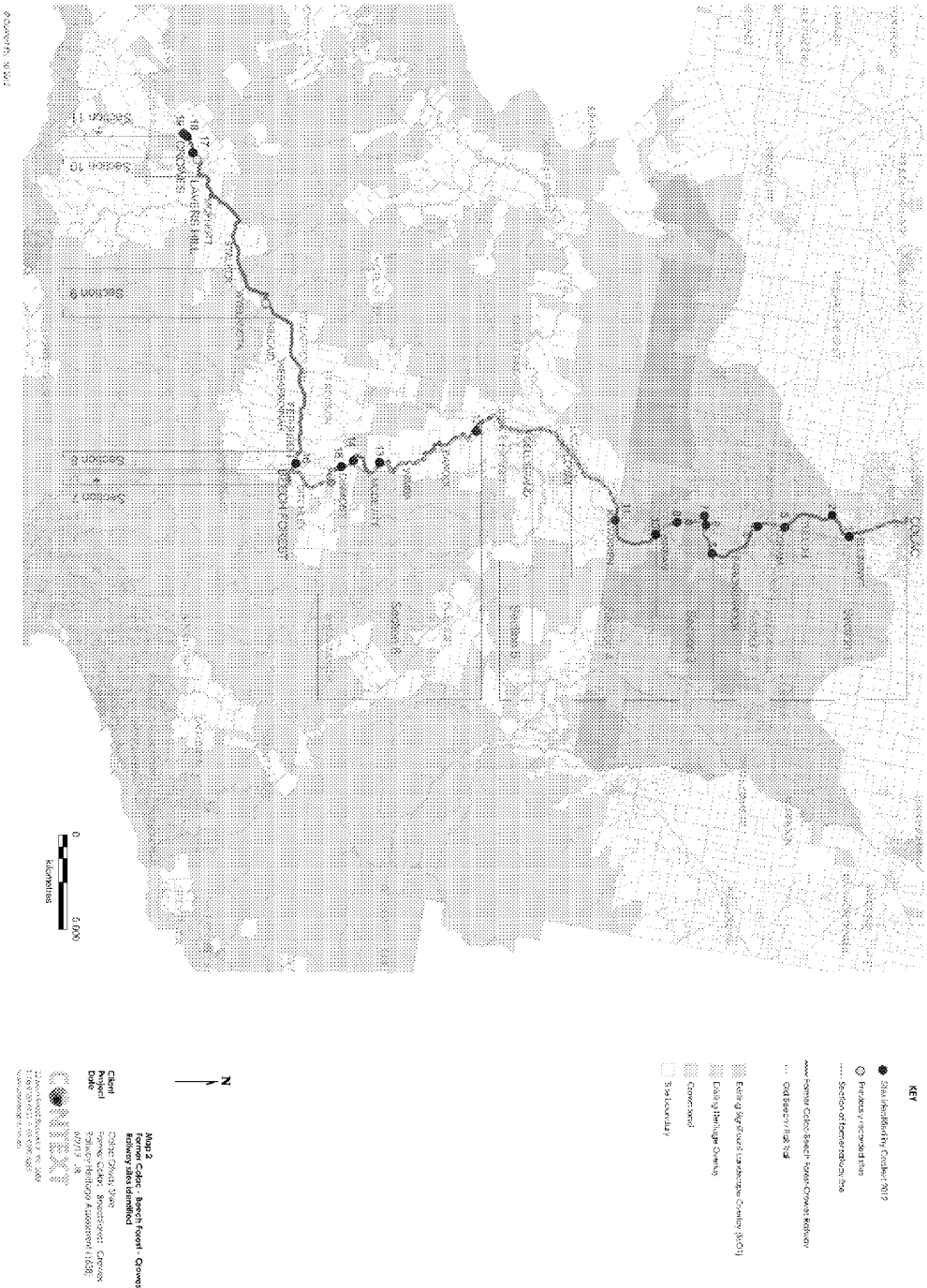
FORMER COLAC-BEECH FOREST-CROWES RAILWAY HERITAGE ASSESSMENT

| Sections                                                                                                                        | Description                                                                                                                                                                                        | Identified in 2003 | Identified in 2012 | Place type    |
|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|---------------|
| Pipeline for Dinmont water tank in roadbed near Dinmont                                                                         | Could not locate                                                                                                                                                                                   | Y                  | N                  | No identified |
| Horseshoe cutting with near vertical walls and original camber (super elevation) intact near Dinmont                            | Could not locate                                                                                                                                                                                   | Y                  | N                  | No identified |
| <b>Section Seven:</b>                                                                                                           |                                                                                                                                                                                                    |                    |                    |               |
| At Beech Forest township, east end abutting the hotel                                                                           | This section is the remnants of the railway yard and the reversing loop for the turning trains. Reversing loops were rare in Victoria on any gauge and this example is unique to the narrow gauge. | Y                  | Y                  | SLO           |
| <b>Section Eight:</b>                                                                                                           |                                                                                                                                                                                                    |                    |                    |               |
| At Beech Forest township, west end, from near Public Hall and westwards for approximately 700 metres, currently a walking track | This section demonstrates the roadbed traversing a multi headed gully.                                                                                                                             | Y                  | Y                  | SLO           |
| Site 16: Water race and collection weir                                                                                         |                                                                                                                                                                                                    | Y                  | Y                  | Arch          |
| <b>Section Nine:</b>                                                                                                            |                                                                                                                                                                                                    |                    |                    |               |
| From near Kincaid E752012 N152195 near Wyelangta E752012 N138184                                                                | This section demonstrates a mountain railway alignment along a ridge top.                                                                                                                          | Y                  | Y                  | N/A           |
| Collecting weir for water supply at The Tanks                                                                                   | Covered by thick vegetation. Could not locate                                                                                                                                                      | Y                  | N                  | No identified |
| <b>Section Ten:</b>                                                                                                             |                                                                                                                                                                                                    |                    |                    |               |
| From near Lavers Hills E752012 N078157 and westwards for 800 meters to E752012 N071156                                          | This section shows a south facing, multi curved alignment.                                                                                                                                         | Y                  | Y                  | N/A           |
| Bridge remains at Lavers Hill                                                                                                   | Could not locate                                                                                                                                                                                   | Y                  | N                  | No identified |
| Site 17: Section of intact railway near Crowes                                                                                  |                                                                                                                                                                                                    | Y                  | Y                  | Arch          |
| <b>Section Eleven:</b>                                                                                                          |                                                                                                                                                                                                    |                    |                    |               |
| At Crowes station and                                                                                                           | The rails, infrastructure and a vegetation sample remain                                                                                                                                           | Y                  | Y                  | Heritage      |

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| Sections                                                            | Description                        | Identified in 2003 | Identified in 2012 | Place type    |
|---------------------------------------------------------------------|------------------------------------|--------------------|--------------------|---------------|
| environs                                                            | intact.                            |                    |                    |               |
| Site 18: Exotic Cordyline tree at station site                      |                                    | Y                  | Y                  | Heritage      |
| In ground tank for water supply at Crowes                           | Could not locate. Thick vegetation | Y                  | N                  | No identified |
| Collecting weir for water supply in gully westwards of station site | Could not locate. Thick vegetation | Y                  | N                  | No identified |

Map 2. Sites and Sections Identified



## CHAPTER 4 ASSESSMENT OF HERITAGE VALUES

### 4.1 Identifying heritage values

This section represents an integrated assessment of the heritage values of the Colac-Beech Forest-Crowes railway. Assessments of heritage value identify whether a place has heritage significance, established what those heritage values are, and why a place or element of a place is considered important and valuable to a community. Heritage value is embodied in the location, configuration and fabric of a place, and/or element of a place (including its setting and relationship to other items), the records associated with a place and the response the place evokes in the community.

*The Burra Charter: The Australian ICOMOS Charter for Places of Cultural Significance*, 1999 and its Guidelines for Assessment of Cultural Significance recommend that significance be assessed in categories such as historic, aesthetic, scientific and social.

A limitation on this study is that it has not included an assessment of natural or Indigenous values, however, in making decisions that will affect the future of a place, it is important to consider all heritage values - natural, cultural and Indigenous. Issues relating to the conservation of cultural values may affect the selection of appropriate conservation processes, actions and strategies for the place's heritage values.

### 4.2 Heritage criteria

The HERCON criteria are used to assess heritage value and have been adopted by the Heritage Council in 2009 and revised in 2012 as a standard set of criteria for use in Victoria..

**Criterion A:**

Importance to the course, or pattern, of Victoria's natural or cultural history.

**Criterion B:**

Possession of uncommon, rare or endangered aspects of Victoria's natural or cultural history.

**Criterion C:**

Potential to yield information that will contribute to an understanding of Victoria's natural or cultural history.

**Criterion D:**

Importance in demonstrating the principal characteristics of a class of natural or cultural places and objects.

**Criterion E:**

Importance in exhibiting particular aesthetic characteristics.

**Criterion F:**

Importance in demonstrating a high degree of creative or technical achievement at a particular period.

**Criterion G:**

Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.

**Criterion H:**

Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

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### **4.3 Establishing a threshold**

In accordance with Heritage Victoria guidelines, heritage places are identified as being of either local or state significance. Places of local significance can include places significant to a locality. It is important to note that:

- A place may have value to both local and state-wide communities.
- The two categories are not 'hierarchical' with one being more important than the other; rather they simply identify the community to which the place is most important.

In Victoria, places and objects of cultural heritage significance can be protected and managed through one or more of four statutory mechanisms. The mechanism that protects the largest number of places of cultural heritage significance is the Heritage Overlay under a local planning scheme (estimated to cover in excess of 150 000 places). At the other end of the spectrum, one place in Victoria (the Royal Exhibition Building & Carlton Gardens) is inscribed in the World Heritage List for its outstanding universal value. The significance threshold determines the level of cultural heritage significance a place or object has and what mechanisms can therefore be used to protect and manage it. (Victorian Heritage Register Criteria and Thresholds, 2012)

The significance threshold can be defined as:

- The minimum level of cultural heritage significance that a place or object must possess to justify its inclusion on the relevant local, state, national or world heritage list.

The application of appropriate heritage criteria and establishing thresholds distinguishes places of mere heritage interest from those of heritage significance.

#### **4.3.1 What is a heritage place?**

The Heritage Victoria definition of a heritage place is one that could include a site, area, building, group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site, or other place of natural or cultural significance and its associated land. Heritage places in Victoria are considered to be either of State (or national significance) or Local significance.

The Victorian Heritage Register (VHR) provides a listing of Victoria's most significant places, objects and historic shipwrecks. All places on the VHR are legally protected under the *Heritage Act 1995*.

Places of local (and State) heritage significance can be protected by inclusion in the Heritage Overlay (HO) of local government planning schemes. The purpose of the HO is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

#### **4.3.2 What is an archaeological place?**

The Heritage Victoria definition of an historical archaeological site is one that may include above-ground features such as ruins and below-ground features or deposits such as buried building foundations and objects.

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Above-ground structures, such as old houses, bridges, fences and stone walls, may have heritage value but in most cases are not considered to be archaeological sites. The structure must have an archaeological component (Heritage Victoria).

It is important to note that under the *Heritage Act 1995*; all archaeological sites older than 50 years are protected, regardless if they are registered by Heritage Victoria. Section 127 of the *Heritage Act* notes that it is an offence to damage or disturb relics and archaeological sites, irrespective of whether they are registered or not.

The Victorian Heritage Inventory (VHI) lists all known archaeological sites and relics. Places may be on the VHR and also on the VHI.

#### 4.4 Existing assessment of heritage value

Norman Houghton's 2003 Conservation Management Plan provides the following assessment of significance for the former Colac-Beech Forest-Crowes railway. The assessment was carried out using the criteria adopted by the Heritage Council on 6 March 1997. The assessment concluded that the surviving railway formation and associated sites meet several criteria including Criterion A (historical significance) and Criterion C (archaeological significance) and that it is of historical, technical, economic and social significance at both the local and state levels. The 2003 heritage assessment is included in Appendix 2.

#### 4.5 Existing heritage listings

Places associated with the former Colac-Beech Forest-Crowes railway already listed on the HO include:

**Table 6. Features of the former Colac-Beech Forest-Crowes railway on the Heritage Overlay.**

| Planning Scheme | Related items on Heritage Overlay (HO)              | HO Reference |
|-----------------|-----------------------------------------------------|--------------|
| Colac Otway     | Railway turning loop, Beech Forest                  | HO68         |
| Colac Otway     | Railway workers house, Beech Forest                 | HO69         |
| Colac Otway     | Railway workers houses, Gellibrand                  | HO198        |
| Colac Otway     | Colac railway station 102a Gellibrand Street Colac  | HO121        |
| Colac Otway     | Colac railway turning circle 102a Gellibrand Street | HO122        |

##### *Victorian Heritage Register (VHR)*

There are currently no features associated with the former Colac-Beech Forest-Crowes railway included on the Victorian Heritage Register

##### *Victorian Heritage Inventory (VHI)*

The following features associated with the former Colac-Beech Forest-Crowes railway are currently included on the VHI:

**Table 7. Features of the former Colac-Beech Forest-Crowes railway that are included on the VHI**

| Place                              | VHR Number |
|------------------------------------|------------|
| Railway turning loop, Beech Forest | H7620-0011 |

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**Delisted VHI sites**

In addition, a number of features which were on the VHI have subsequently been delisted as, in terms of their potential to yield archaeological information, they are not considered to meet the threshold for inclusion under the 1995 Heritage Act.

Information concerning delisted sites is retained by Heritage Victoria (HV) as an archive for reference and comparison. However, no level of statutory protection is extended to these sites under the Act, and no consent to damage is required from HV if they are to be disturbed.

**Table 8. Delisted VHI features of the former Colac-Beech Forest-Crowes railway**

| Place                     | VHR Number |
|---------------------------|------------|
| Barongarook railway carts | D7621-0018 |

**National heritage list**

The National Heritage List includes places of natural, historic and Indigenous significance that are of outstanding heritage value to the Australian nation.

Each place in the List is assessed by the Australian Heritage Council as having national heritage values, which can be protected and managed under a range of Commonwealth powers. A place entered in the National Heritage List is a *national heritage place*.

Places on the list are protected under the *Environment Protection and Biodiversity Conservation Act 1999*. This requires that approval is obtained before any action takes place which has, will have, or is likely to have, a significant impact on the national heritage values of a listed place. Proposals for actions which could affect such values will be rigorously assessed.

*There are currently no features associated with the former Colac-Beech Forest-Crowes railway included on the National Heritage List*

**Significant landscape overlay**

A Significant Landscape Overlay (SLO 1) covers the area of the railway alignment between Elliminyt and Kwarren. The schedule to the SLO covers the Valleys, Hills and Plains Landscape Precinct. It does not specifically refer to the railway formation.

## 4.7 Application of criteria

*Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).*

Although agricultural land selection in the Otways began in the mid 1880s, the isolation and lack of all weather access through the Otways caused considerable hardship for selectors. The railway provided the economic stimulus for development of both agriculture and the timber industry. The Colac-Beech Forest-Crowes railway was built to stimulate development and to tap into the unrealised economic potential of the area.

The construction of the Colac-Beech Forest-Crowes railway corresponded to a brief period in the history of the Victorian Railways from 1889-1911 when narrow gauge construction was seen as a solution to rural economic development in an environment when roads did not provide an all weather solution to the transport needs of the district.

The construction of the Colac-Beech Forest-Crowes railway was an important stimulus to the development of the timber industry through providing transport for a wide range of timber products. Initially seen as a by-product of agricultural clearing, timber rapidly became the major freight carried by the railway, supporting over 100 sawmills scattered throughout the region. The timber industry remains a major activity in the Otways, responding to changes in logging practices and forestry management techniques.

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The railway provided the means by which selectors could become more than merely subsistence farmers, with all weather access to markets for their agricultural produce. Thus the railway provided the stimulus for the development of agriculture including potatoes and other vegetables, and dairying. Other smaller primary industries such as building lime and ballast for road and railway construction were also made possible.

The railway provided all weather reliable transport for the goods and people of the small communities that were established along the line. Railway construction workers, operations staff and their families were also an integral part of those communities. The line brought additional services such as telephones and running water that were vital parts of the development of communities.

The railway provided a means of social and recreational life for the isolated communities, connecting each other until the late 1950s when picnic trains and special outings were a part of the service provided by the railway.

The construction of the Colac-Beech Forest-Crowes railway demonstrates through it's comparative placement alongside undulating, narrow and waterlogged roads, that it was the only safe, all weather form of access to the Otway Ranges, and as a consequence was the economic and social lifeline for people and industries for several decades.

From 2007 the railway line has developed a new importance for the recreational life of the community since the development of the Old Beechy Rail Trail.

*Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).*

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at the time of tight public finance.

The Colac-Beech Forest-Crowes Railway was one of only five narrow gauge railways planned by the Victorian Railways whose opposition to this type of railway was based on it being a non-standard variation from broad gauge lines and economically inferior due to the lesser quantities of freight that could be carried. Although not the first narrow gauge line to be constructed, Colac-Beech Forest-Crowes was designed to see if a narrow gauge line could generate equivalent revenue to a broad gauge line.

Of the five narrow gauge lines planned only four were built, including Ferntree Gully to Gembrook, (Puffing Billy), Moe to Walhalla, and Wangaratta to Whitfield and Colac Beech Forest Crowes. The Colac-Beech Forest-Crowes line represents the best example of a narrow gauge mountain railway, is the longest in route at 71 km and operated for the longest period of over 60 years. The line demonstrates a rare pattern of usage in running two divisions between 1911 and 1929, resulting in an operation with a complex roster of locomotive workings.

Some sections of the line provide the best tangible evidence of a narrow gauge mountain railway in Victoria; with large and well formed cuttings and embankments, leads into and out of mountain sections, rises and short plateaux. These include Section 2 (Shorts Road to Barongarook), Section 3 (Maggio's Barongarook to Cashins Road Birnam), Section 5 (south of Gellibrand carpark), Section 9 (near Kincaid to Wyelangta), and Section 10 (westwards of Lavers Hill).

The remains of the reversing loop at Beech Forest constitutes a rare feature on any gauge line and the only one known to have been constructed on a narrow gauge line.

The Colac-Beech Forest-Crowes railway is a rare large scale engineering feat in Victoria, comparable to the Great Ocean Road and the Yan Yean and Maroondah water supply systems.

*Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).*

The Colac-Beech Forest-Crowes railway formation and its associated features forms a linear element in the broader landscape of the west Otways. Although some sections are more intact

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than others, the whole formation (where it is evident) has the potential for understanding the railway as a transport conduit. Disturbance to the formation through its incorporation into the road network or the rail trail has reduced its visibility in the landscape in some parts, and through that disturbance, has lowered the archaeological potential in those areas.

Within and beside the formation there are particular features such as mile posts, the remains of timber bridges, water tanks, borrow pits, and ash heaps are tangible evidence of the design, construction and operation of the railway. Embankments and cuttings provide evidence of the endeavour required to build a railway in steep terrain, and are a reminder of the manual work practices required at the time.

Associated sites of the many timber tramways that connected the sawmills to the railway, the remains of the lime kilns at Kwarren, and the stone quarry at Banool have the potential to contribute to our understanding of the many functions provided by the railway. There are many features associated with the railway line that are no longer visible, having been overgrown with vegetation. These include tramways leading from logging sites to the railway.

*Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).*

The Colac-Beech Forest-Crowes line is Victoria's sole surviving relatively intact example of a narrow gauge, mountain railway designed to bring rail communication to a remote region and facilitate economic development. The main features of the railway amply demonstrate the narrow gauge, the steep gradients, the many tight curves, the numerous embankments and cuttings and the closely spaced stations en-route, with their rudimentary facilities. The evidence is substantial and tangible.

Associated features such as the standard design Victorian Railway houses at Gellibrand and Beech Forest are typical examples of the type of housing provided to railway workers in isolated locations.

*Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).*

The railway formation provides an element in the broader landscape that responds to the topography, particularly where the railway traverses the mountain landscape. The tight curves, embankments and cuttings with closely spaced trees, particularly in Section 3, Section 5, and Section 6 provide evocative places where the natural topography and landscape is overlaid with the constructed formation. The Cordyline tree at Crowes is a focal point of the former station and representative of exotic railway planting provided by Victorian Railways in the early 20<sup>th</sup> century.

*Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).*

The existing formation is the pre-eminent surviving example of a narrow gauge mountain railway built to the contemporary standards of the Victorian Railways and designed to achieve a uniform and workable gradient in difficult terrain. The existing formation demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads and tracks that it was the only safe, all weather form of access to the Otway Ranges.

The geographical setting made the line one of the most difficult on the Victorian Railway's system, with a large number of curved sections necessary to traverse the foothills and the ranges themselves. With an even gradient and many tight curves the line was an exceptional piece of engineering, particularly when it was constructed in the region of the state's wettest area.

The line was constructed with the minimal number of bridges which is further demonstration of the skill in design to achieve as economical construction as possible.

*Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).*

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Although the extent of attachment to this place has not been assessed in this report, there is evidence of community attachment through research and writing about the line. A strong attachment to the place has been maintained through the formation of the Friends of the Old Beechy line and the subsequent work to establish, maintain and promote the rail trail. Through interpretation and access the rail trail has gathered support for railway history and the history of the west Otways through the perspective of the railway.

*Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).*

The Colac-Beech Forest-Crowes railway has not been found to have associative significance.

## 4.8 Statement of significance

### ***What is significant***

The alignment, surviving formation and associated sites of the former Colac-Beech Forest-Crowes railway is significant. The extant fabric represents the state of the railway as at its closure in 1962 following the removal of rails and this fabric is the basis for assessing its significance.

The existing formation runs from Colac railway yard, with some gaps, to just past Devitt Bros Sliding, near Beech Forest and three sections along the Otway Ridge at Buchanan, near Kincaid and at Lavers Hills. There are also several specific features and relics outside the immediate surviving formation.

The existing formation can be divided into several representative sections reflecting the terrain passed over and demonstrating how to secure a workable gradient. The extant sections are as follows:

1. From Colac railway yard, south side, Colac to Shorts Road, Barongarook – this section demonstrates an existing formation in foothill terrain
2. From Shorts Road, Barongarook to Maggio's, Barongarook – this section demonstrates the long and low cuttings and embankments required to surmount a low divide
3. From Maggio's, Barongarook to Cashins Road, Birnam – this section demonstrates the lead into, the passage through and the lead out of a mountain section. This section is the longest and largest cutting and embankment anywhere on the railway
4. From Cashins Road, Birnam to Lovat at E762077 N231355 where the main road intersects and obliterates the existing formations – this section demonstrates a streamside parallel route
5. From the south side of the Gellibrand caravan park for 2.2 km to E76200 N205310 – this section demonstrates the foothill lead into a mountainous section via rises and short plateaux
6. From E762044 N205310 to immediately south of Devitt Bros Sliding at E762044 N240222 – this section demonstrates all the characteristics of a mountain railway
7. At Beech Forest township, east end abutting the hotel -this section is the remnants of the railway yard and the reversing loop for the turning trains. Reversing loops were rare in Victoria on any gauge and this example is unique to the narrow gauge
8. At Beech Forest township, west end, from near the Public Hall and westwards for approximately 700 metres, up until and including the water race and collection weir – this section demonstrates the roadbed traversing a multi headed gully
9. From near Kincaid E752012 N152195 to near Wyelangta E752012 N138184 – this section demonstrates a mountain railway alignment along a ridge top
10. From near Lavers Hills E752012 N078157 and westwards for 800 meters to E752012 N071156 – this section shows a south facing, multi curved alignment

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11. At Crowes station and environs – the rails, infrastructure and a vegetation sample remain intact

**How is it significant?**

The alignment, formation and associated sites of the Colac-Beech Forest-Crowes Railway are significant to the State of Victoria.

**Why is it significant**

The Colac-Beech Forest-Crowes railway was a major contributor to the economic development of the west Otways region from its inception in 1902 until its closure in 1962. Throughout the sixty years of operation the railway provided the means by which the forestry industry of the Otways could be sustained. The railway and associated tramway system provided the means by which the region could support over 100 sawmills, and provide added income from timber for the settlers who cleared land for agriculture. The railway provided the only all weather access to the region until the road network was sufficiently developed in the 1950s. It allowed for the export of fresh produce including potatoes and other vegetables and dairy produce to reach markets, transforming the lives of the settlers from subsistence level to income producing farming. The needs of the communities along the railway were met through special excursions and picnic trains, providing much needed or social and recreational outings. The railway promoted the growth of townships in the Otways, both through providing housing for railway staff, and linking primary production and markets.

The Colac Beech Forest railway line is one of only four State-owned narrow gauge railways built in Victoria and sections of it remain the best examples of a narrow gauge mountain railway in Victoria. It represents the longest narrow gauge line in Victoria and one that operated for the longest period. The reversing loop at Beech Forest remains as the only one known to have been constructed on a narrow gauge line in Victoria.

The whole formation and its associated features, both those surveyed and those not located demonstrates the place as a transport conduit and a significant linear feature in the landscape. The formation has the potential to be understood as a place demonstrating the role of engineering through traversing the difficult terrain in a manner that minimized cost in construction. The rail formation is a significant element in the cultural landscape as it negotiates the undulating farmland, the foothills, steep gullies and mountainsides and the ridge lines of the Otways. The features associated with the construction, operation and associated industry have research potential, whether they were able to be identified in 2012, 2003 or not located.

The steep gradients, tight curves, narrow cuttings, embankments, and remains of closely spaced stations and sidings are substantial tangible reminders of a narrow gauge mountain railway. The three remaining railway houses at Gellibrand and Beech Forest are representative of standard housing designed and constructed by the Victorian Railways.

The formation as it passes through particularly steep sections has aesthetic values represented by pathway, enclosure and grandeur as it traverses the mountains. The formation in the foothills, where visible, represents a subtle linear landscape feature.

The Colac-Beech Forest-Crowes railway line is an outstanding engineering feat, demonstrating a skilled design utilising relatively few bridges, a large number of curved cuttings and embankments and a uniform and workable gradient of 1 in 30, achieved in difficult terrain and constructed in the wettest area of Victoria.

The extent of community attachment to the line has not been assessed, however the large number of historical books and brochures, and the community support for the rail trail is evidence of on-going commitment to the interpretation of the line.

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## **4.6 Comparative analysis**

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system, and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at a time of tight public finance. There were four narrow gauge state railways built in Victoria from 1899 to 1911 to serve remote and mountainous locations. Of these four, the two from Ferntree Gully to Gembrook and Moe to Walhalla have been compromised in various ways.

The Gembrook line has been built over from Ferntree Gully to Belgrave and from there to Gembrook it has been regraded in parts and a modern tourist railway put on top of it. The station sites and other features have been reconstructed to suit modern conditions and do not faithfully resemble the original facilities.

Heritage protection is afforded to the Emerald to Gembrook (Puffing Billy) railway through a Victorian Heritage Register (VHR) listing for the locomotives and rolling stock and Heritage Overlays on several trestle bridges.

The Moe to Walhalla line has been built over in parts, some sections put under water. It has a modern railway built on top at the terminus end. The railway is on the Victorian Heritage Inventory (VHI) and several trestle bridges are on the VHR.

Wangaratta to Whitfield was substantially intact as a roadbed in 2003 although the rails have been lifted. The Whitfield line was intended to extend to Tolmie as a mountain railway but this section was never built. The railway has no heritage listing.

Other engineering works in linear form that can be compared with the railway include road building, such as the National Heritage listed Great Ocean Road and the Yan Yean and Maroondah water supply systems with their lengths of aqueducts and associated water infrastructure. Both these systems have been assessed to be of state significance.

## **4.7 Summary**

The Colac-Beech Forest- Crowes railway has heritage significance at the local and state level for its historic, aesthetic and technical values. These are embodied in the alignment, the formation, the above ground features and the archaeological potential of the place. The whole railway alignment has historical value as a linear corridor documented in a range of maps and through cadastral boundaries.

The evidence of the formation is strong from Colac to Beech Forest, however from Beech Forest to Crowes it has been disturbed by roads, namely the Colac-Beech Forest road and Colac-Lavers Hill road, driveways or the rail trail. The surveyed above-ground features represent a small number of former sites, as much of the original railway infrastructure has been removed.

The whole alignment has archaeological potential although this is clearly stronger in sections that have been less disturbed. It is highly probable that there are other archaeological or heritage sites concealed by vegetation or situated some distance from the railway line.

The Colac-Beech Forest-Crowes railway has heritage significance at the State level as a linear corridor. The whole railway line also has archaeological value. The remaining sites have either heritage or archaeological value through their association with and relationship to the railway.

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## CHAPTER 5 KEY FINDINGS AND RECOMMENDATIONS

### 5.1 Introduction

The Colac-Beech Forest-Crowes railway has been assessed to be of state significance. What is significant about a place determines how to manage it and what changes might be appropriate. However it is an important principle of heritage practice that significance is assessed separately from considerations of management.

Managing a place and conserving its heritage values may involve several statutory and non-statutory tools and methods. Recommendations for the Colac-Beech Forest-Crowes railway have been framed to reflect the significance of the place as a whole linear corridor (alignment and formation) and the individual related sites within it. They include both statutory and non-statutory recommendations.

### 5.2 Key findings

This heritage assessment of the Colac-Beech Forest-Crowes railway provides an understanding of the extent and location of places and systems of cultural heritage significance as surveyed in 2012. This will enable Colac Otway Shire and Heritage Victoria to make informed decisions in consultation with other key stakeholders about how the heritage assets are to be protected and managed for future generations.

The following statutory recommendations are made for the railway.

**Table 9. Recommended for a Heritage Overlay**

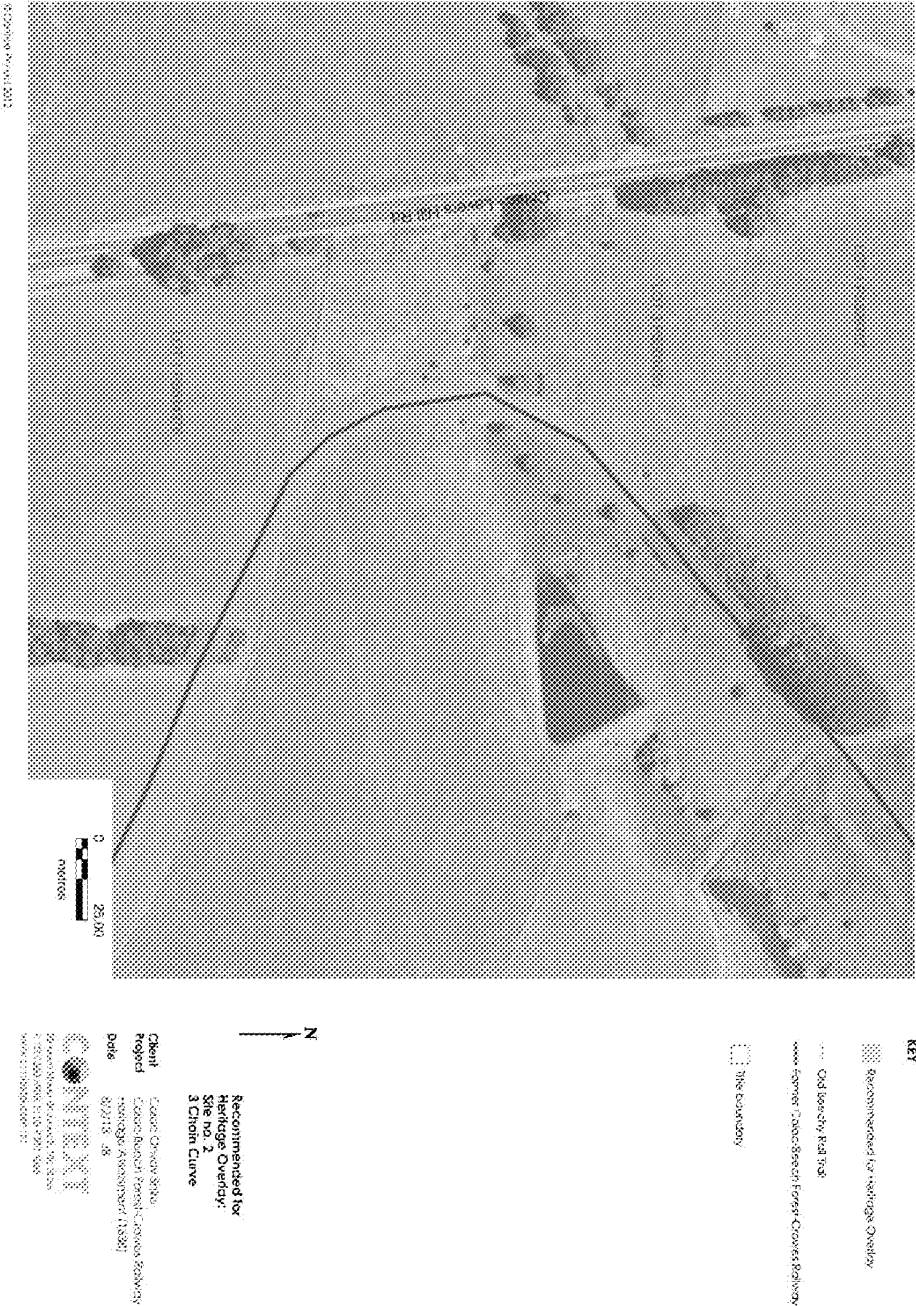
| Site number on map. | Place                                 | Location   | Easting | Northing |
|---------------------|---------------------------------------|------------|---------|----------|
| 1                   | Former railway dam                    | Section 1  | 727009  | 5749826  |
| 2                   | 3 chain curve                         | Section 1  | 725891  | 5748946  |
| 4                   | 101 mile post                         | Section 2  | 726456  | 5745008  |
| 5                   | 103 mile post                         | Section 3  | 727890  | 5742637  |
| 10                  | 106 mile post                         | Section 4  | 726901  | 5739650  |
| 15                  | Dinmont water tank                    | Section 6  | 723305  | 5723131  |
| 18                  | Cordyline tree at Crowes station site | Section 11 | 705922  | 5715023  |
| 19                  | Crowes station and environs           | Section 11 | 705794  | 5714834  |

*See individual proposed HO places below and HERMES citations at Appendix 5.*

Map 3. Recommended for Heritage Overlay - Site No. 1. Former railway dam



Map 4. Recommended for Heritage Overlay - Site No. 2. 3 Chain curve

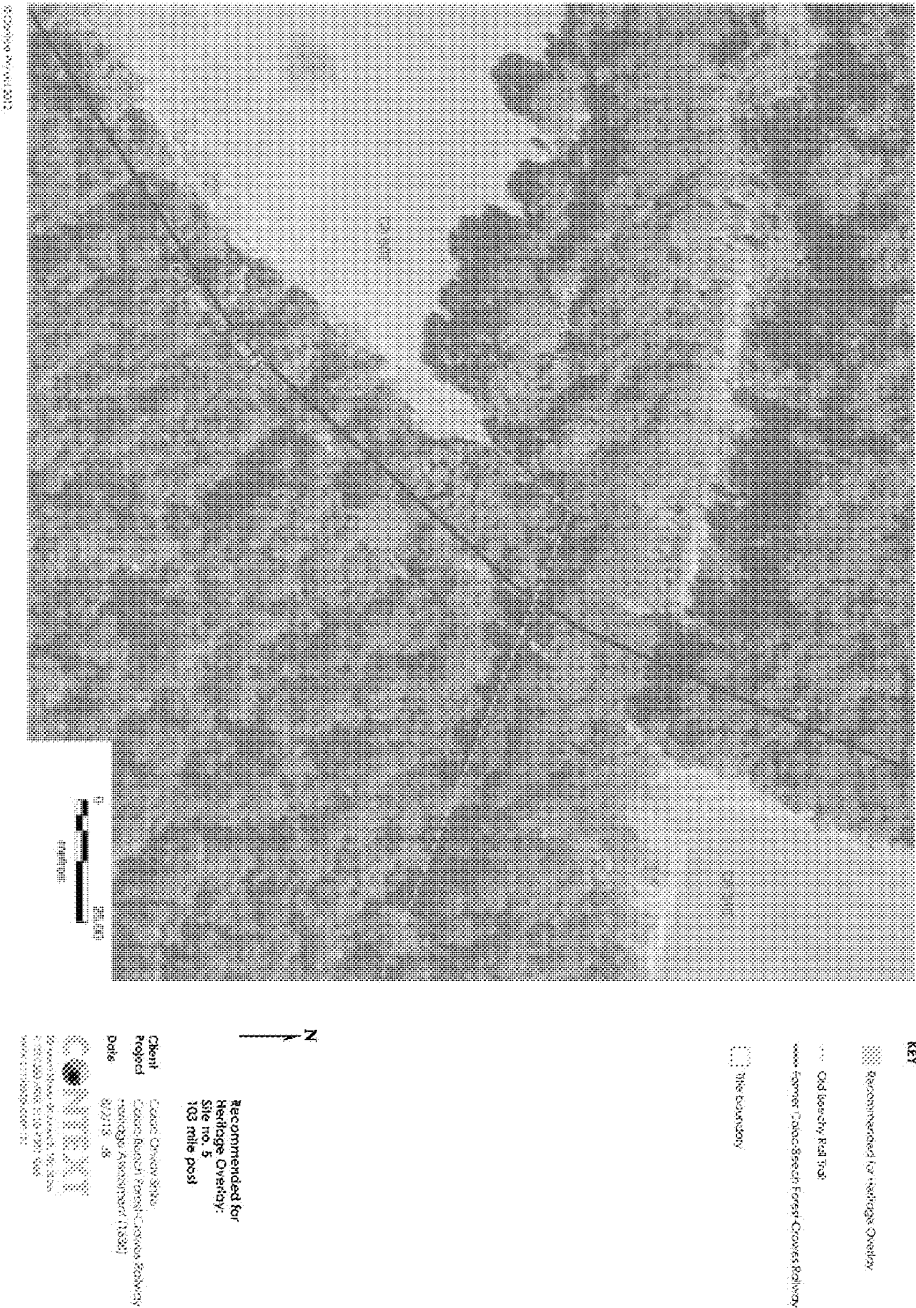


Map 5. Recommended for Heritage Overlay - Site No. 4. 101 mile post

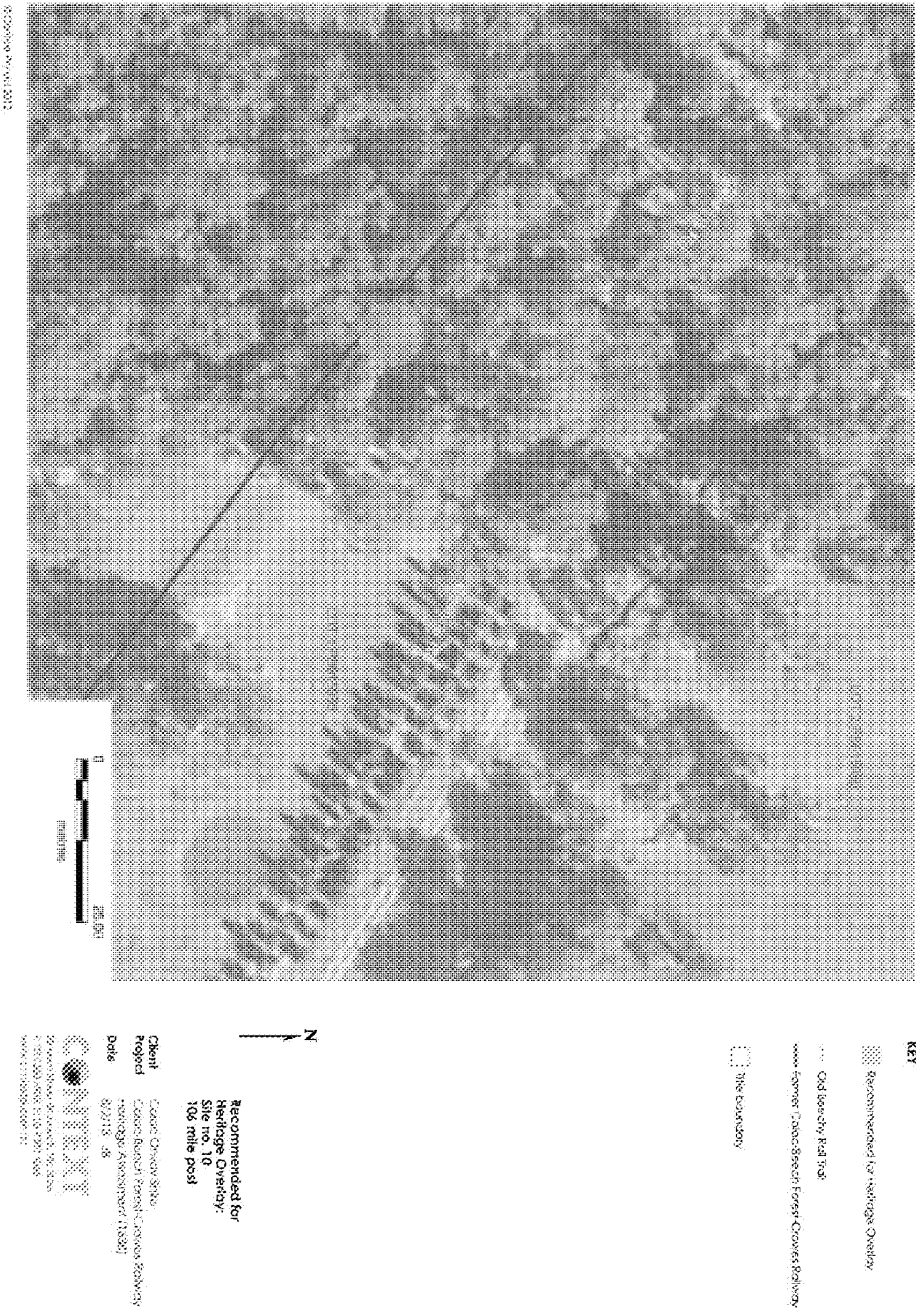


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Map 6. Recommended for Heritage Overlay - Site No.5. 103 mile post



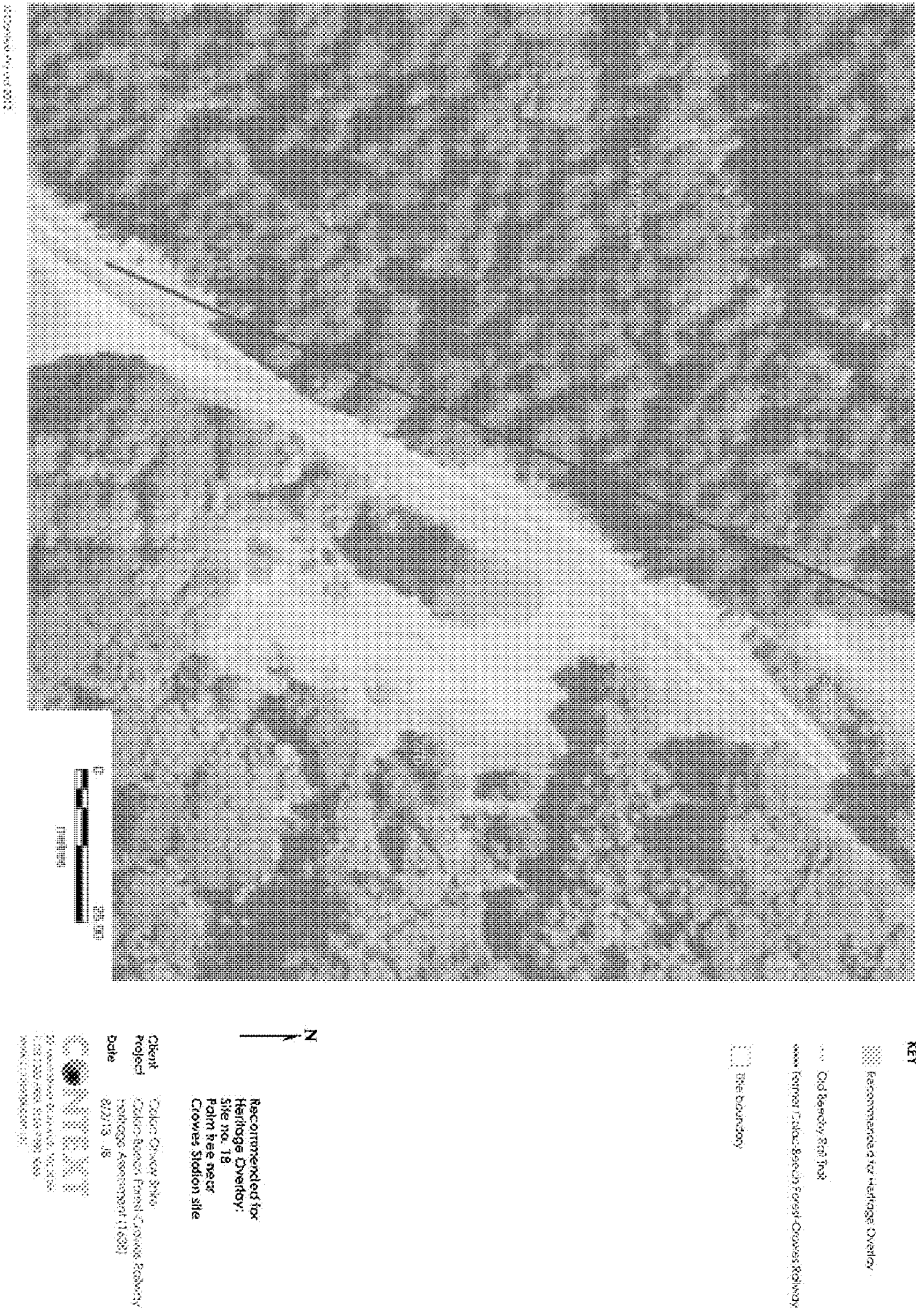
Map 7. Recommended for Heritage Overlay - Site No. 10. 106 mile post



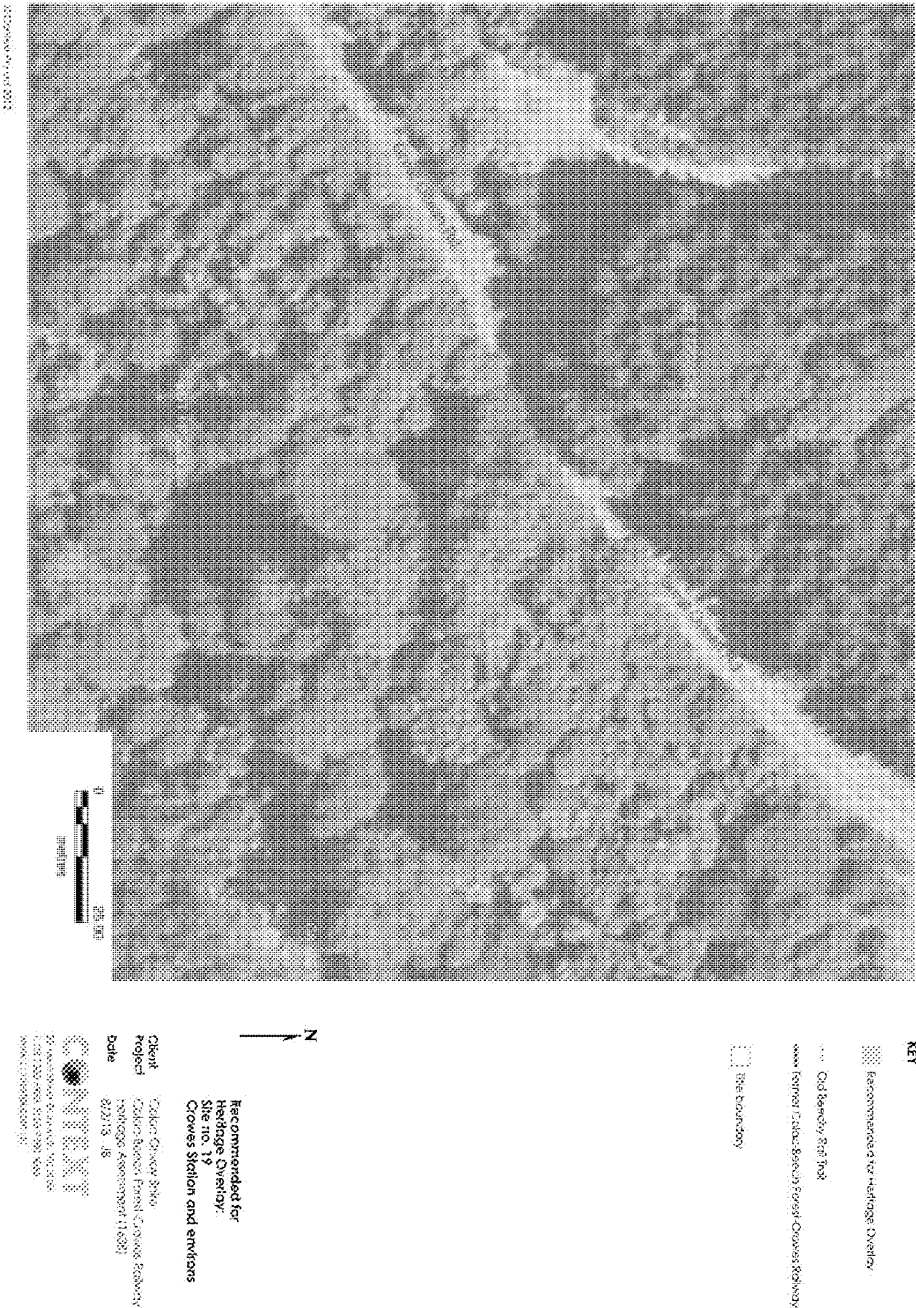
**Map 8. Recommended for Heritage Overlay - Site No. 15. Dimmont water tank**



Map 9. Recommended for Heritage Overlay - Site No. 18. Cordyline tree at Crowes station site



Map 10. Recommended for Heritage Overlay - Site No. 19. Crowes station and environs



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**Recommended for the Victorian Heritage Inventory**

Heritage Victoria Site Cards have been submitted for all archaeological places recording during field work for this study. At this point in time, Heritage Victoria have yet to inform Context of their recommendations.

**Table 10. Recommended for VHI**

| Site number on map | Place                                                                                        | Location   | Easting | Northing |
|--------------------|----------------------------------------------------------------------------------------------|------------|---------|----------|
|                    | Colac-Beech Forest-Crowes railway alignment and formation with individual sites listed below |            |         |          |
| 3                  | Earthenware culvert                                                                          | Section 2  | 726509  | 5746457  |
| 6                  | Borrow pit                                                                                   | Section 3  | 726375  | 5742308  |
| 7                  | Concrete culvert                                                                             | Section 3  | 725910  | 5742220  |
| 8                  | Remains of Barongarook water tank                                                            | Section 3  | 726265  | 5740784  |
| 9                  | Boiler ash heaps at Barongarook water tank                                                   | Section 3  | 726265  | 5740784  |
| 11                 | Bridge                                                                                       | Section 4  | 726143  | 5737543  |
| 12                 | Remains of 5 span timber bridge                                                              | Section 6  | 721450  | 5730250  |
| 13                 | Remains of overhead bridge                                                                   | Section 6  | 723100  | 5725150  |
| 14                 | Remnant telephone post                                                                       | Section 6  | 723404  | 5722980  |
| 16                 | Water race and collection weir                                                               | Section 8  | 723150  | 5720750  |
| 17                 | Rails at bypassed road crossing                                                              | Section 10 | 706798  | 5715328  |

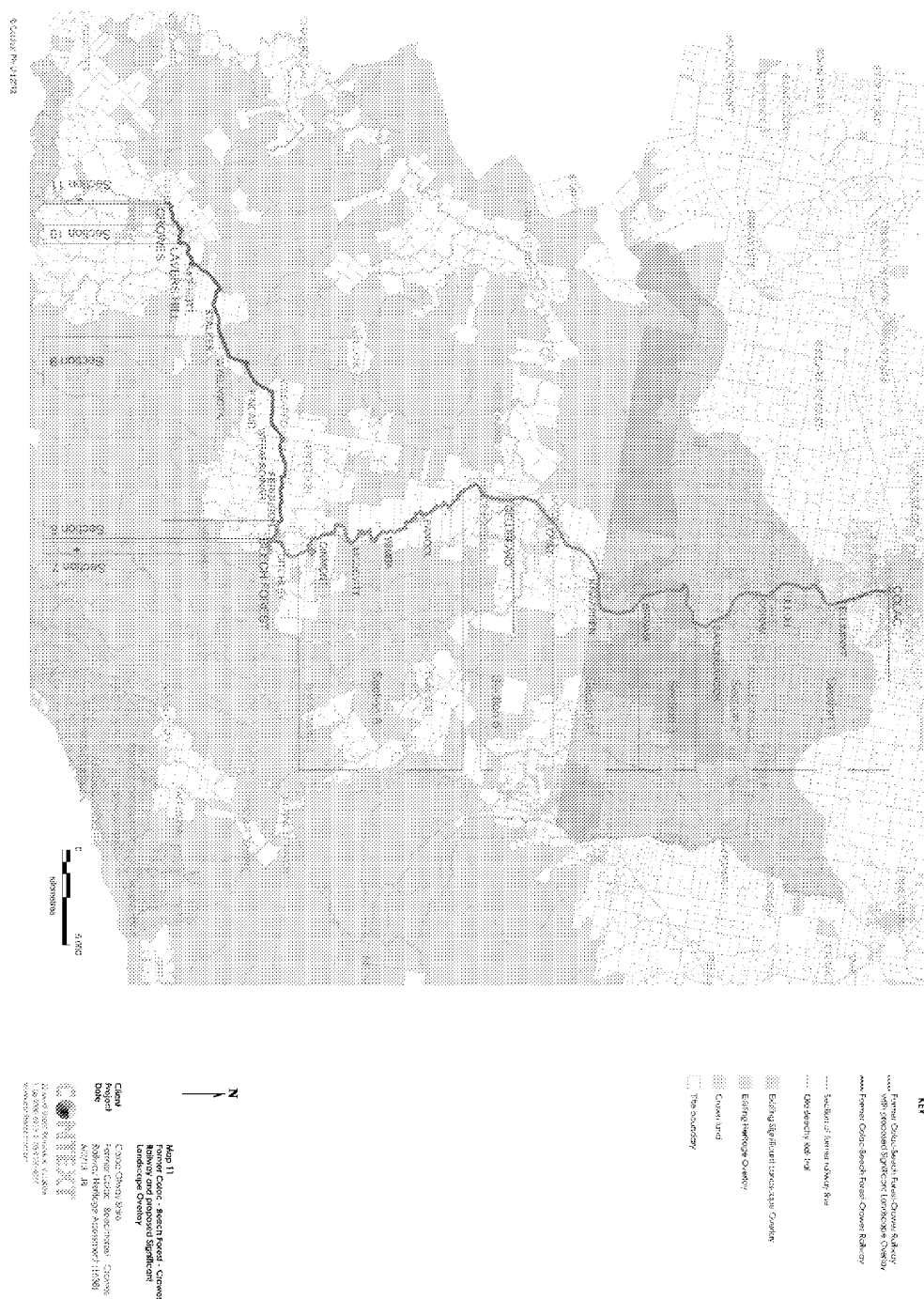
**Recommended for a Significant Landscape Overlay**

**Table 11. Recommended for SLO**

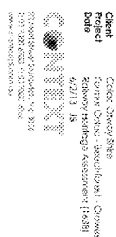
| Place                                              | Location                                                                                                                                                                                               |
|----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Colac Beech Forest railway alignment and formation | To the extent of the railway alignment between Harris Road, Elliminyt (southern side of Harris Road) to where the rail formation ends at the water race and collection weir, 700m west of Beech Forest |

See proposed additional HO places and proposed SLO coverage below.

**Map 11. Proposed Significant Landscape Overlay coverage**



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## 5.3 Recommendations

### 5.3.1 Local Planning Policies

The heritage value of the railway should be acknowledged in the Municipal Strategic Statement and the Local Planning Policies of the Colac Otway Planning Scheme. It is recommended that specific reference to the Colac-Beech Forest-Crowes Railway is added to the Local Planning Policies 22.01 Heritage Places and Areas, but could also be added to 21.04 Economic Development and Tourism. This would recognise the importance of the role of the Old Beechy Rail Trail in terms of both heritage and tourism.

Section 22.01 should include an additional clause 22.01-16

*The Colac- Beech Forest – Crowes railway Statement of significance*

The text from this heritage assessment *Why is it significant?* should be inserted.

#### List of sites

**Table 12. Items on HO**

| HO Reference                 | Items on Heritage Overlay (HO)                      |
|------------------------------|-----------------------------------------------------|
| Already on HO (HO68)         | Railway turning loop, Beech Forest                  |
| Already on HO (HO69)         | Railway workers house, Beech Forest                 |
| Already on HO (HO198)        | Railway workers houses, Gellibrand                  |
| Already on HO (HO121)        | Colac railway station 102a Gellibrand Street Colac  |
| Already on HO (HO122)        | Colac railway turning circle 102a Gellibrand Street |
| Proposed for inclusion on HO | Former railway dam                                  |
| Proposed for inclusion on HO | 3 chain curve                                       |
| Proposed for inclusion on HO | 101 mile post                                       |
| Proposed for inclusion on HO | 103 mile post                                       |
| Proposed for inclusion on HO | 106 mile post                                       |
| Proposed for inclusion on HO | Dinmont water tank                                  |
| Proposed for inclusion on HO | Cordyline tree at Crowes station site               |
| Proposed for inclusion on HO | Crowes station and environs                         |

#### Policy

Some recommendations for policy include:

- Referencing this document *Former Colac Beech Forest Crowes Railway Heritage Assessment*, Context 2012.
- Encouraging the conservation of the railway formation and the sites either within or associated with it.
- Discouraging development that might affect the listed sites and the historic character of the railway formation.

### 5.3.2 Heritage Overlay

Places recommended for a Heritage Overlay are all those sites that were able to be located, are assessed to be of local significance and are heritage places rather than archaeological sites.

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The places recommended for a Heritage Overlay are generally small sites, with the exception of three sites that are larger in scale.

- Former railway dam
- 3 chain bend
- Crowes Railway Station

For small sites (such as mile posts) it is recommended that mapping with a polygon gives a minimum 5.0m clear of the outer extremities of the remains (see individual proposed HO maps above).

It is recommended that the 8 places in Table 9 be added to the Schedule heritage of the Colac Otway Planning Scheme.

**Table 13. Schedule to the Heritage Overlay exemptions**

| Heritage place                        | External paint controls apply? | Tree controls apply? | Outbuildings or fences which are not exempt? | Included on the VHR? | Prohibited uses may be permitted? |
|---------------------------------------|--------------------------------|----------------------|----------------------------------------------|----------------------|-----------------------------------|
| Former railway dam                    | No                             | No                   | No                                           | No                   | No                                |
| 3 chain curve                         | No                             | No                   | No                                           | No                   | No                                |
| 101 mile post                         | Yes                            | No                   | No                                           | No                   | No                                |
| 103 mile post                         | Yes                            | No                   | No                                           | No                   | No                                |
| 106 mile post                         | Yes                            | No                   | No                                           | No                   | No                                |
| Dinmont water tank                    | No                             | No                   | No                                           | No                   | No                                |
| Cordylone tree at Crowes station site | No                             | Yes                  | No                                           | No                   | No                                |
| Crowes station and environs           | No                             | No                   | No                                           | No                   | No                                |

### 5.3.3 Victorian Heritage Inventory

Under Section 121 of the *Heritage Act 1995*, the Heritage Inventory records all places or objects identified as historic archaeological sites, areas or relics, all known areas where archaeological relics are located, all known occurrences of archaeological relics and all persons known to be holding private collections of artefacts.

Under Section 127 of the *Heritage Act 1995*, it is an offence to damage or disturb an archaeological site or relic, irrespective of whether it is listed on the Heritage Inventory or Heritage Register.

### 5.3.4 Significant Landscape Overlay

The *Planning and Environment Act* provides for the protection of landscape through one of four overlays including:

- Vegetation Protection Overlay (VPO)
- Environmental Significance Overlay (ESO)
- Heritage Overlay (HO)
- Significant Landscape Overlay (SLO)

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The ESO and VPO are primarily for the protection of vegetation and are therefore not considered to be appropriate controls for the railway.

The Victorian Planning Provisions (VPP) Practice Notes provide advice on the application of the four different overlays. Choosing the correct overlay requires the following questions to be asked and answered:

- What is to be protected?
- Why is it being protected?
- How should it be protected?

The objective for the whole railway formation, in addition to the individual sites associated with it, is to protect its historic values and landscape character. The railway formation has heritage values as represented through this assessment, and contributes to landscape character. A Heritage Overlay would protect the whole railway alignment, in addition to the individual sites, however the material evidence of the railway remains largely through its earthworks (mounds, roadbed and cuttings), and there is little tangible material to conserve (no sleepers or rails). The objective of conservation is to avoid further disturbance of the formation through the inappropriate placement of buildings, works or roadways on or adjacent to it. The SLO allows for the protection of landscape features, whilst also allowing for a wide range of permit exemptions, and is a planning control that will achieve a similar objective to the HO.

**Amendment to SLO1**

It is recommended that a Significant Landscape Overlay be applied to the railway formation from Harris Road, Elliminyt (southern side of Harris Road) to where the rail formation ends at the water race and collection weir, 700m west of Beech Forest (E723150 N5720570). This section represents the best evidence of the formation in the landscape. Elliminyt to Kewarren is already covered by SLO1 (Valleys, Hills and Plains Landscape Precinct), however it is recommended that a specific SLO be drafted with the objective of conserving the railway formation.

One way of achieving this may be to excise the railway alignment from SLO1, putting it in a new SLO6 which contains all of the landscape character objectives of SLO1 plus some additional objectives on conserving the formation. The objective of the new SLO would be to manage new buildings and works on or near the formation.

Schedule 1 to the Significant Landscape Overlay (SLO1) Valleys, Hills and Plains Landscape Precinct could have an additional point added to Section 2.0, *Landscape character objective to be achieved*.

- To protect the extant railway formation of the Colac-Beech Forest-Crowes Railway.

Under Section 4.0, *Application requirements*, an additional point should be added to *An application is required to demonstrate the following*:

- Buildings and works on or adjacent to the railway formation are to be avoided.

The Decision Guidelines (Section 5.0) already provide suitable guidelines that the Responsible Authority must consider before deciding on an application. These are:

- The siting, design, dimensions and materials to be used in any buildings
- The visibility of proposed buildings or works to the surrounding area or within significant views.

It is considered that these are appropriate controls to achieve the desired objective.

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### **5.3.5 Victorian Heritage Register**

The Victorian *Heritage Act 1995* is administered by Heritage Victoria and is the Victorian Government's key piece of cultural heritage legislation.

The Act identifies and protects heritage places and objects that are of significance to the State of Victoria, including;

- Historic archaeological sites and artefacts
- Historic buildings, gardens, structures and precincts
- Gardens, trees and cemeteries
- Cultural landscapes
- Shipwrecks and relics
- Significant objects

The finding of state significance arising from this assessment also raises a number of management issues as a result of statutory listings and for other reasons, which would need to be addressed by any future conservation policy developed as part of a heritage management plan for the railway.

Nomination to the Victorian Heritage Register would provide statutory protection to the entire railway, however it does not give guidance on management except through the mechanism of permit requirements and exemptions that would need to be developed as part of such a nomination.

Recommendation to the Victorian Heritage Register is a logical consequence of a place being recognized of state significance, and is an important recognition of the significance of the railway; however protection of the heritage values of the place may be achieved through local planning policy and the application of overlays.

Consequently it is recommended that a nomination to the Victorian Heritage Register is a longer term aspiration.

## **5.4 Other recommendations**

Organisations and individual land holders also play an important role in looking after places of heritage value. Much can be achieved through local awareness, action and guidelines. The alignment of the railway passes through both public and private land in a variety of tenure arrangements.

Part of the study area is Crown Land under the management of the Department of Sustainability and Environment (DSE). Public land management guidelines have been produced by the Department's Historic Places Branch and these include the following considerations for the protection of sites (DSE, 2010):

- Non-disturbance of sites
- The use of zones and buffers that take in all the elements of the landscape
- Protection of historic landscape where there is a series of connected sites or where the context is important
- Interpretation and recording

Similar guidelines could be developed as a code of practice for other landholders along the railway alignment

Communication and education about managing the heritage values of the railway can assist in letting all landholders know about this important heritage asset. Organisations such as Friends of the Old Beechy Line, local and railway historical societies can play roles in this regard.

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In some sections of the railway, maps and plans are now the only evidence of what was there. They are invaluable documents in the understanding of the railway and they are important public records of changes that have taken place in cadastral boundaries. Any documentary records should be placed in a publically accessible archive.

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## APPENDIX 1

### Summary of development

The below table summarises the development of the Colac-Beech Forest-Crowes railway line.

**Table 14. Development of the Colac-Beech Forest-Crowes railway line**

| Date      | Event                                                                                             |
|-----------|---------------------------------------------------------------------------------------------------|
| 1900-1902 | 47.7km of railway were laid between Colac and Beech Forest                                        |
| 1901      | Barongarook Water Ballast Sliding                                                                 |
| 1902      | Coram opened                                                                                      |
| 1902      | Barongarook and Barongarook Water (1) opened                                                      |
| 1902      | Lovat opened                                                                                      |
| 1902      | Gellibrand opened                                                                                 |
| 1902      | Banool opened                                                                                     |
| 1902      | Wimba opened                                                                                      |
| 1901      | Dinmont opened                                                                                    |
| 1902      | Kawarren opened                                                                                   |
| 1904      | McDevitt 1 opened                                                                                 |
| 1906      | Ditchley opened                                                                                   |
| 1907      | Tulloh opened                                                                                     |
| 1909-1911 | 22.5km railway extension to Crowes. Crowes opened in 1911                                         |
| 1910-1911 | Horseshoe curve built at Lavers Hill                                                              |
| 1911      | Ferguson opened                                                                                   |
| 1911      | Weeaprounah opened                                                                                |
| 1911      | Kincaid opened                                                                                    |
| 1911      | Wyelangta                                                                                         |
| 1911      | Stalker opened                                                                                    |
| 1911      | Lavers Hill opened                                                                                |
| 1913      | Buchanan opened                                                                                   |
| 1921      | McDivitt 2 opened                                                                                 |
| 1926      | Elliminyt opened                                                                                  |
| 1902-1925 | Railway was predominantly a timer line – moving timber out of the Otway's                         |
| 1926      | Birnam station opened                                                                             |
| 1962      | Colac-Beech Forest-Crowes line closed                                                             |
| 1963      | Rail line and associated features start to be removed by Ballarat contractor Littlehales and Sons |

## APPENDIX 2

### Previous assessment of significance

This assessment is taken from:

Norman Houghton, 2003, *Colac-Beech Forest-Crowes Railway Conservation Management Plan*, pp 17-22.

#### Analysis

The site is significant for the following reasons:

- It is Victoria's sole surviving relatively intact example of a developmental narrow gauge mountain railway designed to bring communication to a remote region
- Of the former VR narrow gauge railways it retains the most complex suite of features in regards to operating systems, complexity of construction and route selection
- It is the most representative exemplar of a railway as an economic developer and community builder to the Colac and South West Region
- The rail route contains physical evidence from the past that provides solid evidence on important elements of human settlement. This evidence can add to our existing understanding of the past that is currently, and almost exclusively, derived from the documentary record.

#### What is significant?

##### *The Formation as Fabric*

The surviving formation of the former Colac-Beech Forest-Crowes railway with its roadbed, earth works and associated features is the evidence of how a systematic and uniformly graded penetration of a rugged landscape could be achieved using what was then a light weight railway for heavy haulage. The man-made land forms demonstrate the use made of on site materials via pick and shovel construction techniques to put together existing formation. The small number of bridges on the railway shows the primacy of land-cut-and-fill as a construction technique.

The extant fabric represents the state of the railway as at its closure in 1962 following the removal of rails and this fabric is the basis for assessing its significance.

The existing formation runs from Colac railway yard, with some gaps, to just past Devitt Bros Sliding, near Beech Forest and three sections along the Otway Ridge at Buchanan, near Kincaid and at Lavers Hills. There are also several specific features and relics outside the immediate surviving formation.

The existing formation can be divided into several representative sections reflecting the terrain passed over and demonstrating how to secure a workable gradient. The extant sections are as follows:

1. From Colac railway yard, south side, Colac to Shorts Road, Barongarook – this section demonstrates an existing formation in foothill terrain
2. From Shorts Road, Barongarook to Maggios, Barongarook – this section demonstrates the long and low cuttings and embankments required to surmount a low divide
3. From Maggios, Barongarook to Cashins Road, Birnam – this section demonstrates the lead into, the passage through and the lead out of a mountain section. This section is the longest and largest cutting and embankment anywhere on the railway
4. From Cashins Road, Birnam to Lovat at E762077 N231355 where the main road intersects and obliterates the existing formations – this section demonstrates a streamside parallel route

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5. From the south side of the Gellibrand caravan park for 2.2 km to E76200 N205310 – this section demonstrates the foothill lead into a mountainous section via rises and short plateaux
6. From E762044 N205310 to immediately south of Devitt Bros Sliding at E762044 N240222 – this section demonstrates all the characteristics of a mountain railway
7. At Beech Forest township, east end abutting the hotel -this section is the remnants of the railway yard and the reversing loop for the turning trains. Reversing loops were rare in Victoria on any gauge and this example is unique to the narrow gauge
8. At Beech Forest township, west end, from near the Public Hall and westwards for approximately 700 metres, currently a walking track – this section demonstrates the roadbed traversing a multi headed gully
9. From near Kincaid E752012 N152195 near Wyelangta E752012 N138184 – this section demonstrates a mountain railway alignment along a ridge top
10. From near Lavers Hills E752012 N078157 and westwards for 800 meters to E752012 N071156 – this section shows a south facing, multi curved alignment
11. At Crowes station and environs – the rails, infrastructure and a vegetation sample remain intact

Within the sections listed above are some specific sites and relics as follows:

12. bridge remains at 726134-263513
13. bridge remains at 726134-265508
14. bridge remains at 726134-265504
15. railway reservoir
16. sleeper in gravel road near Tulloh station site 726133-258478
17. pick marks in cutting wall near Caram
18. 101 mile post
19. sleeper impressions in low cutting near 103 mile post
20. 103 mile post
21. boiler ash heaps at Barongarook Water (2) stop
22. 106 mile post
23. bridge remains at Kwarren 762133-271378
24. bridge remains at Kwarren 762133-269376
25. Banool Ballast Sliding formation and quarry
26. bridge remains near Banool Ballast Sliding 762044-212301
27. cutting roadbed not compromised by machinery near Banool 762004-214299
28. four sleepers in road at Wimba station site
29. water collection point at Wimba
30. remains of overhead road bridge near McDevitt
31. horseshoe cutting with near vertical walls and original camber (super elevation) intact near Dinmont 762044-227242
32. railway telephone pole near Dinmont 762044-226236
33. water tank at Dinmont
34. pipeline for Dinmont water tank in roadbed near Dinmont

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- 35. pick marks in cutting wall near Devitt Bros Siding
- 36. collecting weir and race for water supply at Beech Forest
- 37. collecting weir for water supply at The Tanks
- 38. bridge remains at Lavers Hill
- 39. rails intact at bypassed road crossing near Crowes
- 40. Cordyline tree and cypress near Crowes station office site from 1916 era
- 41. in ground tank for water supply at Crowes
- 42. buffer stop as reconstructed following 1942 derailment
- 43. collecting weir for water supply in gully westwards of station site

***How is it significant?***

The existing formation of the former Colac-Beech Forest-Crowes railway is of historical, technical, economic and social significance.

***Why is it significant?***

***Discussion***

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at the time of tight public finance.

There were four narrow gauge State Railways built in Victoria from 1899 to 1911 to serve remote and mountainous locations.

Of these four, the two from Ferntree Gully to Gembrook and Moe to Walhalla have been compromised in various ways. The Gembrook line has been built over from Ferntree Gully to Belgrave and from there to Gembrook it has been regraded in parks and had a modern tourist railway put on top of it. The station sites and other features have been reconstructed to suit modern conditions and do not faithfully resemble the original facilities in many aspects.

The Moe to Walhalla line has been built over in parts, some sections put under water and has had a modern railway, complete with new bridges and rolling stock, built on top at the terminus end. This restoration has not always been sympathetic to heritage.

The other two narrow gauge lines, Wangaratta to Whitfield and Colac to Crowes, are substantially intact as roadbeds, even though the rails were lifted many years ago. The Whitfield line was intended to be a mountain railway through an extension to Tolmie but this was not built and the line remains as originally laid on the flat country to the south-east of Wangaratta.

The Colac-Beech Forest-Crowes railway was built to serve a purpose and this was to develop the hitherto unrealised economic potential of the region. Prior to the railway being built the West Otway Ranges was a burden to the Colac Shire Council that generated comparatively little rate revenue and was an area that the Shire found difficult to administer because of the lack of roads. The settlers had a trying time attempting to make a living from a difficult environment and the failure rate was high. The West Otway's were going nowhere without a railway.

Once the railway opened, the timber industry could develop and expand and provide timber to the people and the industries of Victoria and the farmers could begin producing root crops, dairy products and animal products for the regional economy. This economic activity in turn promoted the development of communities along the entire length of the line and in areas served by the line as rail-head. The communities initiated or advanced by the railway were those at Barongarook, Kwarren, Gellibrand, Banool, Beech Forest, Olangolah, Ferguson, Weeaprounah, Wyelangta, Lavers Hills, Johanna, Yuulong, Princetown, Lower Gellibrand and

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Kennedys Creek. Apollo Bay benefitted from the Beech Forest railway and its rail head from 1902 to 1927 when an alternative all weather road was opened to Beech Forest.

The Colac to Crowes railway thus has significance for its role in developing a regional economy.

In terms of Victorian railway history the Beech Forest line represents the pinnacle of the narrow gauge, mountain concept. The railway was the longer both in route, 71km, and operation, 60 years, and possessed some unusual features such as the balloon loop at Beech Forest, the working of one line in two separate divisions between 1911 and 1929 and a complete roster of locomotive workings to handle the line's traffic. In addition, the geographical settings made the line one of the most difficult on the Victorian Railway's system, e.g. of the first 48km of track between Colac and Beech Forest only nine were straight, more than 150 curves were sited on the 19km section between Gellibrand and Beech Forest and of these curves 60 were either 60, 50 or 40 metres radius. 1 in 30 was the ruling gradient and much of the line was laid in the region of the State's wettest area shown by Weeaprainah's average rainfall of 2040mm.

***Rationale***

The Colac to Crowes line is Victoria's sole surviving relatively intact example of a narrow gauge, mountain railway designed to bring rail communication to a remote region and facilitate economic development. The main features of the railway amply demonstrate the narrow gauge, the steep gradients, the many tight curves, the numerous embankments and cuttings and the closely spaced stations en-route, with their rudimentary facilities. The evidence is substantial and tangible.

***Significance of components***

Colac-Beech Forest-Crowes railway surviving formation and associated sites meet the following criteria for Assessment of Cultural Heritage Significance as adopted by the Heritage Council of Victoria.

***Criterion A***

The historical importance, association with or relationship to Victoria's history of the place or object.

***Rationale***

The Colac-Beech Forest-Crowes railway surviving formation has associations with the brief era of Victorian Railways narrow gauge construction and with its facilitation of economic development in an environment from 1902 to 1940 when roads did not always provide an all-weather solution to the transportation problems of the district.

The existing formation is the sole surviving, relatively intact example of the narrow gauge mountain railway concept, which was a time specific response to an engineering problem in an otherwise Victoria-based broad gauge rail system.

The existing formation is the pre-eminent surviving example of a narrow gauge mountain railway built to the contemporary standards of the Victorian Railways and designed to achieve a uniform and workable gradient in difficult terrain.

The existing formation demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads and tracks that it was the only safe, all weather form of access to the Otway Ranges and, as a consequence, was the economic and social lifeline for the mud-bound settlers and industries for several decades.

***Criterion C***

The place of object's potential to educate, illustrate or provide further scientific investigation in relation to Victoria's cultural heritage.

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***Rationale***

The Colac-Beech Forest-Crowes railway existing formation is the most accessible, safely approached, easily visible and experiential place of all the narrow gauge mountain railways built in Victoria.

The site is recommended for consideration of LOCAL significance under the Colac Otway Shire Planning Scheme.

The site is recommended for consideration of STATE significance in the Victorian Heritage Register.

***Archaeological significance***

The site has significance in archaeological terms.

Archaeology is the study of physical evidence from the past. As archaeological site can include below ground features such as building foundations, wells, weirs, fence posts, poles, machinery foundations and remains and artefacts. Archaeological sites provide solid evidence of important elements of human settlement and activity and can provide confirmation to the documentary record or new insights into existing perceptions and opinions.

Archaeological investigation can tell us about the way people lived, what techniques and processes were used in domestic, agricultural, industrial and commercial activities. It is important from a cultural viewpoint that sites of human activity deemed to be of archaeological value not be disturbed before an archaeological investigation is undertaken lest important evidence be destroyed, disturbed or displaced. The original context is very important to archaeology.

There are several sites of archaeological value along the existing formation and these are:

- Sleeper imprints and mount in undisturbed state at Barongarook
- Boiler ash heaps at Barongarook Water stop
- Cutting roadbed not compromised by machinery at Banool
- Cutting with original camber intact near Dinmont
- Railway telephone pole near Dinmont
- Boiler ash deposits at The Tanks
- Cordyline tree and cypress tree near Crowes station office

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## APPENDIX 3

### Notice of intent to survey



Department of Planning  
and Community Development

Ref #: 10041348-04

14 September 2012

Louise Holt  
Context Pty Ltd  
22 Merril Street  
Brunswick Vic 3056

Heritage Victoria  
PO Box 2392  
Melbourne 3001  
Telephone (03) 9208 3333  
Archaeology.Admin@dpcd.vic.gov.au

Dear Ms Holt

**FORMER COLAC, BEECH FOREST AND CROWES RAILWAY**

Thank you for forwarding the completed Archaeological Survey Notification form regarding the above location.

**Archaeology Report number 4201 has been allocated for this project. This report is required within 1 year of the date of completion of the survey.** Please ensure that the Archaeology Report number is referenced in the report.

In accordance with Section 131(1)(b) of the *Heritage Act 1995*, all site documentation collected during an archaeological survey, including those commissioned for Aboriginal cultural heritage investigations, must be provided to this office. Site documentation includes any required Heritage Inventory Site Cards, and an Archaeology Report. This information is essential in the appropriate management of Victoria's historical archaeological resource.

A report must be submitted even in cases where no historical archaeological sites or relics have been located during the course of the survey.

Heritage Victoria's *Guidelines for Conducting Historical Archaeological Surveys* provides details on the statutory processes and required documentation. Any incomplete or inaccurate documentation will be returned for appropriate completion.

Should you have any queries or require any further assistance please contact the Archaeology Team at [archaeology.admin@dpcd.vic.gov.au](mailto:archaeology.admin@dpcd.vic.gov.au) or 9208 3409.

Yours sincerely

Brandi Bugh  
Heritage Officer (Archaeology)  
HERITAGE VICTORIA

Any personal information about you or a third party in your correspondence will be collected, held, managed, used, disclosed or transferred in accordance with the provisions of the Information Privacy Act 2000 (Vic) and applicable laws. Enquiries about access to information about you held by the Department should be directed to the Privacy Officer, Department of Planning and Community Development, PO Box 2392, Melbourne, VIC 3001.

Notwithstanding the above, please note that information provided to enable the administration of the Heritage Act 1995 may be disclosed to persons with an interest in the heritage place or object particularly, and information provided as part of a permit application may be made available on-line where the application has been publicly advertised under section 65 of the Heritage Act 1995.

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## **APPENDIX 4**

### **Council letter to homeowners**

Our Ref: F12/6606  
Contact: Gemma Browning

19 November 2012

[Name]  
[Company/Title]  
[Street Address]  
[City] [State] [Postcode]

Dear [Name],

Context Heritage Consultants have been engaged by Council to investigate the heritage value of the former railway from Colac to Crowes. The intent of the investigation is to compile a thorough record of the surviving heritage assets and to ascertain if any remaining features are archaeologically significant.

Surveying the line in its entirety will ensure a more thorough investigation and a better outcome for the project. As a result consultants are seeking access to all areas of the former rail line, including privately owned sections. As you may be aware, a section of the former rail line intersects with your property and in order for the consultants to assess the rail formation in its entirety they would like access to your property.

Council is very interested in identifying any remaining heritage values along this key historical asset of our community and is seeking your support in undertaking this important work.

It would be appreciated if you could provide your phone contact details along with your preferred site visit date to Gemma Browning, Strategic Planner, from Colac Otway Shire Council by email [gemma.browning@colacotway.vic.gov.au](mailto:gemma.browning@colacotway.vic.gov.au) or telephone 5232 9513. Your details will then be passed through to the consultants who will contact you directly to organise a time and any access issues.

The consultants are available for site visits on the following dates:  
• 3 and 4 December 2012

If you have any queries concerning this matter please contact Gemma using the above contact details.

Yours sincerely

Jack Green  
General Manager, Sustainable Planning & Development

FORMER COLAC-BEECH FOREST-CROWES RAILWAY HERITAGE ASSESSMENT

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## **APPENDIX 5**

### **HERMES Citations**



## HERITAGE CITATION REPORT

**Name** Dinmont water tank, as part of the former Colac-Beech Forest-Crowes railway  
**Address** BEECH FOREST  
**Place Type** Other - Transport - Rail  
**Citation Date** 2013



Dinmont water tank

**Recommended** VHR No HI No PS Yes  
**Heritage Protection**

## History and Historical Context

### Thematic history

A series of land acts were passed in the 1860s in an attempt to create small farm holdings, whilst at the same time recognising the pioneering efforts of the squatters. Under the first land act, the 1860 Land Sales Act, three million acres were surveyed into allotments of between 80 to 640 acres. No person could select more than 640 acres annually, and the land had to be paid for outright, or half paid and half leased. Subsequently more land was made available for selection under the *Land Act* (1862) and the *Amendment Act* (1865). Then in 1869, most land - including unsurveyed land - became available for selection under the *Land Act* (Sheehan, 2003:19).

The Otway Ranges, in south west Victoria, were first opened to agricultural selection in 1884, under the *Land Act 1884*, when allotments were selected from pre survey maps prepared by the Lands Department (Minchinton 2011:2). Within ten years more than 200 allotments had been taken up (Houghton 2005:1).

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Yet it wasn't until the arrival of the railway, during the 1870s, that Victoria's isolated south western region was considered penetrable. Until this time, the Otway Ranges were virtually impassable and as such, were of little economic value. The introduction of the railway provided the first all weather, fast and reliable transport service into the area, which as Houghton noted was 'characterised by dense timber and high rainfall' (Houghton 2003:5).

The role of the Colonial government in surveying the area in 1884 and 1889 was instrumental in the change from the design of a broad gauge to a narrow gauge railway, with the resulting decrease in cost. The Beech Forest line, is therefore not the earliest nor the latest, but constructed at the peak of construction in the sparsely settled areas.

During the 1890s pressure rose to find the means to construct cheap railways to the underdeveloped parts of Victoria, as the government realised that the cost of providing communications to the outlying communities by means of railways was excessive for the small populations served. In 1894 the Parliamentary Standing Committee on Railways considered the use of narrow gauge railways. The idea was opposed by the Victorian Railways (VR) in that it would introduce a non-standard operating regime, which would without doubt incur extra costs, especially when stock had to be transferred between the two gauges.

In 1895 the Committee recommended that narrow gauge lines be only introduced in sparsely settled areas. The first of the four narrow gauge lines, between Wangaratta and Whitfield opened in March 1899. It was followed by the Upper Ferntree Gully to Gembrook line in December 1900, the Colac to Beech Forest line in March 1902 and the Moe to Walhalla in May 1910. The Colac to Beech Forest line was extended to Crowes in June 1911 (see Houghton 2003:6 and Thompson 2004:2).

An initial broad gauge line from Colac to the top of the Otway Ridge had been constructed in 1884 but it was abandoned due to the high cost in laying the broad gauge, especially in such difficult terrain. The construction of the narrow gauge railway was delayed until 1900 when the initial section between Colac to Beech Forest was developed. It was completed by March 1902, by which time some 44.7km of line had been laid. The line was extended to Crowes, some 22.5km west of Beech Forest from 1909-1911. Not only did the narrow gauge railways open up these isolated communities, they too provided a vital service for pioneer settlers, allowing food produce and people to travel into and out of the region. The Colac-Beech Forest-Crowes railway was an immediate success providing access to the forests. With this, timber could be harvested and sent out as 'palings, mining props and laths, charcoal, sleepers, posts, piles, barrel staves, furniture and carriage timbers and sawn timber for building purposes' (Houghton 2012:21).

Yet despite the use of these lines and the communities they served, the narrow gauge lines generally suffered heavy financial losses throughout their lifetimes and were closed as soon as conveniently possible (see Anchen 2012:3).

### **Colac-Beech Forest-Crowes railway history**

The former Colac-Beech Forest-Crowes railway runs for approximately 71km. From Colac Railway Station it travels in a southerly direction towards Beech Forest (48km), and then it swings towards the west until it reaches, and terminates at Crowes, a distance of 22.5km.

The railway was used as an important transport corridor for the people and industries of the West Otway Ranges at a time when road transport was primitive. The railway served the area economically for sixty years, carrying freight in and out, particularly as outwards loading of bulk commodities that provided the bulk of the revenue derived from the line. The function of the railway was also to act as a transport conduit for the wider region with railheads connecting with road transport to the coast on the other side of the Otway Ranges.

The topography of the Otways required the design of the railway formation to be a complex affair, with a climb of over 400m, traversing east-west flowing creeks on a north- south aspect and several drops into valleys. Designing the engineering solutions was challenging, with the guiding principle of minimizing earthworks in order to save cost.

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Wherever possible the route was laid over natural surface with a low earthen mound and an occasional slight cut into the high side. This is typical of the section from Colac to Elliminyt.

Construction took place in two periods of activity with the initial 48 kilometres from Colac to Beech Forest between 1900 and 1902, followed by a further 22.5 kilometres to Crowes between 1909-1911. The railway was an immediate stimulus to the development of the region through providing fast, convenient and all weather access to the region. Fifteen bridges were constructed along the entire length of the Colac-Beech Forest-Crowes line. Houghton notes that earth filled embankments were preferred on economic and maintenance grounds, with timber bridges being only used in wet areas and over the more 'substantial watercourses and very steep gullies' (Houghton 2012:14).

The line has, throughout its life had numerous changes brought about through floods, bushfires, washaways and earth-slips. Natural disasters have taken their toll on the infrastructure. Cuttings and embankments have had to be cut back or modified in response to damage, and buildings, stations and sidings needed constant maintenance and some replacement. Generally the modifications were carried out with similar materials and methods to the original construction.

Stations were built without raised platforms and were of a standard Victorian Railways portable type. Smaller stations were simply corrugated iron shelter sheds and staff housing was provided also to standard design at Barongarook, Banool, Wimba, Weeaprounah, Lavers Hill, Wyelangta, Gellibrand, Crowes and Beech Forest.

The servicing of the locomotives and the line meant that fixtures and other infrastructure were developed long its length, these included water points, coal storage, signals, concrete distance markers, stopping places and a telephone line. Water points were located at Barongarook, Gellibrand, Wimba, Dinmont, Beech Forest, Kincaid and Crowes, and these comprised weirs or pumps, concrete reservoirs, piping and elevated tanks. Further infrastructure included loco sheds, located at Beech Forest and a coal storage, located at Beech Forest (see Houghton 2005:13 and Houghton 2012:25).

Mile posts, or distance markers, were placed along the entire length of the railway. These were constructed from concrete and painted white with black numbering. A telephone line travelled the length of the line, so that there was communication from the Colac Station Master's office all the way to Crowes. The line was carried on wooden or iron poles and was set to the side of the track. Stopping places were only marked by name boards and have no obvious remains.

By the 1950s traffic along the line had declined and the locos that travelled along its length were aged and were in constant need of repair. In November 1960 the Joint Transport Research Committee advised the Minister for Transport that the railway close in 1961. In June 1961 the Minister announced that the line was to close that year, but due to public pressure and urgent road building works, the line stayed open until 1961. It finally closed on 30 June 1962 (see Downs 1963:99 and Houghton 2003:10).

Parliament passed a Bill in November 1963 authorising the dismantling of the Colac-Beech Forest-Crowes railway line. By December 1963 the points at every siding and station had been removed and a tender advertised for the purchase and removal of all the buildings. Ballarat contractor Littlehales and Sons won the tender.

Houghton notes that the rails were first lifted from Weeaprounah, and the removal progressed towards Colac (Houghton 2012:41). The rails were purchased by the Otway Shire Council for engineering purposes. A major rebuild and realignment of the ridge road in the 1970s removed what remained of the railway along the ridge and over time agriculture and farming has obliterated much of the fabric and its associated embankments and cuttings. Sections have also been destroyed where the former line has been incorporated into timber plantations.

In 2000 a Friends of the Old Beechy Rail was formed with the intention of promoting the heritage attractions of the railway and opening the line up to walkers and cyclists. Together with Colac Otway Shire, the Friends worked to establish the Old Beechy Rail Trail which was opened in 2002. Since that time the rail trail has grown to become a tourist

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and economic development asset to the region.

### Place history

The servicing of the locomotives and the line meant that fixtures and other infrastructure were developed long its length, these included water points, including elevated tanks, coal storage, signals, concrete distance markers, stopping places and a telephone line. Water points were located at Barongarook, Gellibrand, Wimba, Dinmont, Beech Forest, Kincaid and Crowes, and these comprised weirs or pumps, concrete reservoirs, piping and elevated banks. Further infrastructure included loco sheds, located at Beech Forest and a coal storage, located at Beech Forest (see Houghton 2005:13 and Houghton 2012:25).

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## Description

### Physical Description

The site consists of the former Dinmont water tank. Other facilities at Dinmont included a loop siding for fifteen trucks, and passenger shelter, but these were not identified during the survey. The water tank is constructed from steel and sits atop of a steel frame, and seven cross beams. The frame is vertically braced. The frame sits atop 4 concrete footings that are raised about the ground by approximately 30 cm. The concrete footings are square, differing to the water tank foundations found at Barongarook.

A ladder is secured to the southern side of the tank, along with a pipe, to access water. The local fire service use this tank (N. Barry, pers comms, September 13th 2012).

### Recommended Management

### Other recommendations

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Organisations and individual land holders also play an important role in looking after places of heritage value. Much can be achieved through local awareness, action and guidelines. The alignment of the railway passes through both public and private land in a variety of tenure arrangements. .

Part of the study area is Crown Land under the management of the Department of Sustainability and Environment (DSE). Public land management guidelines have been produced by the Department's Historic Places Branch and these include the following considerations for the protection of sites (DSE, 2010):

- . Non-disturbance of sites
- . The use of zones and buffers that take in all the elements of the landscape
- . Protection of historic landscape where there is a series of connected sites or where the context is important
- . Interpretation and recording.

Similar guidelines could be developed as a code of practice for other landholders along the railway alignment.

Communication and education about managing the heritage values of the railway can assist in letting all landholders know about this important heritage asset. Organisations such as Friends of the Old Beechy Line, local and railway historical societies can play roles in this regard.

In some sections of the railway, maps and plans are now the only evidence of what was there. They are invaluable documents in the understanding of the railway and they are important public records of changes that have taken place in cadastral boundaries. Any documentary records should be placed in a publically accessible archive.

### Comparative Analysis

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system, and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at a time of tight public finance. There were four narrow gauge state railways built in Victoria from 1899 to 1911 to serve remote and mountainous locations. Of these four, the two from Ferntree Gully to Gembrook and Moe to Walhalla have been compromised in various ways.

The Gembrook line has been built over from Ferntree Gully to Belgrave and from there to Gembrook it has been regraded in parts and a modern tourist railway put on top of it. The station sites and other features have been reconstructed to suit modern conditions and do not faithfully resemble the original facilities.

Heritage protection is afforded to the Emerald to Gembrook (Puffing Billy) railway through a Victorian Heritage Register (VHR) listing for the locomotives and rolling stock and Heritage Overlays on several trestle bridges.

The Moe to Walhalla line has been built over in parts, some sections put under water. It has a modern railway built on top at the terminus end. The railway is on the Victorian Heritage Inventory (VHI) and several trestle bridges are on the VHR.

Wangaratta to Whitfield was substantially intact as a roadbed in 2003 although the rails have been lifted. The Whitfield line was intended to extend to Tolmie as a mountain railway but this section was never built. The railway has no heritage listing.

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Other engineering works in linear form that can be compared with the railway include road building, such as the National Heritage listed Great Ocean Road and the Yan Yean and Maroondah water supply systems with their lengths of aqueducts and associated water infrastructure. Both these systems have been assessed to be of state significance.

### Statement of Significance

#### What is significant?

The Dinmont water tank in Section 6 immediately south of Devitt Bros. siding, as a surviving feature of the Colac Beech Forest Crowes Railway is of historic, rarity and aesthetic significance. The Dinmont water tank is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites. The extant fabric represents the state of the railway as at its closure in 1962 following the removal of rails and this fabric is the basis for assessing its significance.

The existing formation runs from Colac railway yard, with some gaps, to just past Devitt Bros Sliding, near Beech Forest and three sections along the Otway Ridge at Buchanan, near Kincaid and at Lavers Hills. There are also several specific features and relics outside the immediate surviving formation.

The existing formation can be divided into several representative sections reflecting the terrain passed over and demonstrating how to secure a workable gradient. The extant sections are as follows:

1. From Colac railway yard, south side, Colac to Shorts Road, Barongarook - this section demonstrates an existing formation in foothill terrain. The 3 chain curve is located within this section.
2. From Shorts Road, Barongarook to Maggio's, Barongarook - this section demonstrates the long and low cuttings and embankments required to surmount a low divide
3. From Maggio's, Barongarook to Cashins Road, Birnam - this section demonstrates the lead into, the passage through and the lead out of a mountain section. This section is the longest and largest cutting and embankment anywhere on the railway
4. From Cashins Road, Birnam to Lovat at E762077 N231355 where the main road intersects and obliterates the existing formations - this section demonstrates a streamside parallel route
5. From the south side of the Gellibrand caravan park for 2.2 km to E76200 N205310 - this section demonstrates the foothill lead into a mountainous section via rises and short plateaux
6. From E762044 N205310 to immediately south of Devitt Bros Sliding at E762044 N240222 - this section demonstrates all the characteristics of a mountain railway
7. At Beech Forest township, east end abutting the hotel -this section is the remnants of the railway yard and the reversing loop for the turning trains. Reversing loops were rare in Victoria on any gauge and this example is unique to the narrow gauge
8. At Beech Forest township, west end, from near the Public Hall and westwards for approximately 700 metres, up until and including the water race and collection weir - this section demonstrates the roadbed traversing a multi headed gully
9. From near Kincaid to near Wyelangta - this section demonstrates a mountain railway alignment along a ridge top

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10. From near Lavers Hills and westwards for 800 meters - his section shows a south facing, multi curved alignment

11. At Crowes station and environs - the rails, infrastructure and a vegetation sample remain intact

### **How is it significant?**

The Dinmont water tank as a surviving feature of the Colac Beech Forest Crowes Railway is of historic, rarity and aesthetic significance to Colac Otway Shire.

The Dinmont water tank is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites . Combined, these features are of historical, aesthetic, technical significance, and social significance, and have rarity values.

### **Why is it significant?**

The Dinmont water tank is the only surviving water tank for the servicing of locomotives along the railway line, others being once located at Barongarook, Gellibrand, Wimba, Beech Forest, Kincaid and Crowes. Water infrastructure along the line comprised weirs or pumps, concrete reservoirs, piping and elevated tanks, however most of this infrastructure has been removed. The water tank is also a distinctive landmark feature.

The Colac-Beech Forest-Crowes railway was a major contributor to the economic development of the west Otways region from its inception in 1902 until its closure in 1962. Throughout the sixty years of operation the railway provided the means by which the forestry industry of the Otways could be sustained. The railway and associated tramway system provided the means by which the region could support over 100 sawmills, and provide added income from timber for the settlers who cleared land for agriculture. The railway provided the only all weather access to the region until the road network was sufficiently developed in the 1950s. It allowed for the export of fresh produce including potatoes and other vegetables and dairy produce to reach markets, transforming the lives of the settlers from subsistence level to income producing farming. The needs of the communities along the railway were met through special excursions and picnic trains, providing much needed or social and recreational outings. The railway promoted the growth of townships in the Otways, both through providing housing for railway staff, and linking primary production and markets.

The Colac Beech Forest railway line is one of only four State-owned narrow gauge railways built in Victoria and sections of it remain the best examples of a narrow gauge mountain railway in Victoria. It represents the longest narrow gauge line in Victoria and one that operated for the longest period. The reversing loop at Beech Forest remains as the only one known to have been constructed on a narrow gauge line in Victoria.

The whole formation and its associated features, both those surveyed and those not located demonstrates the place as a transport conduit and a significant linear feature in the landscape. The formation has the potential to be understood as a place demonstrating the role of engineering through traversing the difficult terrain in a manner that minimized cost in construction. The rail formation is a significant element in the cultural landscape as it negotiates the undulating farmland, the foothills, steep gullies and mountainsides and the ridge lines of the Otways. The features associated with the construction, operation and associated industry have research potential, whether they were able to be identified in 2012, 2003 or not located.

The steep gradients, tight curves, narrow cuttings, embankments, and remains of closely spaced stations and sidings are substantial tangible reminders of a narrow gauge mountain railway. The three remaining railway houses at Gellibrand and Beech Forest are representative of standard housing designed and constructed by the Victorian Railways.

The formation as it passes through particularly steep sections has aesthetic values represented by pathway, enclosure and

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grandeur as it traverses the mountains. The formation in the foothills, where visible, represents a subtle linear landscape feature.

The Colac-Beech Forest-Crowes railway line is an outstanding engineering feat, demonstrating a skilled design utilising relatively few bridges, a large number of curved cuttings and embankments and a uniform and workable gradient of 1 in 30, achieved in difficult terrain and constructed in the wettest area of Victoria.

The extent of community attachment to the line has not been assessed, however the large number of historical books and brochures, and the community support for the rail trail is evidence of on-going commitment to the interpretation of the line.

### **Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).**

Although agricultural land selection in the Otways began in the mid 1880s, the isolation and lack of all weather access through the Otways caused considerable hardship for selectors. The railway provided the economic stimulus for development of both agriculture and the timber industry. The Colac-Beech Forest-Crowes railway was built to stimulate development and to tap into the unrealised economic potential of the area.

The construction of the Colac-Beech Forest-Crowes railway corresponded to a brief period in the history of the Victorian Railways from 1889-1911 when narrow gauge construction was seen as a solution to rural economic development in an environment when roads did not provide an all weather solution to the transport needs of the district.

The construction of the Colac-Beech Forest-Crowes railway was an important stimulus to the development of the timber industry through providing transport for a wide range of timber products. Initially seen as a by-product of agricultural clearing, timber rapidly became the major freight carried by the railway, supporting over 100 sawmills scattered throughout the region. The timber industry remains a major activity in the Otways, responding to changes in logging practices and forestry management techniques.

The railway provided the means by which selectors could become more than merely subsistence farmers, with all weather access to markets for their agricultural produce. Thus the railway provided the stimulus for the development of agriculture including potatoes and other vegetables, and dairying. Other smaller primary industries such as building lime and ballast for road and railway construction were also made possible.

The railway provided all weather reliable transport for the goods and people of the small communities that were established along the line. Railway construction workers, operations staff and their families were also an integral part of those communities. The line brought additional services such as telephones and running water that were vital parts of the development of communities.

The railway provided a means of social and recreational life for the isolated communities, connecting each other until the late 1950s when picnic trains and special outings were a part of the service provided by the railway.

The construction of the Colac-Beech Forest-Crowes railway demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads, that it was the only safe, all weather form of access to the Otway Ranges, and as a consequence was the economic and social lifeline for people and industries for several decades.

From 2007 the railway line has developed a new importance for the recreational life of the community since the

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development of the Old Beechy Rail Trail.

### **Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).**

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at the time of tight public finance.

The Colac-Beech Forest-Crowes Railway was one of only five narrow gauge railways planned by the Victorian Railways whose opposition to this type of railway was based on it being a non-standard variation from broad gauge lines and economically inferior due to the lesser quantities of freight that could be carried. Although not the first narrow gauge line to be constructed, Colac-Beech Forest-Crowes was designed to see if a narrow gauge line could generate equivalent revenue to a broad gauge line.

Of the five narrow gauge lines planned only four were built, including Ferntree Gully to Gembrook, (Puffing Billy), Moe to Walhalla, and Wangaratta to Whitfield and Colac Beech Forest Crowes. The Colac-Beech Forest-Crowes line represents the best example of a narrow gauge mountain railway, is the longest in route at 71 km and operated for the longest period of over 60 years. The line demonstrates a rare pattern of usage in running two divisions between 1911 and 1929, resulting in an operation with a complex roster of locomotive workings.

Some sections of the line provide the best tangible evidence of a narrow gauge mountain railway in Victoria; with large and well formed cuttings and embankments, leads into and out of mountain sections, rises and short plateaux. These include Section 2 (Shorts Road to Barongarook), Section 3 (Maggio's Barongarook to Cashins Road Birnam), Section 5 (south of Gellibrand carpark), Section 9 (near Kincaid to Wyelangta), and Section 10 (westwards of Lavers Hill).

The remains of the reversing loop at Beech Forest constitutes a rare feature on any gauge line and the only one known to have been constructed on a narrow gauge line.

The Colac-Beech Forest-Crowes railway is a rare large scale engineering feat in Victoria, comparable to the Great Ocean Road and the Yan Yean and Maroondah water supply systems.

### **Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).**

The Colac-Beech Forest-Crowes railway formation and its associated features forms a linear element in the broader landscape of the west Otways. Although some sections are more intact than others, the whole formation (where it is evident) has the potential for understanding the railway as a transport conduit. Disturbance to the formation through its incorporation into the road network or the rail trail has reduced its visibility in the landscape in some parts, and through that disturbance, has lowered the archaeological potential in those areas.

Within and beside the formation there are particular features such as mile posts, the remains of timber bridges, water tanks, borrow pits, and ash heaps are tangible evidence of the design, construction and operation of the railway. Embankments and cuttings provide evidence of the endeavour required to build a railway in steep terrain, and are a reminder of the manual work practices required at the time.

Associated sites of the many timber tramways that connected the sawmills to the railway, the remains of the lime kilns at Kawarren, and the stone quarry at Banool have the potential to contribute to our understanding of the many functions provided by the railway. There are many features associated with the railway line that are no longer visible, having been overgrown with vegetation. These include tramways leading from logging sites to the railway.

### **Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or**

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### **environments (representativeness).**

The Colac-Beech Forest-Crowes line is Victoria's sole surviving relatively intact example of a narrow gauge, mountain railway designed to bring rail communication to a remote region and facilitate economic development. The main features of the railway amply demonstrate the narrow gauge, the steep gradients, the many tight curves, the numerous embankments and cuttings and the closely spaced stations en-route, with their rudimentary facilities. The evidence is substantial and tangible.

Associated features such as the standard design Victorian Railway houses at Gellibrand and Beech Forest are typical examples of the type of housing provided to railway workers in isolated locations.

### **Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).**

The railway formation provides an element in the broader landscape that responds to the topography, particularly where the railway traverses the mountain landscape. The tight curves, embankments and cuttings with closely spaced trees, particularly in Section 3, Section 5, and Section 6 provide evocative places where the natural topography and landscape is overlaid with the constructed formation. The palm tree at Crowes is a focal point of the former station and representative of exotic railway planting provided by Victorian Railways in the early 20th century.

### **Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).**

The existing formation is the pre-eminent surviving example of a narrow gauge mountain railway built to the contemporary standards of the Victorian Railways and designed to achieve a uniform and workable gradient in difficult terrain. The existing formation demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads and tracks that it was the only safe, all weather form of access to the Otway Ranges.

The geographical setting made the line one of the most difficult on the Victorian Railway's system, with a large number of curved sections necessary to traverse the foothills and the ranges themselves. With an even gradient and many tight curves the line was an exceptional piece of engineering, particularly when it was constructed in the region of the state's wettest area.

The line was constructed with the minimal number of bridges which is further demonstration of the skill in design to achieve as economical construction as possible.

### **Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).**

Although the extent of attachment to this place has not been assessed in this report, there is evidence of community attachment through research and writing about the line. A strong attachment to the place has been maintained through the formation of the Friends of the Old Beechy line and the subsequent work to establish, maintain and promote the rail trail. Through interpretation and access the rail trail has gathered support for railway history and the history of the west Otways through the perspective of the railway.

### **Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).**

The Colac-Beech Forest-Crowes railway has not been found to have associative significance.

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Dinmont water tank, as part of the former Colac-Beech Forest-Crowes railway  
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### Assessment Against Criteria

The Colac-Beech Forest-Crowes railway line, including the Dinmont water tank was assessed in accordance with the processes and guidelines outlined in the Australia ICOMOS Charter for Places of Cultural Heritage Significance (The Burra Charter) 1999, using the Hercon criteria.

### Recommendations 2013

**External Paint Controls**

No

**Internal Alteration Controls**

No

**Tree Controls**

No

**Fences & Outbuildings**

No

**Prohibited Uses May Be Permitted**

-

**Incorporated Plan**

-

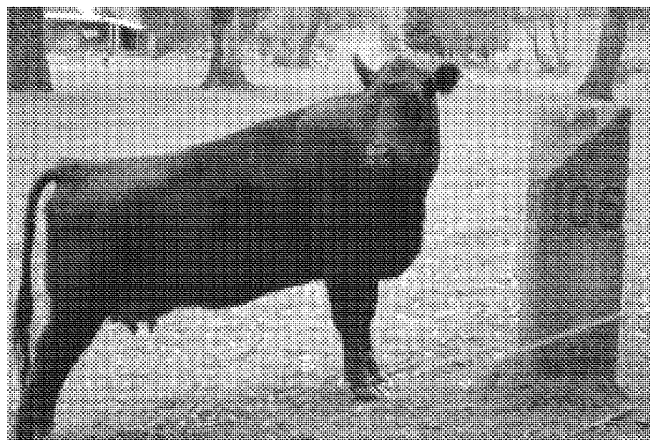
**Aboriginal Heritage Place**

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## HERITAGE CITATION REPORT

**Name** 106 mile post, as part of the former Colac-Beech Forest-  
Crowes railway  
**Address** KAWARREN  
**Place Type** Other - Transport - Rail  
**Citation Date** 2013



106 milc post

**Recommended** VHR No HI No PS Yes  
**Heritage Protection**

## History and Historical Context

### Thematic history

A series of land acts were passed in the 1860s in an attempt to create small farm holdings, whilst at the same time recognising the pioneering efforts of the squatters. Under the first land act, the 1860 Land Sales Act, three million acres were surveyed into allotments of between 80 to 640 acres. No person could select more than 640 acres annually, and the land had to be paid for outright, or half paid and half leased. Subsequently more land was made available for selection under the *Land Act* (1862) and the *Amendment Act* (1865). Then in 1869, most land - including unsurveyed land - became available for selection under the *Land Act* (Sheehan, 2003:19).

The Otway Ranges, in south west Victoria, were first opened to agricultural selection in 1884, under the *Land Act 1884*, when allotments were selected from pre survey maps prepared by the Lands Department (Minchinton 2011:2). Within ten years more than 200 allotments had been taken up (Houghton 2005:1).

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Yet it wasn't until the arrival of the railway, during the 1870s, that Victoria's isolated south western region was considered penetrable. Until this time, the Otway Ranges were virtually impassable and as such, were of little economic value. The introduction of the railway provided the first all weather, fast and reliable transport service into the area, which as Houghton noted was 'characterised by dense timber and high rainfall' (Houghton 2003:5).

The role of the Colonial government in surveying the area in 1884 and 1889 was instrumental in the change from the design of a broad gauge to a narrow gauge railway, with the resulting decrease in cost. The Beech Forest line, is therefore not the earliest nor the latest, but constructed at the peak of construction in the sparsely settled areas.

During the 1890s pressure rose to find the means to construct cheap railways to the underdeveloped parts of Victoria, as the government realised that the cost of providing communications to the outlying communities by means of railways was excessive for the small populations served. In 1894 the Parliamentary Standing Committee on Railways considered the use of narrow gauge railways. The idea was opposed by the Victorian Railways (VR) in that it would introduce a non-standard operating regime, which would without doubt incur extra costs, especially when stock had to be transferred between the two gauges.

In 1895 the Committee recommended that narrow gauge lines be only introduced in sparsely settled areas. The first of the four narrow gauge lines, between Wangaratta and Whitfield opened in March 1899. It was followed by the Upper Ferntree Gully to Gembrook line in December 1900, the Colac to Beech Forest line in March 1902 and the Moe to Walhalla in May 1910. The Colac to Beech Forest line was extended to Crowes in June 1911 (see Houghton 2003:6 and Thompson 2004:2).

An initial broad gauge line from Colac to the top of the Otway Ridge had been constructed in 1884 but it was abandoned due to the high cost in laying the broad gauge, especially in such difficult terrain. The construction of the narrow gauge railway was delayed until 1900 when the initial section between Colac to Beech Forest was developed. It was completed by March 1902, by which time some 44.7km of line had been laid. The line was extended to Crowes, some 22.5km west of Beech Forest from 1909-1911. Not only did the narrow gauge railways open up these isolated communities, they too provided a vital service for pioneer settlers, allowing food produce and people to travel into and out of the region. The Colac-Beech Forest-Crowes railway was an immediate success providing access to the forests. With this, timber could be harvested and sent out as 'palings, mining props and laths, charcoal, sleepers, posts, piles, barrel staves, furniture and carriage timbers and sawn timber for building purposes' (Houghton 2012:21).

Yet despite the use of these lines and the communities they served, the narrow gauge lines generally suffered heavy financial losses throughout their lifetimes and were closed as soon as conveniently possible (see Anchen 2012:3).

### **Colac-Beech Forest-Crowes railway history**

The former Colac-Beech Forest-Crowes railway runs for approximately 71km. From Colac Railway Station it travels in a southerly direction towards Beech Forest (48km), and then it swings towards the west until it reaches, and terminates at Crowes, a distance of 22.5km.

The railway was used as an important transport corridor for the people and industries of the West Otway Ranges at a time when road transport was primitive. The railway served the area economically for sixty years, carrying freight in and out, particularly as outwards loading of bulk commodities that provided the bulk of the revenue derived from the line. The function of the railway was also to act as a transport conduit for the wider region with railheads connecting with road transport to the coast on the other side of the Otway Ranges.

The topography of the Otways required the design of the railway formation to be a complex affair, with a climb of over 400m, traversing east-west flowing creeks on a north- south aspect and several drops into valleys. Designing the engineering solutions was challenging, with the guiding principle of minimizing earthworks in order to save cost.

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Wherever possible the route was laid over natural surface with a low earthen mound and an occasional slight cut into the high side. This is typical of the section from Colac to Elliminyt.

Construction took place in two periods of activity with the initial 48 kilometres from Colac to Beech Forest between 1900 and 1902, followed by a further 22.5 kilometres to Crowes between 1909-1911. The railway was an immediate stimulus to the development of the region through providing fast, convenient and all weather access to the region. Fifteen bridges were constructed along the entire length of the Colac-Beech Forest-Crowes line. Houghton notes that earth filled embankments were preferred on economic and maintenance grounds, with timber bridges being only used in wet areas and over the more 'substantial watercourses and very steep gullies' (Houghton 2012:14).

The line has, throughout its life had numerous changes brought about through floods, bushfires, washaways and earth-slips. Natural disasters have taken their toll on the infrastructure. Cuttings and embankments have had to be cut back or modified in response to damage, and buildings, stations and sidings needed constant maintenance and some replacement. Generally the modifications were carried out with similar materials and methods to the original construction.

Stations were built without raised platforms and were of a standard Victorian Railways portable type. Smaller stations were simply corrugated iron shelter sheds and staff housing was provided also to standard design at Barongarook, Banool, Wimba, Weeaprounah, Lavers Hill, Wyelangta, Gellibrand, Crowes and Beech Forest.

The servicing of the locomotives and the line meant that fixtures and other infrastructure were developed long its length, these included water points, coal storage, signals, concrete distance markers, stopping places and a telephone line. Water points were located at Barongarook, Gellibrand, Wimba, Dinmont, Beech Forest, Kincaid and Crowes, and these comprised weirs or pumps, concrete reservoirs, piping and elevated tanks. Further infrastructure included loco sheds, located at Beech Forest and a coal storage, located at Beech Forest (see Houghton 2005:13 and Houghton 2012:25).

Mile posts, or distance markers, were placed along the entire length of the railway. These were constructed from concrete and painted white with black numbering. A telephone line travelled the length of the line, so that there was communication from the Colac Station Master's office all the way to Crowes. The line was carried on wooden or iron poles and was set to the side of the track. Stopping places were only marked by name boards and have no obvious remains.

By the 1950s traffic along the line had declined and the locos that travelled along its length were aged and were in constant need of repair. In November 1960 the Joint Transport Research Committee advised the Minister for Transport that the railway close in 1961. In June 1961 the Minister announced that the line was to close that year, but due to public pressure and urgent road building works, the line stayed open until 1961. It finally closed on 30 June 1962 (see Downs 1963:99 and Houghton 2003:10).

Parliament passed a Bill in November 1963 authorising the dismantling of the Colac-Beech Forest-Crowes railway line. By December 1963 the points at every siding and station had been removed and a tender advertised for the purchase and removal of all the buildings. Ballarat contractor Littlehales and Sons won the tender.

Houghton notes that the rails were first lifted from Weeaprounah, and the removal progressed towards Colac (Houghton 2012:41). The rails were purchased by the Otway Shire Council for engineering purposes. A major rebuild and realignment of the ridge road in the 1970s removed what remained of the railway along the ridge and over time agriculture and farming has obliterated much of the fabric and its associated embankments and cuttings. Sections have also been destroyed where the former line has been incorporated into timber plantations.

In 2000 a Friends of the Old Beechy Rail was formed with the intention of promoting the heritage attractions of the railway and opening the line up to walkers and cyclists. Together with Colac Otway Shire, the Friends worked to establish the Old Beechy Rail Trail which was opened in 2002. Since that time the rail trail has grown to become a tourist

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and economic development asset to the region.

### Place history

Concrete mile posts became a popular alternative to stone or wooden posts, in that they were cheaper to manufacture (in regards to material and labour costs) and lasted longer (see The Canberra Times 1926:11).

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## Description

### Physical Description

The concrete triangular mile post is located along the former rail line. The mile post has a tapered top and is approximately 110cm in height. The post has recessed numbers that read '106' on two of its three faces. The original black and white painted surface has faded and appears to have been repainted in red.

### Recommended Management

### Other recommendations

Organisations and individual land holders also play an important role in looking after places of heritage value. Much can

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be achieved through local awareness, action and guidelines. The alignment of the railway passes through both public and private land in a variety of tenure arrangements. .

Part of the study area is Crown Land under the management of the Department of Sustainability and Environment (DSE). Public land management guidelines have been produced by the Department's Historic Places Branch and these include the following considerations for the protection of sites (DSE, 2010):

- . Non-disturbance of sites
- . The use of zones and buffers that take in all the elements of the landscape
- . Protection of historic landscape where there is a series of connected sites or where the context is important
- . Interpretation and recording.

Similar guidelines could be developed as a code of practice for other landholders along the railway alignment.

Communication and education about managing the heritage values of the railway can assist in letting all landholders know about this important heritage asset. Organisations such as Friends of the Old Beechy Line, local and railway historical societies can play roles in this regard.

In some sections of the railway, maps and plans are now the only evidence of what was there. They are invaluable documents in the understanding of the railway and they are important public records of changes that have taken place in cadastral boundaries. Any documentary records should be placed in a publically accessible archive.

### Comparative Analysis

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system, and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at a time of tight public finance. There were four narrow gauge state railways built in Victoria from 1899 to 1911 to serve remote and mountainous locations. Of these four, the two from Ferntree Gully to Gembrook and Moe to Walhalla have been compromised in various ways.

The Gembrook line has been built over from Ferntree Gully to Belgrave and from there to Gembrook it has been regraded in parts and a modern tourist railway put on top of it. The station sites and other features have been reconstructed to suit modern conditions and do not faithfully resemble the original facilities.

Heritage protection is afforded to the Emerald to Gembrook (Puffing Billy) railway through a Victorian Heritage Register (VHR) listing for the locomotives and rolling stock and Heritage Overlays on several trestle bridges.

The Moe to Walhalla line has been built over in parts, some sections put under water. It has a modern railway built on top at the terminus end. The railway is on the Victorian Heritage Inventory (VHI) and several trestle bridges are on the VHR.

Wangaratta to Whitfield was substantially intact as a roadbed in 2003 although the rails have been lifted. The Whitfield line was intended to extend to Tolmie as a mountain railway but this section was never built. The railway has no heritage listing.

Other engineering works in linear form that can be compared with the railway include road building, such as the National

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Heritage listed Great Ocean Road and the Yan Yean and Maroondah water supply systems with their lengths of aqueducts and associated water infrastructure. Both these systems have been assessed to be of state significance.

### Statement of Significance

#### What is significant?

The 106 mile post at the northern point of Section 4 between Cashins Road, Birnam to Lovat, as part of the former Colac-Beech Forest-Crowes railway is significant.

The 106 mile post is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites. The extant fabric represents the state of the railway as at its closure in 1962 following the removal of rails and this fabric is the basis for assessing its significance.

The existing formation runs from Colac railway yard, with some gaps, to just past Devitt Bros Sliding, near Beech Forest and three sections along the Otway Ridge at Buchanan, near Kincaid and at Lavers Hills. There are also several specific features and relics outside the immediate surviving formation.

The existing formation can be divided into several representative sections reflecting the terrain passed over and demonstrating how to secure a workable gradient. The extant sections are as follows:

1. From Colac railway yard, south side, Colac to Shorts Road, Barongarook - this section demonstrates an existing formation in foothill terrain. The 3 chain curve is located within this section.
2. From Shorts Road, Barongarook to Maggio's, Barongarook - this section demonstrates the long and low cuttings and embankments required to surmount a low divide
3. From Maggio's, Barongarook to Cashins Road, Birnam - this section demonstrates the lead into, the passage through and the lead out of a mountain section. This section is the longest and largest cutting and embankment anywhere on the railway
4. From Cashins Road, Birnam to Lovat at E762077 N231355 where the main road intersects and obliterates the existing formations - this section demonstrates a streamside parallel route
5. From the south side of the Gellibrand caravan park for 2.2 km to E76200 N205310 - this section demonstrates the foothill lead into a mountainous section via rises and short plateaux
6. From E762044 N205310 to immediately south of Devitt Bros Sliding at E762044 N240222 - this section demonstrates all the characteristics of a mountain railway
7. At Beech Forest township, east end abutting the hotel -this section is the remnants of the railway yard and the reversing loop for the turning trains. Reversing loops were rare in Victoria on any gauge and this example is unique to the narrow gauge
8. At Beech Forest township, west end, from near the Public Hall and westwards for approximately 700 metres, up until and including the water race and collection weir - this section demonstrates the roadbed traversing a multi headed gully
9. From near Kincaid to near Wyelangta - this section demonstrates a mountain railway alignment along a ridge top

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10. From near Lavers Hills and westwards for 800 meters - his section shows a south facing, multi curved alignment
11. At Crowes station and environs - the rails, infrastructure and a vegetation sample remain intact

### **How is it significant?**

The 106 mile post as a surviving feature of the Colac Beech Forest Crowes Railway is of historic, rarity and aesthetic significance to Colac Otway Shire.

The 106 mile post is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites . Combined, these features are of historical, aesthetic, technical significance, and social significance, and have rarity values.

### **Why is it significant?**

The 106 mile post is significant as one of three remaining mile posts which were once a common feature of the line, once marking the entire length of the railway. They have largely been removed or relocated, making the three remaining mile posts rare features. Aesthetically it provides a symbolic marker for the line, although the colouring has faded and it has been repainted.

The Colac-Beech Forest-Crowes railway was a major contributor to the economic development of the west Otways region from its inception in 1902 until its closure in 1962. Throughout the sixty years of operation the railway provided the means by which the forestry industry of the Otways could be sustained. The railway and associated tramway system provided the means by which the region could support over 100 sawmills, and provide added income from timber for the settlers who cleared land for agriculture. The railway provided the only all weather access to the region until the road network was sufficiently developed in the 1950s. It allowed for the export of fresh produce including potatoes and other vegetables and dairy produce to reach markets, transforming the lives of the settlers from subsistence level to income producing farming. The needs of the communities along the railway were met through special excursions and picnic trains, providing much needed or social and recreational outings. The railway promoted the growth of townships in the Otways, both through providing housing for railway staff, and linking primary production and markets.

The Colac Beech Forest railway line is one of only four State-owned narrow gauge railways built in Victoria and sections of it remain the best examples of a narrow gauge mountain railway in Victoria. It represents the longest narrow gauge line in Victoria and one that operated for the longest period. The reversing loop at Beech Forest remains as the only one known to have been constructed on a narrow gauge line in Victoria.

The whole formation and its associated features, both those surveyed and those not located demonstrates the place as a transport conduit and a significant linear feature in the landscape. The formation has the potential to be understood as a place demonstrating the role of engineering through traversing the difficult terrain in a manner that minimized cost in construction. The rail formation is a significant element in the cultural landscape as it negotiates the undulating farmland, the foothills, steep gullies and mountainsides and the ridge lines of the Otways. The features associated with the construction, operation and associated industry have research potential, whether they were able to be identified in 2012, 2003 or not located.

The steep gradients, tight curves, narrow cuttings, embankments, and remains of closely spaced stations and sidings are substantial tangible reminders of a narrow gauge mountain railway. The three remaining railway houses at Gellibrand and Beech Forest are representative of standard housing designed and constructed by the Victorian Railways.

The formation as it passes through particularly steep sections has aesthetic values represented by pathway, enclosure and grandeur as it traverses the mountains. The formation in the foothills, where visible, represents a subtle linear landscape

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feature.

The Colac-Beech Forest-Crowes railway line is an outstanding engineering feat, demonstrating a skilled design utilising relatively few bridges, a large number of curved cuttings and embankments and a uniform and workable gradient of 1 in 30, achieved in difficult terrain and constructed in the wettest area of Victoria.

The extent of community attachment to the line has not been assessed, however the large number of historical books and brochures, and the community support for the rail trail is evidence of on-going commitment to the interpretation of the line.

### **Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).**

Although agricultural land selection in the Otways began in the mid 1880s, the isolation and lack of all weather access through the Otways caused considerable hardship for selectors. The railway provided the economic stimulus for development of both agriculture and the timber industry. The Colac-Beech Forest-Crowes railway was built to stimulate development and to tap into the unrealised economic potential of the area.

The construction of the Colac-Beech Forest-Crowes railway corresponded to a brief period in the history of the Victorian Railways from 1889-1911 when narrow gauge construction was seen as a solution to rural economic development in an environment when roads did not provide an all weather solution to the transport needs of the district.

The construction of the Colac-Beech Forest-Crowes railway was an important stimulus to the development of the timber industry through providing transport for a wide range of timber products. Initially seen as a by-product of agricultural clearing, timber rapidly became the major freight carried by the railway, supporting over 100 sawmills scattered throughout the region. The timber industry remains a major activity in the Otways, responding to changes in logging practices and forestry management techniques.

The railway provided the means by which selectors could become more than merely subsistence farmers, with all weather access to markets for their agricultural produce. Thus the railway provided the stimulus for the development of agriculture including potatoes and other vegetables, and dairying. Other smaller primary industries such as building lime and ballast for road and railway construction were also made possible.

The railway provided all weather reliable transport for the goods and people of the small communities that were established along the line. Railway construction workers, operations staff and their families were also an integral part of those communities. The line brought additional services such as telephones and running water that were vital parts of the development of communities.

The railway provided a means of social and recreational life for the isolated communities, connecting each other until the late 1950s when picnic trains and special outings were a part of the service provided by the railway.

The construction of the Colac-Beech Forest-Crowes railway demonstrates through it's comparative placement alongside undulating, narrow and waterlogged roads, that it was the only safe, all weather form of access to the Otway Ranges, and as a consequence was the economic and social lifeline for people and industries for several decades.

From 2007 the railway line has developed a new importance for the recreational life of the community since the development of the Old Beechy Rail Trail.

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### **Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).**

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at the time of tight public finance.

The Colac-Beech Forest-Crowes Railway was one of only five narrow gauge railways planned by the Victorian Railways whose opposition to this type of railway was based on it being a non-standard variation from broad gauge lines and economically inferior due to the lesser quantities of freight that could be carried. Although not the first narrow gauge line to be constructed, Colac-Beech Forest-Crowes was designed to see if a narrow gauge line could generate equivalent revenue to a broad gauge line.

Of the five narrow gauge lines planned only four were built, including Femtree Gully to Gembrook, (Puffing Billy), Moe to Walhalla, and Wangaratta to Whitfield and Colac Beech Forest Crowes. The Colac-Beech Forest-Crowes line represents the best example of a narrow gauge mountain railway, is the longest in route at 71 km and operated for the longest period of over 60 years. The line demonstrates a rare pattern of usage in running two divisions between 1911 and 1929, resulting in an operation with a complex roster of locomotive workings.

Some sections of the line provide the best tangible evidence of a narrow gauge mountain railway in Victoria; with large and well formed cuttings and embankments, leads into and out of mountain sections, rises and short plateaux. These include Section 2 (Shorts Road to Barongarook), Section 3 (Maggio's Barongarook to Cashins Road Birnam), Section 5 (south of Gellibrand carpark), Section 9 (near Kincaid to Wyelangta), and Section 10 (westwards of Lavers Hill).

The remains of the reversing loop at Beech Forest constitutes a rare feature on any gauge line and the only one known to have been constructed on a narrow gauge line.

The Colac-Beech Forest-Crowes railway is a rare large scale engineering feat in Victoria, comparable to the Great Ocean Road and the Yan Yean and Maroondah water supply systems.

### **Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).**

The Colac-Beech Forest-Crowes railway formation and its associated features forms a linear element in the broader landscape of the west Otways. Although some sections are more intact than others, the whole formation (where it is evident) has the potential for understanding the railway as a transport conduit. Disturbance to the formation through its incorporation into the road network or the rail trail has reduced its visibility in the landscape in some parts, and through that disturbance, has lowered the archaeological potential in those areas.

Within and beside the formation there are particular features such as mile posts, the remains of timber bridges, water tanks, borrow pits, and ash heaps are tangible evidence of the design, construction and operation of the railway. Embankments and cuttings provide evidence of the endeavour required to build a railway in steep terrain, and are a reminder of the manual work practices required at the time.

Associated sites of the many timber tramways that connected the sawmills to the railway, the remains of the lime kilns at Kwarren, and the stone quarry at Banool have the potential to contribute to our understanding of the many functions provided by the railway. There are many features associated with the railway line that are no longer visible, having been overgrown with vegetation. These include tramways leading from logging sites to the railway.

### **Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).**

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The Colac-Beech Forest-Crowes line is Victoria's sole surviving relatively intact example of a narrow gauge, mountain railway designed to bring rail communication to a remote region and facilitate economic development. The main features of the railway amply demonstrate the narrow gauge, the steep gradients, the many tight curves, the numerous embankments and cuttings and the closely spaced stations en-route, with their rudimentary facilities. The evidence is substantial and tangible.

Associated features such as the standard design Victorian Railway houses at Gellibrand and Beech Forest are typical examples of the type of housing provided to railway workers in isolated locations.

### **Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).**

The railway formation provides an element in the broader landscape that responds to the topography, particularly where the railway traverses the mountain landscape. The tight curves, embankments and cuttings with closely spaced trees, particularly in Section 3, Section 5, and Section 6 provide evocative places where the natural topography and landscape is overlaid with the constructed formation. The palm tree at Crowes is a focal point of the former station and representative of exotic railway planting provided by Victorian Railways in the early 20th century.

### **Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).**

The existing formation is the pre-eminent surviving example of a narrow gauge mountain railway built to the contemporary standards of the Victorian Railways and designed to achieve a uniform and workable gradient in difficult terrain. The existing formation demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads and tracks that it was the only safe, all weather form of access to the Otway Ranges.

The geographical setting made the line one of the most difficult on the Victorian Railway's system, with a large number of curved sections necessary to traverse the foothills and the ranges themselves. With an even gradient and many tight curves the line was an exceptional piece of engineering, particularly when it was constructed in the region of the state's wettest area.

The line was constructed with the minimal number of bridges which is further demonstration of the skill in design to achieve as economical construction as possible.

### **Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).**

Although the extent of attachment to this place has not been assessed in this report, there is evidence of community attachment through research and writing about the line. A strong attachment to the place has been maintained through the formation of the Friends of the Old Beechy line and the subsequent work to establish, maintain and promote the rail trail. Through interpretation and access the rail trail has gathered support for railway history and the history of the west Otways through the perspective of the railway.

### **Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).**

The Colac-Beech Forest-Crowes railway has not been found to have associative significance.

### **Assessment Against Criteria**

|                                                                        |                       |          |
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The Colac-Beech Forest-Crowes railway line, including the 106 mile post was assessed in accordance with the processes and guidelines outlined in the Australia ICOMOS Charter for Places of Cultural Heritage Significance (The Burra Charter) 1999, using the Hercon criteria.

### Recommendations 2013

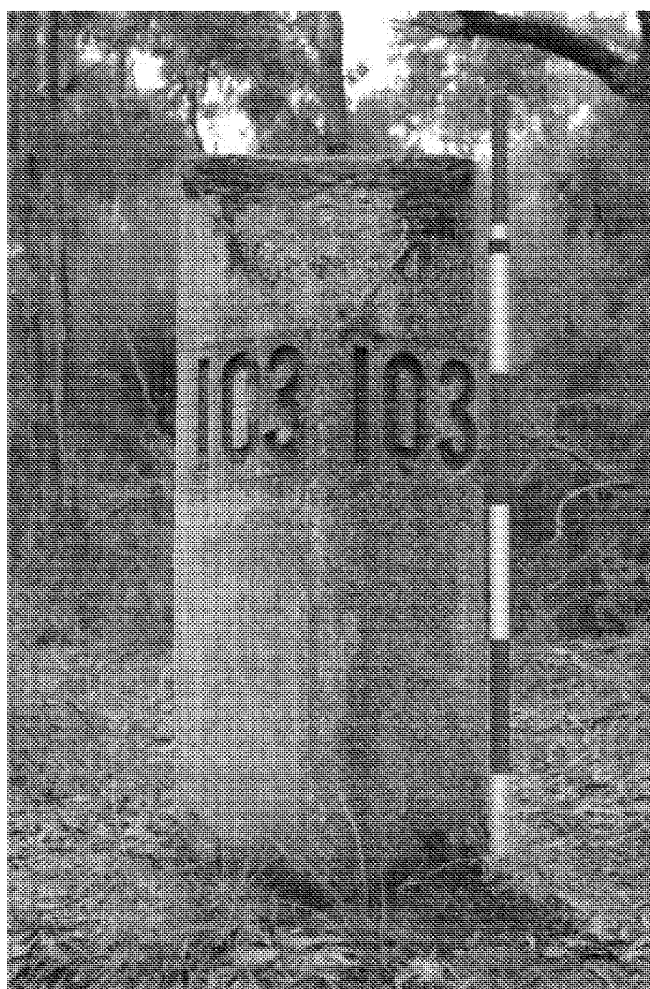
|                                         |     |
|-----------------------------------------|-----|
| <b>External Paint Controls</b>          | Yes |
| <b>Internal Alteration Controls</b>     | No  |
| <b>Tree Controls</b>                    | No  |
| <b>Fences &amp; Outbuildings</b>        | No  |
| <b>Prohibited Uses May Be Permitted</b> | -   |
| <b>Incorporated Plan</b>                | -   |
| <b>Aboriginal Heritage Place</b>        | -   |



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**Name** 103 mile post, as part of the former Colac-Beech Forest-Crowes railway  
**Address** BARONGAROOK  
**Place Type** Other - Transport - Rail  
**Citation Date** 2013



103 mile post

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**Recommended**      **VHR No HI No PS Yes**  
**Heritage Protection**

### History and Historical Context

#### Thematic history

A series of land acts were passed in the 1860s in an attempt to create small farm holdings, whilst at the same time recognising the pioneering efforts of the squatters. Under the first land act, the 1860 Land Sales Act, three million acres were surveyed into allotments of between 80 to 640 acres. No person could select more than 640 acres annually, and the land had to be paid for outright, or half paid and half leased. Subsequently more land was made available for selection under the *Land Act* (1862) and the *Amendment Act* (1865). Then in 1869, most land - including unsurveyed land - became available for selection under the *Land Act* (Sheehan, 2003:19).

The Otway Ranges, in south west Victoria, were first opened to agricultural selection in 1884, under the *Land Act 1884*, when allotments were selected from pre survey maps prepared by the Lands Department (Minchinton 2011:2). Within ten years more than 200 allotments had been taken up (Houghton 2005:1).

Yet it wasn't until the arrival of the railway, during the 1870s, that Victoria's isolated south western region was considered penetrable. Until this time, the Otway Ranges were virtually impassable and as such, were of little economic value. The introduction of the railway provided the first all weather, fast and reliable transport service into the area, which as Houghton noted was 'characterised by dense timber and high rainfall' (Houghton 2003:5).

The role of the Colonial government in surveying the area in 1884 and 1889 was instrumental in the change from the design of a broad gauge to a narrow gauge railway, with the resulting decrease in cost. The Beech Forest line, is therefore not the earliest nor the latest, but constructed at the peak of construction in the sparsely settled areas.

During the 1890s pressure rose to find the means to construct cheap railways to the underdeveloped parts of Victoria, as the government realised that the cost of providing communications to the outlying communities by means of railways was excessive for the small populations served. In 1894 the Parliamentary Standing Committee on Railways considered the use of narrow gauge railways. The idea was opposed by the Victorian Railways (VR) in that it would introduce a non-standard operating regime, which would without doubt incur extra costs, especially when stock had to be transferred between the two gauges.

In 1895 the Committee recommended that narrow gauge lines be only introduced in sparsely settled areas. The first of the four narrow gauge lines, between Wangaratta and Whitfield opened in March 1899. It was followed by the Upper Ferntree Gully to Gembrook line in December 1900, the Colac to Beech Forest line in March 1902 and the Moe to Walhalla in May 1910. The Colac to Beech Forest line was extended to Crowes in June 1911 (see Houghton 2003:6 and Thompson 2004:2).

An initial broad gauge line from Colac to the top of the Otway Ridge had been constructed in 1884 but it was abandoned due to the high cost in laying the broad gauge, especially in such difficult terrain. The construction of the narrow gauge railway was delayed until 1900 when the initial section between Colac to Beech Forest was developed. It was completed by March 1902, by which time some 44.7km of line had been laid. The line was extended to Crowes, some 22.5km west of Beech Forest from 1909-1911. Not only did the narrow gauge railways open up these isolated communities, they too provided a vital service for pioneer settlers, allowing food produce and people to travel into and out of the region. The Colac-Beech Forest-Crowes railway was an immediate success providing access to the forests. With this, timber could be harvested and sent out as 'palings, mining props and laths, charcoal, sleepers, posts, piles, barrel staves, furniture and

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carriage timbers and sawn timber for building purposes' (Houghton 2012:21).

Yet despite the use of these lines and the communities they served, the narrow gauge lines generally suffered heavy financial losses throughout their lifetimes and were closed as soon as conveniently possible (see Anchen 2012:3).

### **Colac-Beech Forest-Crowes railway history**

The former Colac-Beech Forest-Crowes railway runs for approximately 71km. From Colac Railway Station it travels in a southerly direction towards Beech Forest (48km), and then it swings towards the west until it reaches, and terminates at Crowes, a distance of 22.5km.

The railway was used as an important transport corridor for the people and industries of the West Otway Ranges at a time when road transport was primitive. The railway served the area economically for sixty years, carrying freight in and out, particularly as outwards loading of bulk commodities that provided the bulk of the revenue derived from the line. The function of the railway was also to act as a transport conduit for the wider region with railheads connecting with road transport to the coast on the other side of the Otway Ranges.

The topography of the Otways required the design of the railway formation to be a complex affair, with a climb of over 400m, traversing east-west flowing creeks on a north- south aspect and several drops into valleys. Designing the engineering solutions was challenging, with the guiding principle of minimizing earthworks in order to save cost. Wherever possible the route was laid over natural surface with a low earthen mound and an occasional slight cut into the high side. This is typical of the section from Colac to Elliminyt.

Construction took place in two periods of activity with the initial 48 kilometres from Colac to Beech Forest between 1900 and 1902, followed by a further 22.5 kilometres to Crowes between 1909-1911. The railway was an immediate stimulus to the development of the region through providing fast, convenient and all weather access to the region. Fifteen bridges were constructed along the entire length of the Colac-Beech Forest-Crowes line. Houghton notes that earth filled embankments were preferred on economic and maintenance grounds, with timber bridges being only used in wet areas and over the more 'substantial watercourses and very steep gullies' (Houghton 2012:14).

The line has, throughout its life had numerous changes brought about through floods, bushfires, washaways and earth-slips. Natural disasters have taken their toll on the infrastructure. Cuttings and embankments have had to be cut back or modified in response to damage, and buildings, stations and sidings needed constant maintenance and some replacement. Generally the modifications were carried out with similar materials and methods to the original construction.

Stations were built without raised platforms and were of a standard Victorian Railways portable type. Smaller stations were simply corrugated iron shelter sheds and staff housing was provided also to standard design at Barongarook, Banool, Wimba, Weeapoinah, Lavers Hill, Wyelangta, Gellibrand, Crowes and Beech Forest.

The servicing of the locomotives and the line meant that fixtures and other infrastructure were developed long its length, these included water points, coal storage, signals, concrete distance markers, stopping places and a telephone line. Water points were located at Barongarook, Gellibrand, Wimba, Dinmont, Beech Forest, Kincaid and Crowes, and these comprised weirs or pumps, concrete reservoirs, piping and elevated banks. Further infrastructure included loco sheds, located at Beech Forest and a coal storage, located at Beech Forest (see Houghton 2005:13 and Houghton 2012:25).

Mile posts, or distance markers, were placed along the entire length of the railway. These were constructed from concrete and painted white with black numbering. A telephone line travelled the length of the line, so that there was communication from the Colac Station Master's office all the way to Crowes. The line was carried on wooden or iron poles and was set to the side of the track. Stopping places were only marked by name boards and have no obvious remains.

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By the 1950s traffic along the line had declined and the locos that travelled along its length were aged and were in constant need of repair. In November 1960 the Joint Transport Research Committee advised the Minister for Transport that the railway close in 1961. In June 1961 the Minister announced that the line was to close that year, but due to public pressure and urgent road building works, the line stayed open until 1961. It finally closed on 30 June 1962 (see Downs 1963:99 and Houghton 2003:10).

Parliament passed a Bill in November 1963 authorising the dismantling of the Colac-Beech Forest-Crowes railway line. By December 1963 the points at every sliding and station had been removed and a tender advertised for the purchase and removal of all the buildings. Ballarat contractor Littlehales and Sons won the tender.

Houghton notes that the rails were first lifted from Weeaprounah, and the removal progressed towards Colac (Houghton 2012:41). The rails were purchased by the Otway Shire Council for engineering purposes. A major rebuild and realignment of the ridge road in the 1970s removed what remained of the railway along the ridge and over time agriculture and farming has obliterated much of the fabric and its associated embankments and cuttings. Sections have also been destroyed where the former line has been incorporated into timber plantations.

In 2000 a Friends of the Old Beechy Rail was formed with the intention of promoting the heritage attractions of the railway and opening the line up to walkers and cyclists. Together with Colac Otway Shire, the Friends worked to establish the Old Beechy Rail Trail which was opened in 2002. Since that time the rail trail has grown to become a tourist and economic development asset to the region.

### Place history

Concrete mile posts became a popular alternative to stone or wooden posts, in that they were cheaper to manufacture (in regards to material and labour costs) and lasted longer (see The Canberra Times 1926:11).

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*Old Beechy Rail Trail Newsletters*

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Old Beechy Rail Trail Newsletter, March 25 2010.

### *Newspapers*

1926 'CONCRETE MILE POSTS.', The Canberra Times (ACT : 1926 - 1954), 14 October, p. 11, viewed 20 September, 2012, <http://nla.gov.au/nla.news-article1207772>

## **Description**

### **Physical Description**

The concrete triangular mile post is located along the former rail line, just south of its intersection with Maggio's Road. It sits on top of a 200m rail cutting that runs either side of the former line. The mile post has a tapered top and is approximately 110cm in height. The post has recessed numbers that read '103' on two of its three faces. The original black and white painted surface has faded and the milepost is now partially covered in moss.

### **Recommended Management**

#### **Other recommendations**

Organisations and individual land holders also play an important role in looking after places of heritage value. Much can be achieved through local awareness, action and guidelines. The alignment of the railway passes through both public and private land in a variety of tenure arrangements. .

Part of the study area is Crown Land under the management of the Department of Sustainability and Environment (DSE). Public land management guidelines have been produced by the Department's Historic Places Branch and these include the following considerations for the protection of sites (DSE, 2010):

- . Non-disturbance of sites
- . The use of zones and buffers that take in all the elements of the landscape
- . Protection of historic landscape where there is a series of connected sites or where the context is important
- . Interpretation and recording.

Similar guidelines could be developed as a code of practice for other landholders along the railway alignment.

Communication and education about managing the heritage values of the railway can assist in letting all landholders know about this important heritage asset. Organisations such as Friends of the Old Beechy Line, local and railway historical societies can play roles in this regard.

In some sections of the railway, maps and plans are now the only evidence of what was there. They are invaluable documents in the understanding of the railway and they are important public records of changes that have taken place in cadastral boundaries. Any documentary records should be placed in a publically accessible archive.

## **Comparative Analysis**

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State owned narrow gauge railways in Victoria are a rarity in a broad gauge system, and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at a time of tight public finance. There were four narrow gauge state railways built in Victoria from 1899 to 1911 to serve remote and mountainous locations. Of these four, the two from Ferntree Gully to Gembrook and Moe to Walhalla have been compromised in various ways.

The Gembrook line has been built over from Ferntree Gully to Belgrave and from there to Gembrook it has been regraded in parts and a modern tourist railway put on top of it. The station sites and other features have been reconstructed to suit modern conditions and do not faithfully resemble the original facilities.

Heritage protection is afforded to the Emerald to Gembrook (Puffing Billy) railway through a Victorian Heritage Register (VHR) listing for the locomotives and rolling stock and Heritage Overlays on several trestle bridges.

The Moe to Walhalla line has been built over in parts, some sections put under water. It has a modern railway built on top at the terminus end. The railway is on the Victorian Heritage Inventory (VHI) and several trestle bridges are on the VHR.

Wangaratta to Whitfield was substantially intact as a roadbed in 2003 although the rails have been lifted. The Whitfield line was intended to extend to Tolmie as a mountain railway but this section was never built. The railway has no heritage listing.

Other engineering works in linear form that can be compared with the railway include road building, such as the National Heritage listed Great Ocean Road and the Yan Yean and Maroondah water supply systems with their lengths of aqueducts and associated water infrastructure. Both these systems have been assessed to be of state significance.

### Statement of Significance

#### What is significant?

The 103 mile post located in Section 3 between Maggio's Road Barongarook and Cashins Road, Birnam, as part of the former Colac-Beech Forest-Crowes railway is significant.

The 103 mile post is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites. The extant fabric represents the state of the railway as at its closure in 1962 following the removal of rails and this fabric is the basis for assessing its significance.

The existing formation runs from Colac railway yard, with some gaps, to just past Devitt Bros Sliding, near Beech Forest and three sections along the Otway Ridge at Buchanan, near Kincaid and at Lavers Hills. There are also several specific features and relics outside the immediate surviving formation.

The existing formation can be divided into several representative sections reflecting the terrain passed over and demonstrating how to secure a workable gradient. The extant sections are as follows:

1. From Colac railway yard, south side, Colac to Shorts Road, Barongarook - this section demonstrates an existing formation in foothill terrain. The 3 chain curve is located within this section.
2. From Shorts Road, Barongarook to Maggio's, Barongarook - this section demonstrates the long and low cuttings and embankments required to surmount a low divide

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3. From Maggio's, Barongarook to Cashins Road, Birnam - this section demonstrates the lead into, the passage through and the lead out of a mountain section. This section is the longest and largest cutting and embankment anywhere on the railway
4. From Cashins Road, Birnam to Lovat at E762077 N231355 where the main road intersects and obliterates the existing formations - this section demonstrates a streamside parallel route
5. From the south side of the Gellibrand caravan park for 2.2 km to E76200 N205310 - this section demonstrates the foothill lead into a mountainous section via rises and short plateaux
6. From E762044 N205310 to immediately south of Devitt Bros Sliding at E762044 N240222 - this section demonstrates all the characteristics of a mountain railway
7. At Beech Forest township, east end abutting the hotel -this section is the remnants of the railway yard and the reversing loop for the turning trains. Reversing loops were rare in Victoria on any gauge and this example is unique to the narrow gauge
8. At Beech Forest township, west end, from near the Public Hall and westwards for approximately 700 metres, up until and including the water race and collection weir - this section demonstrates the roadbed traversing a multi headed gully
9. From near Kincaid to near Wyelangta - this section demonstrates a mountain railway alignment along a ridge top
10. From near Lavers Hills and westwards for 800 meters - his section shows a south facing, multi curved alignment
11. At Crowes station and environs - the rails, infrastructure and a vegetation sample remain intact

### **How is it significant?**

The 103 mile post as a surviving feature of the Colac Beech Forest Crowes Railway is of historic, rarity and aesthetic significance to Colac Otway Shire.

The 103 mile post is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites . Combined, these features are of historical, aesthetic, technical significance, and social significance, and have rarity values.

### **Why is it significant?**

The 103 mile post is significant as one of three remaining mile posts which were once a common feature of the line, once marking the entire length of the railway. They have largely been removed or relocated, making the three remaining mile posts rare features. Aesthetically it provides a symbolic marker for the line, although the colouring has faded.

The Colac-Beech Forest-Crowes railway was a major contributor to the economic development of the west Otways region from its inception in 1902 until its closure in 1962. Throughout the sixty years of operation the railway provided the means by which the forestry industry of the Otways could be sustained. The railway and associated tramway system provided the means by which the region could support over 100 sawmills, and provide added income from timber for the settlers who cleared land for agriculture. The railway provided the only all weather access to the region until the road network was sufficiently developed in the 1950s. It allowed for the export of fresh produce including potatoes and other vegetables and dairy produce to reach markets, transforming the lives of the settlers from subsistence level to income producing farming. The needs of the communities along the railway were met through special excursions and picnic trains, providing much needed or social and recreational outings. The railway promoted the growth of townships in the

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Otways, both through providing housing for railway staff, and linking primary production and markets.

The Colac Beech Forest railway line is one of only four State-owned narrow gauge railways built in Victoria and sections of it remain the best examples of a narrow gauge mountain railway in Victoria. It represents the longest narrow gauge line in Victoria and one that operated for the longest period. The reversing loop at Beech Forest remains as the only one known to have been constructed on a narrow gauge line in Victoria.

The whole formation and its associated features, both those surveyed and those not located demonstrates the place as a transport conduit and a significant linear feature in the landscape. The formation has the potential to be understood as a place demonstrating the role of engineering through traversing the difficult terrain in a manner that minimized cost in construction. The rail formation is a significant element in the cultural landscape as it negotiates the undulating farmland, the foothills, steep gullies and mountainsides and the ridge lines of the Otways. The features associated with the construction, operation and associated industry have research potential, whether they were able to be identified in 2012, 2003 or not located.

The steep gradients, tight curves, narrow cuttings, embankments, and remains of closely spaced stations and sidings are substantial tangible reminders of a narrow gauge mountain railway. The three remaining railway houses at Gellibrand and Beech Forest are representative of standard housing designed and constructed by the Victorian Railways.

The formation as it passes through particularly steep sections has aesthetic values represented by pathway, enclosure and grandeur as it traverses the mountains. The formation in the foothills, where visible, represents a subtle linear landscape feature.

The Colac-Beech Forest-Crowes railway line is an outstanding engineering feat, demonstrating a skilled design utilising relatively few bridges, a large number of curved cuttings and embankments and a uniform and workable gradient of 1 in 30, achieved in difficult terrain and constructed in the wettest area of Victoria.

The extent of community attachment to the line has not been assessed, however the large number of historical books and brochures, and the community support for the rail trail is evidence of on-going commitment to the interpretation of the line.

### **Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).**

Although agricultural land selection in the Otways began in the mid 1880s, the isolation and lack of all weather access through the Otways caused considerable hardship for selectors. The railway provided the economic stimulus for development of both agriculture and the timber industry. The Colac-Beech Forest-Crowes railway was built to stimulate development and to tap into the unrealised economic potential of the area.

The construction of the Colac-Beech Forest-Crowes railway corresponded to a brief period in the history of the Victorian Railways from 1889-1911 when narrow gauge construction was seen as a solution to rural economic development in an environment when roads did not provide an all weather solution to the transport needs of the district.

The construction of the Colac-Beech Forest-Crowes railway was an important stimulus to the development of the timber industry through providing transport for a wide range of timber products. Initially seen as a by-product of agricultural clearing, timber rapidly became the major freight carried by the railway, supporting over 100 sawmills scattered throughout the region. The timber industry remains a major activity in the Otways, responding to changes in logging

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practices and forestry management techniques.

The railway provided the means by which selectors could become more than merely subsistence farmers, with all weather access to markets for their agricultural produce. Thus the railway provided the stimulus for the development of agriculture including potatoes and other vegetables, and dairying. Other smaller primary industries such as building lime and ballast for road and railway construction were also made possible.

The railway provided all weather reliable transport for the goods and people of the small communities that were established along the line. Railway construction workers, operations staff and their families were also an integral part of those communities. The line brought additional services such as telephones and running water that were vital parts of the development of communities.

The railway provided a means of social and recreational life for the isolated communities, connecting each other until the late 1950s when picnic trains and special outings were a part of the service provided by the railway.

The construction of the Colac-Beech Forest-Crowes railway demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads, that it was the only safe, all weather form of access to the Otway Ranges, and as a consequence was the economic and social lifeline for people and industries for several decades.

From 2007 the railway line has developed a new importance for the recreational life of the community since the development of the Old Beechy Rail Trail.

### **Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).**

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at the time of tight public finance.

The Colac-Beech Forest-Crowes Railway was one of only five narrow gauge railways planned by the Victorian Railways whose opposition to this type of railway was based on it being a non-standard variation from broad gauge lines and economically inferior due to the lesser quantities of freight that could be carried. Although not the first narrow gauge line to be constructed, Colac-Beech Forest-Crowes was designed to see if a narrow gauge line could generate equivalent revenue to a broad gauge line.

Of the five narrow gauge lines planned only four were built, including Ferntree Gully to Gembrook, (Puffing Billy), Moe to Walhalla, and Wangaratta to Whitfield and Colac Beech Forest Crowes. The Colac-Beech Forest-Crowes line represents the best example of a narrow gauge mountain railway, is the longest in route at 71 km and operated for the longest period of over 60 years. The line demonstrates a rare pattern of usage in running two divisions between 1911 and 1929, resulting in an operation with a complex roster of locomotive workings.

Some sections of the line provide the best tangible evidence of a narrow gauge mountain railway in Victoria; with large and well formed cuttings and embankments, leads into and out of mountain sections, rises and short plateaux. These include Section 2 (Shorts Road to Barongarook), Section 3 (Maggio's Barongarook to Cashins Road Birnam), Section 5 (south of Gellibrand carpark), Section 9 (near Kincaid to Wyelangta), and Section 10 (westwards of Lavers Hill).

The remains of the reversing loop at Beech Forest constitutes a rare feature on any gauge line and the only one known to have been constructed on a narrow gauge line.

The Colac-Beech Forest-Crowes railway is a rare large scale engineering feat in Victoria, comparable to the Great Ocean Road and the Yan Yean and Maroondah water supply systems.

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### **Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).**

The Colac-Beech Forest-Crowes railway formation and its associated features forms a linear element in the broader landscape of the west Otways. Although some sections are more intact than others, the whole formation (where it is evident) has the potential for understanding the railway as a transport conduit. Disturbance to the formation through its incorporation into the road network or the rail trail has reduced its visibility in the landscape in some parts, and through that disturbance, has lowered the archaeological potential in those areas.

Within and beside the formation there are particular features such as mile posts, the remains of timber bridges, water tanks, borrow pits, and ash heaps are tangible evidence of the design, construction and operation of the railway. Embankments and cuttings provide evidence of the endeavour required to build a railway in steep terrain, and are a reminder of the manual work practices required at the time.

Associated sites of the many timber tramways that connected the sawmills to the railway, the remains of the lime kilns at Kawarren, and the stone quarry at Banool have the potential to contribute to our understanding of the many functions provided by the railway. There are many features associated with the railway line that are no longer visible, having been overgrown with vegetation. These include tramways leading from logging sites to the railway.

### **Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).**

The Colac-Beech Forest-Crowes line is Victoria's sole surviving relatively intact example of a narrow gauge, mountain railway designed to bring rail communication to a remote region and facilitate economic development. The main features of the railway amply demonstrate the narrow gauge, the steep gradients, the many tight curves, the numerous embankments and cuttings and the closely spaced stations en-route, with their rudimentary facilities. The evidence is substantial and tangible.

Associated features such as the standard design Victorian Railway houses at Gellibrand and Beech Forest are typical examples of the type of housing provided to railway workers in isolated locations.

### **Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).**

The railway formation provides an element in the broader landscape that responds to the topography, particularly where the railway traverses the mountain landscape. The tight curves, embankments and cuttings with closely spaced trees, particularly in Section 3, Section 5, and Section 6 provide evocative places where the natural topography and landscape is overlaid with the constructed formation. The palm tree at Crowes is a focal point of the former station and representative of exotic railway planting provided by Victorian Railways in the early 20th century.

### **Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).**

The existing formation is the pre-eminent surviving example of a narrow gauge mountain railway built to the contemporary standards of the Victorian Railways and designed to achieve a uniform and workable gradient in difficult terrain. The existing formation demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads and tracks that it was the only safe, all weather form of access to the Otway Ranges.

The geographical setting made the line one of the most difficult on the Victorian Railway's system, with a large number of curved sections necessary to traverse the foothills and the ranges themselves. With an even gradient and many tight curves the line was an exceptional piece of engineering, particularly when it was constructed in the region of the state's

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wettest area.

The line was constructed with the minimal number of bridges which is further demonstration of the skill in design to achieve as economical construction as possible.

**Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).**

Although the extent of attachment to this place has not been assessed in this report, there is evidence of community attachment through research and writing about the line. A strong attachment to the place has been maintained through the formation of the Friends of the Old Beechy line and the subsequent work to establish, maintain and promote the rail trail. Through interpretation and access the rail trail has gathered support for railway history and the history of the west Otways through the perspective of the railway.

**Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).**

The Colac-Beech Forest-Crowes railway has not been found to have associative significance.

### Assessment Against Criteria

The Colac-Beech Forest-Crowes railway line, including the 103 mile post was assessed in accordance with the processes and guidelines outlined in the Australia ICOMOS Charter for Places of Cultural Heritage Significance (The Burra Charter) 1999, using the Hercon criteria

### Recommendations 2013

|                                         |     |
|-----------------------------------------|-----|
| <b>External Paint Controls</b>          | Yes |
| <b>Internal Alteration Controls</b>     | No  |
| <b>Tree Controls</b>                    | No  |
| <b>Fences &amp; Outbuildings</b>        | No  |
| <b>Prohibited Uses May Be Permitted</b> | -   |
| <b>Incorporated Plan</b>                | -   |
| <b>Aboriginal Heritage Place</b>        | -   |



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**Name** 101 mile post, as part of the former Colac-Beech Forest-  
Crowes railway  
**Address** BARONGAROOK  
**Place Type** Other - Transport - Rail  
**Citation Date** 2013



101 mile post

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**Recommended**      **VHR No HI No PS No**  
**Heritage Protection**

### History and Historical Context

#### Thematic history

A series of land acts were passed in the 1860s in an attempt to create small farm holdings, whilst at the same time recognising the pioneering efforts of the squatters. Under the first land act, the 1860 Land Sales Act, three million acres were surveyed into allotments of between 80 to 640 acres. No person could select more than 640 acres annually, and the land had to be paid for outright, or half paid and half leased. Subsequently more land was made available for selection under the *Land Act* (1862) and the *Amendment Act* (1865). Then in 1869, most land - including unsurveyed land - became available for selection under the *Land Act* (Sheehan, 2003:19).

The Otway Ranges, in south west Victoria, were first opened to agricultural selection in 1884, under the *Land Act 1884*, when allotments were selected from pre survey maps prepared by the Lands Department (Minchinton 2011:2). Within ten years more than 200 allotments had been taken up (Houghton 2005:1).

Yet it wasn't until the arrival of the railway, during the 1870s, that Victoria's isolated south western region was considered penetrable. Until this time, the Otway Ranges were virtually impassable and as such, were of little economic value. The introduction of the railway provided the first all weather, fast and reliable transport service into the area, which as Houghton noted was 'characterised by dense timber and high rainfall' (Houghton 2003:5).

The role of the Colonial government in surveying the area in 1884 and 1889 was instrumental in the change from the design of a broad gauge to a narrow gauge railway, with the resulting decrease in cost. The Beech Forest line, is therefore not the earliest nor the latest, but constructed at the peak of construction in the sparsely settled areas.

During the 1890s pressure rose to find the means to construct cheap railways to the underdeveloped parts of Victoria, as the government realised that the cost of providing communications to the outlying communities by means of railways was excessive for the small populations served. In 1894 the Parliamentary Standing Committee on Railways considered the use of narrow gauge railways. The idea was opposed by the Victorian Railways (VR) in that it would introduce a non-standard operating regime, which would without doubt incur extra costs, especially when stock had to be transferred between the two gauges.

In 1895 the Committee recommended that narrow gauge lines be only introduced in sparsely settled areas. The first of the four narrow gauge lines, between Wangaratta and Whitfield opened in March 1899. It was followed by the Upper Ferntree Gully to Gembrook line in December 1900, the Colac to Beech Forest line in March 1902 and the Moe to Walhalla in May 1910. The Colac to Beech Forest line was extended to Crowes in June 1911 (see Houghton 2003:6 and Thompson 2004:2).

An initial broad gauge line from Colac to the top of the Otway Ridge had been constructed in 1884 but it was abandoned due to the high cost in laying the broad gauge, especially in such difficult terrain. The construction of the narrow gauge railway was delayed until 1900 when the initial section between Colac to Beech Forest was developed. It was completed by March 1902, by which time some 44.7km of line had been laid. The line was extended to Crowes, some 22.5km west of Beech Forest from 1909-1911. Not only did the narrow gauge railways open up these isolated communities, they too provided a vital service for pioneer settlers, allowing food produce and people to travel into and out of the region. The Colac-Beech Forest-Crowes railway was an immediate success providing access to the forests. With this, timber could be harvested and sent out as 'palings, mining props and laths, charcoal, sleepers, posts, piles, barrel staves, furniture and

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carriage timbers and sawn timber for building purposes' (Houghton 2012:21).

Yet despite the use of these lines and the communities they served, the narrow gauge lines generally suffered heavy financial losses throughout their lifetimes and were closed as soon as conveniently possible (see Anchen 2012:3).

### **Colac-Beech Forest-Crowes railway history**

The former Colac-Beech Forest-Crowes railway runs for approximately 71km. From Colac Railway Station it travels in a southerly direction towards Beech Forest (48km), and then it swings towards the west until it reaches, and terminates at Crowes, a distance of 22.5km.

The railway was used as an important transport corridor for the people and industries of the West Otway Ranges at a time when road transport was primitive. The railway served the area economically for sixty years, carrying freight in and out, particularly as outwards loading of bulk commodities that provided the bulk of the revenue derived from the line. The function of the railway was also to act as a transport conduit for the wider region with railheads connecting with road transport to the coast on the other side of the Otway Ranges.

The topography of the Otways required the design of the railway formation to be a complex affair, with a climb of over 400m, traversing east-west flowing creeks on a north- south aspect and several drops into valleys. Designing the engineering solutions was challenging, with the guiding principle of minimizing earthworks in order to save cost. Wherever possible the route was laid over natural surface with a low earthen mound and an occasional slight cut into the high side. This is typical of the section from Colac to Elliminyt.

Construction took place in two periods of activity with the initial 48 kilometres from Colac to Beech Forest between 1900 and 1902, followed by a further 22.5 kilometres to Crowes between 1909-1911. The railway was an immediate stimulus to the development of the region through providing fast, convenient and all weather access to the region. Fifteen bridges were constructed along the entire length of the Colac-Beech Forest-Crowes line. Houghton notes that earth filled embankments were preferred on economic and maintenance grounds, with timber bridges being only used in wet areas and over the more 'substantial watercourses and very steep gullies' (Houghton 2012:14).

The line has, throughout its life had numerous changes brought about through floods, bushfires, washaways and earth-slips. Natural disasters have taken their toll on the infrastructure. Cuttings and embankments have had to be cut back or modified in response to damage, and buildings, stations and sidings needed constant maintenance and some replacement. Generally the modifications were carried out with similar materials and methods to the original construction.

Stations were built without raised platforms and were of a standard Victorian Railways portable type. Smaller stations were simply corrugated iron shelter sheds and staff housing was provided also to standard design at Barongarook, Banool, Wimba, Weeapoinah, Lavers Hill, Wyelangta, Gellibrand, Crowes and Beech Forest.

The servicing of the locomotives and the line meant that fixtures and other infrastructure were developed long its length, these included water points, coal storage, signals, concrete distance markers, stopping places and a telephone line. Water points were located at Barongarook, Gellibrand, Wimba, Dinmont, Beech Forest, Kincaid and Crowes, and these comprised weirs or pumps, concrete reservoirs, piping and elevated banks. Further infrastructure included loco sheds, located at Beech Forest and a coal storage, located at Beech Forest (see Houghton 2005:13 and Houghton 2012:25).

Mile posts, or distance markers, were placed along the entire length of the railway. These were constructed from concrete and painted white with black numbering. A telephone line travelled the length of the line, so that there was communication from the Colac Station Master's office all the way to Crowes. The line was carried on wooden or iron poles and was set to the side of the track. Stopping places were only marked by name boards and have no obvious remains.

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By the 1950s traffic along the line had declined and the locos that travelled along its length were aged and were in constant need of repair. In November 1960 the Joint Transport Research Committee advised the Minister for Transport that the railway close in 1961. In June 1961 the Minister announced that the line was to close that year, but due to public pressure and urgent road building works, the line stayed open until 1961. It finally closed on 30 June 1962 (see Downs 1963:99 and Houghton 2003:10).

Parliament passed a Bill in November 1963 authorising the dismantling of the Colac-Beech Forest-Crowes railway line. By December 1963 the points at every sliding and station had been removed and a tender advertised for the purchase and removal of all the buildings. Ballarat contractor Littlehales and Sons won the tender.

Houghton notes that the rails were first lifted from Weeaprounah, and the removal progressed towards Colac (Houghton 2012:41). The rails were purchased by the Otway Shire Council for engineering purposes. A major rebuild and realignment of the ridge road in the 1970s removed what remained of the railway along the ridge and over time agriculture and farming has obliterated much of the fabric and its associated embankments and cuttings. Sections have also been destroyed where the former line has been incorporated into timber plantations.

In 2000 a Friends of the Old Beechy Rail was formed with the intention of promoting the heritage attractions of the railway and opening the line up to walkers and cyclists. Together with Colac Otway Shire, the Friends worked to establish the Old Beechy Rail Trail which was opened in 2002. Since that time the rail trail has grown to become a tourist and economic development asset to the region.

### Place history

Concrete mile posts became a popular alternative to stone or wooden posts, in that they were cheaper to manufacture (in regards to material and labour costs) and lasted longer (see The Canberra Times 1926:11).

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*Old Beechy Rail Trail Newsletters*

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Old Beechy Rail Trail Newsletter, March 25 2010.

### *Newspapers*

1926 'CONCRETE MILE POSTS.', The Canberra Times (ACT : 1926 - 1954), 14 October, p. 11, viewed 20 September, 2012, <http://nla.gov.au/nla.news-article1207772>

## **Description**

### **Physical Description**

The moulded concrete mile post is triangular in shape and has a tapered top. It has recessed numbers that read '101' on two of its three faces. The third facade is hollow and shows evidence of the mould used to manufacture the post.

The mile post is approximately 1 meter in height and it sits east of the formation, on top of the cutting. The 101 mile post is in intact and in reasonable condition.

### **Recommended Management**

#### **Other recommendations**

Organisations and individual land holders also play an important role in looking after places of heritage value. Much can be achieved through local awareness, action and guidelines. The alignment of the railway passes through both public and private land in a variety of tenure arrangements. .

Part of the study area is Crown Land under the management of the Department of Sustainability and Environment (DSE). Public land management guidelines have been produced by the Department's Historic Places Branch and these include the following considerations for the protection of sites (DSE, 2010):

- . Non-disturbance of sites
- . The use of zones and buffers that take in all the elements of the landscape
- . Protection of historic landscape where there is a series of connected sites or where the context is important
- . Interpretation and recording.

Similar guidelines could be developed as a code of practice for other landholders along the railway alignment.

Communication and education about managing the heritage values of the railway can assist in letting all landholders know about this important heritage asset. Organisations such as Friends of the Old Beechy Line, local and railway historical societies can play roles in this regard.

In some sections of the railway, maps and plans are now the only evidence of what was there. They are invaluable documents in the understanding of the railway and they are important public records of changes that have taken place in cadastral boundaries. Any documentary records should be placed in a publically accessible archive.

## **Comparative Analysis**

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|                                                                        |                       |          |
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State owned narrow gauge railways in Victoria are a rarity in a broad gauge system, and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at a time of tight public finance. There were four narrow gauge state railways built in Victoria from 1899 to 1911 to serve remote and mountainous locations. Of these four, the two from Ferntree Gully to Gembrook and Moe to Walhalla have been compromised in various ways.

The Gembrook line has been built over from Ferntree Gully to Belgrave and from there to Gembrook it has been regraded in parts and a modern tourist railway put on top of it. The station sites and other features have been reconstructed to suit modern conditions and do not faithfully resemble the original facilities.

Heritage protection is afforded to the Emerald to Gembrook (Puffing Billy) railway through a Victorian Heritage Register (VHR) listing for the locomotives and rolling stock and Heritage Overlays on several trestle bridges.

The Moe to Walhalla line has been built over in parts, some sections put under water. It has a modern railway built on top at the terminus end. The railway is on the Victorian Heritage Inventory (VHI) and several trestle bridges are on the VHR.

Wangaratta to Whitfield was substantially intact as a roadbed in 2003 although the rails have been lifted. The Whitfield line was intended to extend to Tolmie as a mountain railway but this section was never built. The railway has no heritage listing.

Other engineering works in linear form that can be compared with the railway include road building, such as the National Heritage listed Great Ocean Road and the Yan Yean and Maroondah water supply systems with their lengths of aqueducts and associated water infrastructure. Both these systems have been assessed to be of state significance.

### Statement of Significance

#### What is significant?

The 101 mile post located in Section 2 between Short's Road and Maggio's Barongarook as part of the former Colac-Beech Forest-Crowes railway is significant.

The 101 mile post is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites. The extant fabric represents the state of the railway as at its closure in 1962 following the removal of rails and this fabric is the basis for assessing its significance.

The existing formation runs from Colac railway yard, with some gaps, to just past Devitt Bros Sliding, near Beech Forest and three sections along the Otway Ridge at Buchanan, near Kincaid and at Lavers Hills. There are also several specific features and relics outside the immediate surviving formation.

The existing formation can be divided into several representative sections reflecting the terrain passed over and demonstrating how to secure a workable gradient. The extant sections are as follows:

1. From Colac railway yard, south side, Colac to Shorts Road, Barongarook - this section demonstrates an existing formation in foothill terrain. The 3 chain curve is located within this section.
2. From Shorts Road, Barongarook to Maggio's, Barongarook - this section demonstrates the long and low cuttings and embankments required to surmount a low divide

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3. From Maggio's, Barongarook to Cashins Road, Birnam - this section demonstrates the lead into, the passage through and the lead out of a mountain section. This section is the longest and largest cutting and embankment anywhere on the railway
4. From Cashins Road, Birnam to Lovat at E762077 N231355 where the main road intersects and obliterates the existing formations - this section demonstrates a streamside parallel route
5. From the south side of the Gellibrand caravan park for 2.2 km to E76200 N205310 - this section demonstrates the foothill lead into a mountainous section via rises and short plateaux
6. From E762044 N205310 to immediately south of Devitt Bros Sliding at E762044 N240222 - this section demonstrates all the characteristics of a mountain railway
7. At Beech Forest township, east end abutting the hotel -this section is the remnants of the railway yard and the reversing loop for the turning trains. Reversing loops were rare in Victoria on any gauge and this example is unique to the narrow gauge
8. At Beech Forest township, west end, from near the Public Hall and westwards for approximately 700 metres, up until and including the water race and collection weir - this section demonstrates the roadbed traversing a multi headed gully
9. From near Kincaid to near Wyelangta - this section demonstrates a mountain railway alignment along a ridge top
10. From near Lavers Hills and westwards for 800 meters - his section shows a south facing, multi curved alignment
11. At Crowes station and environs - the rails, infrastructure and a vegetation sample remain intact

### **How is it significant?**

The 101 mile post as a surviving feature of the Colac Beech Forest Crowes Railway is of historic, rarity and aesthetic significance to Colac Otway Shire.

The 101 mile post is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites . Combined, these features are of historical, aesthetic, technical significance, and social significance, and have rarity values.

### **Why is it significant?**

The 101 mile post is significant as one of three remaining mile posts which were once a common feature of the line, once marking the entire length of the railway. They have largely been removed or relocated, making the three remaining mile posts rare features. Aesthetically it provides a symbolic marker for the railway line, and appears to have its original colouring.

The Colac-Beech Forest-Crowes railway was a major contributor to the economic development of the west Otways region from its inception in 1902 until its closure in 1962. Throughout the sixty years of operation the railway provided the means by which the forestry industry of the Otways could be sustained. The railway and associated tramway system provided the means by which the region could support over 100 sawmills, and provide added income from timber for the settlers who cleared land for agriculture. The railway provided the only all weather access to the region until the road network was sufficiently developed in the 1950s. It allowed for the export of fresh produce including potatoes and other vegetables and dairy produce to reach markets, transforming the lives of the settlers from subsistence level to income producing farming. The needs of the communities along the railway were met through special excursions and picnic

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trains, providing much needed or social and recreational outings. The railway promoted the growth of townships in the Otways, both through providing housing for railway staff, and linking primary production and markets.

The Colac Beech Forest railway line is one of only four State-owned narrow gauge railways built in Victoria and sections of it remain the best examples of a narrow gauge mountain railway in Victoria. It represents the longest narrow gauge line in Victoria and one that operated for the longest period. The reversing loop at Beech Forest remains as the only one known to have been constructed on a narrow gauge line in Victoria.

The whole formation and its associated features, both those surveyed and those not located demonstrates the place as a transport conduit and a significant linear feature in the landscape. The formation has the potential to be understood as a place demonstrating the role of engineering through traversing the difficult terrain in a manner that minimized cost in construction. The rail formation is a significant element in the cultural landscape as it negotiates the undulating farmland, the foothills, steep gullies and mountainsides and the ridge lines of the Otways. The features associated with the construction, operation and associated industry have research potential, whether they were able to be identified in 2012, 2003 or not located.

The steep gradients, tight curves, narrow cuttings, embankments, and remains of closely spaced stations and sidings are substantial tangible reminders of a narrow gauge mountain railway. The three remaining railway houses at Gellibrand and Beech Forest are representative of standard housing designed and constructed by the Victorian Railways.

The formation as it passes through particularly steep sections has aesthetic values represented by pathway, enclosure and grandeur as it traverses the mountains. The formation in the foothills, where visible, represents a subtle linear landscape feature.

The Colac-Beech Forest-Crowes railway line is an outstanding engineering feat, demonstrating a skilled design utilising relatively few bridges, a large number of curved cuttings and embankments and a uniform and workable gradient of 1 in 30, achieved in difficult terrain and constructed in the wettest area of Victoria.

The extent of community attachment to the line has not been assessed, however the large number of historical books and brochures, and the community support for the rail trail is evidence of on-going commitment to the interpretation of the line.

### **Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).**

Although agricultural land selection in the Otways began in the mid 1880s, the isolation and lack of all weather access through the Otways caused considerable hardship for selectors. The railway provided the economic stimulus for development of both agriculture and the timber industry. The Colac-Beech Forest-Crowes railway was built to stimulate development and to tap into the unrealised economic potential of the area.

The construction of the Colac-Beech Forest-Crowes railway corresponded to a brief period in the history of the Victorian Railways from 1889-1911 when narrow gauge construction was seen as a solution to rural economic development in an environment when roads did not provide an all weather solution to the transport needs of the district.

The construction of the Colac-Beech Forest-Crowes railway was an important stimulus to the development of the timber industry through providing transport for a wide range of timber products. Initially seen as a by-product of agricultural clearing, timber rapidly became the major freight carried by the railway, supporting over 100 sawmills scattered

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throughout the region. The timber industry remains a major activity in the Otways, responding to changes in logging practices and forestry management techniques.

The railway provided the means by which selectors could become more than merely subsistence farmers, with all weather access to markets for their agricultural produce. Thus the railway provided the stimulus for the development of agriculture including potatoes and other vegetables, and dairying. Other smaller primary industries such as building lime and ballast for road and railway construction were also made possible.

The railway provided all weather reliable transport for the goods and people of the small communities that were established along the line. Railway construction workers, operations staff and their families were also an integral part of those communities. The line brought additional services such as telephones and running water that were vital parts of the development of communities.

The railway provided a means of social and recreational life for the isolated communities, connecting each other until the late 1950s when picnic trains and special outings were a part of the service provided by the railway.

The construction of the Colac-Beech Forest-Crowes railway demonstrates through it's comparative placement alongside undulating, narrow and waterlogged roads, that it was the only safe, all weather form of access to the Otway Ranges, and as a consequence was the economic and social lifeline for people and industries for several decades.

From 2007 the railway line has developed a new importance for the recreational life of the community since the development of the Old Beechy Rail Trail.

### **Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).**

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at the time of tight public finance.

The Colac-Beech Forest-Crowes Railway was one of only five narrow gauge railways planned by the Victorian Railways whose opposition to this type of railway was based on it being a non-standard variation from broad gauge lines and economically inferior due to the lesser quantities of freight that could be carried. Although not the first narrow gauge line to be constructed, Colac-Beech Forest-Crowes was designed to see if a narrow gauge line could generate equivalent revenue to a broad gauge line.

Of the five narrow gauge lines planned only four were built, including Ferntree Gully to Gembrook, (Puffing Billy), Moe to Walhalla, and Wangaratta to Whitfield and Colac Beech Forest Crowes. The Colac-Beech Forest-Crowes line represents the best example of a narrow gauge mountain railway, is the longest in route at 71 km and operated for the longest period of over 60 years. The line demonstrates a rare pattern of usage in running two divisions between 1911 and 1929, resulting in an operation with a complex roster of locomotive workings.

Some sections of the line provide the best tangible evidence of a narrow gauge mountain railway in Victoria; with large and well formed cuttings and embankments, leads into and out of mountain sections, rises and short plateaux. These include Section 2 (Shorts Road to Barongarook), Section 3 (Maggio's Barongarook to Cashins Road Birnam), Section 5 (south of Gellibrand carpark), Section 9 (near Kincaid to Wyelangta), and Section 10 (westwards of Lavers Hill).

The remains of the reversing loop at Beech Forest constitutes a rare feature on any gauge line and the only one known to have been constructed on a narrow gauge line.

The Colac-Beech Forest-Crowes railway is a rare large scale engineering feat in Victoria, comparable to the Great Ocean Road and the Yan Yean and Maroondah water supply systems.

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### **Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).**

The Colac-Beech Forest-Crowes railway formation and its associated features forms a linear element in the broader landscape of the west Otways. Although some sections are more intact than others, the whole formation (where it is evident) has the potential for understanding the railway as a transport conduit. Disturbance to the formation through its incorporation into the road network or the rail trail has reduced its visibility in the landscape in some parts, and through that disturbance, has lowered the archaeological potential in those areas.

Within and beside the formation there are particular features such as mile posts, the remains of timber bridges, water tanks, borrow pits, and ash heaps are tangible evidence of the design, construction and operation of the railway. Embankments and cuttings provide evidence of the endeavour required to build a railway in steep terrain, and are a reminder of the manual work practices required at the time.

Associated sites of the many timber tramways that connected the sawmills to the railway, the remains of the lime kilns at Kawarren, and the stone quarry at Banool have the potential to contribute to our understanding of the many functions provided by the railway. There are many features associated with the railway line that are no longer visible, having been overgrown with vegetation. These include tramways leading from logging sites to the railway.

### **Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).**

The Colac-Beech Forest-Crowes line is Victoria's sole surviving relatively intact example of a narrow gauge, mountain railway designed to bring rail communication to a remote region and facilitate economic development. The main features of the railway amply demonstrate the narrow gauge, the steep gradients, the many tight curves, the numerous embankments and cuttings and the closely spaced stations en-route, with their rudimentary facilities. The evidence is substantial and tangible.

Associated features such as the standard design Victorian Railway houses at Gellibrand and Beech Forest are typical examples of the type of housing provided to railway workers in isolated locations.

### **Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).**

The railway formation provides an element in the broader landscape that responds to the topography, particularly where the railway traverses the mountain landscape. The tight curves, embankments and cuttings with closely spaced trees, particularly in Section 3, Section 5, and Section 6 provide evocative places where the natural topography and landscape is overlaid with the constructed formation. The palm tree at Crowes is a focal point of the former station and representative of exotic railway planting provided by Victorian Railways in the early 20th century.

### **Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).**

The existing formation is the pre-eminent surviving example of a narrow gauge mountain railway built to the contemporary standards of the Victorian Railways and designed to achieve a uniform and workable gradient in difficult terrain. The existing formation demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads and tracks that it was the only safe, all weather form of access to the Otway Ranges.

The geographical setting made the line one of the most difficult on the Victorian Railway's system, with a large number of curved sections necessary to traverse the foothills and the ranges themselves. With an even gradient and many tight

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curves the line was an exceptional piece of engineering, particularly when it was constructed in the region of the state's wettest area.

The line was constructed with the minimal number of bridges which is further demonstration of the skill in design to achieve as economical construction as possible.

**Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).**

Although the extent of attachment to this place has not been assessed in this report, there is evidence of community attachment through research and writing about the line. A strong attachment to the place has been maintained through the formation of the Friends of the Old Beechy line and the subsequent work to establish, maintain and promote the rail trail. Through interpretation and access the rail trail has gathered support for railway history and the history of the west Otways through the perspective of the railway.

**Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).**

The Colac-Beech Forest-Crowes railway has not been found to have associative significance.

### Assessment Against Criteria

The Colac-Beech Forest-Crowes railway line, including the 101 mile post was assessed in accordance with the processes and guidelines outlined in the Australia ICOMOS Charter for Places of Cultural Heritage Significance (The Burra Charter) 1999, using the Hercon criteria.

### Recommendations 2013

**External Paint Controls**

**Internal Alteration Controls**

**Tree Controls**

**Fences & Outbuildings**

**Prohibited Uses May Be Permitted**

**Incorporated Plan**

**Aboriginal Heritage Place**

|     |
|-----|
| Yes |
| No  |
| No  |
| No  |
| -   |
| -   |
| -   |



## HERITAGE CITATION REPORT

**Name** 3 chain curve, as part of the former Colac-Beech Forest-Crowes railway  
**Address** ELLIMINYT  
**Place Type** Railway embankment/cutting  
**Citation Date** 2013



3 chain curve

**Recommended** VHR No HI No PS Yes  
**Heritage Protection**

## History and Historical Context

### Thematic history

A series of land acts were passed in the 1860s in an attempt to create small farm holdings, whilst at the same time recognising the pioneering efforts of the squatters. Under the first land act, the 1860 Land Sales Act, three million acres were surveyed into allotments of between 80 to 640 acres. No person could select more than 640 acres annually, and the land had to be paid for outright, or half paid and half leased. Subsequently more land was made available for selection under the *Land Act* (1862) and the *Amendment Act* (1865). Then in 1869, most land - including unsurveyed land - became available for selection under the *Land Act* (Sheehan, 2003:19).

The Otway Ranges, in south west Victoria, were first opened to agricultural selection in 1884, under the *Land Act 1884*, when allotments were selected from pre survey maps prepared by the Lands Department (Minchinton 2011:2). Within ten years more than 200 allotments had been taken up (Houghton 2005:1).

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Yet it wasn't until the arrival of the railway, during the 1870s, that Victoria's isolated south western region was considered penetrable. Until this time, the Otway Ranges were virtually impassable and as such, were of little economic value. The introduction of the railway provided the first all weather, fast and reliable transport service into the area, which as Houghton noted was 'characterised by dense timber and high rainfall' (Houghton 2003:5).

The role of the Colonial government in surveying the area in 1884 and 1889 was instrumental in the change from the design of a broad gauge to a narrow gauge railway, with the resulting decrease in cost. The Beech Forest line, is therefore not the earliest nor the latest, but constructed at the peak of construction in the sparsely settled areas.

During the 1890s pressure rose to find the means to construct cheap railways to the underdeveloped parts of Victoria, as the government realised that the cost of providing communications to the outlying communities by means of railways was excessive for the small populations served. In 1894 the Parliamentary Standing Committee on Railways considered the use of narrow gauge railways. The idea was opposed by the Victorian Railways (VR) in that it would introduce a non-standard operating regime, which would without doubt incur extra costs, especially when stock had to be transferred between the two gauges.

In 1895 the Committee recommended that narrow gauge lines be only introduced in sparsely settled areas. The first of the four narrow gauge lines, between Wangaratta and Whitfield opened in March 1899. It was followed by the Upper Ferntree Gully to Gembrook line in December 1900, the Colac to Beech Forest line in March 1902 and the Moe to Walhalla in May 1910. The Colac to Beech Forest line was extended to Crowes in June 1911 (see Houghton 2003:6 and Thompson 2004:2).

An initial broad gauge line from Colac to the top of the Otway Ridge had been constructed in 1884 but it was abandoned due to the high cost in laying the broad gauge, especially in such difficult terrain. The construction of the narrow gauge railway was delayed until 1900 when the initial section between Colac to Beech Forest was developed. It was completed by March 1902, by which time some 44.7km of line had been laid. The line was extended to Crowes, some 22.5km west of Beech Forest from 1909-1911. Not only did the narrow gauge railways open up these isolated communities, they too provided a vital service for pioneer settlers, allowing food produce and people to travel into and out of the region. The Colac-Beech Forest-Crowes railway was an immediate success providing access to the forests. With this, timber could be harvested and sent out as 'palings, mining props and laths, charcoal, sleepers, posts, piles, barrel staves, furniture and carriage timbers and sawn timber for building purposes' (Houghton 2012:21).

Yet despite the use of these lines and the communities they served, the narrow gauge lines generally suffered heavy financial losses throughout their lifetimes and were closed as soon as conveniently possible (see Anchen 2012:3).

### **Colac-Beech Forest-Crowes railway history**

The former Colac-Beech Forest-Crowes railway runs for approximately 71km. From Colac Railway Station it travels in a southerly direction towards Beech Forest (48km), and then it swings towards the west until it reaches, and terminates at Crowes, a distance of 22.5km.

The railway was used as an important transport corridor for the people and industries of the West Otway Ranges at a time when road transport was primitive. The railway served the area economically for sixty years, carrying freight in and out, particularly as outwards loading of bulk commodities that provided the bulk of the revenue derived from the line. The function of the railway was also to act as a transport conduit for the wider region with railheads connecting with road transport to the coast on the other side of the Otway Ranges.

The topography of the Otways required the design of the railway formation to be a complex affair, with a climb of over 400m, traversing east-west flowing creeks on a north- south aspect and several drops into valleys. Designing the engineering solutions was challenging, with the guiding principle of minimizing earthworks in order to save cost.

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Wherever possible the route was laid over natural surface with a low earthen mound and an occasional slight cut into the high side. This is typical of the section from Colac to Elliminyt.

Construction took place in two periods of activity with the initial 48 kilometres from Colac to Beech Forest between 1900 and 1902, followed by a further 22.5 kilometres to Crowes between 1909-1911. The railway was an immediate stimulus to the development of the region through providing fast, convenient and all weather access to the region. Fifteen bridges were constructed along the entire length of the Colac-Beech Forest-Crowes line. Houghton notes that earth filled embankments were preferred on economic and maintenance grounds, with timber bridges being only used in wet areas and over the more 'substantial watercourses and very steep gullies' (Houghton 2012:14).

The line has, throughout its life had numerous changes brought about through floods, bushfires, washaways and earth-slips. Natural disasters have taken their toll on the infrastructure. Cuttings and embankments have had to be cut back or modified in response to damage, and buildings, stations and sidings needed constant maintenance and some replacement. Generally the modifications were carried out with similar materials and methods to the original construction.

Stations were built without raised platforms and were of a standard Victorian Railways portable type. Smaller stations were simply corrugated iron shelter sheds and staff housing was provided also to standard design at Barongarook, Banool, Wimba, Weeaprounah, Lavers Hill, Wyelangta, Gellibrand, Crowes and Beech Forest.

The servicing of the locomotives and the line meant that fixtures and other infrastructure were developed long its length, these included water points, coal storage, signals, concrete distance markers, stopping places and a telephone line. Water points were located at Barongarook, Gellibrand, Wimba, Dinmont, Beech Forest, Kincaid and Crowes, and these comprised weirs or pumps, concrete reservoirs, piping and elevated tanks. Further infrastructure included loco sheds, located at Beech Forest and a coal storage, located at Beech Forest (see Houghton 2005:13 and Houghton 2012:25).

Mile posts, or distance markers, were placed along the entire length of the railway. These were constructed from concrete and painted white with black numbering. A telephone line travelled the length of the line, so that there was communication from the Colac Station Master's office all the way to Crowes. The line was carried on wooden or iron poles and was set to the side of the track. Stopping places were only marked by name boards and have no obvious remains.

By the 1950s traffic along the line had declined and the locos that travelled along its length were aged and were in constant need of repair. In November 1960 the Joint Transport Research Committee advised the Minister for Transport that the railway close in 1961. In June 1961 the Minister announced that the line was to close that year, but due to public pressure and urgent road building works, the line stayed open until 1961. It finally closed on 30 June 1962 (see Downs 1963:99 and Houghton 2003:10).

Parliament passed a Bill in November 1963 authorising the dismantling of the Colac-Beech Forest-Crowes railway line. By December 1963 the points at every siding and station had been removed and a tender advertised for the purchase and removal of all the buildings. Ballarat contractor Littlehales and Sons won the tender.

Houghton notes that the rails were first lifted from Weeaprounah, and the removal progressed towards Colac (Houghton 2012:41). The rails were purchased by the Otway Shire Council for engineering purposes. A major rebuild and realignment of the ridge road in the 1970s removed what remained of the railway along the ridge and over time agriculture and farming has obliterated much of the fabric and its associated embankments and cuttings. Sections have also been destroyed where the former line has been incorporated into timber plantations.

In 2000 a Friends of the Old Beechy Rail was formed with the intention of promoting the heritage attractions of the railway and opening the line up to walkers and cyclists. Together with Colac Otway Shire, the Friends worked to establish the Old Beechy Rail Trail which was opened in 2002. Since that time the rail trail has grown to become a tourist

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and economic development asset to the region.

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## Description

### Physical Description

A tight 3 chain left curve on an embankment to the east of Colac-Lavers Hills Road, 300m north of Friends Road was recorded during this survey. The bend is a rare surviving feature on the railway and clearly shows the planning principles of building the railway.

The slope is east facing, and contains approximately 200metres of rail bed. The bed contains a number of 'dog pegs'. These metal pins were used to secure the railway line to railway sleepers and are still found along the length of the railway, not only at this section (B. Scanlan, pers comms, December 4 2012).

### Recommended Management

#### Other recommendations

Organisations and individual land holders also play an important role in looking after places of heritage value. Much can be achieved through local awareness, action and guidelines. The alignment of the railway passes through both public and private land in a variety of tenure arrangements. .

Part of the study area is Crown Land under the management of the Department of Sustainability and Environment (DSE). Public land management guidelines have been produced by the Department's Historic Places Branch and these include

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the following considerations for the protection of sites (DSE, 2010):

- . Non-disturbance of sites
- . The use of zones and buffers that take in all the elements of the landscape
- . Protection of historic landscape where there is a series of connected sites or where the context is important
- . Interpretation and recording.

Similar guidelines could be developed as a code of practice for other landholders along the railway alignment.

Communication and education about managing the heritage values of the railway can assist in letting all landholders know about this important heritage asset. Organisations such as Friends of the Old Beechy Line, local and railway historical societies can play roles in this regard.

In some sections of the railway, maps and plans are now the only evidence of what was there. They are invaluable documents in the understanding of the railway and they are important public records of changes that have taken place in cadastral boundaries. Any documentary records should be placed in a publically accessible archive.

### Comparative Analysis

#### Comparative

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system, and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at a time of tight public finance. There were four narrow gauge state railways built in Victoria from 1899 to 1911 to serve remote and mountainous locations. Of these four, the two from Ferntree Gully to Gembrook and Moe to Walhalla have been compromised in various ways.

The Gembrook line has been built over from Ferntree Gully to Belgrave and from there to Gembrook it has been regraded in parts and a modern tourist railway put on top of it. The station sites and other features have been reconstructed to suit modern conditions and do not faithfully resemble the original facilities.

Heritage protection is afforded to the Emerald to Gembrook (Puffing Billy) railway through a Victorian Heritage Register (VHR) listing for the locomotives and rolling stock and Heritage Overlays on several trestle bridges.

The Moe to Walhalla line has been built over in parts, some sections put under water. It has a modern railway built on top at the terminus end. The railway is on the Victorian Heritage Inventory (VHI) and several trestle bridges are on the VHR.

Wangaratta to Whitfield was substantially intact as a roadbed in 2003 although the rails have been lifted. The Whitfield line was intended to extend to Tolmie as a mountain railway but this section was never built. The railway has no heritage listing.

Other engineering works in linear form that can be compared with the railway include road building, such as the National Heritage listed Great Ocean Road and the Yan Yean and Maroondah water supply systems with their lengths of aqueducts and associated water infrastructure. Both these systems have been assessed to be of state significance.

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### Statement of Significance

#### What is significant?

The 3 chain curved embankment, as part of the former Colac-Beech Forest-Crowes railway, east of Colac-Lavers Hills Road, 300m north of Friends Road is of significance to the Colac Otway Shire.

The 3 chain curve is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites. The extant fabric represents the state of the railway as at its closure in 1962 following the removal of rails and this fabric is the basis for assessing its significance.

The existing formation runs from Colac railway yard, with some gaps, to just past Devitt Bros Sliding, near Beech Forest and three sections along the Otway Ridge at Buchanan, near Kincaid and at Lavers Hills. There are also several specific features and relics outside the immediate surviving formation.

The existing formation can be divided into several representative sections reflecting the terrain passed over and demonstrating how to secure a workable gradient. The extant sections are as follows:

1. From Colac railway yard, south side, Colac to Shorts Road, Barongarook - this section demonstrates an existing formation in foothill terrain. The 3 chain curve is located within this section.
2. From Shorts Road, Barongarook to Maggio's, Barongarook - this section demonstrates the long and low cuttings and embankments required to surmount a low divide
3. From Maggio's, Barongarook to Cashins Road, Birnam - this section demonstrates the lead into, the passage through and the lead out of a mountain section. This section is the longest and largest cutting and embankment anywhere on the railway
4. From Cashins Road, Birnam to Lovat at E762077 N231355 where the main road intersects and obliterates the existing formations - this section demonstrates a streamside parallel route
5. From the south side of the Gellibrand caravan park for 2.2 km to E76200 N205310 - this section demonstrates the foothill lead into a mountainous section via rises and short plateaux
6. From E762044 N205310 to immediately south of Devitt Bros Sliding at E762044 N240222 - this section demonstrates all the characteristics of a mountain railway
7. At Beech Forest township, east end abutting the hotel -this section is the remnants of the railway yard and the reversing loop for the turning trains. Reversing loops were rare in Victoria on any gauge and this example is unique to the narrow gauge
8. At Beech Forest township, west end, from near the Public Hall and westwards for approximately 700 metres, up until and including the water race and collection weir - this section demonstrates the roadbed traversing a multi headed gully
9. From near Kincaid to near Wyelangta - this section demonstrates a mountain railway alignment along a ridge top
10. From near Lavers Hills and westwards for 800 meters - his section shows a south facing, multi curved alignment
11. At Crowes station and environs - the rails, infrastructure and a vegetation sample remain intact

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### How is it significant?

The 3-chain curved embankment as a surviving feature of the Colac Beech Forest Crowes Railway is of historic, rarity and aesthetic significance to Colac Otway Shire.

The 3 chain curve is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites . Combined, these features are of historical, aesthetic, technical significance, and social significance, and have rarity values.

### Why is it significant?

The 3 chain curve embankment is a rare surviving feature in this section of the railway where much evidence of the formation has been lost. It clearly shows the planning principles of building the railway, that had to adapt to a wide range of topographic conditions. The curved embankment is aesthetically significant as an element in the landscape. The embankment also contains rare evidence of the metal pins or dog pegs used to secure the railway line to railway sleepers.

The Colac-Beech Forest-Crowes railway was a major contributor to the economic development of the west Otways region from its inception in 1902 until its closure in 1962. Throughout the sixty years of operation the railway provided the means by which the forestry industry of the Otways could be sustained. The railway and associated tramway system provided the means by which the region could support over 100 sawmills, and provide added income from timber for the settlers who cleared land for agriculture. The railway provided the only all weather access to the region until the road network was sufficiently developed in the 1950s. It allowed for the export of fresh produce including potatoes and other vegetables and dairy produce to reach markets, transforming the lives of the settlers from subsistence level to income producing farming. The needs of the communities along the railway were met through special excursions and picnic trains, providing much needed or social and recreational outings. The railway promoted the growth of townships in the Otways, both through providing housing for railway staff, and linking primary production and markets.

The Colac Beech Forest railway line is one of only four State-owned narrow gauge railways built in Victoria and sections of it remain the best examples of a narrow gauge mountain railway in Victoria. It represents the longest narrow gauge line in Victoria and one that operated for the longest period. The reversing loop at Beech Forest remains as the only one known to have been constructed on a narrow gauge line in Victoria.

The whole formation and its associated features, both those surveyed and those not located demonstrates the place as a transport conduit and a significant linear feature in the landscape. The formation has the potential to be understood as a place demonstrating the role of engineering through traversing the difficult terrain in a manner that minimized cost in construction. The rail formation is a significant element in the cultural landscape as it negotiates the undulating farmland, the foothills, steep gullies and mountainsides and the ridge lines of the Otways. The features associated with the construction, operation and associated industry have research potential, whether they were able to be identified in 2012, 2003 or not located.

The steep gradients, tight curves, narrow cuttings, embankments, and remains of closely spaced stations and sidings are substantial tangible reminders of a narrow gauge mountain railway. The three remaining railway houses at Gellibrand and Beech Forest are representative of standard housing designed and constructed by the Victorian Railways.

The formation as it passes through particularly steep sections has aesthetic values represented by pathway, enclosure and grandeur as it traverses the mountains. The formation in the foothills, where visible, represents a subtle linear landscape feature.

The Colac-Beech Forest-Crowes railway line is an outstanding engineering feat, demonstrating a skilled design utilising

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relatively few bridges, a large number of curved cuttings and embankments and a uniform and workable gradient of 1 in 30, achieved in difficult terrain and constructed in the wettest area of Victoria.

The extent of community attachment to the line has not been assessed, however the large number of historical books and brochures, and the community support for the rail trail is evidence of on-going commitment to the interpretation of the line.

### **Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).**

Although agricultural land selection in the Otways began in the mid 1880s, the isolation and lack of all weather access through the Otways caused considerable hardship for selectors. The railway provided the economic stimulus for development of both agriculture and the timber industry. The Colac-Beech Forest-Crowes railway was built to stimulate development and to tap into the unrealised economic potential of the area.

The construction of the Colac-Beech Forest-Crowes railway corresponded to a brief period in the history of the Victorian Railways from 1889-1911 when narrow gauge construction was seen as a solution to rural economic development in an environment when roads did not provide an all weather solution to the transport needs of the district.

The construction of the Colac-Beech Forest-Crowes railway was an important stimulus to the development of the timber industry through providing transport for a wide range of timber products. Initially seen as a by-product of agricultural clearing, timber rapidly became the major freight carried by the railway, supporting over 100 sawmills scattered throughout the region. The timber industry remains a major activity in the Otways, responding to changes in logging practices and forestry management techniques.

The railway provided the means by which selectors could become more than merely subsistence farmers, with all weather access to markets for their agricultural produce. Thus the railway provided the stimulus for the development of agriculture including potatoes and other vegetables, and dairying. Other smaller primary industries such as building lime and ballast for road and railway construction were also made possible.

The railway provided all weather reliable transport for the goods and people of the small communities that were established along the line. Railway construction workers, operations staff and their families were also an integral part of those communities. The line brought additional services such as telephones and running water that were vital parts of the development of communities.

The railway provided a means of social and recreational life for the isolated communities, connecting each other until the late 1950s when picnic trains and special outings were a part of the service provided by the railway.

The construction of the Colac-Beech Forest-Crowes railway demonstrates through it's comparative placement alongside undulating, narrow and waterlogged roads, that it was the only safe, all weather form of access to the Otway Ranges, and as a consequence was the economic and social lifeline for people and industries for several decades.

From 2007 the railway line has developed a new importance for the recreational life of the community since the development of the Old Beechy Rail Trail.

### **Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).**

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at the time of tight public finance.

The Colac-Beech Forest-Crowes Railway was one of only five narrow gauge railways planned by the Victorian Railways

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whose opposition to this type of railway was based on it being a non-standard variation from broad gauge lines and economically inferior due to the lesser quantities of freight that could be carried. Although not the first narrow gauge line to be constructed, Colac-Beech Forest-Crowes was designed to see if a narrow gauge line could generate equivalent revenue to a broad gauge line.

Of the five narrow gauge lines planned only four were built, including Ferntree Gully to Gembrook, (Puffing Billy), Moe to Walhalla, and Wangaratta to Whitfield and Colac Beech Forest Crowes. The Colac-Beech Forest-Crowes line represents the best example of a narrow gauge mountain railway, is the longest in route at 71 km and operated for the longest period of over 60 years. The line demonstrates a rare pattern of usage in running two divisions between 1911 and 1929, resulting in an operation with a complex roster of locomotive workings.

Some sections of the line provide the best tangible evidence of a narrow gauge mountain railway in Victoria; with large and well formed cuttings and embankments, leads into and out of mountain sections, rises and short plateaux. These include Section 2 (Shorts Road to Barongarook), Section 3 (Maggio's Barongarook to Cashins Road Birnam), Section 5 (south of Gellibrand carpark), Section 9 (near Kincaid to Wyelangta), and Section 10 (westwards of Lavers Hill).

The remains of the reversing loop at Beech Forest constitutes a rare feature on any gauge line and the only one known to have been constructed on a narrow gauge line.

The Colac-Beech Forest-Crowes railway is a rare large scale engineering feat in Victoria, comparable to the Great Ocean Road and the Yan Yean and Maroondah water supply systems.

### **Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).**

The Colac-Beech Forest-Crowes railway formation and its associated features forms a linear element in the broader landscape of the west Otways. Although some sections are more intact than others, the whole formation (where it is evident) has the potential for understanding the railway as a transport conduit. Disturbance to the formation through its incorporation into the road network or the rail trail has reduced its visibility in the landscape in some parts, and through that disturbance, has lowered the archaeological potential in those areas.

Within and beside the formation there are particular features such as mile posts, the remains of timber bridges, water tanks, borrow pits, and ash heaps are tangible evidence of the design, construction and operation of the railway. Embankments and cuttings provide evidence of the endeavour required to build a railway in steep terrain, and are a reminder of the manual work practices required at the time.

Associated sites of the many timber tramways that connected the sawmills to the railway, the remains of the lime kilns at Kawarren, and the stone quarry at Banool have the potential to contribute to our understanding of the many functions provided by the railway. There are many features associated with the railway line that are no longer visible, having been overgrown with vegetation. These include tramways leading from logging sites to the railway.

### **Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).**

The Colac-Beech Forest-Crowes line is Victoria's sole surviving relatively intact example of a narrow gauge, mountain railway designed to bring rail communication to a remote region and facilitate economic development. The main features of the railway amply demonstrate the narrow gauge, the steep gradients, the many tight curves, the numerous embankments and cuttings and the closely spaced stations en-route, with their rudimentary facilities. The evidence is substantial and tangible.

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3 chain curve, as part of the former Colac-Beech Forest-Crowes railway  
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Associated features such as the standard design Victorian Railway houses at Gellibrand and Beech Forest are typical examples of the type of housing provided to railway workers in isolated locations.

### **Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).**

The railway formation provides an element in the broader landscape that responds to the topography, particularly where the railway traverses the mountain landscape. The tight curves, embankments and cuttings with closely spaced trees, particularly in Section 3, Section 5, and Section 6 provide evocative places where the natural topography and landscape is overlaid with the constructed formation. The palm tree at Crowes is a focal point of the former station and representative of exotic railway planting provided by Victorian Railways in the early 20th century.

### **Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).**

The existing formation is the pre-eminent surviving example of a narrow gauge mountain railway built to the contemporary standards of the Victorian Railways and designed to achieve a uniform and workable gradient in difficult terrain. The existing formation demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads and tracks that it was the only safe, all weather form of access to the Otway Ranges.

The geographical setting made the line one of the most difficult on the Victorian Railway's system, with a large number of curved sections necessary to traverse the foothills and the ranges themselves. With an even gradient and many tight curves the line was an exceptional piece of engineering, particularly when it was constructed in the region of the state's wettest area.

The line was constructed with the minimal number of bridges which is further demonstration of the skill in design to achieve as economical construction as possible.

### **Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).**

Although the extent of attachment to this place has not been assessed in this report, there is evidence of community attachment through research and writing about the line. A strong attachment to the place has been maintained through the formation of the Friends of the Old Beechy line and the subsequent work to establish, maintain and promote the rail trail. Through interpretation and access the rail trail has gathered support for railway history and the history of the west Otways through the perspective of the railway.

### **Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).**

The Colac-Beech Forest-Crowes railway has not been found to have associative significance.

### **Assessment Against Criteria**

The Colac-Beech Forest-Crowes railway line, including the 3 chain curve was assessed in accordance with the processes and guidelines outlined in the Australia ICOMOS Charter for Places of Cultural Heritage Significance (The Burra Charter) 1999, using the Hercon criteria.

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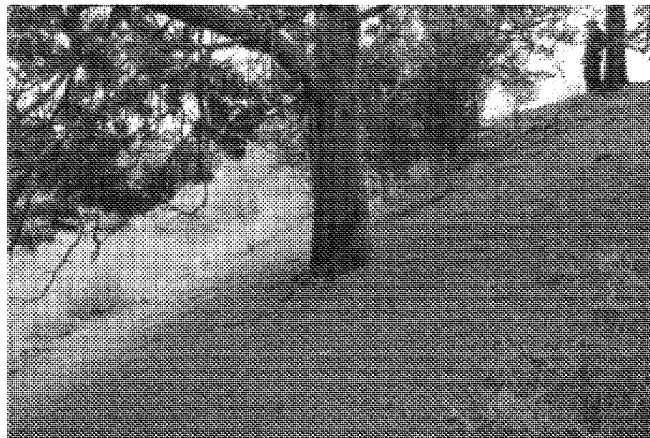
### Recommendations 2013

|                                  |    |
|----------------------------------|----|
| External Paint Controls          | No |
| Internal Alteration Controls     | No |
| Tree Controls                    | No |
| Fences & Outbuildings            | No |
| Prohibited Uses May Be Permitted | -  |
| Incorporated Plan                | -  |
| Aboriginal Heritage Place        | -  |



## HERITAGE CITATION REPORT

**Name** Railway dam, as part of the former Colac-Beech Forest-Crowes railway  
**Address** ELLIMINYT  
**Place Type** Railway embankment/cutting  
**Citation Date** 2013



Railway cathern dam wall

**Recommended** VHR No HI No PS Yes  
**Heritage Protection**

## History and Historical Context

### Thematic history

A series of land acts were passed in the 1860s in an attempt to create small farm holdings, whilst at the same time recognising the pioneering efforts of the squatters. Under the first land act, the 1860 Land Sales Act, three million acres were surveyed into allotments of between 80 to 640 acres. No person could select more than 640 acres annually, and the land had to be paid for outright, or half paid and half leased. Subsequently more land was made available for selection under the *Land Act* (1862) and the *Amendment Act* (1865). Then in 1869, most land - including unsurveyed land - became available for selection under the *Land Act* (Sheehan, 2003:19).

The Otway Ranges, in south west Victoria, were first opened to agricultural selection in 1884, under the *Land Act 1884*, when allotments were selected from pre survey maps prepared by the Lands Department (Minchinton 2011:2). Within ten years more than 200 allotments had been taken up (Houghton 2005:1).

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Yet it wasn't until the arrival of the railway, during the 1870s, that Victoria's isolated south western region was considered penetrable. Until this time, the Otway Ranges were virtually impassable and as such, were of little economic value. The introduction of the railway provided the first all weather, fast and reliable transport service into the area, which as Houghton noted was 'characterised by dense timber and high rainfall' (Houghton 2003:5).

The role of the Colonial government in surveying the area in 1884 and 1889 was instrumental in the change from the design of a broad gauge to a narrow gauge railway, with the resulting decrease in cost. The Beech Forest line, is therefore not the earliest nor the latest, but constructed at the peak of construction in the sparsely settled areas.

During the 1890s pressure rose to find the means to construct cheap railways to the underdeveloped parts of Victoria, as the government realised that the cost of providing communications to the outlying communities by means of railways was excessive for the small populations served. In 1894 the Parliamentary Standing Committee on Railways considered the use of narrow gauge railways. The idea was opposed by the Victorian Railways (VR) in that it would introduce a non-standard operating regime, which would without doubt incur extra costs, especially when stock had to be transferred between the two gauges.

In 1895 the Committee recommended that narrow gauge lines be only introduced in sparsely settled areas. The first of the four narrow gauge lines, between Wangaratta and Whitfield opened in March 1899. It was followed by the Upper Ferntree Gully to Gembrook line in December 1900, the Colac to Beech Forest line in March 1902 and the Moe to Walhalla in May 1910. The Colac to Beech Forest line was extended to Crowes in June 1911 (see Houghton 2003:6 and Thompson 2004:2).

An initial broad gauge line from Colac to the top of the Otway Ridge had been constructed in 1884 but it was abandoned due to the high cost in laying the broad gauge, especially in such difficult terrain. The construction of the narrow gauge railway was delayed until 1900 when the initial section between Colac to Beech Forest was developed. It was completed by March 1902, by which time some 44.7km of line had been laid. The line was extended to Crowes, some 22.5km west of Beech Forest from 1909-1911. Not only did the narrow gauge railways open up these isolated communities, they too provided a vital service for pioneer settlers, allowing food produce and people to travel into and out of the region. The Colac-Beech Forest-Crowes railway was an immediate success providing access to the forests. With this, timber could be harvested and sent out as 'palings, mining props and laths, charcoal, sleepers, posts, piles, barrel staves, furniture and carriage timbers and sawn timber for building purposes' (Houghton 2012:21).

Yet despite the use of these lines and the communities they served, the narrow gauge lines generally suffered heavy financial losses throughout their lifetimes and were closed as soon as conveniently possible (see Anchen 2012:3).

### **Colac-Beech Forest-Crowes railway history**

The former Colac-Beech Forest-Crowes railway runs for approximately 71km. From Colac Railway Station it travels in a southerly direction towards Beech Forest (48km), and then it swings towards the west until it reaches, and terminates at Crowes, a distance of 22.5km.

The railway was used as an important transport corridor for the people and industries of the West Otway Ranges at a time when road transport was primitive. The railway served the area economically for sixty years, carrying freight in and out, particularly as outwards loading of bulk commodities that provided the bulk of the revenue derived from the line. The function of the railway was also to act as a transport conduit for the wider region with railheads connecting with road transport to the coast on the other side of the Otway Ranges.

The topography of the Otways required the design of the railway formation to be a complex affair, with a climb of over 400m, traversing east-west flowing creeks on a north- south aspect and several drops into valleys. Designing the engineering solutions was challenging, with the guiding principle of minimizing earthworks in order to save cost.

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**Railway dam, as part of the former Colac-Beech Forest-Crowes railway**  
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Wherever possible the route was laid over natural surface with a low earthen mound and an occasional slight cut into the high side. This is typical of the section from Colac to Elliminyt.

Construction took place in two periods of activity with the initial 48 kilometres from Colac to Beech Forest between 1900 and 1902, followed by a further 22.5 kilometres to Crowes between 1909-1911. The railway was an immediate stimulus to the development of the region through providing fast, convenient and all weather access to the region. Fifteen bridges were constructed along the entire length of the Colac-Beech Forest-Crowes line. Houghton notes that earth filled embankments were preferred on economic and maintenance grounds, with timber bridges being only used in wet areas and over the more 'substantial watercourses and very steep gullies' (Houghton 2012:14).

The line has, throughout its life had numerous changes brought about through floods, bushfires, washaways and earth-slips. Natural disasters have taken their toll on the infrastructure. Cuttings and embankments have had to be cut back or modified in response to damage, and buildings, stations and sidings needed constant maintenance and some replacement. Generally the modifications were carried out with similar materials and methods to the original construction.

Stations were built without raised platforms and were of a standard Victorian Railways portable type. Smaller stations were simply corrugated iron shelter sheds and staff housing was provided also to standard design at Barongarook, Banool, Wimba, Weeaprounah, Lavers Hill, Wyelangta, Gellibrand, Crowes and Beech Forest.

The servicing of the locomotives and the line meant that fixtures and other infrastructure were developed long its length, these included water points, coal storage, signals, concrete distance markers, stopping places and a telephone line. Water points were located at Barongarook, Gellibrand, Wimba, Dinmont, Beech Forest, Kincaid and Crowes, and these comprised weirs or pumps, concrete reservoirs, piping and elevated banks. Further infrastructure included loco sheds, located at Beech Forest and a coal storage, located at Beech Forest (see Houghton 2005:13 and Houghton 2012:25).

Mile posts, or distance markers, were placed along the entire length of the railway. These were constructed from concrete and painted white with black numbering. A telephone line travelled the length of the line, so that there was communication from the Colac Station Master's office all the way to Crowes. The line was carried on wooden or iron poles and was set to the side of the track. Stopping places were only marked by name boards and have no obvious remains.

By the 1950s traffic along the line had declined and the locos that travelled along its length were aged and were in constant need of repair. In November 1960 the Joint Transport Research Committee advised the Minister for Transport that the railway close in 1961. In June 1961 the Minister announced that the line was to close that year, but due to public pressure and urgent road building works, the line stayed open until 1961. It finally closed on 30 June 1962 (see Downs 1963:99 and Houghton 2003:10).

Parliament passed a Bill in November 1963 authorising the dismantling of the Colac-Beech Forest-Crowes railway line. By December 1963 the points at every siding and station had been removed and a tender advertised for the purchase and removal of all the buildings. Ballarat contractor Littlehales and Sons won the tender.

Houghton notes that the rails were first lifted from Weeaprounah, and the removal progressed towards Colac (Houghton 2012:41). The rails were purchased by the Otway Shire Council for engineering purposes. A major rebuild and realignment of the ridge road in the 1970s removed what remained of the railway along the ridge and over time agriculture and farming has obliterated much of the fabric and its associated embankments and cuttings. Sections have also been destroyed where the former line has been incorporated into timber plantations.

In 2000 a Friends of the Old Beechy Rail was formed with the intention of promoting the heritage attractions of the railway and opening the line up to walkers and cyclists. Together with Colac Otway Shire, the Friends worked to establish the Old Beechy Rail Trail which was opened in 2002. Since that time the rail trail has grown to become a tourist

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and economic development asset to the region.

### Place history

The reservoir was built in 1876 for the Colac Railway Station. Locomotives used water from the Railway reservoir between 1901-1911. An estimated several million gallons of water was stored at the reservoir.

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Old Beechy Rail Trail Newsletter, March 25 2010.

## Description

### Physical Description

The site consists of a large earthen dam embankment. The wall is located at the Barongarook Creek West Branch, approximately 200 meters east of Forest Street and 160 meters south of Harris Road. The dam wall is approximately 30 metres in length and 6 meters in height.

The ridge line of the dam wall is evident, albeit covered in vegetation and mature trees (species unknown). The southern aspect is covered in thick vegetation, and tall grasses. The northern aspect of the wall is exposed.

### Recommended Management

### Other recommendations

Organisations and individual land holders also play an important role in looking after places of heritage value. Much can be achieved through local awareness, action and guidelines. The alignment of the railway passes through both public and

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private land in a variety of tenure arrangements. .

Part of the study area is Crown Land under the management of the Department of Sustainability and Environment (DSE). Public land management guidelines have been produced by the Department's Historic Places Branch and these include the following considerations for the protection of sites (DSE, 2010):

- . Non-disturbance of sites
- . The use of zones and buffers that take in all the elements of the landscape
- . Protection of historic landscape where there is a series of connected sites or where the context is important
- . Interpretation and recording.

Similar guidelines could be developed as a code of practice for other landholders along the railway alignment.

Communication and education about managing the heritage values of the railway can assist in letting all landholders know about this important heritage asset. Organisations such as Friends of the Old Beechy Line, local and railway historical societies can play roles in this regard.

In some sections of the railway, maps and plans are now the only evidence of what was there. They are invaluable documents in the understanding of the railway and they are important public records of changes that have taken place in cadastral boundaries. Any documentary records should be placed in a publically accessible archive.

### Comparative Analysis

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system, and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at a time of tight public finance. There were four narrow gauge state railways built in Victoria from 1899 to 1911 to serve remote and mountainous locations. Of these four, the two from Ferntree Gully to Gembrook and Moe to Walhalla have been compromised in various ways.

The Gembrook line has been built over from Ferntree Gully to Belgrave and from there to Gembrook it has been regraded in parts and a modern tourist railway put on top of it. The station sites and other features have been reconstructed to suit modern conditions and do not faithfully resemble the original facilities.

Heritage protection is afforded to the Emerald to Gembrook (Puffing Billy) railway through a Victorian Heritage Register (VHR) listing for the locomotives and rolling stock and Heritage Overlays on several trestle bridges.

The Moe to Walhalla line has been built over in parts, some sections put under water. It has a modern railway built on top at the terminus end. The railway is on the Victorian Heritage Inventory (VHI) and several trestle bridges are on the VHR.

Wangaratta to Whitfield was substantially intact as a roadbed in 2003 although the rails have been lifted. The Whitfield line was intended to extend to Tolmie as a mountain railway but this section was never built. The railway has no heritage listing.

Other engineering works in linear form that can be compared with the railway include road building, such as the National Heritage listed Great Ocean Road and the Yan Yean and Maroondah water supply systems with their lengths of

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aqueducts and associated water infrastructure. Both these systems have been assessed to be of state significance.

### Statement of Significance

#### What is significant?

The railway dam, located in Section 1, between Colac Railway yard and Short's Road Barongarook, at Elliminyt, constructed in 1876 for the Colac Railway Station is significant.

The railway dam, at Elliminyt, is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites. The extant fabric represents the state of the railway as at its closure in 1962 following the removal of rails and this fabric is the basis for assessing its significance.

The existing formation runs from Colac railway yard, with some gaps, to just past Devitt Bros Sliding, near Beech Forest and three sections along the Otway Ridge at Buchanan, near Kincaid and at Lavers Hills. There are also several specific features and relics outside the immediate surviving formation.

The existing formation can be divided into several representative sections reflecting the terrain passed over and demonstrating how to secure a workable gradient. The extant sections are as follows:

1. From Colac railway yard, south side, Colac to Shorts Road, Barongarook - this section demonstrates an existing formation in foothill terrain. The 3 chain curve is located within this section.
2. From Shorts Road, Barongarook to Maggio's, Barongarook - this section demonstrates the long and low cuttings and embankments required to surmount a low divide
3. From Maggio's, Barongarook to Cashins Road, Birnam - this section demonstrates the lead into, the passage through and the lead out of a mountain section. This section is the longest and largest cutting and embankment anywhere on the railway
4. From Cashins Road, Birnam to Lovat at E762077 N231355 where the main road intersects and obliterates the existing formations - this section demonstrates a streamside parallel route
5. From the south side of the Gellibrand caravan park for 2.2 km to E76200 N205310 - this section demonstrates the foothill lead into a mountainous section via rises and short plateaux
6. From E762044 N205310 to immediately south of Devitt Bros Sliding at E762044 N240222 - this section demonstrates all the characteristics of a mountain railway
7. At Beech Forest township, east end abutting the hotel -this section is the remnants of the railway yard and the reversing loop for the turning trains. Reversing loops were rare in Victoria on any gauge and this example is unique to the narrow gauge
8. At Beech Forest township, west end, from near the Public Hall and westwards for approximately 700 metres, up until and including the water race and collection weir - this section demonstrates the roadbed traversing a multi headed gully
9. From near Kincaid to near Wyelangta - this section demonstrates a mountain railway alignment along a ridge top
10. From near Lavers Hills and westwards for 800 meters - his section shows a south facing, multi curved alignment

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11. At Crowes station and environs - the rails, infrastructure and a vegetation sample remain intact

### **How is it significant?**

The railway dam, as a surviving feature of the Colac Beech Forest is of historic, rarity and aesthetic significance to Colac Otway Shire.

The railway dam, at Elliminyt, is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites. Combined, these features are of historical, aesthetic, technical significance, and social significance, and have rarity values.

### **Why is it significant?**

The railway dam is significant as an early feature constructed for the broad gauge line to Colac, and later used to supply water to locomotives on the Colac Beech Forest Crowes railway. It is the largest reservoir constructed along the line and the only large earthen reservoir; the other being located at Beech Forest as a small collection dam. Aesthetically it forms a significant landscape feature rising to 6 metres in height and 30 metres in length.

The Colac-Beech Forest-Crowes railway was a major contributor to the economic development of the west Otways region from its inception in 1902 until its closure in 1962. Throughout the sixty years of operation the railway provided the means by which the forestry industry of the Otways could be sustained. The railway and associated tramway system provided the means by which the region could support over 100 sawmills, and provide added income from timber for the settlers who cleared land for agriculture. The railway provided the only all weather access to the region until the road network was sufficiently developed in the 1950s. It allowed for the export of fresh produce including potatoes and other vegetables and dairy produce to reach markets, transforming the lives of the settlers from subsistence level to income producing farming. The needs of the communities along the railway were met through special excursions and picnic trains, providing much needed or social and recreational outings. The railway promoted the growth of townships in the Otways, both through providing housing for railway staff, and linking primary production and markets.

The Colac Beech Forest railway line is one of only four State-owned narrow gauge railways built in Victoria and sections of it remain the best examples of a narrow gauge mountain railway in Victoria. It represents the longest narrow gauge line in Victoria and one that operated for the longest period. The reversing loop at Beech Forest remains as the only one known to have been constructed on a narrow gauge line in Victoria.

The whole formation and its associated features, both those surveyed and those not located demonstrates the place as a transport conduit and a significant linear feature in the landscape. The formation has the potential to be understood as a place demonstrating the role of engineering through traversing the difficult terrain in a manner that minimized cost in construction. The rail formation is a significant element in the cultural landscape as it negotiates the undulating farmland, the foothills, steep gullies and mountainsides and the ridge lines of the Otways. The features associated with the construction, operation and associated industry have research potential, whether they were able to be identified in 2012, 2003 or not located.

The steep gradients, tight curves, narrow cuttings, embankments, and remains of closely spaced stations and sidings are substantial tangible reminders of a narrow gauge mountain railway. The three remaining railway houses at Gellibrand and Beech Forest are representative of standard housing designed and constructed by the Victorian Railways.

The formation as it passes through particularly steep sections has aesthetic values represented by pathway, enclosure and grandeur as it traverses the mountains. The formation in the foothills, where visible, represents a subtle linear landscape feature.

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The Colac-Beech Forest-Crowes railway line is an outstanding engineering feat, demonstrating a skilled design utilising relatively few bridges, a large number of curved cuttings and embankments and a uniform and workable gradient of 1 in 30, achieved in difficult terrain and constructed in the wettest area of Victoria.

The extent of community attachment to the line has not been assessed, however the large number of historical books and brochures, and the community support for the rail trail is evidence of on-going commitment to the interpretation of the line.

### **Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).**

Although agricultural land selection in the Otways began in the mid 1880s, the isolation and lack of all weather access through the Otways caused considerable hardship for selectors. The railway provided the economic stimulus for development of both agriculture and the timber industry. The Colac-Beech Forest-Crowes railway was built to stimulate development and to tap into the unrealised economic potential of the area.

The construction of the Colac-Beech Forest-Crowes railway corresponded to a brief period in the history of the Victorian Railways from 1889-1911 when narrow gauge construction was seen as a solution to rural economic development in an environment when roads did not provide an all weather solution to the transport needs of the district.

The construction of the Colac-Beech Forest-Crowes railway was an important stimulus to the development of the timber industry through providing transport for a wide range of timber products. Initially seen as a by-product of agricultural clearing, timber rapidly became the major freight carried by the railway, supporting over 100 sawmills scattered throughout the region. The timber industry remains a major activity in the Otways, responding to changes in logging practices and forestry management techniques.

The railway provided the means by which selectors could become more than merely subsistence farmers, with all weather access to markets for their agricultural produce. Thus the railway provided the stimulus for the development of agriculture including potatoes and other vegetables, and dairying. Other smaller primary industries such as building lime and ballast for road and railway construction were also made possible.

The railway provided all weather reliable transport for the goods and people of the small communities that were established along the line. Railway construction workers, operations staff and their families were also an integral part of those communities. The line brought additional services such as telephones and running water that were vital parts of the development of communities.

The railway provided a means of social and recreational life for the isolated communities, connecting each other until the late 1950s when picnic trains and special outings were a part of the service provided by the railway.

The construction of the Colac-Beech Forest-Crowes railway demonstrates through it's comparative placement alongside undulating, narrow and waterlogged roads, that it was the only safe, all weather form of access to the Otway Ranges, and as a consequence was the economic and social lifeline for people and industries for several decades.

From 2007 the railway line has developed a new importance for the recreational life of the community since the development of the Old Beechy Rail Trail.

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### **Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).**

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at the time of tight public finance.

The Colac-Beech Forest-Crowes Railway was one of only five narrow gauge railways planned by the Victorian Railways whose opposition to this type of railway was based on it being a non-standard variation from broad gauge lines and economically inferior due to the lesser quantities of freight that could be carried. Although not the first narrow gauge line to be constructed, Colac-Beech Forest-Crowes was designed to see if a narrow gauge line could generate equivalent revenue to a broad gauge line.

Of the five narrow gauge lines planned only four were built, including Ferntree Gully to Gembrook, (Puffing Billy), Moe to Walhalla, and Wangaratta to Whitfield and Colac Beech Forest Crowes. The Colac-Beech Forest-Crowes line represents the best example of a narrow gauge mountain railway, is the longest in route at 71 km and operated for the longest period of over 60 years. The line demonstrates a rare pattern of usage in running two divisions between 1911 and 1929, resulting in an operation with a complex roster of locomotive workings.

Some sections of the line provide the best tangible evidence of a narrow gauge mountain railway in Victoria; with large and well formed cuttings and embankments, leads into and out of mountain sections, rises and short plateaux. These include Section 2 (Shorts Road to Barongarook), Section 3 (Maggio's Barongarook to Cashins Road Birnam), Section 5 (south of Gellibrand carpark), Section 9 (near Kincaid to Wyelangta), and Section 10 (westwards of Lavers Hill).

The remains of the reversing loop at Beech Forest constitutes a rare feature on any gauge line and the only one known to have been constructed on a narrow gauge line.

The Colac-Beech Forest-Crowes railway is a rare large scale engineering feat in Victoria, comparable to the Great Ocean Road and the Yan Yean and Maroondah water supply systems.

### **Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).**

The Colac-Beech Forest-Crowes railway formation and its associated features forms a linear element in the broader landscape of the west Otways. Although some sections are more intact than others, the whole formation (where it is evident) has the potential for understanding the railway as a transport conduit. Disturbance to the formation through its incorporation into the road network or the rail trail has reduced its visibility in the landscape in some parts, and through that disturbance, has lowered the archaeological potential in those areas.

Within and beside the formation there are particular features such as mile posts, the remains of timber bridges, water tanks, borrow pits, and ash heaps are tangible evidence of the design, construction and operation of the railway. Embankments and cuttings provide evidence of the endeavour required to build a railway in steep terrain, and are a reminder of the manual work practices required at the time.

Associated sites of the many timber tramways that connected the sawmills to the railway, the remains of the lime kilns at Kwarren, and the stone quarry at Banool have the potential to contribute to our understanding of the many functions provided by the railway. There are many features associated with the railway line that are no longer visible, having been overgrown with vegetation. These include tramways leading from logging sites to the railway.

### **Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).**

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Railway dam, as part of the former Colac-Beech Forest-Crowes railway  
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The Colac-Beech Forest-Crowes line is Victoria's sole surviving relatively intact example of a narrow gauge, mountain railway designed to bring rail communication to a remote region and facilitate economic development. The main features of the railway amply demonstrate the narrow gauge, the steep gradients, the many tight curves, the numerous embankments and cuttings and the closely spaced stations en-route, with their rudimentary facilities. The evidence is substantial and tangible.

Associated features such as the standard design Victorian Railway houses at Gellibrand and Beech Forest are typical examples of the type of housing provided to railway workers in isolated locations.

### **Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).**

The railway formation provides an element in the broader landscape that responds to the topography, particularly where the railway traverses the mountain landscape. The tight curves, embankments and cuttings with closely spaced trees, particularly in Section 3, Section 5, and Section 6 provide evocative places where the natural topography and landscape is overlaid with the constructed formation. The palm tree at Crowes is a focal point of the former station and representative of exotic railway planting provided by Victorian Railways in the early 20th century.

### **Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).**

The existing formation is the pre-eminent surviving example of a narrow gauge mountain railway built to the contemporary standards of the Victorian Railways and designed to achieve a uniform and workable gradient in difficult terrain. The existing formation demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads and tracks that it was the only safe, all weather form of access to the Otway Ranges.

The geographical setting made the line one of the most difficult on the Victorian Railway's system, with a large number of curved sections necessary to traverse the foothills and the ranges themselves. With an even gradient and many tight curves the line was an exceptional piece of engineering, particularly when it was constructed in the region of the state's wettest area.

The line was constructed with the minimal number of bridges which is further demonstration of the skill in design to achieve as economical construction as possible.

### **Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).**

Although the extent of attachment to this place has not been assessed in this report, there is evidence of community attachment through research and writing about the line. A strong attachment to the place has been maintained through the formation of the Friends of the Old Beechy line and the subsequent work to establish, maintain and promote the rail trail. Through interpretation and access the rail trail has gathered support for railway history and the history of the west Otways through the perspective of the railway.

### **Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).**

The Colac-Beech Forest-Crowes railway has not been found to have associative significance.

### **Assessment Against Criteria**

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The Colac-Beech Forest-Crowes railway line, including the former railway dam was assessed in accordance with the processes and guidelines outlined in the Australia ICOMOS Charter for Places of Cultural Heritage Significance (The Burra Charter) 1999, using the Hercon criteria.

### Recommendations 2013

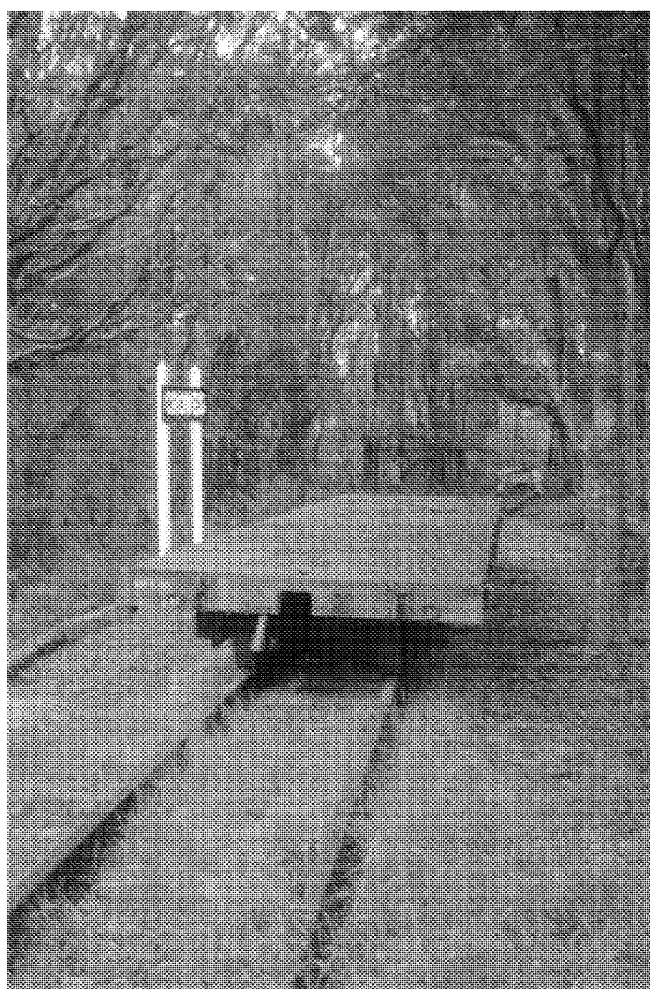
|                                         |    |
|-----------------------------------------|----|
| <b>External Paint Controls</b>          | No |
| <b>Internal Alteration Controls</b>     | No |
| <b>Tree Controls</b>                    | No |
| <b>Fences &amp; Outbuildings</b>        | No |
| <b>Prohibited Uses May Be Permitted</b> | -  |
| <b>Incorporated Plan</b>                | -  |
| <b>Aboriginal Heritage Place</b>        | -  |



## HERITAGE CITATION REPORT

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**Name** Crowes station and environs, as part of the former  
Colac-Beech Forest-Crowes railway  
**Address** LAVERS HILL  
**Place Type** Other - Transport - Rail,Railway  
**Citation Date** 2013



Crowes station and environs

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**Recommended**      **VHR No HI No PS Yes**  
**Heritage Protection**

### History and Historical Context

#### Thematic history

A series of land acts were passed in the 1860s in an attempt to create small farm holdings, whilst at the same time recognising the pioneering efforts of the squatters. Under the first land act, the 1860 Land Sales Act, three million acres were surveyed into allotments of between 80 to 640 acres. No person could select more than 640 acres annually, and the land had to be paid for outright, or half paid and half leased. Subsequently more land was made available for selection under the *Land Act* (1862) and the *Amendment Act* (1865). Then in 1869, most land - including unsurveyed land - became available for selection under the *Land Act* (Sheehan, 2003:19).

The Otway Ranges, in south west Victoria, were first opened to agricultural selection in 1884, under the *Land Act 1884*, when allotments were selected from pre survey maps prepared by the Lands Department (Minchinton 2011:2). Within ten years more than 200 allotments had been taken up (Houghton 2005:1).

Yet it wasn't until the arrival of the railway, during the 1870s, that Victoria's isolated south western region was considered penetrable. Until this time, the Otway Ranges were virtually impassable and as such, were of little economic value. The introduction of the railway provided the first all weather, fast and reliable transport service into the area, which as Houghton noted was 'characterised by dense timber and high rainfall' (Houghton 2003:5).

The role of the Colonial government in surveying the area in 1884 and 1889 was instrumental in the change from the design of a broad gauge to a narrow gauge railway, with the resulting decrease in cost. The Beech Forest line, is therefore not the earliest nor the latest, but constructed at the peak of construction in the sparsely settled areas.

During the 1890s pressure rose to find the means to construct cheap railways to the underdeveloped parts of Victoria, as the government realised that the cost of providing communications to the outlying communities by means of railways was excessive for the small populations served. In 1894 the Parliamentary Standing Committee on Railways considered the use of narrow gauge railways. The idea was opposed by the Victorian Railways (VR) in that it would introduce a non-standard operating regime, which would without doubt incur extra costs, especially when stock had to be transferred between the two gauges.

In 1895 the Committee recommended that narrow gauge lines be only introduced in sparsely settled areas. The first of the four narrow gauge lines, between Wangaratta and Whitfield opened in March 1899. It was followed by the Upper Ferntree Gully to Gembrook line in December 1900, the Colac to Beech Forest line in March 1902 and the Moe to Walhalla in May 1910. The Colac to Beech Forest line was extended to Crowes in June 1911 (see Houghton 2003:6 and Thompson 2004:2).

An initial broad gauge line from Colac to the top of the Otway Ridge had been constructed in 1884 but it was abandoned due to the high cost in laying the broad gauge, especially in such difficult terrain. The construction of the narrow gauge railway was delayed until 1900 when the initial section between Colac to Beech Forest was developed. It was completed by March 1902, by which time some 44.7km of line had been laid. The line was extended to Crowes, some 22.5km west of Beech Forest from 1909-1911. Not only did the narrow gauge railways open up these isolated communities, they too provided a vital service for pioneer settlers, allowing food produce and people to travel into and out of the region. The Colac-Beech Forest-Crowes railway was an immediate success providing access to the forests. With this, timber could be harvested and sent out as 'palings, mining props and laths, charcoal, sleepers, posts, piles, barrel staves, furniture and

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carriage timbers and sawn timber for building purposes' (Houghton 2012:21).

Yet despite the use of these lines and the communities they served, the narrow gauge lines generally suffered heavy financial losses throughout their lifetimes and were closed as soon as conveniently possible (see Anchen 2012:3).

### **Colac-Beech Forest-Crowes railway history**

The former Colac-Beech Forest-Crowes railway runs for approximately 71km. From Colac Railway Station it travels in a southerly direction towards Beech Forest (48km), and then it swings towards the west until it reaches, and terminates at Crowes, a distance of 22.5km.

The railway was used as an important transport corridor for the people and industries of the West Otway Ranges at a time when road transport was primitive. The railway served the area economically for sixty years, carrying freight in and out, particularly as outwards loading of bulk commodities that provided the bulk of the revenue derived from the line. The function of the railway was also to act as a transport conduit for the wider region with railheads connecting with road transport to the coast on the other side of the Otway Ranges.

The topography of the Otways required the design of the railway formation to be a complex affair, with a climb of over 400m, traversing east-west flowing creeks on a north- south aspect and several drops into valleys. Designing the engineering solutions was challenging, with the guiding principle of minimizing earthworks in order to save cost. Wherever possible the route was laid over natural surface with a low earthen mound and an occasional slight cut into the high side. This is typical of the section from Colac to Elliminyt.

Construction took place in two periods of activity with the initial 48 kilometres from Colac to Beech Forest between 1900 and 1902, followed by a further 22.5 kilometres to Crowes between 1909-1911. The railway was an immediate stimulus to the development of the region through providing fast, convenient and all weather access to the region. Fifteen bridges were constructed along the entire length of the Colac-Beech Forest-Crowes line. Houghton notes that earth filled embankments were preferred on economic and maintenance grounds, with timber bridges being only used in wet areas and over the more 'substantial watercourses and very steep gullies' (Houghton 2012:14).

The line has, throughout its life had numerous changes brought about through floods, bushfires, washaways and earth-slips. Natural disasters have taken their toll on the infrastructure. Cuttings and embankments have had to be cut back or modified in response to damage, and buildings, stations and sidings needed constant maintenance and some replacement. Generally the modifications were carried out with similar materials and methods to the original construction.

Stations were built without raised platforms and were of a standard Victorian Railways portable type. Smaller stations were simply corrugated iron shelter sheds and staff housing was provided also to standard design at Barongarook, Banool, Wimba, Weeapoinah, Lavers Hill, Wyelangta, Gellibrand, Crowes and Beech Forest.

The servicing of the locomotives and the line meant that fixtures and other infrastructure were developed long its length, these included water points, coal storage, signals, concrete distance markers, stopping places and a telephone line. Water points were located at Barongarook, Gellibrand, Wimba, Dinmont, Beech Forest, Kincaid and Crowes, and these comprised weirs or pumps, concrete reservoirs, piping and elevated banks. Further infrastructure included loco sheds, located at Beech Forest and a coal storage, located at Beech Forest (see Houghton 2005:13 and Houghton 2012:25).

Mile posts, or distance markers, were placed along the entire length of the railway. These were constructed from concrete and painted white with black numbering. A telephone line travelled the length of the line, so that there was communication from the Colac Station Master's office all the way to Crowes. The line was carried on wooden or iron poles and was set to the side of the track. Stopping places were only marked by name boards and have no obvious remains.

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By the 1950s traffic along the line had declined and the locos that travelled along its length were aged and were in constant need of repair. In November 1960 the Joint Transport Research Committee advised the Minister for Transport that the railway close in 1961. In June 1961 the Minister announced that the line was to close that year, but due to public pressure and urgent road building works, the line stayed open until 1961. It finally closed on 30 June 1962 (see Downs 1963:99 and Houghton 2003:10).

Parliament passed a Bill in November 1963 authorising the dismantling of the Colac-Beech Forest-Crowes railway line. By December 1963 the points at every siding and station had been removed and a tender advertised for the purchase and removal of all the buildings. Ballarat contractor Littlehales and Sons won the tender.

Houghton notes that the rails were first lifted from Weeaprounah, and the removal progressed towards Colac (Houghton 2012:41). The rails were purchased by the Otway Shire Council for engineering purposes. A major rebuild and realignment of the ridge road in the 1970s removed what remained of the railway along the ridge and over time agriculture and farming has obliterated much of the fabric and its associated embankments and cuttings. Sections have also been destroyed where the former line has been incorporated into timber plantations.

In 2000 a Friends of the Old Beechy Rail was formed with the intention of promoting the heritage attractions of the railway and opening the line up to walkers and cyclists. Together with Colac Otway Shire, the Friends worked to establish the Old Beechy Rail Trail which was opened in 2002. Since that time the rail trail has grown to become a tourist and economic development asset to the region.

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### Description

#### Physical Description

At Crowes station the rail, infrastructure and a vegetation sample remain relatively intact. The evidence of the former

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Crowes railway yard is a gravel clearing, approximately 2.5km west of Lavers Hill. To the north of this clearing, alongside Beech Forest Lavers Hill Road, sits an exotic palm tree, dating back to about 1915 (see Anchen 2011:78 and Houghton 2003:19).

At the extreme end of the line, a reconstructed 'Crowes' station sign, as well as a rebuilt railway line, wagon and buffer stop have been installed. These features were installed by the Puffing Billy Preservation Society in the late 1980s (see Anchen 2011:211).

### **Recommended Management**

Organisations and individual land holders also play an important role in looking after places of heritage value. Much can be achieved through local awareness, action and guidelines. The alignment of the railway passes through both public and private land in a variety of tenure arrangements. .

Part of the study area is Crown Land under the management of the Department of Sustainability and Environment (DSE). Public land management guidelines have been produced by the Department's Historic Places Branch and these include the following considerations for the protection of sites (DSE, 2010):

- . Non-disturbance of sites
- . The use of zones and buffers that take in all the elements of the landscape
- . Protection of historic landscape where there is a series of connected sites or where the context is important
- . Interpretation and recording.

Similar guidelines could be developed as a code of practice for other landholders along the railway alignment.

Communication and education about managing the heritage values of the railway can assist in letting all landholders know about this important heritage asset. Organisations such as Friends of the Old Beechy Line, local and railway historical societies can play roles in this regard.

In some sections of the railway, maps and plans are now the only evidence of what was there. They are invaluable documents in the understanding of the railway and they are important public records of changes that have taken place in cadastral boundaries. Any documentary records should be placed in a publically accessible archive.

### **Comparative Analysis**

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system, and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at a time of tight public finance. There were four narrow gauge state railways built in Victoria from 1899 to 1911 to serve remote and mountainous locations. Of these four, the two from Ferntree Gully to Gembrook and Moe to Walhalla have been compromised in various ways.

The Gembrook line has been built over from Ferntree Gully to Belgrave and from there to Gembrook it has been regraded in parts and a modern tourist railway put on top of it. The station sites and other features have been reconstructed to suit modern conditions and do not faithfully resemble the original facilities.

Heritage protection is afforded to the Emerald to Gembrook (Puffing Billy) railway through a Victorian Heritage Register

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(VHR) listing for the locomotives and rolling stock and Heritage Overlays on several trestle bridges.

The Moc to Walhalla line has been built over in parts, some sections put under water. It has a modern railway built on top at the terminus end. The railway is on the Victorian Heritage Inventory (VHI) and several trestle bridges are on the VHR.

Wangaratta to Whitfield was substantially intact as a roadbed in 2003 although the rails have been lifted. The Whitfield line was intended to extend to Tolmie as a mountain railway but this section was never built. The railway has no heritage listing.

Other engineering works in linear form that can be compared with the railway include road building, such as the National Heritage listed Great Ocean Road and the Yan Yean and Maroondah water supply systems with their lengths of aqueducts and associated water infrastructure. Both these systems have been assessed to be of state significance.

### Statement of Significance

#### What is significant?

Crowes Station and environs, comprising the gravel clearing and vegetation are significant. The area south of the gravel clearing contains reconstructed rails, buffer stop, and a wagon donated by the Puffing Billy Preservation Society. There are also interpretative panels explaining the reopening of the Crowes Station.

The Crowes station and environs, as part of the former Colac-Beech Forest-Crowes railway, is of significance to the Colac Otway Shire.

The Crowes station and environs is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites. The extant fabric represents the state of the railway as at its closure in 1962 following the removal of rails and this fabric is the basis for assessing its significance.

The existing formation runs from Colac railway yard, with some gaps, to just past Devitt Bros Sliding, near Beech Forest and three sections along the Otway Ridge at Buchanan, near Kincaid and at Lavacs Hills. There are also several specific features and relics outside the immediate surviving formation.

The existing formation can be divided into several representative sections reflecting the terrain passed over and demonstrating how to secure a workable gradient. The extant sections are as follows:

1. From Colac railway yard, south side, Colac to Shorts Road, Barongarook - this section demonstrates an existing formation in foothill terrain. The 3 chain curve is located within this section.
2. From Shorts Road, Barongarook to Maggio's, Barongarook - this section demonstrates the long and low cuttings and embankments required to surmount a low divide
3. From Maggio's, Barongarook to Cashins Road, Birnam - this section demonstrates the lead into, the passage through and the lead out of a mountain section. This section is the longest and largest cutting and embankment anywhere on the railway
4. From Cashins Road, Birnam to Lovat at E762077 N231355 where the main road intersects and obliterates the existing formations - this section demonstrates a streamside parallel route

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5. From the south side of the Gellibrand caravan park for 2.2 km to E76200 N205310 - this section demonstrates the foothill lead into a mountainous section via rises and short plateaux
6. From E762044 N205310 to immediately south of Devitt Bros Sliding at E762044 N240222 - this section demonstrates all the characteristics of a mountain railway
7. At Beech Forest township, east end abutting the hotel -this section is the remnants of the railway yard and the reversing loop for the turning trains. Reversing loops were rare in Victoria on any gauge and this example is unique to the narrow gauge
8. At Beech Forest township, west end, from near the Public Hall and westwards for approximately 700 metres, up until and including the water race and collection weir - this section demonstrates the roadbed traversing a multi headed gully
9. From near Kincaid to near Wyelangta - this section demonstrates a mountain railway alignment along a ridge top
10. From near Lavers Hills and westwards for 800 meters - his section shows a south facing, multi curved alignment
11. At Crowes station and environs - the rails, infrastructure and a vegetation sample remain intact

### **How is it significant?**

The Crowes Station and environs is of historic, social and aesthetic significance to Colac Otway Shire.

The Crowes station and environs is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites . Combined, these features are of historical, aesthetic, technical significance, and social significance, and have rarity values.

### **Why is it significant?**

The Crowes Station is historically significant as the last station to be built on the railway line in 1911 following the extension from Beech Forest. Crowes station is historically significant through its contribution to the economic prosperity of the region, linking farmers with their markets; particularly potatoes and other vegetables grown around Wccaproinah, that were brought to Crowes before being transported to Colac and beyond.

As the last point on the line, it was an important station terminus, and, although infrastructure belonging to the station is now gone, the reconstruction effort also has social significance as evidence of ongoing connections with people and organizations such as Friends of the Old Beechy line. This is evidenced through interpretative panels and the reconstruction of the rails, buffer stop and station signage. The station has aesthetic significance as an evocative place in the forest, surrounded by natural and exotic vegetation.

The Colac-Beech Forest-Crowes railway was a major contributor to the economic development of the west Otways region from its inception in 1902 until its closure in 1962. Throughout the sixty years of operation the railway provided the means by which the forestry industry of the Otways could be sustained. The railway and associated tramway system provided the means by which the region could support over 100 sawmills, and provide added income from timber for the settlers who cleared land for agriculture. The railway provided the only all weather access to the region until the road network was sufficiently developed in the 1950s. It allowed for the export of fresh produce including potatoes and other vegetables and dairy produce to reach markets, transforming the lives of the settlers from subsistence level to income producing farming. The needs of the communities along the railway were met through special excursions and picnic trains, providing much needed or social and recreational outings. The railway promoted the growth of townships in the Otways, both through providing housing for railway staff, and linking primary production and markets.

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The Colac Beech Forest railway line is one of only four State-owned narrow gauge railways built in Victoria and sections of it remain the best examples of a narrow gauge mountain railway in Victoria. It represents the longest narrow gauge line in Victoria and one that operated for the longest period. The reversing loop at Beech Forest remains as the only one known to have been constructed on a narrow gauge line in Victoria.

The whole formation and its associated features, both those surveyed and those not located demonstrates the place as a transport conduit and a significant linear feature in the landscape. The formation has the potential to be understood as a place demonstrating the role of engineering through traversing the difficult terrain in a manner that minimized cost in construction. The rail formation is a significant element in the cultural landscape as it negotiates the undulating farmland, the foothills, steep gullies and mountainsides and the ridge lines of the Otways. The features associated with the construction, operation and associated industry have research potential, whether they were able to be identified in 2012, 2003 or not located.

The steep gradients, tight curves, narrow cuttings, embankments, and remains of closely spaced stations and sidings are substantial tangible reminders of a narrow gauge mountain railway. The three remaining railway houses at Gellibrand and Beech Forest are representative of standard housing designed and constructed by the Victorian Railways.

The formation as it passes through particularly steep sections has aesthetic values represented by pathway, enclosure and grandeur as it traverses the mountains. The formation in the foothills, where visible, represents a subtle linear landscape feature.

The Colac-Beech Forest-Crowes railway line is an outstanding engineering feat, demonstrating a skilled design utilising relatively few bridges, a large number of curved cuttings and embankments and a uniform and workable gradient of 1 in 30, achieved in difficult terrain and constructed in the wettest area of Victoria.

The extent of community attachment to the line has not been assessed, however the large number of historical books and brochures, and the community support for the rail trail is evidence of on-going commitment to the interpretation of the line.

### **Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).**

Although agricultural land selection in the Otways began in the mid 1880s, the isolation and lack of all weather access through the Otways caused considerable hardship for selectors. The railway provided the economic stimulus for development of both agriculture and the timber industry. The Colac-Beech Forest-Crowes railway was built to stimulate development and to tap into the unrealised economic potential of the area.

The construction of the Colac-Beech Forest-Crowes railway corresponded to a brief period in the history of the Victorian Railways from 1889-1911 when narrow gauge construction was seen as a solution to rural economic development in an environment when roads did not provide an all weather solution to the transport needs of the district.

The construction of the Colac-Beech Forest-Crowes railway was an important stimulus to the development of the timber industry through providing transport for a wide range of timber products. Initially seen as a by-product of agricultural clearing, timber rapidly became the major freight carried by the railway, supporting over 100 sawmills scattered throughout the region. The timber industry remains a major activity in the Otways, responding to changes in logging practices and forestry management techniques.

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The railway provided the means by which selectors could become more than merely subsistence farmers, with all weather access to markets for their agricultural produce. Thus the railway provided the stimulus for the development of agriculture including potatoes and other vegetables, and dairying. Other smaller primary industries such as building lime and ballast for road and railway construction were also made possible.

The railway provided all weather reliable transport for the goods and people of the small communities that were established along the line. Railway construction workers, operations staff and their families were also an integral part of those communities. The line brought additional services such as telephones and running water that were vital parts of the development of communities.

The railway provided a means of social and recreational life for the isolated communities, connecting each other until the late 1950s when picnic trains and special outings were a part of the service provided by the railway.

The construction of the Colac-Beech Forest-Crowes railway demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads, that it was the only safe, all weather form of access to the Otway Ranges, and as a consequence was the economic and social lifeline for people and industries for several decades.

From 2007 the railway line has developed a new importance for the recreational life of the community since the development of the Old Beechy Rail Trail.

### **Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).**

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at the time of tight public finance.

The Colac-Beech Forest-Crowes Railway was one of only five narrow gauge railways planned by the Victorian Railways whose opposition to this type of railway was based on it being a non-standard variation from broad gauge lines and economically inferior due to the lesser quantities of freight that could be carried. Although not the first narrow gauge line to be constructed, Colac-Beech Forest-Crowes was designed to see if a narrow gauge line could generate equivalent revenue to a broad gauge line.

Of the five narrow gauge lines planned only four were built, including Ferntree Gully to Gembrook, (Puffing Billy), Moe to Walhalla, and Wangaratta to Whitfield and Colac Beech Forest Crowes. The Colac-Beech Forest-Crowes line represents the best example of a narrow gauge mountain railway, is the longest in route at 71 km and operated for the longest period of over 60 years. The line demonstrates a rare pattern of usage in running two divisions between 1911 and 1929, resulting in an operation with a complex roster of locomotive workings.

Some sections of the line provide the best tangible evidence of a narrow gauge mountain railway in Victoria; with large and well formed cuttings and embankments, leads into and out of mountain sections, rises and short plateaux. These include Section 2 (Shorts Road to Barongarook), Section 3 (Maggio's Barongarook to Cashins Road Birnam), Section 5 (south of Gellibrand carpark), Section 9 (near Kincaid to Wyelangta), and Section 10 (westwards of Lavers Hill).

The remains of the reversing loop at Beech Forest constitutes a rare feature on any gauge line and the only one known to have been constructed on a narrow gauge line.

The Colac-Beech Forest-Crowes railway is a rare large scale engineering feat in Victoria, comparable to the Great Ocean Road and the Yan Yean and Maroondah water supply systems.

### **Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural**

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### **history (research potential).**

The Colac-Beech Forest-Crowes railway formation and its associated features forms a linear element in the broader landscape of the west Otways. Although some sections are more intact than others, the whole formation (where it is evident) has the potential for understanding the railway as a transport conduit. Disturbance to the formation through its incorporation into the road network or the rail trail has reduced its visibility in the landscape in some parts, and through that disturbance, has lowered the archaeological potential in those areas.

Within and beside the formation there are particular features such as mile posts, the remains of timber bridges, water tanks, borrow pits, and ash heaps are tangible evidence of the design, construction and operation of the railway. Embankments and cuttings provide evidence of the endeavour required to build a railway in steep terrain, and are a reminder of the manual work practices required at the time.

Associated sites of the many timber tramways that connected the sawmills to the railway, the remains of the lime kilns at Kawarren, and the stone quarry at Banool have the potential to contribute to our understanding of the many functions provided by the railway. There are many features associated with the railway line that are no longer visible, having been overgrown with vegetation. These include tramways leading from logging sites to the railway.

### **Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).**

The Colac-Beech Forest-Crowes line is Victoria's sole surviving relatively intact example of a narrow gauge, mountain railway designed to bring rail communication to a remote region and facilitate economic development. The main features of the railway amply demonstrate the narrow gauge, the steep gradients, the many tight curves, the numerous embankments and cuttings and the closely spaced stations en-route, with their rudimentary facilities. The evidence is substantial and tangible.

Associated features such as the standard design Victorian Railway houses at Gellibrand and Beech Forest are typical examples of the type of housing provided to railway workers in isolated locations.

### **Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).**

The railway formation provides an element in the broader landscape that responds to the topography, particularly where the railway traverses the mountain landscape. The tight curves, embankments and cuttings with closely spaced trees, particularly in Section 3, Section 5, and Section 6 provide evocative places where the natural topography and landscape is overlaid with the constructed formation. The palm tree at Crowes is a focal point of the former station and representative of exotic railway planting provided by Victorian Railways in the early 20th century.

### **Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).**

The existing formation is the pre-eminent surviving example of a narrow gauge mountain railway built to the contemporary standards of the Victorian Railways and designed to achieve a uniform and workable gradient in difficult terrain. The existing formation demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads and tracks that it was the only safe, all weather form of access to the Otway Ranges.

The geographical setting made the line one of the most difficult on the Victorian Railway's system, with a large number of curved sections necessary to traverse the foothills and the ranges themselves. With an even gradient and many tight curves the line was an exceptional piece of engineering, particularly when it was constructed in the region of the state's wettest area.

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The line was constructed with the minimal number of bridges which is further demonstration of the skill in design to achieve as economical construction as possible.

**Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).**

Although the extent of attachment to this place has not been assessed in this report, there is evidence of community attachment through research and writing about the line. A strong attachment to the place has been maintained through the formation of the Friends of the Old Beechy line and the subsequent work to establish, maintain and promote the rail trail. Through interpretation and access the rail trail has gathered support for railway history and the history of the west Otways through the perspective of the railway.

**Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).**

The Colac-Beech Forest-Crowes railway has not been found to have associative significance.

### Assessment Against Criteria

The Colac-Beech Forest-Crowes railway line, including the Crowes station and environs was assessed in accordance with the processes and guidelines outlined in the Australia ICOMOS Charter for Places of Cultural Heritage Significance (The Burra Charter) 1999, using the Hercon criteria.

### Recommendations 2013

|                                         |    |
|-----------------------------------------|----|
| <b>External Paint Controls</b>          | No |
| <b>Internal Alteration Controls</b>     | No |
| <b>Tree Controls</b>                    | No |
| <b>Fences &amp; Outbuildings</b>        | No |
| <b>Prohibited Uses May Be Permitted</b> | -  |
| <b>Incorporated Plan</b>                | -  |
| <b>Aboriginal Heritage Place</b>        | -  |



## HERITAGE CITATION REPORT

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**Name** Tree at Crowes station site, as part of the former Colac-Beech Forest-Crowes railway  
**Address** LAVERS HILL  
**Place Type** Railway Platform/ Station  
**Citation Date** 2013



Palm tree at Crowes station site

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**Recommended**      **VHR No HI No PS Yes**  
**Heritage Protection**

### History and Historical Context

#### Thematic history

A series of land acts were passed in the 1860s in an attempt to create small farm holdings, whilst at the same time recognising the pioneering efforts of the squatters. Under the first land act, the 1860 Land Sales Act, three million acres were surveyed into allotments of between 80 to 640 acres. No person could select more than 640 acres annually, and the land had to be paid for outright, or half paid and half leased. Subsequently more land was made available for selection under the *Land Act* (1862) and the *Amendment Act* (1865). Then in 1869, most land - including unsurveyed land - became available for selection under the *Land Act* (Sheehan, 2003:19).

The Otway Ranges, in south west Victoria, were first opened to agricultural selection in 1884, under the *Land Act 1884*, when allotments were selected from pre survey maps prepared by the Lands Department (Minchinton 2011:2). Within ten years more than 200 allotments had been taken up (Houghton 2005:1).

Yet it wasn't until the arrival of the railway, during the 1870s, that Victoria's isolated south western region was considered penetrable. Until this time, the Otway Ranges were virtually impassable and as such, were of little economic value. The introduction of the railway provided the first all weather, fast and reliable transport service into the area, which as Houghton noted was 'characterised by dense timber and high rainfall' (Houghton 2003:5).

The role of the Colonial government in surveying the area in 1884 and 1889 was instrumental in the change from the design of a broad gauge to a narrow gauge railway, with the resulting decrease in cost. The Beech Forest line, is therefore not the earliest nor the latest, but constructed at the peak of construction in the sparsely settled areas.

During the 1890s pressure rose to find the means to construct cheap railways to the underdeveloped parts of Victoria, as the government realised that the cost of providing communications to the outlying communities by means of railways was excessive for the small populations served. In 1894 the Parliamentary Standing Committee on Railways considered the use of narrow gauge railways. The idea was opposed by the Victorian Railways (VR) in that it would introduce a non-standard operating regime, which would without doubt incur extra costs, especially when stock had to be transferred between the two gauges.

In 1895 the Committee recommended that narrow gauge lines be only introduced in sparsely settled areas. The first of the four narrow gauge lines, between Wangaratta and Whitfield opened in March 1899. It was followed by the Upper Ferntree Gully to Gembrook line in December 1900, the Colac to Beech Forest line in March 1902 and the Moe to Walhalla in May 1910. The Colac to Beech Forest line was extended to Crowes in June 1911 (see Houghton 2003:6 and Thompson 2004:2).

An initial broad gauge line from Colac to the top of the Otway Ridge had been constructed in 1884 but it was abandoned due to the high cost in laying the broad gauge, especially in such difficult terrain. The construction of the narrow gauge railway was delayed until 1900 when the initial section between Colac to Beech Forest was developed. It was completed by March 1902, by which time some 44.7km of line had been laid. The line was extended to Crowes, some 22.5km west of Beech Forest from 1909-1911. Not only did the narrow gauge railways open up these isolated communities, they too provided a vital service for pioneer settlers, allowing food produce and people to travel into and out of the region. The Colac-Beech Forest-Crowes railway was an immediate success providing access to the forests. With this, timber could be harvested and sent out as 'palings, mining props and laths, charcoal, sleepers, posts, piles, barrel staves, furniture and

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carriage timbers and sawn timber for building purposes' (Houghton 2012:21).

Yet despite the use of these lines and the communities they served, the narrow gauge lines generally suffered heavy financial losses throughout their lifetimes and were closed as soon as conveniently possible (see Anchen 2012:3).

### **Colac-Beech Forest-Crowes railway history**

The former Colac-Beech Forest-Crowes railway runs for approximately 71km. From Colac Railway Station it travels in a southerly direction towards Beech Forest (48km), and then it swings towards the west until it reaches, and terminates at Crowes, a distance of 22.5km.

The railway was used as an important transport corridor for the people and industries of the West Otway Ranges at a time when road transport was primitive. The railway served the area economically for sixty years, carrying freight in and out, particularly as outwards loading of bulk commodities that provided the bulk of the revenue derived from the line. The function of the railway was also to act as a transport conduit for the wider region with railheads connecting with road transport to the coast on the other side of the Otway Ranges.

The topography of the Otways required the design of the railway formation to be a complex affair, with a climb of over 400m, traversing east-west flowing creeks on a north- south aspect and several drops into valleys. Designing the engineering solutions was challenging, with the guiding principle of minimizing earthworks in order to save cost. Wherever possible the route was laid over natural surface with a low earthen mound and an occasional slight cut into the high side. This is typical of the section from Colac to Elliminyt.

Construction took place in two periods of activity with the initial 48 kilometres from Colac to Beech Forest between 1900 and 1902, followed by a further 22.5 kilometres to Crowes between 1909-1911. The railway was an immediate stimulus to the development of the region through providing fast, convenient and all weather access to the region. Fifteen bridges were constructed along the entire length of the Colac-Beech Forest-Crowes line. Houghton notes that earth filled embankments were preferred on economic and maintenance grounds, with timber bridges being only used in wet areas and over the more 'substantial watercourses and very steep gullies' (Houghton 2012:14).

The line has, throughout its life had numerous changes brought about through floods, bushfires, washaways and earth-slips. Natural disasters have taken their toll on the infrastructure. Cuttings and embankments have had to be cut back or modified in response to damage, and buildings, stations and sidings needed constant maintenance and some replacement. Generally the modifications were carried out with similar materials and methods to the original construction.

Stations were built without raised platforms and were of a standard Victorian Railways portable type. Smaller stations were simply corrugated iron shelter sheds and staff housing was provided also to standard design at Barongarook, Banool, Wimba, Weeapoinah, Lavers Hill, Wyelangta, Gellibrand, Crowes and Beech Forest.

The servicing of the locomotives and the line meant that fixtures and other infrastructure were developed long its length, these included water points, coal storage, signals, concrete distance markers, stopping places and a telephone line. Water points were located at Barongarook, Gellibrand, Wimba, Dinmont, Beech Forest, Kincaid and Crowes, and these comprised weirs or pumps, concrete reservoirs, piping and elevated banks. Further infrastructure included loco sheds, located at Beech Forest and a coal storage, located at Beech Forest (see Houghton 2005:13 and Houghton 2012:25).

Mile posts, or distance markers, were placed along the entire length of the railway. These were constructed from concrete and painted white with black numbering. A telephone line travelled the length of the line, so that there was communication from the Colac Station Master's office all the way to Crowes. The line was carried on wooden or iron poles and was set to the side of the track. Stopping places were only marked by name boards and have no obvious remains.

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By the 1950s traffic along the line had declined and the locos that travelled along its length were aged and were in constant need of repair. In November 1960 the Joint Transport Research Committee advised the Minister for Transport that the railway close in 1961. In June 1961 the Minister announced that the line was to close that year, but due to public pressure and urgent road building works, the line stayed open until 1961. It finally closed on 30 June 1962 (see Downs 1963:99 and Houghton 2003:10).

Parliament passed a Bill in November 1963 authorising the dismantling of the Colac-Beech Forest-Crowes railway line. By December 1963 the points at every siding and station had been removed and a tender advertised for the purchase and removal of all the buildings. Ballarat contractor Littlehales and Sons won the tender.

Houghton notes that the rails were first lifted from Weeaprounah, and the removal progressed towards Colac (Houghton 2012:41). The rails were purchased by the Otway Shire Council for engineering purposes. A major rebuild and realignment of the ridge road in the 1970s removed what remained of the railway along the ridge and over time agriculture and farming has obliterated much of the fabric and its associated embankments and cuttings. Sections have also been destroyed where the former line has been incorporated into timber plantations.

In 2000 a Friends of the Old Beechy Rail was formed with the intention of promoting the heritage attractions of the railway and opening the line up to walkers and cyclists. Together with Colac Otway Shire, the Friends worked to establish the Old Beechy Rail Trail which was opened in 2002. Since that time the rail trail has grown to become a tourist and economic development asset to the region.

### Place history

An exotic palm tree is located at the former Crowes station. The tree was planted by Stationmaster Norm Blackie during WW1, in an attempt to beautify the station (Thompson 2004:14).

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*Old Beechy Rail Trail Newsletters*

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Old Beechy Rail Trail Newsletter, March 25 2010.

### Description

#### Physical Description

At Crowes station the rail, infrastructure and a vegetation sample remain relatively intact. The evidence of the former Crowes railway yard is a gravel clearing, approximately 2.5km west of Lavers Hill. To the north of this clearing, alongside Beech Forest Lavers Hill Road, sits an exotic palm tree, dating back to about 1915 (see Anchen 2011:78 and Houghton 2003:19).

#### Recommended Management

##### Other recommendations

Organisations and individual land holders also play an important role in looking after places of heritage value. Much can be achieved through local awareness, action and guidelines. The alignment of the railway passes through both public and private land in a variety of tenure arrangements. .

Part of the study area is Crown Land under the management of the Department of Sustainability and Environment (DSE). Public land management guidelines have been produced by the Department's Historic Places Branch and these include the following considerations for the protection of sites (DSE, 2010):

- . Non-disturbance of sites
- . The use of zones and buffers that take in all the elements of the landscape
- . Protection of historic landscape where there is a series of connected sites or where the context is important
- . Interpretation and recording.

Similar guidelines could be developed as a code of practice for other landholders along the railway alignment.

Communication and education about managing the heritage values of the railway can assist in letting all landholders know about this important heritage asset. Organisations such as Friends of the Old Beechy Line, local and railway historical societies can play roles in this regard.

In some sections of the railway, maps and plans are now the only evidence of what was there. They are invaluable documents in the understanding of the railway and they are important public records of changes that have taken place in cadastral boundaries. Any documentary records should be placed in a publically accessible archive.

### Comparative Analysis

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system, and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at a time of tight public finance. There were four narrow gauge state railways built in Victoria from 1899 to 1911 to serve remote and mountainous locations. Of these four, the two from Ferntree Gully to Gembrook and Moe to Walhalla have been compromised in various ways.

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The Gembrook line has been built over from Ferntree Gully to Belgrave and from there to Gembrook it has been regraded in parts and a modern tourist railway put on top of it. The station sites and other features have been reconstructed to suit modern conditions and do not faithfully resemble the original facilities.

Heritage protection is afforded to the Emerald to Gembrook (Puffing Billy) railway through a Victorian Heritage Register (VHR) listing for the locomotives and rolling stock and Heritage Overlays on several trestle bridges.

The Moe to Walhalla line has been built over in parts, some sections put under water. It has a modern railway built on top at the terminus end. The railway is on the Victorian Heritage Inventory (VHI) and several trestle bridges are on the VHR.

Wangaratta to Whitfield was substantially intact as a roadbed in 2003 although the rails have been lifted. The Whitfield line was intended to extend to Tolmie as a mountain railway but this section was never built. The railway has no heritage listing.

Other engineering works in linear form that can be compared with the railway include road building, such as the National Heritage listed Great Ocean Road and the Yan Yean and Maroondah water supply systems with their lengths of aqueducts and associated water infrastructure. Both these systems have been assessed to be of state significance.

### Statement of Significance

#### What is significant?

The *Cordyline Australis* planted between 1914 and 1918 at Crowes station is significant.

The Cordyline at Crowes station site is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites. The extant fabric represents the state of the railway as at its closure in 1962 following the removal of rails and this fabric is the basis for assessing its significance.

The existing formation runs from Colac railway yard, with some gaps, to just past Devitt Bros Sliding, near Beech Forest and three sections along the Otway Ridge at Buchanan, near Kincaid and at Lavers Hills. There are also several specific features and relics outside the immediate surviving formation.

The existing formation can be divided into several representative sections reflecting the terrain passed over and demonstrating how to secure a workable gradient. The extant sections are as follows:

1. From Colac railway yard, south side, Colac to Shorts Road, Barongarook - this section demonstrates an existing formation in foothill terrain. The 3 chain curve is located within this section.
2. From Shorts Road, Barongarook to Maggio's, Barongarook - this section demonstrates the long and low cuttings and embankments required to surmount a low divide
3. From Maggio's, Barongarook to Cashins Road, Birnam - this section demonstrates the lead into, the passage through and the lead out of a mountain section. This section is the longest and largest cutting and embankment anywhere on the railway
4. From Cashins Road, Birnam to Lovat at E762077 N231355 where the main road intersects and obliterates the existing formations - this section demonstrates a streamside parallel route

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5. From the south side of the Gellibrand caravan park for 2.2 km to E76200 N205310 - this section demonstrates the foothill lead into a mountainous section via rises and short plateaux
6. From E762044 N205310 to immediately south of Devitt Bros Sliding at E762044 N240222 - this section demonstrates all the characteristics of a mountain railway
7. At Beech Forest township, east end abutting the hotel -this section is the remnants of the railway yard and the reversing loop for the turning trains. Reversing loops were rare in Victoria on any gauge and this example is unique to the narrow gauge
8. At Beech Forest township, west end, from near the Public Hall and westwards for approximately 700 metres, up until and including the water race and collection weir - this section demonstrates the roadbed traversing a multi headed gully
9. From near Kincaid to near Wyelangta - this section demonstrates a mountain railway alignment along a ridge top
10. From near Lavers Hills and westwards for 800 meters - his section shows a south facing, multi curved alignment
11. At Crowes station and environs - the rails, infrastructure and a vegetation sample remain intact

### **How is it significant?**

The *Cordyline Australis* as a surviving feature of the Colac Beech Forest Crowes Railway is of historic and aesthetic significance to Colac Otway Shire.

The *Cordyline* tree at Crowes station site is a feature of the former Colac-Beech Forest-Crowes railway, which includes the alignment, surviving formation and other associated sites . Combined, these features are of historical, aesthetic, technical significance, and social significance, and have rarity values.

### **Why is it significant?**

The *Cordyline Australis* planted by stationmaster Norm Blackie during World War One is historically significant as an example of the practice of station beautification practised by railway staff, and as a surviving feature of the original railway station. Crowes Station area, although largely reconstructed, is an evocative reminder of the stations that once existed along the railway line and are now removed or reconstructed. It has aesthetic value as an unusual tree in the area.

The Colac-Beech Forest-Crowes railway was a major contributor to the economic development of the west Otways region from its inception in 1902 until its closure in 1962. Throughout the sixty years of operation the railway provided the means by which the forestry industry of the Otways could be sustained. The railway and associated tramway system provided the means by which the region could support over 100 sawmills, and provide added income from timber for the settlers who cleared land for agriculture. The railway provided the only all weather access to the region until the road network was sufficiently developed in the 1950s. It allowed for the export of fresh produce including potatoes and other vegetables and dairy produce to reach markets, transforming the lives of the settlers from subsistence level to income producing farming. The needs of the communities along the railway were met through special excursions and picnic trains, providing much needed or social and recreational outings. The railway promoted the growth of townships in the Otways, both through providing housing for railway staff, and linking primary production and markets.

The Colac Beech Forest railway line is one of only four State-owned narrow gauge railways built in Victoria and sections of it remain the best examples of a narrow gauge mountain railway in Victoria. It represents the longest narrow gauge

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line in Victoria and one that operated for the longest period. The reversing loop at Beech Forest remains as the only one known to have been constructed on a narrow gauge line in Victoria.

The whole formation and its associated features, both those surveyed and those not located demonstrates the place as a transport conduit and a significant linear feature in the landscape. The formation has the potential to be understood as a place demonstrating the role of engineering through traversing the difficult terrain in a manner that minimized cost in construction. The rail formation is a significant element in the cultural landscape as it negotiates the undulating farmland, the foothills, steep gullies and mountainsides and the ridge lines of the Otways. The features associated with the construction, operation and associated industry have research potential, whether they were able to be identified in 2012, 2003 or not located.

The steep gradients, tight curves, narrow cuttings, embankments, and remains of closely spaced stations and sidings are substantial tangible reminders of a narrow gauge mountain railway. The three remaining railway houses at Gellibrand and Beech Forest are representative of standard housing designed and constructed by the Victorian Railways.

The formation as it passes through particularly steep sections has aesthetic values represented by pathway, enclosure and grandeur as it traverses the mountains. The formation in the foothills, where visible, represents a subtle linear landscape feature.

The Colac-Beech Forest-Crowes railway line is an outstanding engineering feat, demonstrating a skilled design utilising relatively few bridges, a large number of curved cuttings and embankments and a uniform and workable gradient of 1 in 30, achieved in difficult terrain and constructed in the wettest area of Victoria.

The extent of community attachment to the line has not been assessed, however the large number of historical books and brochures, and the community support for the rail trail is evidence of on-going commitment to the interpretation of the line.

### **Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).**

Although agricultural land selection in the Otways began in the mid 1880s, the isolation and lack of all weather access through the Otways caused considerable hardship for selectors. The railway provided the economic stimulus for development of both agriculture and the timber industry. The Colac-Beech Forest-Crowes railway was built to stimulate development and to tap into the unrealised economic potential of the area.

The construction of the Colac-Beech Forest-Crowes railway corresponded to a brief period in the history of the Victorian Railways from 1889-1911 when narrow gauge construction was seen as a solution to rural economic development in an environment when roads did not provide an all weather solution to the transport needs of the district.

The construction of the Colac-Beech Forest-Crowes railway was an important stimulus to the development of the timber industry through providing transport for a wide range of timber products. Initially seen as a by-product of agricultural clearing, timber rapidly became the major freight carried by the railway, supporting over 100 sawmills scattered throughout the region. The timber industry remains a major activity in the Otways, responding to changes in logging practices and forestry management techniques.

The railway provided the means by which selectors could become more than merely subsistence farmers, with all weather access to markets for their agricultural produce. Thus the railway provided the stimulus for the development of

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| Tree at Crowes station site, as part of the former Colac-Beech Forest-Crowes railway<br>Hermes No 194602 | Place Citation Report | 20-Feb-2013 | 12:28 PM |
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agriculture including potatoes and other vegetables, and dairying. Other smaller primary industries such as building lime and ballast for road and railway construction were also made possible.

The railway provided all weather reliable transport for the goods and people of the small communities that were established along the line. Railway construction workers, operations staff and their families were also an integral part of those communities. The line brought additional services such as telephones and running water that were vital parts of the development of communities.

The railway provided a means of social and recreational life for the isolated communities, connecting each other until the late 1950s when picnic trains and special outings were a part of the service provided by the railway.

The construction of the Colac-Beech Forest-Crowes railway demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads, that it was the only safe, all weather form of access to the Otway Ranges, and as a consequence was the economic and social lifeline for people and industries for several decades.

From 2007 the railway line has developed a new importance for the recreational life of the community since the development of the Old Beechy Rail Trail.

### **Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).**

State owned narrow gauge railways in Victoria are a rarity in a broad gauge system and their introduction represented a response to the problem of building expensive broad gauge railways to rugged areas at the time of tight public finance.

The Colac-Beech Forest-Crowes Railway was one of only five narrow gauge railways planned by the Victorian Railways whose opposition to this type of railway was based on it being a non-standard variation from broad gauge lines and economically inferior due to the lesser quantities of freight that could be carried. Although not the first narrow gauge line to be constructed, Colac-Beech Forest-Crowes was designed to see if a narrow gauge line could generate equivalent revenue to a broad gauge line.

Of the five narrow gauge lines planned only four were built, including Ferntree Gully to Gembrook, (Puffing Billy), Moe to Walhalla, and Wangaratta to Whitfield and Colac Beech Forest Crowes. The Colac-Beech Forest-Crowes line represents the best example of a narrow gauge mountain railway, is the longest in route at 71 km and operated for the longest period of over 60 years. The line demonstrates a rare pattern of usage in running two divisions between 1911 and 1929, resulting in an operation with a complex roster of locomotive workings.

Some sections of the line provide the best tangible evidence of a narrow gauge mountain railway in Victoria; with large and well formed cuttings and embankments, leads into and out of mountain sections, rises and short plateaux. These include Section 2 (Shorts Road to Barongarook), Section 3 (Maggio's Barongarook to Cashins Road Birnam), Section 5 (south of Gellibrand carpark), Section 9 (near Kincaid to Wyelangta), and Section 10 (westwards of Lavers Hill).

The remains of the reversing loop at Beech Forest constitutes a rare feature on any gauge line and the only one known to have been constructed on a narrow gauge line.

The Colac-Beech Forest-Crowes railway is a rare large scale engineering feat in Victoria, comparable to the Great Ocean Road and the Yan Yean and Maroondah water supply systems.

### **Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).**

The Colac-Beech Forest-Crowes railway formation and its associated features forms a linear element in the broader

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landscape of the west Otways. Although some sections are more intact than others, the whole formation (where it is evident) has the potential for understanding the railway as a transport conduit. Disturbance to the formation through its incorporation into the road network or the rail trail has reduced its visibility in the landscape in some parts, and through that disturbance, has lowered the archaeological potential in those areas.

Within and beside the formation there are particular features such as mile posts, the remains of timber bridges, water tanks, borrow pits, and ash heaps are tangible evidence of the design, construction and operation of the railway. Embankments and cuttings provide evidence of the endeavour required to build a railway in steep terrain, and are a reminder of the manual work practices required at the time.

Associated sites of the many timber tramways that connected the sawmills to the railway, the remains of the lime kilns at Kwarren, and the stone quarry at Banool have the potential to contribute to our understanding of the many functions provided by the railway. There are many features associated with the railway line that are no longer visible, having been overgrown with vegetation. These include tramways leading from logging sites to the railway.

### **Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).**

The Colac-Beech Forest-Crowes line is Victoria's sole surviving relatively intact example of a narrow gauge, mountain railway designed to bring rail communication to a remote region and facilitate economic development. The main features of the railway amply demonstrate the narrow gauge, the steep gradients, the many tight curves, the numerous embankments and cuttings and the closely spaced stations en-route, with their rudimentary facilities. The evidence is substantial and tangible.

Associated features such as the standard design Victorian Railway houses at Gellibrand and Beech Forest are typical examples of the type of housing provided to railway workers in isolated locations.

### **Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).**

The railway formation provides an element in the broader landscape that responds to the topography, particularly where the railway traverses the mountain landscape. The tight curves, embankments and cuttings with closely spaced trees, particularly in Section 3, Section 5, and Section 6 provide evocative places where the natural topography and landscape is overlaid with the constructed formation. The palm tree at Crowes is a focal point of the former station and representative of exotic railway planting provided by Victorian Railways in the early 20th century.

### **Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).**

The existing formation is the pre-eminent surviving example of a narrow gauge mountain railway built to the contemporary standards of the Victorian Railways and designed to achieve a uniform and workable gradient in difficult terrain. The existing formation demonstrates through its comparative placement alongside undulating, narrow and waterlogged roads and tracks that it was the only safe, all weather form of access to the Otway Ranges.

The geographical setting made the line one of the most difficult on the Victorian Railway's system, with a large number of curved sections necessary to traverse the foothills and the ranges themselves. With an even gradient and many tight curves the line was an exceptional piece of engineering, particularly when it was constructed in the region of the state's wettest area.

The line was constructed with the minimal number of bridges which is further demonstration of the skill in design to achieve as economical construction as possible.

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**Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).**

Although the extent of attachment to this place has not been assessed in this report, there is evidence of community attachment through research and writing about the line. A strong attachment to the place has been maintained through the formation of the Friends of the Old Beechy line and the subsequent work to establish, maintain and promote the rail trail. Through interpretation and access the rail trail has gathered support for railway history and the history of the west Otways through the perspective of the railway.

**Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).**

The Colac-Beech Forest-Crowes railway has not been found to have associative significance.

### Assessment Against Criteria

The Colac-Beech Forest-Crowes railway line, including the palm tree at Crowes station site was assessed in accordance with the processes and guidelines outlined in the Australia ICOMOS Charter for Places of Cultural Heritage Significance (The Burra Charter) 1999, using the Hercon criteria.

### Recommendations 2013

**External Paint Controls**

No

**Internal Alteration Controls**

No

**Tree Controls**

Yes

**Fences & Outbuildings**

No

**Prohibited Uses May Be Permitted**

-

**Incorporated Plan**

-

**Aboriginal Heritage Place**

-

| PS Map Ref                    | Heritage Place                                                | Action Required                                                                                                                                                                                                                                                                                                                           |
|-------------------------------|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Overlay Mapping Errors</b> |                                                               |                                                                                                                                                                                                                                                                                                                                           |
| HO4                           | Pioneer Memorial Foreshore Apollo Bay                         | Overlay incorrectly positioned - needs to be moved over memorial. Site inspection is needed to clarify.                                                                                                                                                                                                                                   |
| HO18                          | Masonic Hall 15 McLachlan Street Apollo Bay                   | Overlay is currently on 44 McLachlan St - it needs to shift to 15 McLachlan St<br>Text in schedule is correct                                                                                                                                                                                                                             |
| HO23                          | Post Office (fmr.) 21 Nelson Street, Apollo Bay               | Overlay is currently on 25 Nelson Street - it needs to shift to 21 Nelson St (Crown Allotment 2A Section 4)<br>Text in schedule is correct                                                                                                                                                                                                |
| HO24                          | Augustus Lee Memorial 25 Nelson Street Apollo Bay             | 25 Nelson Street is split into 3 lots. The overlay is currently applied to the wrong lot. The stone is situated out the front of the Church Building situated on Crown Allotment 2B Section 4.<br>Overlay incorrectly positioned - needs to be moved to adjacent 10 Reynolds Rd to cover the Poplar trees.<br>Text in schedule is correct |
| HO31                          | Trees, former Conway's store 10 Reynolds Road Bairongarook    | Overlay doesn't cover church - needs to be extended to cover whole lot.                                                                                                                                                                                                                                                                   |
| HO43                          | St Joseph's Catholic Church, 209 Callahans Lane Barwon Downs  | Overlay incorrectly positioned - needs to be moved over Woolsheds.                                                                                                                                                                                                                                                                        |
| HO59                          | Mingawalla Woolshed, 1420 Warrowie Road                       | Overlay is currently on 1530 Old Beech Forest Road - it needs to shift to 1560.<br>Text in schedule is correct                                                                                                                                                                                                                            |
| HO65                          | Primary School 1560 Old Beech Forest Rd                       | Overlay is incorrectly on 30 Southern St, needs to be shifted to 32 Southern St (CA13W).<br>Text in overlay is correct.                                                                                                                                                                                                                   |
| HO69                          | Railway Workers' House, 32 Southern St                        | The overlay covers both 470 Birregurra Road (CA B2, SEC 22) and the neighbouring property at 462 Birregurra Road (CA B, SEC 22). The water tower is on 470 - hence the overlay needs to be removed from 462.                                                                                                                              |
| HO73                          | Water Tower, 470 Birregurra Road                              | HO83 currently covers 4 separate lots. It only needs to capture the church building. This is CA 10 Sec D.                                                                                                                                                                                                                                 |
| HO83                          | Uniting Church 1 Jenner Street Birregurra                     | Overlay is not over memorial. War memorial is actually on site of 42-44 Main St.                                                                                                                                                                                                                                                          |
| HO116                         | St Mary's Catholic Church 1 Geilbrand St                      | Coverage needs to be extended to lot 1 TP888381 to ensure that it covers the whole church.<br>Incorrectly positioned. Doesn't cover the turntable.                                                                                                                                                                                        |
| HO122                         | Railway Turntable 102a Geilbrand St, Colac                    |                                                                                                                                                                                                                                                                                                                                           |
| HO125                         | St Andrews Church and Sunday School Buildings, 25-29 Hesse St | Currently only covers main church buildings needs to be extended over CA 2 Sec 8, Colac.                                                                                                                                                                                                                                                  |
| HO146                         | Chevrolet Salerooms, 224 Murray St                            | Currently it covers the western lot of 224-236 Murray St which does not include the heritage building. It needs to be removed from this site and included on the 2 sites immediately to the east to cover the showroom building.                                                                                                          |
| HO162                         | Colac Dairying Company, 131 Wilson St, Colac                  | Coverage needs to be extended to cover the entire site.                                                                                                                                                                                                                                                                                   |
| HO163                         | Onion Dehydration Factory - 20 Rossmoyne Rd, Colac West       | Overlay is only a small circle and doesn't cover factory. Mapping needs to be updated to cover Lot 1 TP622407.                                                                                                                                                                                                                            |
| HO164                         | Good Samaritan Convent 725 Corangamite Lake Road, Coragulac   | Overlay doesn't cover convent. Should cover all of Lot 1 LP5324.                                                                                                                                                                                                                                                                          |
| HO174                         | Avenue of Honour Yarima Rd/New Station/Lyons Sts Cressy       | Overlay currently only covers New Station Street. According to Statement of Significance the overlay should cover the 3 streets.                                                                                                                                                                                                          |
| HO235                         | Uniting Church & Hall 603 Coragulac Beeac Road Warrion        | Contact Heritage Advisor regarding extension of overlay to other streets.<br>Incorrect coverage - does not cover both church and hall buildings as specified in citation.                                                                                                                                                                 |
| HO236                         | Public Hall, 633 Coragulac Beeac Road                         | HO currently covers 633 & 637 Coragulac Beeac Rd. The hall only covers 633, the overlay needs to be removed from 637.                                                                                                                                                                                                                     |
| HO243                         | War Memorial Cairn, Great Ocean Road, Wye River               | Overlay incorrectly positioned - needs to be moved over memorial.                                                                                                                                                                                                                                                                         |
| HO250                         | Yeodene Public Hall 130 Yeodene Birregurra Road, Yeodene      | Coverage needs to be extended over the lot 1 TP423402 to ensure it covers the entire public hall building.                                                                                                                                                                                                                                |
| HO283                         | Beeac Cemetery                                                | The site is mapped at 40 Cemetery Road, Beeac. The study and schedule incorrectly identifies the site as 20 Cemetery Rd. The wording in the schedule needs to change.                                                                                                                                                                     |
| HO285                         | Primary School, Beeac                                         | The site is mapped at 45 Lang Street, Beeac. The study and schedule incorrectly identifies the site as 35 Lang St. The wording in the schedule needs to change.                                                                                                                                                                           |
| HO287                         | St Andrew's Anglican, Beeac                                   | The site is mapped correctly at LOT 2 PS63751945 part of 16 Lang Street, Beeac. The study and schedule incorrectly identifies the site as 53 Main St. The wording in the schedule needs to change.                                                                                                                                        |
| HO288                         | Butter Factory Well, 22 Main Rd Beech Forest                  | The site is at 22 Main Road and is mapped correctly. The schedule needs to be changed from 32 to 22 Main Road Beech Forest. In addition the landowner wants the heritage place name changed to Butter Factory Underground Brick Tank.                                                                                                     |
| HO287                         | Steven's Corner Store, Main Street Birregurra                 | The site is mapped correctly at 40 Main St, Birregurra. The wording in the schedule needs to change from 38 to 40 Main Street Birregurra.                                                                                                                                                                                                 |
| HO288                         | Catholic Church & Presbytery, 7 Skene St Birregurra           | The site is mapped correctly at 5-11 Skene St, Birregurra. The wording in the schedule needs to change from 5-11 Skene St, Birregurra.                                                                                                                                                                                                    |

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| HO184 | Butter Factory, Carlisle River                                     | The site is correctly mapped at 15-21 Moomowrong Road. The schedule needs to be changed from 25 to 15-21 Moomowrong Road, Carlisle River.                                                                                                               |
| HO133 | 1 Fyans Street - Caravan Park Amenity Units                        | Captured in heritage study and in mapping overlay. Needs to be added to schedule.                                                                                                                                                                       |
| HO137 | National Bank (fmr.), Murray St, Colac                             | The site is correctly mapped at 26 Murray St, Colac. Address needs to be updated from 28 Murray St, Colac to 26 Murray St, Colac in schedule to reflect the correct site.                                                                               |
| HO141 | Office Building, Murray St                                         | The site is correctly mapped at 126-128 Murray St, Colac. Address needs to be updated from 126 Murray St, Colac to 126-128 Murray St, Colac in schedule to reflect the entire site.                                                                     |
| HO145 | Austral Hotel, Murray St                                           | The site is correctly mapped at 185-189 Murray St, Colac. Address needs to be updated from 185 Murray St, Colac to 185-189 Murray St, Colac in schedule to reflect the entire site.                                                                     |
| HO152 | First Presbyterian Manse, Pollock St                               | The site is correctly mapped at 21-23 Pollock St, Colac. Address needs to be updated from 21 Pollock St to 21-23 Pollock St, Colac in schedule to reflect the entire site.                                                                              |
| HO159 | Bahagowan 3 Stodart Street Colac                                   | Mapping is correct. Address requires updating to ensure full block is covered. 3-21 Stodart Street Colac. Internal Alteration Controls should also apply. Check this with Heritage Advisor.                                                             |
| HO207 | 430 Red Johanna Road, Johanna                                      | HO207 is identified in the Heritage Study and appears in the overlay mapping. However it is not detailed in the schedule. The schedule requires updating.                                                                                               |
| HO248 | Weering School, 350 Weering School Road, Weering                   | Schedule needs to be updated to match correct mapping of 350 instead of 340 Weering School Road, Weering.                                                                                                                                               |
| HO3   | Speculant Anchor Foreshore Reserve Apollo Bay                      | Overlay incorrectly positioned - needs to be moved over memorial. Site inspection is needed to clarify.                                                                                                                                                 |
| HO46  | Blackwood, 1630 Forrest Birregurra Road, Barwon Downs              | Will need site visit.                                                                                                                                                                                                                                   |
| HO67  | World War II Memorial Old Main Road Beech Forrest                  | Overlay is currently on 1620 Forrest Birregurra Road - Schedule and Study indicate 1630. Unable to tell from GIS which is correct.                                                                                                                      |
| HO82  | Buntingdale Mission Cairn, 1 Jenner Street Birregurra              | It is unclear if the position of the cairn is correct - can't tell from aerial - but it appears to sit beside the church block rather than in it. Need site inspection.                                                                                 |
| HO84  | Stone Pines, Main Street Birregurra                                | Overlay is just slightly off the trees. Need to check accuracy with site visit.                                                                                                                                                                         |
| HO95  | Bleak House, 10 McDonnells Rd                                      | Incorrectly mapped. It is not at McDonnells Rd but part of 4970 Princes Hwy, Birregurra. Would require inspection to determine on which lot it actually sits.                                                                                           |
| HO188 | Fremens Memorial, 1 Calvert St                                     | Overlay incorrectly positioned - needs to be moved over cairn. Site inspection is needed to clarify.                                                                                                                                                    |
| HO143 | 168-170 Murray St                                                  | Mapping and Addresses are confused - need to be defined by the Heritage Advisor                                                                                                                                                                         |
| HO181 | Dreelite Estate Dining Hall/Watertank - 1995 Corangamite Lake Road | Requires inspection to verify location of dining hall and watertank - unclear from overlay.                                                                                                                                                             |
| HO182 | Dry Stone Rabbit Wall Ilets Road Dreelite                          | Not clear if overlay is over wall. Takes over large area next to road. Would require site visit to verify.                                                                                                                                              |
| HO183 | Consumption Cairn 60 Iletts Road Dreelite                          | Not clear if overlay is over cairn. Would require site visit to verify.                                                                                                                                                                                 |
| HO238 | Mount Hesse Station, Mount Hesse Estate Rd, Ombersley              | HO218 needs to be checked by a Heritage Advisor as all buildings on site are not covered by the HO and coverage may need to be increased                                                                                                                |
| HO227 | Stanway Harrington Memorial Cairn, Separation Creek                | Map coverage looks incorrect as you are unable to identify the cairn, appears in schedule but is noted as withdrawn in Heritage Study 2005 edits.                                                                                                       |
| HO248 | Hugh Murray Memorial Cairn & Plaque                                | Overlay incorrectly positioned - needs to be moved over memorial - site investigation required to locate cairn and plaque.                                                                                                                              |
| HO251 | Yoolong Public Hall, 5655 Great Ocean Road, Yoolong                | Overlay incorrectly positioned. Needs to be moved over the public hall.                                                                                                                                                                                 |
| HO72  | Birregurra Railway Station, 460 Birregurra Rd                      | Overlay coverage needs to be reduced to just cover railway station.                                                                                                                                                                                     |
| HO73  | Water Tower, 470 Birregurra Road                                   | The overlay covers both 470 Birregurra Road (CA B2, SEC 22) and the neighbouring property at 462 Birregurra Road (CA B, SEC 22). The water tower is on 470 - hence the overlay needs to be removed from 462.                                            |
| HO74  | Studbrook 365 Birregurra Forrest Road Birregurra                   | The overlay currently covers all of 365 Birregurra Forrest Road (this includes 8 lots). The statement of significance only refers to the rural dwelling, therefore it may be possible to reduce the overlay coverage to just cover the house.           |
| HO77  | Ripplevale 4100 Cape Otway Road Birregurra                         | The overlay covers the 75ha lot, however, the statement of significance only refers to the main house, original homestead, circular storehouse, stables and remnant garden plants. The overlay coverage could be reduced to cover these key areas only. |
| HO96  | Dwelling, Store & Post Office (fmr.) 4500 Princes Hwy Birregurra   | HO96 covers 100% of CA (70ha). The statement of significance only specifies the dwelling fronting the road. The overlay coverage could be reduced.                                                                                                      |

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| HO197 | House, 4705 Princes Highway Birregurra                                               | HO97 covers 100% of CAD Sec 12 (23ha). The statement only specifies significance of house. The overlay coverage could be reduced.                                                                                                              |
| HO112 | Convent of Mercy, 1 Freeman Street, Colac                                            | HO112 cover this whole site 0.8ha. There are a number of additional buildings on the site that may not need to be covered by the HO.                                                                                                           |
| HO189 | Colac High School, 413 Murray Street                                                 | Overlay currently covers the whole lot (8ha). A large portion of the site is made up of sporting ovals to the north - this may not need to be covered by the heritage overlay.                                                                 |
| HO193 | Yeowarra 5855 Princes Highway Colac                                                  | HO153 covers 100% of address which is over 200ha. The statement only specifies significance of house. The overlay coverage could be reduced.                                                                                                   |
| HO194 | Police Lock-Up, 40 Queen Street Colac                                                | HO154 covers 100% of address which is over 1.2ha. The statement only specifies significance of lock-up. The overlay coverage could be reduced to assist with management of the rest of the site. Would need to identify boundaries of lock-up. |
| HO188 | Dairy Factory, 15 Factory Rd Cororooke                                               | Overlay currently covers only 1 of the 15 lots at this site. Would need to get Heritage Advisor to determine which of the 15 lots should be covered by this overlay.                                                                           |
| HO175 | Cressy Primary School, 17 Yarrina Road Cressy                                        | HO175 currently covers four lots and could be reduced to the front 2 lots. That is Lot 1 & 2 TP385674. Over both 17 and 21 Yarrina St. Schedule may also require updating.                                                                     |
| HO176 | Watch Hill 3815 Corangamite Lake Road Cundare                                        | HO176 currently covers all of lot 1 TP157738 (over 230ha). Coverage could be reduced to just cover the homestead, outbuildings and garden as specified in the Statement of Significance.                                                       |
| HO177 | Bulestone Cottage, 3840 Corangamite Lake Road, Cundare                               | HO177 currently covers all of lot 2 TP833438 (over 48ha). Coverage could be reduced to just cover the bluestone cottage as specified in the Statement of Significance.                                                                         |
| HO178 | Tennis Pavilion 10 Rippons Road Dreetle                                              | HO178 currently covers two lots with a total of 0.1ha. The tennis pavilion appears to border both lots. The area to be covered by the overlay could be reduced though.                                                                         |
| HO179 | Stockyard & Water Tank Base- Dreetle                                                 | HO179 currently covers all of lot 1 TP366341 (over 30ha). Coverage could be reduced.                                                                                                                                                           |
| HO283 | Irewarra House Estate, 85 Irewarra School Road                                       | HO203 covers 2 lots - it looks like the back lot could be removed from the overlay to reduce the coverage.                                                                                                                                     |
| HO284 | Irewarra Homestead 20 Ryans Road, Irewarra                                           | HO204 currently covers over 100ha - including what looks like an additional dwelling that is separate from the homestead. Coverage could be reduced.                                                                                           |
| HO285 | Farm Complex 205 Warrowie Road, Irewarra                                             | HO205 currently covers all 33ha of property. Coverage could be reduced.                                                                                                                                                                        |
| HO211 | Chilean Wine Palm 157 Corangamite Lake Road, Larpent                                 | HO211 currently covers a really large area - needs to be zoned into the tree                                                                                                                                                                   |
| HO213 | Lavers Hill P-12 College, 10 College Dve Lavers Hill                                 | HO213 covers the 10ha school site. Coverage could be reduced.                                                                                                                                                                                  |
| HO216 | Mooleric, 635 Mooleric Rd, Ombersley                                                 | HO216 covers 380ha. Coverage could be reduced to only cover homestead and garden.                                                                                                                                                              |
| HO237 | Cattleshed & water tank, 159 Riccarton Road, Warrion                                 | HO237 covers 40ha. Coverage could be reduced to only cover cattleshed & water tank.                                                                                                                                                            |
| HO248 | House (ruin), 350 Barphiba Rd, Warrion                                               | HO238 covers 22ha. Coverage could be reduced to only cover the house ruin.                                                                                                                                                                     |
|       | <b>Black - Standard Mapping Error</b>                                                |                                                                                                                                                                                                                                                |
|       | <b>Green - Standard Schedule Error</b>                                               |                                                                                                                                                                                                                                                |
|       | <b>Red - Mapping Error or Schedule Error that requires site inspection follow-up</b> |                                                                                                                                                                                                                                                |
|       | <b>Blue - Site coverage could be reduced by targeting the heritage asset.</b>        |                                                                                                                                                                                                                                                |



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***Memorandum of Understanding***  
***between***  
***Colac Otway Shire***  
***and***  
***Otway Coast***  
***Committee***

**March 2013**



## **PURPOSE**

This Memorandum of Understanding provides a framework for a working relationship between Colac Otway Shire and the Otway Coast Committee for the future development and management of coastal towns and their coastal reserves.

It recognises the value of past associations between the Parties, and strives to achieve an even more effective relationship in the future.

The Parties acknowledge the very high value the community places on the social, recreational and environmental values of coastal reserves and the expectation that their management and future development will be of the highest standard possible and in the best interests of the community.

## **COMMITMENT**

Colac Otway Shire (the Shire), and the Otway Coast Committee (the Committee) (the parties) will co-operatively work together to achieve positive outcomes in the best interests of the community by:

- managing the foreshore and public reserves (the Reserve);
- developing the Reserve in an appropriate and environmentally sensitive manner;
- consulting with one another and undertaking projects in partnership on matters that affect both Parties;
- engaging regularly by meeting, exchanging information, discussions and actively resolving matters affecting both Parties.

On projects affecting both Parties they will work towards agreed goals with a view to providing a seamless management practice that endeavours to result in the best possible outcome for the Reserves and the community.

The Parties commit to clear time-lines for actions and to sharing information in a timely manner. The Parties agree to encourage and facilitate consultation on major projects or significant proposals which have potential to impact on the Reserve or adjacent land or either of the Parties.

## **CERTAINTY**

It is the intent of this Memorandum of Understanding that both Parties achieve a high level of certainty and understanding regarding their roles and establish a high level of communication and understanding on issues conducive to a positive working relationship.

## **ROLES AND RESPONSIBILITIES**

Both Parties will work together in partnership to ensure:

- Co-operative engagement on planning and development proposals for the Reserve and other proposals that have potential impacts on the Reserves;
- Communication on issues arising from the use or development of the Reserves and land affecting the Reserves, generating considerable community concern.
- Appropriate community engagement is undertaken as a component of decision making on matters related to the development of projects affecting Parties on the Reserves and land affecting the Reserves;
- The timely provision of information between the Parties particularly relating to areas of overlapping and separate responsibility;
- Efficient use of resources including sharing of resources where appropriate;

## **THE COMMITTEE**

The Committee agrees to:

- Support appropriate funding applications prepared by Colac Otway Shire for agreed upon projects and capital works proposals that are consistent with relevant approved State and Local Government plans and strategies;
- Undertake appropriate community engagement for any major new use or development of the Reserve;
- Implement the recommendations of safety audits commissioned by the Shire for the playgrounds in Apollo Bay and Wye River and the Apollo Bay Skate Park;
- Manage projects on the Reserve that are in partnership with the Shire, regardless of the funding source or applicant except where alternative arrangements have been agreed to by both Parties;
- Facilitate a cooperative and open communication process with the Shire;
- Work closely with the Shire's 'E' Team (Events Team) with respect to any events proposed for the Reserve and to work closely with all relevant parts of the organisation on matters of mutual interest.
- Maintain and improve where necessary the public litter bin infrastructure on the Reserve, including provision of bin infrastructure that encourages public place recycling;
- Address issues of amenity and safety for users of the Reserve, including but not limited to, public litter control, control of dogs and horses, camping in public places, & fires, and where appropriate, work cooperatively with the Shire to deliver these outcomes;

- Facilitate the authorisation of employees of the Committee to police and enforce local laws and regulations enforceable under regulation concerning issues of public amenity on the Reserve as agreed by both parties;
- Develop an agreement with the Shire concerning the administration of fines arising from local law enforcement within the Reserve, the distribution of revenue collected from fines, and responsibility for enforcing payment of fines (such agreement must acknowledge the costs incurred by the Committee through enforcement activity and the costs to Council of administration);
- Facilitate the process of designating dog free and dogs on leash areas within the Reserve; and

#### **THE MUNICIPALITY**

Colac Otway Shire agrees to:

- Manage, repair and maintain in good order and condition and where necessary replace assets on the Reserves that are the responsibility of the Shire, as detailed in Attachment 1 to this agreement;
- Advise the Committee of State and Federal government funding opportunities and programs, and support whether in principle or financial to the Committee's applications for funds under these programs where they are consistent with approved plans or strategies;
- Provide the Committee with copies of Planning Permit application documents when Notice of Application is given under the Planning and Environment Act, to more effectively allow the Committee to provide its comment on those applications to the Shire, where the application proposal may have an effect on the amenity of the Reserve;
- Engage with the Committee at an early stage on any matter of mutual interest, including but not limited to; strategic planning; infrastructure planning and general policy development;
- Provide ongoing financial support in the form of:
  - a grant, the amount to be reviewed annually by the Shire in consultation with the Committee, which is recompense for up to 50% of the annual cost of the cleaning and maintenance of the Reserve toilet blocks;
  - payment for the cost of emptying the existing public litter bins on the Reserves as part of the Shire's waste collection contract;
  - twice yearly provision of independent audit information relating to the two playgrounds at Apollo Bay and Wye River and the Apollo Bay Skate Park at no cost, on the basis that the Committee uses this information to inform the necessary maintenance and compliance works to the playgrounds; and
  - a contribution from the Regional Recreation Reserves Contribution Scheme in recognition of the maintenance the Committee undertakes within the

foreshore and the provision of community sport and recreation by the resident clubs.

- Provide non-financial support to development of the Foreshore Shared Pathway Scheme and extension to Skene's Creek and Marengo.
- Assist and support the Committee in managing the Reserve with respect to issues of public amenity and safety, including but not limited to, public litter control, control of dogs and horses and camping in public places by designating the Reserve as being subject to Council's local laws and authorising employees of the Committee as Authorised Officers as appropriate to undertake enforcement of the local laws; and
- Develop an agreement with the Committee concerning the administration of fines arising from local law enforcement within the Reserve, the distribution of revenue collected from fines, and responsibility for enforcing payment of fines (such agreement must acknowledge the costs incurred by the Committee through enforcement activity and the costs to Council of administration).

## **MEETINGS**

Both Parties will meet at least twice a year to discuss matters of mutual interest.

- The first meeting of the year will be at suitable time (early in the calendar year) for Council Officers to consider any proposed joint projects as part of the Shire's annual budget process;
- The second meeting being in the last quarter of the calendar year to allow the committee to report to Councillors and Council Officers on the work of the committee for the preceding year and advise of upcoming issues for the summer.

## **COMMUNICATION**

Clear standards for the quality, consistency and timely information flow are critical to improving the working relationship and the delivery of high quality management outcomes by the Parties.

The Parties will undertake a cooperative and open communication process with each other, and promote a unified position when providing public statements on issues or projects being undertaken in partnership together.

The Parties will work positively with the media to enhance the reputation of Colac Otway Shire and the Committee and agree to:

- Retain the right to state publicly their positions on any issue within their jurisdiction, even where those positions differ;
- Acknowledge, with due respect, that differences of opinion may exist on certain issues;
- Not criticise one another in the media, at meetings or in other public forums;
- Report an agreed position only after it has been reached;
- Give recognition where warranted to each organisation for achievements and positive results.

Written advice regarding emerging or ongoing issues or matters of mutual interest relevant to the care, use, development and management of the public reserves are to be communicated to one another in a timely manner.

The Parties will work together to develop appropriate strategies to engage the community and other organisations and agencies, in particular issues that affect the Reserves.

#### **REVIEW PERIOD**

This Memorandum of Understanding will be reviewed jointly by the Parties within 2 years of signing and biennially thereafter.

The Parties agree that this agreement will not be altered without the endorsement of both the Parties to this Memorandum of Understanding.

Within 3 months of the review date commencing, the Parties agree to endorse either this Memorandum of Understanding (as modified in accordance with this document) or a new Memorandum of Understanding formally endorsed by the Parties. Until the conclusion of the review period as stipulated, this Memorandum of Understanding will remain valid (the Agreed Period).

Should the Parties fail to reach agreement within the designated review period, this Memorandum of Understanding will lapse.

Either Party not wishing to continue with the Memorandum of Understanding during the agreed period, agrees that such intentions will be conveyed in writing, giving at least one months notice to the remaining Parties along with reasons for the intended discontinuance of this Memorandum of Understanding.

#### **Signed on behalf of Colac Otway Shire**

**Rob Small**  
**Chief Executive Officer**

**Date:**

#### **Signed on behalf of Otway Coast Committee**

**Andrew Buchanan**  
**Chairman**











**Date:**

## **Appendix 1 List of Shire Assets within the Foreshore**

The following is a list of assets in the foreshore for which it is the responsibility of Council to maintain:

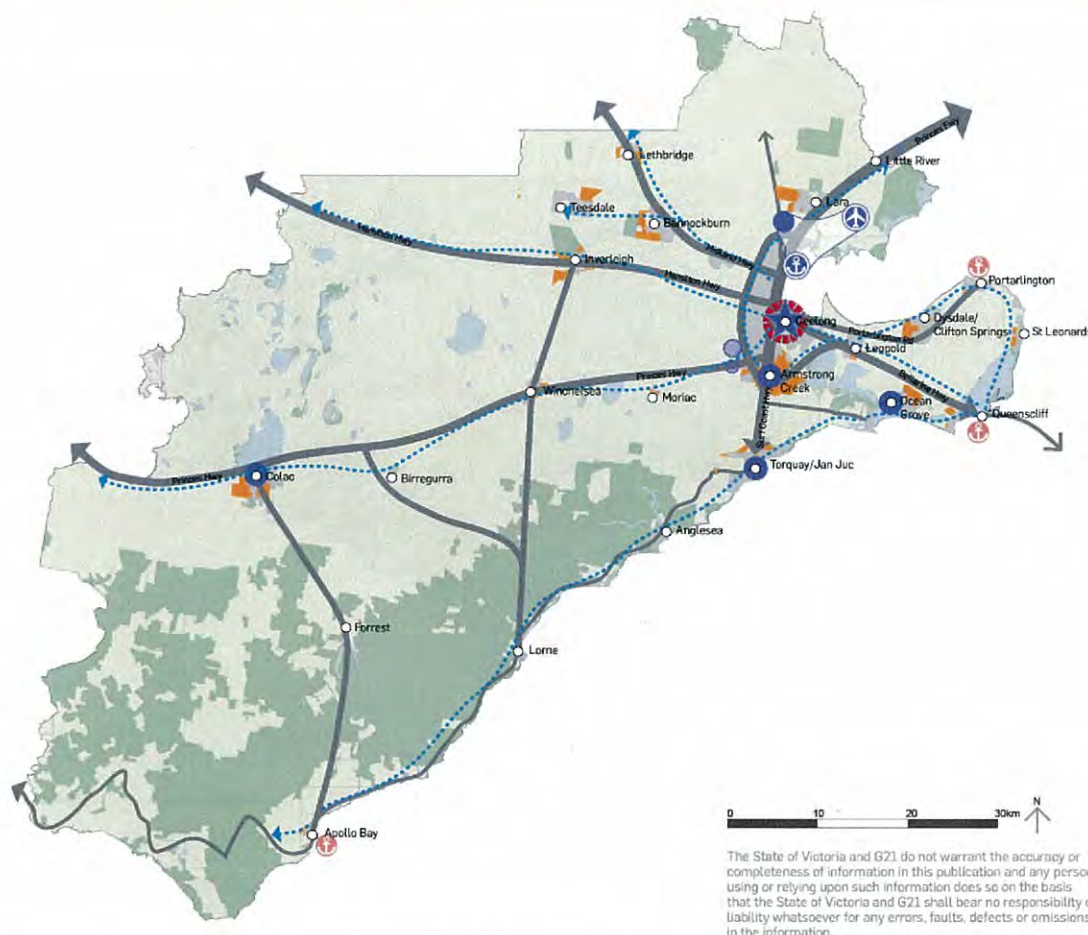
| <b>Infrastructure Item</b>                                    | <b>Percentage of Maintenance Cost</b> |
|---------------------------------------------------------------|---------------------------------------|
| 1. Foreshore Sculptures                                       | 100%                                  |
| 2. Apollo Bay Skate Park (cost of materials only)             | 100%                                  |
| 3. Shared Apollo Bay - Marengo Path                           | 100%                                  |
| 4. Storm Water Assets (excluding road culverts)               | 100%                                  |
| 5. Kennett River Wetlands                                     | 100%                                  |
| 6. Apollo Bay Visitor Information Centre (within leased area) | 100%                                  |
| 7. Skenes Creek Stand Pipe                                    | 100%                                  |



-  **Reinforcing the role of Central Geelong as a regional city and Victoria's second largest city**  
Major infill is proposed to support the revitalisation and strengthening of central Geelong.
  -  **Supporting the growth of Geelong with a focus on infill housing opportunities**  
A focus on infill housing opportunities at targeted activity centres and Key Development Areas as identified in the Greater Geelong Planning Scheme.
  -  **Supporting planned growth and reinforcing the role of district towns**  
Encourage growth of district towns or centres consistent with existing Structure Plans/Growth Plans. With Armstrong Creek, this will accommodate a further 125,000 people over the next 20 – 30 years. Development of underutilised sites and urban infill is actively recommended within these settlements to ensure a range of housing choice.
  -  **Introducing new targeted growth nodes**  
Grow Colac to a town of 20,000 and Winchelsea to a town of 10,000. Further strategic work will need to be undertaken for both towns to identify the most appropriate areas for growth and to identify major incentives to support growth. These areas are not anticipated to be required until at least 2030-2040.
  -  **Identification of two Further Investigation Areas in Geelong**  
Potential development of these areas, is not likely to be required ahead of identified planned growth. They will require further assessment of suitability and capacity for growth and the monitoring of land supply within the region to determine timing. The Lovely Banks area near Lara potentially has a higher priority, given greater connection to Melbourne and links with proposed national transport logistics employment areas.
  -  **Strengthening and protecting the identified existing and planned employment areas (shown on map)**  
As well as tourism precincts and district town activity centres (not shown on map).
  -  **Maintain productive agricultural areas**  
Consistent with existing Rural Land Use Strategies and includes opportunities for broadacre cropping and livestock, intensive livestock and horticulture, irrigated agriculture, forestry and emerging agricultural activities.
  -  **Identifying new employment nodes**  
A new Education, Health and Research Hub at Deakin University, the long term potential employment hub at Waurin Ponds South, subject to further investigation, and the expansion of industrial employment areas in Colac and Winchelsea, subject to more detailed planning.
  -  **Identification of four key settlement breaks**  
Discussion provided in section 4.11.
  -  **Designation of settlement boundaries for all towns**  
The region's other rural and coastal settlements will continue to experience modest growth and play an important tourism and agricultural role to surrounding areas. Growth will be limited to identified structure plan settlement boundaries.
  -  **Maintain and enhance natural assets**  
Protect and build on our natural assets by maximising key opportunities to link and rehabilitate ecosystems and enable sustainable and planned productive uses. Sustain the health of our natural assets by considering future challenges in the management, planning and development of these assets.

## G21 REGIONAL GROWTH PLAN – IMPLEMENTATION PLAN PROJECT (CONTD)

MAP 8 – MAJOR INFRASTRUCTURE DIRECTIONS



### An efficient and equitable public transport, road and freight network leveraged off existing infrastructure

As the region grows, pedestrian, cycling, public transport, freight and car transport options are needed to match growth. Medium-term growth is supported by initiatives already implemented or committed such as Regional Rail Link and the duplication of the Princes Highway to Colac. Further investigations are needed to identify transport infrastructure and service solutions.

### Providing infrastructure and services for planned growth areas and infill development

Given the number of growth fronts across the region, a sequencing plan will need to be developed to ensure the most cost effective ways to deliver community and physical infrastructure and services to support planned growth.

### Development of a national transport and logistics precinct

Focus on developing the roles of Avalon Airport, Geelong Port and the GREP as key national and regional economic assets, including a potential intermodal facility along with efficient connections between them.



### Strengthening Central Geelong

Continue to develop Central Geelong as a major regional city and Victoria's second city by supporting growth in the education, health and services sector, increasing the number of people living in the city and delivering key outcomes such as the convention centre, Yarra Street Pier, Cultural Precinct and Vision II initiatives.



### Land and infrastructure for existing, and



### future employment nodes

Needs to be provided across the region to enable people to work within close proximity of home, to promote economic growth and to support the development of agriculture and tourism.



### The rollout of the NBN

Constantly growing new technology over the next 40 years within the region is essential to support the current functions and growth of the education, health and services sector in addition to other businesses and residents.



### Building on the region's capability in education, knowledge and research

Support the growth of Deakin University, The Gordon, Barwon Health and other major education and health service providers and research organisations such as CSIRO.



### Maintaining and improving natural infrastructure

To build landscape resilience and the environmental condition of the region's parks and reserves.

### Efficient and cost effective roll out of water infrastructure and services (not shown on map)

Use of recycled water for irrigation and intensive agriculture will strengthen agribusiness in the region. This, as well as increased use of other alternative water sources, such as rainwater and stormwater, will provide environmental and liveability benefits and make our communities more resilient to future uncertainties such as climate change.

### Develop and build new renewable energy sources (not shown on map)

Based on the region's strengths in geothermal power and wind energy.



## **CONSUMPTION OF ALCOHOL IN PUBLIC PLACES**

### **LOCAL LAW NO. 1 – March 2013**

LOCAL LAW ADOPTED BY COUNCIL DATE

[5925848: 9727021\_1]

**COLAC OTWAY SHIRE COUNCIL****CONSUMPTION OF ALCOHOL IN PUBLIC PLACES LOCAL LAW NO. 1****PART 1****PRELIMINARY****Title**

1. This Local Law will be known as the "Consumption of Alcohol In Public Places Local Law 2013" and is referred to subsequently as "this Local Law".

**Purpose**

2. The purpose of this Local Law is to:
  - 2.1. regulate and control the consumption of *alcohol* and possession of *alcohol* other than in a *sealed container*.
    - 2.1.1. on a *road*;
    - 2.1.2. in or at a *public place*;
    - 2.1.3. in or on a stationary *vehicle*; and
    - 2.1.4. on *vacant private land*;
  - 2.2. prevent behaviour which:
    - 2.2.1. constitutes or may constitute a nuisance;
    - 2.2.2. may be detrimental to health or safety; or
    - 2.2.3. affects the enjoyment of public and other places; and
  - 2.3. revoke *Council's* "Consumption of Liquor in Public Places Local Law 2005".

**Authorising Provisions**

3. This Local Law is made under section 111(1) of the *Local Government Act* 1989.

**Commencement and Area of Operation**

4. This Local Law:

[5925848: 9727021\_1]

- 4.1. commences on DATE; and
- 4.2. operates throughout the *municipal district*, including public lands to the high water mark of inland lakes and foreshore reserves.

### Revocation

5. Upon the commencement of this Local Law, *Council's Consumption of Alcohol in Public Places Local Law 2005* is revoked.
6. Unless sooner revoked, this Local Law ceases to operate on DATE

### Definition of Words Used in this Local Law

7. Unless inconsistent with the context or subject-matter, the following words and phrases are defined to mean or include -

**"applicant"** means an applicant for a *permit*.

**"Authorised Officer"** means a person appointed under section 224 of the *Local Government Act 1989* and includes all sworn members of the Victorian Police Force and Protective Services Officers.

**"Chief Executive Officer"** means the Chief Executive Officer of *Council*.

**"Council"** means Colac-Otway Shire Council.

**"Infringement Review Panel"** means *Council's Internal Infringement Review Panel*.

**"alcohol"** means a beverage intended for human consumption with an alcoholic content greater than 0.5 per centum by volume at a temperature of 20 degrees Celsius.

**"municipal district"** means the municipal district of *Council*.

**"permit"** means a permit issued under this Local Law.

**"public place"** has the same meaning as in section 3 of the *Summary Offences Act 1966*.

**"road"** has the same meaning as in the *Local Government Act 1989* and includes a road vested in the Crown.

**"sealed container"** means a container sealed at the point of manufacture.

**"vacant private land"** means land on which no dwelling is erected.

**"vehicle"** has the same meaning as in the *Road Safety Act 1986*.

## PART 2

### REGULATION

#### Consumption and Possession of Alcohol

8. A person must not, without first obtaining a *permit* nor otherwise than in accordance with the conditions of such a *permit*:
  - 8.1. on a *road*; or
  - 8.2. in or at a *public place*;
  - 8.3. in or on a stationary *vehicle* on a *road* or in or at a *public place*; or
  - 8.4. on *vacant private land* -  
consume any *alcohol* or have in his or her possession or control any *alcohol* other than *alcohol* in a *sealed container*.
9. Sub-clauses 8.1 and 8.2 do not apply to a person who consumes, possesses or has under his or her control any *alcohol* in premises or at a location which is licensed under the **Liquor Control Reform Act 1998**.
10. Sub-clause 8.4 does not apply to a person who is the owner or occupier of the *vacant private land* or who is upon such *vacant private land* at the invitation or with the permission of its owner or occupier.

#### Power to Direct

11. If an *Authorised Officer* reasonably suspects that a person is in contravention of or has contravened this Local Law, he or she may direct the person to dispose of the contents of any unsealed container.
12. A person to whom a direction is given under Clause 11 must comply with that direction.

[5925848: 9727021\_1]

### PART 3

#### GENERAL PROVISIONS

##### Permits

13. A person applying for a *permit* under this Local Law must lodge with *Council*:
  - 13.1. an application in a form approved by *Council*; and
  - 13.2. any application fee fixed by Resolution of *Council*.
14. In considering whether to grant an application for a *permit*, *Council* must have regard to:
  - 14.1. the location at which it is proposed to consume or possess *alcohol* or have *alcohol* under the *applicant's* control;
  - 14.2. the time and duration which it is proposed to consume or possess *alcohol* or have *alcohol* under the *applicant's* control;
  - 14.3. the purpose for which it is proposed to consume or possess *alcohol* or have *alcohol* under the *applicant's* control;
  - 14.4. whether, if the application is granted, the *applicant* will or is likely to engage in behaviour which constitutes or may constitute a nuisance;
  - 14.5. whether the grant of the application will be detrimental to health or safety;
  - 14.6. whether the grant of the application will affect the enjoyment of a public place or other place; and
  - 14.7. any policy or guidelines adopted by *Council* from time to time.
15. Subject to clause 13, *Council* may:
  - 15.1. grant an application and issue a *permit*;
  - 15.2. grant an application and issue a *permit* with conditions; or
  - 15.3. refuse to grant an application.

##### Form and Operation of Permit

16. Any *permit* issued by *Council* must:
  - 16.1. be in a form approved by *Council*; and

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- 16.2. not be operative until the *applicant* pays any *permit* fee fixed by Resolution of *Council*.

### Currency of Permit

17. Unless it is sooner revoked or renewed, a *permit* will continue in force for the period specified in the *permit*, or, if no period is specified, for a period of 12 months from the date of its issue or renewal.
18. A *permit* holder must not assign, transfer or encumber his or her *permit*.

### Correction of Permit

19. *Council* may correct any *permit* issued under this Local Law if the *permit* contains:
- 19.1. a clerical error or an error arising from an accidental slip or omission; or
- 19.2. an evident and material miscalculation of figures or a material mistake in the description of a person, thing or property referred to in the *permit*.
20. *Council* must give notice of the correction to the *permit* holder.

### Revocation of Permit

21. If, in the opinion of *Council*:
- 21.1. a *permit* holder has failed to comply with the conditions of his or her *permit*;
- 21.2. there has been a material misstatement or concealment of fact in relation to the grant of the *permit*; or
- 21.3. there has been a material change of circumstances since the grant of the *permit* -
- it may:
- 21.4. suspend the *permit* and impose any conditions for its reinstatement; or
- 21.5. revoke the *permit*.

### Register of Permits

22. *Council* must keep a register of all *permits* issued under this Local Law.
23. *Council* must note the:
- 23.1. correction; and
- 23.2. revocation -

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of any *permit* in the register.

### Evidentiary Provisions

24. In any proceedings for an offence against this Local Law, if *Council*, an informant or a person authorised by *Council* to institute proceedings avers:

24.1. that the:

24.1.1. *road* on; or

24.1.2. *public place* in or at; or

24.1.3. stationary *vehicle* in or on; or

24.1.4. *vacant private land* on –

which the offence occurred was located within the *municipal district*.

24.2. that the offence occurred:

24.2.1. on a *road*; or

24.2.2. in or at a *public place*; or

24.2.3. in or on a stationary *vehicle*; or

24.2.4. on *vacant private land*.

24.3. that the offence occurred in or on a stationary *vehicle*:

24.3.1. on a *road*; or

24.3.2. in or at a *public place*;

24.4. that a beverage was *alcohol* when the offence occurred;

24.5. that the defendant consumed *alcohol*;

24.6. that the defendant had *alcohol* in his or her possession;

24.7. that the defendant had *alcohol* in his or her control;

24.8. that the *alcohol* was otherwise than in a *sealed container*;

24.9. that an *Authorised Officer* reasonably suspected that the defendant:

24.9.1. was in contravention of this Local Law; or

24.9.2. had contravened this Local Law;

[5925848: 9727021\_1]

- 24.10. that the *Authorised Officer* directed the defendant to dispose of the contents of an unsealed container;
- 24.11. that the defendant:
- 24.11.1. failed; or
  - 24.11.2. refused or neglected to comply -
- with the direction of the *Authorised Officer* -
- the averment is evidence:
- 24.12. that the:
- 24.12.1. *road* on; or
  - 24.12.2. *public place* in or at; or
  - 24.12.3. stationary *vehicle* in or on; or
  - 24.12.4. *vacant private land* on -
- which the offence committed was located within the *municipal district*;
- 24.13. that the offence occurred:
- 24.13.1. on a *road*; or
  - 24.13.2. in or at a *public place*; or
  - 24.13.3. in or on a stationary *vehicle*; or
  - 24.13.4. on *vacant private land*;
- 24.14. that the offence occurred in or on a stationary *vehicle*:
- 24.14.1. on a *road*; or
  - 24.14.2. in or at a *public place*;
- 24.15. that a beverage was *alcohol* when the offence occurred;
- 24.16. that the defendant consumed *alcohol*;
- 24.17. that the defendant had *alcohol* in his or her possession;
- 24.18. that the defendant had *alcohol* in his or her control;
- 24.19. that the *alcohol* was otherwise than in a *sealed container*;
- 24.20. that an *Authorised Officer* reasonably suspected that the defendant:

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- 24.20.1. was in contravention of this Local Law; or
- 24.20.2. had contravened this Local Law;
- 24.21. that the *Authorised Officer* directed the defendant to dispose of the contents of an unsealed container;
- 24.22. that the defendant:
  - 24.22.1. failed; or
  - 24.22.2. refused to comply -with a direction of the *Authorised Officer*, as the case requires.

### **Infringement Notices**

- 25. As an alternative to prosecution, an *Authorised Officer* may serve an infringement notice (carrying a penalty of two (2) penalty units) on a person who:
  - 25.1. has contravened; or
  - 25.2. is reasonably suspected of having contravened -this Local Law and who, by their conduct, is or is likely to engage in behaviour that constitutes or will constitute a nuisance.

### **Reviewing a Notice**

- 26. All requests for Infringement Notice review will be dealt with by way of *Council's* Infringement Review Panel which may withdraw the Infringement Notice, deal with the Infringement Notice by way of official warning, extend due date to allow additional time for payment, or to proceed with prosecution of the offence
- 27. Where an Infringement Notice is withdrawn, the person upon whom it was served is entitled to a refund of any payment which that person has made on the Infringement Notice
- 28. Nothing in clause 26 affects any right of any person who has been issued with an infringement notice to have the matter determined by a Magistrates' Court.

### **Offences and Penalties**

- 29. A person who contravenes this Local Law is guilty of an offence, and liable to a penalty not exceeding five (5) penalty units.

[5925848: 9727021\_1]

Colac Otway Shire Local Law No 1

10

Resolution for making this Local Law was agreed to by the Colac Otway Shire Council on the DATE.

**SIGNED SEALED AND DELIVERED**)  
)

The COMMON SEAL of the Colac Otway Shire Council was affixed in accordance with its Local Law No 4

.....  
Councillor.....  
Councillor.....  
Chief Executive Officer

This ..... day of ..... 20.....

Notices of the proposal to make and of the making of this Local Law were included in the Victorian Government Gazette dated the ..... and the ..... respectively.

Public notice of the proposal to make and confirmation of the making of this Local Law were inserted in the ..... on ..... and ..... respectively.

A copy of this Local Law was sent to the Minister for Local Government on .....

[5925848: 9727021\_1]



**GENERAL LOCAL LAW**  
**(LOCAL LAW NO. 2 – March 2013)**

LOCAL LAW ADOPTED BY COUNCIL:   DATE  
OPERATION DATE:                   DATE

[5925848: 9727678\_1]

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**COLAC OTWAY SHIRE COUNCIL****GENERAL LOCAL LAW****PART 1 - PRELIMINARY****Title**

1. This Local Law will be known as the "General Local Law" (Local Law No. 2 - 2013) and is referred to subsequently as "this Local Law".

**Purpose**

2. The purpose of this Local Law is to:
  - 2.1. provide for the peace, order and good government of the *municipal district*;
  - 2.2. promote a physical and social environment free from hazards to health, in which the residents of the *municipal district* can enjoy a quality of life that meets the general expectations of the community; and
  - 2.3. prevent and suppress nuisances which may adversely affect the enjoyment of life within the *municipal district* or the health, safety and welfare of persons within the *municipal district*.

and to achieve this purpose by:

- 2.4. regulating and controlling activities of people within the *municipal district* which may be dangerous, unsafe or detrimental to the quality of life of other people in, or the environment of, the *municipal district*; and
- 2.5. providing standards and conditions for specified activities to protect the safety and the welfare of people within, and the environment of, the *municipal district*.

**Authorising Provisions**

3. This Local Law is made under section 111 of the *Local Government Act 1989* and section 42 of the *Domestic Animals Act 1994*.

**Commencement and Area of Operation**

4. This Local Law:
  - 4.1. commences on DATE; and
  - 4.2. operates throughout the *municipal district*, including public lands to the high water mark of inland lakes and foreshore reserves.

### Revocation

5. Upon commencement of this Local Law, *Council's* General Local Law 2005 is revoked.
6. Unless sooner revoked, this Local Law ceases to operate on **DATE**.

### Definitions

7. Unless inconsistent with the context or subject-matter, the following words and phrases are defined to mean or include:

**"Act"** means the Local Government Act 1989.

**"advertising sign"** means any placard, board, sign, frame, notice, card or banner which:

- Provides information about a business or industry; or
- advertises goods, services, an *event* or a competition.

**"alcohol"** means a beverage intended for human consumption with an alcoholic content greater than 0.5 per centum by volume at a temperature of 20 degrees Celsius.

**"allotment"** means any land in separate ownership or occupation.

**"animal"** includes any mammal but excludes a human.

**"appointed agent"** means the person authorised in writing by an *owner* of land to make an application, appeal, referral or representation on the *owner's* behalf.

**"Asset Protection Permit"** means a permit issued by *Council* under clause 31

**"Authorised Officer"** means a person appointed by *Council* under section 224 of the *Act*.

**"bird"** excludes a pigeon.

**"builder"** means a person who carries out *building work* or, not being an *owner* of land on which the *building work* is carried out, manages or arranges the carrying out of *building work*.

**"builder's refuse"** includes any solid or liquid domestic or commercial waste, debris or rubbish, and, without limiting the generality, includes any glass, metal, plastic, paper, fabric, wood, food, vegetation, soil, sand, concrete, rocks and other waste material, substance or thing generated by or in connection with *building work*.

**"bulk rubbish container"** means a bin, skip or other container used for the deposit of waste which is incapable of being lifted without mechanical assistance but excludes a bin used in connection with *Council's* waste collection service.

**"building site"** means the parcel of land on which or part of which *building work* is being carried out.

**"building work"** means work for or in connection with the construction, renovation, alteration, demolition, relocation or removal of a building, including excavation, landscaping, concreting, and subdivision *road* construction but excludes *minor building work*.

**"caravan"** includes a mobile home and moveable *dwelling*.

**"carriageway"** means the portion of the *road* generally available for traffic by *motor vehicles*, whether sealed, formed or unconstructed.

**"charity bin"** means any bin placed by or on behalf of any charitable or non-profit organization and dedicated to the collection of used clothing or small household items.

**"Chief Executive Officer"** means the Chief Executive Officer of *Council*.

**"Commercial Area"** means an area zoned business or industrial under an applicable Planning Scheme.

**"Coordinating Road Authority"**, in relation to a *road*, means the road authority which has coordination functions as determined in accordance with section 36 of the *Road Management Act 2004*.

**"contaminated material"** means any material designated by *Council* as being incapable of deposit in a *Council*-approved mobile bin or other *Council*-provided bin or any class of such mobile or other bins.

**"construction period"** means the period during which *building work* is being carried on.

**"Council"** means Colac Otway Shire Council.

**"Council infrastructure assets"** include any *road*, drain, drainage infrastructure, kerb & channel, nature strip, street tree, street sign or any other property vested in or under the control of *Council*, which:

- is adjacent to the a *building site*; or
- is likely to be affected by *building work*.

**"Council land"** means any land vested in or under the control of *Council*, including a *reserve*, watercourse, jetty, reservation and the like but excludes a *road*, except that part of the *road* which is the nature strip and footpath.

**"dwelling"** means a building or portion of a building, which is used, or intended, adapted or designed, for residential purposes.

**"EPA Alert Day"** means a day declared either totally or partially by the Environment Protection Authority as an Alert Day.

**"event"** means any planned public activity where any structure (permanent or temporary), open area, or *road*, (fenced or unfenced) will contain a number of persons greater than that normally surrounding the area prior to, during or after the activity, and includes:

- sporting activities, whether conducted in an enclosed or unenclosed ground/venue (but does not include a regular, locally focussed and organised sporting competition at a venue built for that sport);
- one off or annual events such as religious meetings held in parks/sporting venues, rock concerts, promotional events and the like;
- live performances and concerts; and
- festivals.

**"event organiser"** means a commercial entity, community group or individual who undertakes the planning, control, management and/or implementation of an *event*.

**"Fire Danger Period"** means the period declared by the Country Fire Authority to be a fire danger period under the *Country Fire Authority Act 1958*.

**"fire hazard"** means anything that, because of its flammable nature, its position, or its quantity, exposes property to significant risk of damage or destruction by fire.

**"frontage"** means a boundary between an *allotment* and an adjoining *road*, and if an *allotment* adjoins more than one (1) *road*, means the boundary between the *allotment* and the *road* to which the largest building on the *allotment* fronts.

**"fully commingled recyclables"** means, for the purpose of *Council's* waste collection service:

- glass bottles and jars;
- aluminium cans, food trays and foil;
- steel cans;
- steel aerosol cans;
- liquid paperboard containers;
- HDPE, PET and PVC bottles and containers;
- newspapers;
- magazines;
- leaflets and 'junk mail';

- stationary;
- envelopes;
- telephones books;
- cardboard (flattened);
- miscellaneous paper, including paper from a home office; and
- any other material that *Council* prescribes to be fully commingled recyclables.

**"graffiti"** means any writing, drawing or like marking which has not been authorised by the *owner* or occupier of the land or *Council*.

**"household waste"** means, for the purpose of *Council's* waste collection service, all waste generated from residential and similar activities but excludes the following waste:

- fully commingled recyclables;
- organic waste;
- material prescribed by Council to be prohibited; and
- any other material that Council prescribes to be household waste.

**"incinerator"** means any structure, device or item of equipment which is designed, adapted, used or capable of being used for the burning of any material or substance and is not:

- enclosed in any building;
- a barbeque; or
- licensed under the provisions of the *Environment Protection Act 1970*.

**"livestock"** includes *poultry* and other *birds*.

**"local water authority"** means Barwon Region Water Authority or its successor in law.

**"minor building work"** means *building work* valued at less than \$5,000 but excludes the construction of any masonry structure and the demolition and removal of buildings and structures (regardless of value).

**"motor vehicle"** has the meaning ascribed to it by the *Road Safety Act 1986*.

**"municipal district"** means the municipal district of *Council*.

**"Municipal Building"** means any building which is owned, occupied or under the management or control of *Council*, and includes any recreation centre which is owned, occupied or under the management or control of *Council*.

**"Non-Rural Area"** means any area within Colac, Elliminyt, Apollo Bay or any other designated township area as identified by the Colac Otway Shire.

**"Notice to Comply"** means a notice served under clause ~~158~~159.

**"organic waste"** means, for the purpose of *Councils* waste collection service, food organics as *prescribed* by *Council* and garden waste material, including:

- prunings, small branches (not greater than 100mm in diameter or 300mm in length), twigs and including cut up palm fronds;
- leaves, small plants and grass clippings; and
- weeds and flowers (free of soil).

**"outdoor eating facility"** means any tables or chairs located out of doors at which food or drink may be served or consumed in connection with premises situated nearby.

**"owner"** means the owner of premises.

**"penalty"** means the maximum fine that may be imposed by a court of appropriate jurisdiction.

**"penalty unit"** has the meaning ascribed to it by section 110 of the *Sentencing Act 1991*, and at the time of making this Local Law is \$100.

**"poultry"** includes hens, roosters, ducks, geese, peacocks, turkeys, bantam, squab, guineafowls and other edible *birds* over the age of 12 weeks.

**"prescribe"** means determine and give notice:

- by public notice, published in a newspaper generally circulating in the *municipal district*; and
- on *Council's* website.

**"private land"** means any land which is not *Council land* nor land occupied or under the control or management of a public body.

**"procession"** includes a fun run and bicycle *event*.

**"public holiday"** means a public holiday within the meaning of the *Public Holidays Act 1993*, applying in the *municipal district*.

**"public place"** has the meaning ascribed to it by the *Summary Offences Act 1966*.

**"public protection barrier"** means an erection of precautions over the street alignment which may include a fence, barrier or screen enclosing a building, land and/or materials while *builders* are at work or *works* are being undertaken.

**"recreational vehicle"** means any mini-bike, trail-bike, motor bike, motor scooter, go-kart, monkey bike or other *vehicle* propelled by a motor which is ordinarily used for recreational purposes but excludes a motorised wheelchair or scooter designed to transport a person of limited mobility, and a motorised bicycle with a maximum capacity of 22 watt aggregate power.

**"recyclables"** means any substances or articles which *Council* prescribes to be recyclables for the purposes of this Local Law.

**"refuse facility"** means a receptacle capable of retaining all *builders' refuse* within a *building site* and preventing removal of the *builder's refuse* by unauthorised persons or by wind or rain.

**"reptile"** includes lizards, snakes and turtles.

**"Responsible Road Authority"**, in relation to a *road*, means the road authority which has operational functions as determined in accordance with section 37 of the *Road Management Act*

**"reserve"** means any land which is owned, occupied or managed or controlled by *Council* and dedicated or used for outdoor cultural, environmental, sporting or recreational purposes.

**"road"** has the meaning ascribed to it by the *Act*, and means:

- a street;
- a right of way;
- any land reserved or proclaimed as a street or road under the *Crown Land (Reserves) Act 1978* or the *Land Act 1958*;
- a public road under the *Road Management Act 2004*;
- a public highway;
- a bridge or ford;
- a footpath, bicycle path or nature strip; and
- any culvert or kerbing or other land or *works* forming part of the road.

**"security bond"** means a sum of money, or another means of security acceptable to *Council*, the amount of which has been determined by *Council*, after taking account of:

- the nature of the *building work*;

- likely costs that would be incurred for repairs to *Council* infrastructure assets, if damage does occur to them, during or as a result of the *building work*;
- requirements which are commonly applied in comparable situations; and
- any relevant Commonwealth or State government legislation or policy directives.

"**sell**" includes

- *sell* by means of any machine or mechanical device;
- barter or exchange;
- agree to *sell*;
- offer or expose for sale; and
- keep or have in possession for sale

and directing, causing or attempting any such acts or things.

"**Service Authority**" means an emergency service or a public body which *Council* has resolved is a Service Authority for the purposes of this Local Law.

"**stormwater system**" means a drainage system which provides for the conveyance of stormwater run-off including kerb and channel, open channels, underground pipe systems, constructed wetlands and natural waterways.

"**temporary structure**" means a structure that is easily transportable, is able to be removed from site within 24 hours and does not have permanent footings.

"**Total Fire Ban Day**" means a day declared either totally or partially to be a fire ban day by the Country Fire Authority under the *Country Fire Authority Act 1958*.

"**toy vehicle**" means:

- a child's pedal car, scooter or tricycle or similar toy but only when it is being used by a child who is under the age of 12 years; and
- a wheeled device built to transport a person, propelled by human power or gravity and ordinarily used for recreation or play, including rollerblades, roller-skates, a skateboard or any similar wheeled device but excluding a golf buggy, pram, stroller, bicycle or wheelchair.

"**trade waste**" means any waste, refuse, slops or other matter arising from or generated by any trade, industry or commercial undertaking.

"**trade waste hopper**" means a purpose-built receptacle for the deposit of trade waste that is ordinarily emptied by mechanical means.

"**vehicle**" includes any conveyance propelled or drawn by human, *animal*, mechanical, electrical or other power.

"**weeds**" means a plant described as a locally emergent pest plant as *prescribed by Council*.

"**works**" includes any change to the natural or existing condition or topography of land including the removal, destruction or lopping of trees and the removal of vegetation or topsoil.

#### Notes in this Local Law

8. Introductions to Parts, headings and notes are explanatory notes and do not form part of this Local Law. They are provided to assist understanding.

## PART 2 - USE OF COUNCIL LAND

### Introduction

This Part contains provisions that define what is and what is not allowed on *Council land*. Generally, the provisions apply to what are known as *Municipal Buildings*. Specific provisions then extend to *reserves*.

### What Council may do

9. *Council* may:

- 9.1. restrict access to a *Municipal Building* or part of it;
- 9.2. close any *Municipal Building* or part of it to the public;
- 9.3. establish conditions of entry to a *Municipal Building*;
- 9.4. set and collect fees or charges for admission to or the hire or use of a *Municipal Building* or part of it;
- 9.5. set and collect fees or charges for the hire or use of any *Council* property in connection with a *Municipal Building*; and
- 9.6. authorise a person to do any one or more of the things described in clause 9.1- 9.5 (inclusive).

### What a person cannot do

10. A person must not, without the consent of *Council* or an *Authorised Officer*:

- 10.1. act contrary to any conditions of entry applicable to a *Municipal Building*;
- 10.2. enter a *Municipal Building* without paying any admission fee or charge applicable to that *Municipal Building* or the hire or use of the *Municipal Building*; or
- 10.3. hire or use any *Council* property in connection with a *Municipal Building* without first paying any fee or charge which is applicable.

### Behaviour in Municipal Buildings

11. A person must not:

- 11.1. commit any nuisance in a *Municipal Building*;
- 11.2. interfere with another person's use and enjoyment of a *Municipal Building*;
- 11.3. act in a manner which endangers any other person in a *Municipal Building*;

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- 11.4. use indecent, insulting, offensive or abusive language in a *Municipal Building*;
- 11.5. behave in an indecent, offensive, insulting or riotous manner in a *Municipal Building*;
- 11.6. destroy, damage, interfere with or deface a *Municipal Building*;
- 11.7. destroy, damage, interfere with or deface anything located at, on or in a *Municipal Building*;
- 11.8. act in a manner contrary to any restriction or prohibition contained in the inscription on a sign at, on or in a *Municipal Building*;
- 11.9. deposit any litter in a *Municipal Building*, except in a receptacle provided for that purpose;
- 11.10. except for a child under the age of ten (10) years in the care of a responsible person, and for a carer providing assistance to a person with a disability, enter or use any dressing room, shower, convenience or other area in a *Municipal Building* which has been appropriated for persons of the opposite gender;
- 11.11. without the consent of *Council* or an *Authorised Officer*, sell any goods or services in a *Municipal Building*;
- 11.12. without the consent of *Council* or an *Authorised Officer*, erect, affix, place or leave any advertisement in a *Municipal Building*;
- 11.13. without the consent of *Council* or an *Authorised Officer*, erect, operate or cause to be erected or operated any amusement in a *Municipal Building*;
- 11.14. obstruct, hinder or interfere with any member of staff of *Council* in the performance of his or her duties in a *Municipal Building*;
- 11.15. act contrary to any lawful direction of an *Authorised Officer* or member of *Council* staff given in a *Municipal Building*, including, without limitation, a direction to leave the *Municipal Building*, whether or not a fee for admission to the *Municipal Building* has been paid;
- 11.16. use or interfere with any life saving or emergency device located in a *Municipal Building*, unless:
  - 11.16.1. using the device in an emergency; or
  - 11.16.2. participating in an instruction approved by *Council* or an *Authorised Officer*;
- 11.17. organise any function or event in a *Municipal Building* without the consent of *Council* or an *Authorised Officer*;

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- 11.18. bring any *animal* into, or allow any *animal* under his or her control to remain in, a *Municipal Building* without the consent of *Council* or an *Authorised Officer*, except for a guide dog being used by a visually impaired person, a hearing dog being used by a hearing impaired person or a dog being used to assist a person with limited mobility;
- 11.19. bring any *vehicle* or *toy vehicle* into a *Municipal Building* without the consent of *Council* or an *Authorised Officer*, except for:
  - 11.19.1. a pram or pusher being used by a child; or
  - 11.19.2. a wheelchair or motor scooter being used by a physically disabled person; or
- 11.20. bring into a *Municipal Building* any substance, liquid or powder which may:
  - 11.20.1. be dangerous or injurious to health;
  - 11.20.2. have the potential to foul, pollute or soil any part of the *Municipal Building*; or
  - 11.20.3. cause discomfort to any person.

**Penalty: A Maximum of 5 Penalty Units**

**Access to Municipal Buildings**

- 12. *Council* or an *Authorised Officer* may:
  - 12.1. determine the hours when any *Municipal Building* will be open to the public;
  - 12.2. restrict access to a *Municipal Building* or part of a *Municipal Building*;
  - 12.3. close any *Municipal Building* or part of a *Municipal Building* to the public; and
  - 12.4. charge fees for admission to or the use of a *Municipal Building* or part of a *Municipal Building*.
- 13. *Council* may:
  - 13.1. authorise any person to occupy a *Municipal Building* or restrict access to a *Municipal Building*; or
  - 13.2. authorise any person to charge and collect fees for admission to or the use of a *Municipal Building* or part of a *Municipal Building*.
  - 13.3. *Council*, an *Authorised Officer* or any person authorised by *Council* may from time to time establish:

- 13.4. conditions applying to and fees or charges for admission to or the hire or use of a *Municipal Building* or part of a *Municipal Building*; and
- 13.5. conditions applying to and fees or charges for the hire or use of any property of *Council* in connection with a *Municipal Building*.
- 14. In exercising the powers conferred by clause 14, *Council*, an *Authorised Officer* or any person authorised by *Council* may determine conditions applying to and fees and charges for admission to or the use of a *Municipal Building*:
  - 14.1. on multiple occasions;
  - 14.2. over a period of time; or
  - 14.3. on any other basis that it, he or she considers appropriate.
- 15. A person must not, without the consent of *Council* or an *Authorised Officer*:
  - 15.1. enter a *Municipal Building* other than through an entrance provided for that purpose;
  - 15.2. enter or remain in a *Municipal Building* during hours when the *Municipal Building* is not open to the public;
  - 15.3. enter or remain in a *Municipal Building* without having paid any fee or charge imposed by *Council*, an *Authorised Officer* or any person authorised by *Council* for admission to the *Municipal Building*;
  - 15.4. remain in a *Municipal Building* after being directed to leave by an *Authorised Officer*; or
  - 15.5. enter a *Municipal Building*, after having been directed to leave that *Municipal Building* by an *Authorised Officer*, until he or she is granted written permission to do so by *Council* or an *Authorised Officer*.

**Penalty: A Maximum of 5 Penalty Units**

**Activities Prohibited in Reserves**

- 16. In a *reserve*, a person must not:
  - 16.1. unless that person is a player, official or competitor in or at a sporting match or gathering, enter upon or remain on an area set aside as a playing ground during the course of a sporting match or gathering;
  - 16.2. act in any manner so as to endanger any other person, cause any damage to any property or the environment or interfere with the quiet enjoyment of the reserve by any person;
  - 16.3. use any children's playground equipment other than for the purpose for which it is provided;

- 16.4. fish in or swim, paddle, dive or jump into or enter any wetland, lake, pond or fountain contrary to any sign erected in the reserve;
- 16.5. throw, place or allow to be thrown or placed any liquid, rubbish, dirt or other object, or substance into any wetland, lake, pond or fountain;
- 16.6. play, engage in or practise any game or sport, whether or not in accordance with a permit issued under this Local Law, in a manner that is:
  - 16.6.1. dangerous to any other person in the *reserve*; or
  - 16.6.2. likely to interfere with the reasonable use or enjoyment of the *reserve* by any other person;
- 16.7. play or practise golf in a *reserve* to the danger or detriment of any person, *animal* or property;
- 16.8. ride any horse other than in an area and at a time designated by *Council*; or
- 16.9. drive, ride in or on or otherwise use any *motor vehicle* other than in an area designated by *Council*.

**Penalty: A Maximum of 5 Penalty Units**

**Activities which may be allowed in Reserves**

- 17. In a *reserve*, a person must not, without a permit or the consent of an *Authorised Officer*:
  - 17.1. fly or allow to be flown any aircraft (including any powered modelled aeroplane but excluding a kite);
  - 17.2. ride or drive a *vehicle* or *animal* in a manner or in a place which is likely to damage or ruin any grassed area or turf surface or otherwise interfere with the use of the *reserve* by another person;
  - 17.3. light a fire or allow any fire to remain alight except in:
    - 17.3.1. a barbecue provided by *Council*; or
    - 17.3.2. a portable liquid petroleum gas barbecue;
  - 17.4. organise any competitive sport, game, *event* or activity other than a sport, game, *event* or activity played for family or social purposes;
  - 17.5. camp or pitch, erect or occupy any camp, tent, *caravan* or *temporary structure*;
  - 17.6. conduct or celebrate a wedding;

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- 17.7. organise or hold any rally, *procession*, demonstration or any other public gathering;
- 17.8. make a collection of money;
- 17.9. destroy, damage or interfere with any flora or kill, injure or interfere with any fauna;
- 17.10. use an amplifier;
- 17.11. walk on any plot, bed, border or any other area set aside for vegetation;
- 17.12. operate or otherwise use any watercraft (excluding canoes, kayaks and surf paddles);
- 17.13. construct or install a film set, or record for television or other media purposes any *event* or activity, if the construction, installation or recording (as the case may be) is for fee or reward or commercial purposes (but excluding wedding and general photography or recording and any media photography or recording for news production purposes);
- 17.14. conduct any commercial activity; or
- 17.15. drive any *livestock*.

**Penalty: A Maximum of 5 Penalty Units**

### PART 3 - PROTECTION OF COUNCIL LAND AND ASSETS

#### Introduction

This Part is designed to protect *Council land* and assets. Specifically, it regulates drains, vehicle crossings and *recreational vehicles*.

#### What are a person's responsibilities relating to drains?

18. A person must not, without a permit, enter, destroy, damage or tap into any drain or culvert vested in *Council* or divert the contents of any such drain or culvert.

**Penalty: A Maximum of 5 Penalty Units**

19. A person must not deposit, or allow to be deposited, into any drain vested in *Council* any waste material other than stormwater.

**Penalty: A Maximum of 5 Penalty Units**

20. An owner of land must ensure that any stormwater from that land is discharged to the legal point of discharge nominated by *Council* or an *Authorised Officer*.

**Penalty: A Maximum of 5 Penalty Units**

#### Interference with Watercourse

21. A person must not, without a permit, destroy, damage or interfere with any watercourse, wetland, ditch, creek, gutter, tunnel, bridge or levy which is vested in or under the management or control of *Council* or divert the contents of any such watercourse, wetland, ditch, creek, gutter, tunnel, bridge or levy.

**Penalty: A Maximum of 10 Penalty Units**

#### Taking Water from Council Controlled Standpipes

22. Any person taking water from a *Council*-operated standpipe must:

- 22.1. have a permit to do so;
- 22.2. comply with the conditions of any such permit;
- 22.3. only use the water in compliance with any by-laws, regulations or other requirements made or published by the *local water authority*; and
- 22.4. ensure the details concerning the amount of water taken and the date and time of its taking are immediately recorded on the Standpipe Usage Register maintained by *Council*.

**Penalty: A Maximum of 10 Penalty Units**

23. Immediately after a person takes water from a *Council*-operated standpipe, that person must:

- 23.1. completely turn the standpipe off at all valves;
  - 23.2. securely lock the standpipe cage; and
  - 23.3. return the key to the standpipe operator (if applicable).
24. A person obtaining water from a *Council*-operated standpipe for the purposes of filling a County Fire Authority or other authorised fire fighting appliance on any day, including a day of total fire ban, is exempt from the requirements of clause 22.

### Constructing Vehicle Crossings

25. A person must not, without a permit, construct, remove or relocate any temporary or permanent vehicle crossing.
26. Each *owner* and occupier of land must not, without a permit:
- 26.1. construct or allow to be constructed; or
  - 26.2. use or allow to be used
- a second or subsequent vehicle crossing to service the land.

**Penalty: A Maximum of 10 Penalty Units**

### Maintaining Vehicle Crossings

27. Each *owner* and occupier of land must maintain and keep in good condition any vehicle crossing which services that land.

**Penalty: A Maximum of 10 Penalty Units**

### Directing Vehicle Crossing Works

28. *Council* or an *Authorised Officer* may direct:
- 28.1. the construction of a temporary or permanent vehicle crossing;
  - 28.2. the repair or reconstruction of a vehicle crossing; or
  - 28.3. the removal of a vehicle crossing, and the reinstatement of any kerb, channel, footpath or other areas to the satisfaction of the *Authorised Officer* by the *owner* or occupier of any adjacent land at his or her cost.
29. Each *owner* or occupier of land to whom a direction has been given under clause 29 must comply with that direction by applying for a permit to do the thing which is directed.

**Penalty: A Maximum of 10 Penalty Units**

**Controlling Asset Protection during Building Works or Works**

30. The:

- 30.1. *owner* of any land on which *building work* is being or is to be carried out;
- 30.2. *builder* engaged to carry out *building work* on land;
- 30.3. appointed agent;
- 30.4. driver of any *vehicle* involved in placing or removing a *refuse facility* on land; or
- 30.5. demolition contractor engaged to carry out the demolition of a structure on the land, in the case of *building work* involving demolition,

must, in respect of the *building work* or *works*, ensure that:

- 30.6. entry takes place *only* across a temporary vehicle crossing unless otherwise allowed by *Council* and in accordance with that permission; and
- 30.7. no materials are deposited on any part of a *road* or *Council land* without the approval of *Council*.

**Penalty: A Maximum of 10 Penalty Units**

31. Regardless of whether a building permit or planning permit has been issued, the:

- 31.1. *owner* of any land on which *building work* is being or is to be carried out;
- 31.2. *builder* engaged to carry out *building work* on land;
- 31.3. appointed agent; or
- 31.4. demolition contractor engaged to carry out the demolition of a structure on the land, in the case of *building work* involving demolition,

must at least seven days before commencing *works* on the land:

- 31.5. obtain an Asset Protection Permit;
- 31.6. advise *Council* in writing of any damage that exists to any *Council infrastructure assets*, and
- 31.7. pay, or lodge, a *security bond* to, or with, the *Council*.

32. An *Asset Protection Permit* may contain conditions that -

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- 32.1. require payment or lodgement of a *security bond*;
  - 32.2. require *works* to be done on or around the site to protect *Council infrastructure assets*, the health and safety of the public, the environment and the amenity of the area; and
  - 32.3. entry to and exit from the site only at designated locations.
33. If *Council* does not receive advice in writing as required under clause 31.6, it is deemed, for the purposes of clause 35, that there was no existing damage to *Council infrastructure assets*.
34. As soon as practicable after receiving notice of the issue of an occupancy permit or Certificate of Final Inspection with respect to any *building work*, *Council* must cause an inspection of the *Council infrastructure assets* to be carried out.
35. If, as a result of the inspection under clause 34, *Council* considers that the *building work* has damaged *Council infrastructure assets*, *Council* may -
- 35.1. direct the *builder* and *owner* to repair the damage at their cost, in accordance with standards specified by the *Council* and within a period of not more than 28 days, or
  - 35.2. repair the damage and recover the cost from the *security bond*.
36. If repair of damaged *Council infrastructure assets* is required under clause 35, the *builder* or *owner* (as the case may be) must affect the repairs to the standards and within the time specified by *Council*.
37. If the repair work is done under clause 35.2 and the cost is greater than the amount of the *security bond*, then the *builder* or the *owner* must pay to *Council*, the amount of the shortfall, being the difference between the cost of the repair work and the amount of the bond.
38. If the repair work is done under clause 35.2 and the cost is less than the amount of the *security bond*, *Council* must refund or release the unused portion of the *security bond*.
39. If, as a result of the inspection under clause 34, *Council* considers that the *building work* has not damaged *Council infrastructure assets*, *Council* must refund or release the entire *security bond*.

### **Penalty: A Maximum of 10 Penalty Units**

#### **Controlling Building Sites**

- 40. *Council* or an *Authorised Officer* may inspect a *building site* at any reasonable time.
- 41. If *Council* or an *Authorised Officer* identifies any damage which appears to result from non-compliance with this Local Law, an *Authorised Officer*.

- 41.1. may direct the responsible party to reinstate the damage within a specified time; and
  - 41.2. must provide the responsible party with written confirmation of the damage either at the time of the inspection or within a reasonable timeframe.
42. Where any *building work* is being carried out on any land, the *owner* of the land, the *builder* engaged to carry out *building work* on the land, the *appointed agent* or, demolition contractor must ensure that the *building work* is developed and managed to minimise the risks of stormwater pollution, through the contamination of run-off by chemicals, sediments, *animal* wastes or gross pollutants in accordance with currently accepted best practice, by adopting measures to:
- 42.1. minimise the amount of mud, dirt, sand, soil or stones deposited on the abutting *roads* or washed into the *stormwater system*; and
  - 42.2. prevent building clean-up, wash-down, *organic waste* or other wastes being discharged offsite or allowed to enter the *stormwater system*.

**Penalty: A Maximum of 10 Penalty Units**

43. Where any *building work* is being carried out on any land, the *owner* of the land, *builder* engaged to carry out *building work* on the land or *appointed agent* must:
- 43.1. provide a *refuse facility* for the purpose of disposal of *builder's refuse* to the satisfaction of *Council* or an *Authorised Officer*;
  - 43.2. place the *refuse facility* on the land and keep it in place (except for such periods as are necessary to empty the *refuse facility*) for the *construction period*;
  - 43.3. not place the *refuse facility* on any *Council land* or *road* without a permit; and
  - 43.4. empty the *refuse facility* whenever full, and, if necessary, provide a replacement *refuse facility* during the emptying process.

**Penalty: A Maximum of 10 Penalty Units**

44. *Council* or an *Authorised Officer* may from time to time exempt any person from the application of clause 43.
45. During *building work*, the:
- 45.1. *owner* of land on which the *building work* is being carried out;
  - 45.2. *builder* engaged to carry out the *building work*; or
  - 45.3. *appointed agent*
- must ensure that:

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- 45.4. all *builder's refuse* which requires containment is placed in the *refuse facility*;
- 45.5. the *builder's refuse* is not deposited in or on any land other than in accordance with clause 43; and
- 45.6. the *builder's refuse* is not deposited in or over any part of the *stormwater system*.

**Penalty: A Maximum of 10 Penalty Units**

46. On any land where *building work* is being, or has been, carried out, the:

- 46.1. *owner* of the land;
- 46.2. *builder* engaged to carry out the *building work*, or
- 46.3. *appointed agent*

must remove and lawfully dispose of all *builders' refuse*, including, without limiting the generality, the *builder's refuse* in the *refuse facility*, within seven (7) days of completion of the *construction period* or issue of an occupancy permit, whichever occurs last.

**Penalty: A Maximum of 10 Penalty Units**

47. The:

- 47.1. *owner* of land on which *building work* is to be carried out;
- 47.2. *builder* engaged to carry out the *building work*;
- 47.3. *appointed agent*

must not, within a *Non-Rural Area* and without a permit, carry out or allow to be carried out any *building work* on the land unless, in respect of that *building work*, the *building site* is secure with permanent or temporary fencing which is at least 1.5 metres high and is to the satisfaction of *Council*.

**Penalty: A Maximum of 10 Penalty Units**

**Works on Council Land and Roads**

48. Where a person is required to undertake any *works* on *Council land* or a *road* other than under the *Road Management Act 2004*, that person must:
- 48.1. notify *Council* of any proposed *works*;
  - 48.2. hold current public liability insurance, relevant to the *works* proposed, to a minimum level as determined by *Council*, for the duration of the *works*;
  - 48.3. undertake those *works* safely;

- 48.4. provide and maintain pedestrian and traffic control devices during the course of the *works*;
- 48.5. ensure that any pedestrian or traffic control device which is being used on or in respect of the land complies with Australian Standard AS 1742.3 published by or on behalf of Australian Standards; and
- 48.6. carry out all reinstatement *works* deemed necessary by *Council*.

**Penalty: A Maximum of 10 Penalty Units**

**Damaging Council Land or Roads**

- 49. A person must not, without a permit:
  - 49.1. erect or construct, or allow to be erected or constructed, any thing on *Council land*;
  - 49.2. occupy or fence off any *Council land*;
  - 49.3. construct an opening or gate in a fence on the boundary of *Council land* which is more than one (1) metre wide, excluding driveways from access *roads*;
  - 49.4. plant any vegetation on *Council land* or actively assist such vegetation to grow;
  - 49.5. destroy, damage or interfere with, or allow to be destroyed, damaged or interfered with, (other than recognised *weeds*) any *Council land* or any *road* or thing on *Council land* or any *road*;
  - 49.6. place, or allow to be placed, any thing on *Council land* or any *road* so as to endanger any other person or any property;
  - 49.7. do or omit to do anything which causes any natural or other material to escape or otherwise be conveyed onto a *road* and thereby become a hazard;
  - 49.8. remove, or allow to be removed, any thing from *Council land* or any *road* which is affixed or attached to the *Council land* or *road* (as the case may be);
  - 49.9. light a fire, or allow a fire to be lit, on any *Council land* or any *road*, except in a properly constructed barbecue; or
  - 49.10. launch into any wetland, lake, pond or other watercourse on *Council land* any watercraft excluding canoes kayaks and surf paddles, other than from a launching facility designated for such purpose.

**Penalty: A Maximum of 10 Penalty Units**

- 50. Clauses 49.1, 49.2, 49.3, 49.4, 49.5, 49.8 and 49.9 do not apply to a person employed or engaged by *Council* while acting in the course of his or her duties.

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**Recreational Vehicles on Council Reserves**

51. A person must not:

- 51.1. drive, ride on or otherwise use; or
- 51.2. allow a person under his or her care or control to drive, ride on or otherwise use

a *recreational vehicle* on any *reserve* unless that *reserve* has been designated for that purpose or otherwise authorised by *Council*.

**Penalty: A Maximum of 5 Penalty Units**

## PART 4 - MUNICIPAL AMENITY

### Introduction

This Part is concerned with the visual amenity of the *municipal district*. Its provisions control a number of activities which, if left uncontrolled, have the potential to detract from the natural environment.

### Dangerous land or Detriment to General Amenity

52. Unless permitted under a Planning Scheme applicable to the land, a person must not allow land of which he or she is the *owner* or occupier to be kept in a manner which:

- 52.1. is dangerous or likely to cause danger to life or property; or
- 52.2. is likely to cause obstruction to emergency services; or
- 52.3. is unsightly or detrimental to the general amenity of the neighbourhood because it harbours unconstrained rubbish or overgrown vegetation or contains unused *vehicles*, or any other waste materials.

**Penalty: A Maximum of 10 Penalty Units**

### Prohibition on Graffiti

53. Unless permitted under a Planning Scheme applicable to the land, each *owner* or occupier of land must not allow any *graffiti* to remain on any building, wall, fence or other structure erected on his or her land.

**Penalty: A Maximum of 10 Penalty Units**

### Camping

54. A person must not, without a permit, camp or allow any other person to camp on vacant land in a *Non-Rural Area*.

**Penalty: A Maximum of 10 Penalty Units**

55. A person must not, without a permit, camp or allow any other person to camp on any *Council land* or *private land* (other than land referred to in clause 56) or in any *public place*, in:

- 55.1. a tent;
- 55.2. a caravan;
- 55.3. a *motor vehicle*; or
- 55.4. any other temporary or makeshift structure

unless the land is a:

- 55.5. registered *caravan* park or camping ground; or
- 55.6. camping area approved by *Council*.

**Penalty: A Maximum of 5 Penalty Units**

- 56. The *owner* or occupier of land must not, without a permit, camp, or allow or suffer any other persons to camp, on the land:
  - 56.1. in a manner that causes a nuisance; or
  - 56.2. for any more than four (4) consecutive weeks; or
  - 56.3. for any more than a total of three (3) months in any calendar year.

**Exemption**

- 57. *Council* or an *Authorised Officer* may from time to time exempt any:
  - 57.1. person; or
  - 57.2. class of persons;from the requirement to obtain a permit under clause 55 and from the application of clause 54, 55 or 56.

**Vegetation and other Objects**

- 58. The *owner* or occupier of any land must not allow any vegetation located on the land to grow, or allow any sign, structure or other thing on the land to be located in a manner that obstructs the clear view:
  - 58.1. By a driver, of any:
    - 58.1.1. pedestrian;
    - 58.1.2. *vehicle*; or
    - 58.1.3. traffic control item; or
  - 58.2. by a pedestrian, of any
    - 58.2.1. *vehicle*; or
    - 58.2.2. traffic control item
  - 58.3. or in a manner that:
    - 58.3.1. otherwise constitutes a danger to *vehicles* or pedestrians or compromises the safe or convenient use of an abutting *road*;
    - 58.3.2. obstructs or interferes with street lighting or any traffic control signal or sign; or

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- 58.3.3. obstructs the view between *motor vehicles* and trains at a railway level crossing.

**Penalty: A Maximum of 2 Penalty Units**

**Overhanging Vegetation**

59. Notwithstanding clause 58, an *owner* or occupier of any land must not allow vegetation on that land to overhang a *road* at a height of less than 2.4 metres from the surface of the *road*.

**Penalty: A Maximum of 2 Penalty Units**

**Vegetation on Road & Council Owned/Managed Land**

60. A person:
- 60.1. must not, without a permit, plant or allow to be planted any seedling or vegetation on a *road*;
  - 60.2. who is the *owner* or occupier of land adjoining land owned or managed by *Council*, must ensure that environmental *weeds* as listed in the Colac Otway Shire Weed Management Strategy are contained to their property and not encroaching on *Council land*; and
  - 60.3. who has breached clause 60.1 or clause 60.2 must, if directed by an *Authorised Officer* to do so, reinstate the *road* to the condition it was in immediately prior to the breach.

**Penalty: A Maximum of 10 Penalty Units**

**Numbering of Allotments**

61. *Council* or an *Authorised Officer* may from time to time allot a number to an *allotment* and may from time to time allot a different number to an *allotment* or otherwise change the numbering.
62. The *owner* or occupier of an *allotment* to which a number has been allotted by *Council* or an *Authorised Officer* must mark the *allotment* with the number:
- 62.1. in a sufficient size; and
  - 62.2. in such a position, clear of vegetation, and other obstructions
- so as to be clearly visible and legible from the *road* on which the *allotment* has its *frontage*.

**Penalty: A Maximum of 5 Penalty Units**

63. The *owner* or occupier of an *allotment* must ensure that all numbers marking the *allotment* are:
- 63.1. made of durable materials;

- 63.2. kept in a good state of repair; and
- 63.3. renewed as often as may be necessary.

**Penalty: A Maximum of 5 Penalty Units**

**Fire Hazards**

- 64. An *owner* or occupier of land must not allow the land to contain any thing which constitutes or is likely to constitute a *fire hazard*.

**Penalty: A Maximum of 10 Penalty Units**

**Fire In Open Air and Incinerators Specifically**

- 65. Subject to clause 66, a person must not, unless in a *Rural Area* or unless permitted to do so by an *Authorised Officer*,

- 65.1. light;
- 65.2. allow to be lit; or
- 65.3. allow to remain alight

a fire in the *open air* or in an *incinerator* on any day, other than a Friday or Saturday between the hours of 10.00am and sunset.

**Penalty: A Maximum of 10 Penalty Units**

- 66. Nothing in clause 65 applies to a person who lights or allows to be lit or remain alight a fire which is lit in a barbeque and/or enclosed outdoor oven for the purpose of cooking food.

**Fire Danger Days**

- 67. Nothing in clause 66 authorises a person to light a fire or allow to be lit or remain alight, or exempts a person from complying with clause 65 in respect of lighting a fire or allowing a fire to be lit or remain alight, if the fire is or has been lit:

- 67.1. during a *Fire Danger Period*;
- 67.2. on a *Total Fire Ban Day*; or
- 67.3. on an *EPA Alert Day*.

**Nuisances**

- 68. A person must not:
  - 68.1. burn; or
  - 68.2. cause or allow to be burned

any substance, if the burning of the substance is likely to:

- 68.3. cause a nuisance;
- 68.4. be dangerous to the health of any person; or
- 68.5. be offensive to any person.

**Penalty: A Maximum of 10 Penalty Units**

69. Without limiting the application of clause 67, a person must not:

- 69.1. burn; or
  - 69.2. cause or allow to be burned
- any:
- 69.3. rubber or plastic substance;
  - 69.4. waste petroleum oil or material containing waste petroleum oil;
  - 69.5. paint or receptacle which contains or has contained paint;
  - 69.6. manufactured chemical or chemically treated material;
  - 69.7. pressured can;
  - 69.8. textile fabric; or
  - 69.9. food waste.

**Penalty: A Maximum of 10 Penalty Units**

**Extinguishing Fires**

70. A person who has lit or allowed a fire to be lit or remain alight, or who has burned or caused or allowed to be burned any substance, contrary to clause 65 or 67 must extinguish the fire or burning substance immediately on being directed to do so by:

- 70.1. an *Authorised Officer*;
- 70.2. a member of the Victoria Police; or
- 70.3. a person acting on behalf of the Country Fire Authority.

**Penalty: A Maximum of 10 Penalty Units**

71. Any person described in clause 70.1, 70.2 or 70.3 may enter or remain on any land and extinguish any fire or burning substance if:

- 71.1. the person to whom a direction has been given under clause 70 fails immediately to extinguish the fire or burning substance; or

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- 71.2. a fire or an *incinerator* is apparently unattended.

### Permissible Burning

72. Notwithstanding anything else contained in this Local Law:

- 72.1. an *Authorised Officer*; or

- 72.2. a person acting on behalf of the Country Fire Authority

may authorise the burning of a *fire hazard* on any land if it is impracticable or dangerous to remove slash or cut the *fire hazard*.

### Discharging Into Air

73. An *owner* or occupier of land must not cause or allow any chimney, flue or other discharge outlet on that land to discharge any:

- 73.1. dust;

- 73.2. grit;

- 73.3. ashes; or

- 73.4. odours;

to such an extent that the discharged material is dangerous to health or a nuisance to any other person.

**Penalty: A Maximum of 10 Penalty Units**

### Building Work or Works

74. A person who carries out or allows to be carried out any *building work* must ensure that the *building work* is carried out such:

- 74.1. as not to emit excessive dust into the air and onto land proximate to the land on which the *building work* is carried out; and

- 74.2. that it does not constitute a nuisance or unreasonably interfere with the enjoyment by any person of land proximate to the land on which the *building work* is carried out.

**Penalty: A Maximum of 10 Penalty Units**

### Recreational Vehicles on Private Land

75. A person:

- 75.1. must not, drive, ride on or otherwise use any *recreational vehicle* on *private land* in a manner which constitutes a nuisance or unreasonably interferes with the enjoyment by any person of land proximate to the land on which the *recreational vehicle* is being used; and

- 75.2. who is the occupier of any *private land* must not allow a person to drive, ride on or otherwise use any *recreational vehicle* on that land in a manner which constitutes a nuisance or unreasonably interferes with the enjoyment by any person of land proximate to the land on which the *recreational vehicle* is being used.

**Penalty: A Maximum of 10 Penalty Units**

### **Shopping Trolleys**

76. The owner of any shopping trolley made available to members of the public must ensure that the shopping trolley legibly identifies his or her name and trading address.

**Penalty: A Maximum of 5 Penalty Units**

77. A person must not leave a shopping trolley, and each owner of a shopping trolley must ensure that such shopping trolley is not left, on:

- 77.1. a road;
- 77.2. *Council land* except in an area designated by *Council* for the leaving of shopping trolleys; or
- 77.3. any vacant land.

**Penalty: A Maximum of 5 Penalty Units**

## PART 5 - ROADS AND COUNCIL LAND: OBSTRUCTIONS AND BEHAVIOUR

### Introduction

In this Part, the emphasis is on things which interfere with the use and enjoyment of *roads* and *Council land*. It should be noted that the definition of “*road*” includes footpaths and nature strips.

### Dog Excrement

78. A person:

- 78.1. must not allow excrement of a dog under his or her care or control to remain on a *road* or *Council land*; and
- 78.2. who is in charge or control of a dog on a *road* or *Council land* must carry a device suitable for the picking up and removal of any excrement that may be deposited by the dog on the *road* or *Council land*.

**Penalty: A Maximum of 5 Penalty Units**

### Signs and Goods

79. Unless permitted under a Planning Scheme applicable to the land, a person must not, without a permit:

- 79.1. display or allow to be displayed any goods on a *road* or *Council land*; or
- 79.2. place or allow to be placed an *advertising sign* on a *road* or *Council land*.

**Penalty: A Maximum of 10 Penalty Units**

80. A person who has placed, allowed to be placed, displayed or allowed to be displayed goods or an *advertising sign* on a *road* or *Council land*, whether with or without a permit issued under clause 79, must move or remove them if directed to do so by:

- 80.1. an *Authorised Officer*; or
- 80.2. a member of staff of a *Service Authority*.

**Penalty: A Maximum of 10 Penalty Units**

81. A person must not, without a permit, leave standing on any *road* or *Council land* a *motor vehicle* which contains an *advertising sign* promoting any goods, services, business *event*, or person, other than an *advertising sign* which has been magnetically transferred, painted, etched or stuck onto the body of the *motor vehicle*.

**Penalty: A Maximum of 10 Penalty Units**

**Obstructions on Roads or Council Land**

82. A person must not, without a permit:

82.1. leave or allow to be left any:

82.1.1. *bulk rubbish container* on a road or Council land; or

82.1.2. other thing, excluding registered *vehicles*, on a *road* or *Council land* which encroaches on, or obstructs the free use of, the *road* or *Council land* or which reduces the breadth, or confines the limits, of the *road* or *Council land*; or

82.2. leave or allow to be left on a *road* or *Council land* any *charity bin*.

**Penalty: A Maximum of 10 Penalty Units**

83. *Council* or an *Authorised Officer* may exempt any:

83.1. person; or

83.2. class of persons;

from the application of clause 82.

84. If a person reasonably suspected of having committed an offence under clause 75 is the driver of a *vehicle* which transports a *bulk rubbish container* or other thing and that person cannot be found or it is impracticable to charge that person with an offence under clause 82, any person who is concerned in or takes part in the management of the business which supplies the *bulk rubbish container* or other thing which is left on and obstructs the free use of a *road* may be charged with and is capable of committing an offence under clause 82.

**Spoil on Roads**

85. A person must not:

85.1. drive; or

85.2. allow or cause to be driven

a *vehicle* on a *road* if the *vehicle* is being or has been used directly or indirectly in:

85.3. the filling or excavation of any land; or

85.4. *building work*

unless the exterior of the *vehicle* is free from soil, earth and clay.

**Penalty: A Maximum of 10 Penalty Units**

86. If a person reasonably suspected or having committed an offence under clause 85 is the driver of the *vehicle*, and that person cannot be found or it is impracticable to charge that person with an offence under clause 85, any person who is concerned in or takes part in the management of *building work*, excavation work or other work on the land at which the *vehicle* is likely to have been soiled may be charged with and is capable of committing an offence under clause 85.

### Occupation of Roads for Works

87. A person must not, without a permit:
- 87.1. occupy or fence off;
  - 87.2. erect a *public protection barrier* or scaffolding on;
  - 87.3. use a mobile crane or travel tower for any work on;
  - 87.4. remove, damage or interfere with a temporary traffic control signal, sign, barrier or other structure erected to protect pedestrians or regulate traffic;
  - 87.5. dump or store any fill or any other materials on;
  - 87.6. occupy designated parking areas under the control of *Council* while conducting works; or
  - 87.7. landscape or garden any vegetation on
- any *road*, part of a *road* or *Council* controlled parking area.

### Penalty: A Maximum of 10 Penalty Units

88. Clause 87 does not apply to the *works* or activities of a *Service Authority* if the *Service Authority* notifies *Council* in writing that it has made, proposes to make or authorised the making of a hole or excavation in a *road* under the control of *Council*.

### Repair of Vehicles and Display for Sale of Vehicles

89. A person must not:
- 89.1. paint a *vehicle* on a *road* or *Council land*;
  - 89.2. service a *vehicle* on a *road* or *Council land*;
  - 89.3. carry out maintenance on a *vehicle* on a *road* or *Council land*;
  - 89.4. repair or dismantle a *vehicle* on a *road* or *Council land* except in an emergency breakdown to enable it to be removed; or
  - 89.5. display for sale a *vehicle* on *Council land*.

**Penalty: A Maximum of 10 Penalty Units****Abandoned Vehicles**

90. A person must not leave standing on any *road* or *Council land* a *motor vehicle*:
- 90.1. which is unregistered; or
  - 90.2. which has been left standing for at least seven (7) consecutive days, and has, in the opinion of an *Authorised Officer*, been abandoned.

**Penalty: A Maximum of 10 Penalty Units**

91. If an *Authorised Officer* finds a *motor vehicle* which has been left standing in contravention of clause 90, he or she may remove that *motor vehicle* from the *road*, and take it to a place appointed by *Council*.
92. Where a *motor vehicle* has been removed and taken to a place appointed by *Council* in accordance with clause 91, *Council* must give written notice of the:
- 92.1. removal; and
  - 92.2. retention at a place appointed by *Council*
- to any person who is or appears to be the owner of the *motor vehicle*.
93. *Council* must release a *motor vehicle* to a person upon
- 93.1. being satisfied that the person is the owner or an agent of the owner of the *motor vehicle*; and
  - 93.2. payment of any fee fixed by resolution of *Council*.
94. If, within 14 days of the giving of notice under clause 92 (or, where no notice can reasonably be given under clause 92, within 30 days of a *motor vehicle* having been taken to a place described in clause 91), the *motor vehicle* is not released in accordance with clause 93, *Council* may:
- 94.1. cause the *motor vehicle* to be delivered to a municipal tip;
  - 94.2. sell the *motor vehicle* by auction or public tender; or
  - 94.3. dispose of the *motor vehicle* as it sees fit.

**Public Events**

95. A person must not establish, operate or advertise an *event* in the *municipal district* without giving written notice to first *Council* and obtaining a permit.

**Penalty: A Maximum of 20 Penalty Units**

96. A person must apply for a permit to operate an *event* by lodging with *Council* an application in writing.

97. An application for a permit must at least 28 days before the *event* is due to take place.
98. An applicant for a permit to operate an *event* must not submit false or misleading information in support of his or her application.

**Penalty: A Maximum of 10 Penalty Units**

99. *Council* must be notified in writing of cancellation of an *event* for which a permit has been issued at least 14 days prior to the *event* date.
100. In considering an application for a permit, *Council* or an *Authorised Officer* may consider any;
  - 100.1. policy or guidelines adopted by *Council* relating to the subject matter of the application for the permit;
  - 100.2. submissions that may be received in respect of the application;
  - 100.3. comments that may be made in respect of the application by any public body, community organisation or other person;
  - 100.4. response to *Council* by a statutory authority or public body to whom *Council* may refer the application to for comment; and
  - 100.5. other relevant matters
101. *Council* may:
  - 101.1. approve the application;
  - 101.2. approve the application subject to conditions;
  - 101.3. refuse the application.
102. If *Council* approves the application under either clause 101.1 or clause 101.2, an *Authorised Officer* must issue a permit.
103. If *Council* refuses the application under clause 101.3 it must advise the applicant in writing of the grounds for refusal.
104. The holder of a permit issued under this Part must comply with every condition of the permit.
105. Where a permit is issued in respect of premises subject to this Local Law, that permit must be kept at that premises and produced upon demand to an *Authorised Officer*.
106. A permit holder who fails to ensure that permit conditions are complied with is guilty of an offence.

**Penalty: A Maximum of 20 Penalty Units**

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107. An *Authorised Officer* may, at any time revoke, amend or cancel a permit for any reason, which, in the opinion of *Council*, justifies the revocation, amendment or cancellation.
108. Without limiting the generality of clause 107, an *Authorised Officer* may revoke a permit upon any one or more of the following grounds:
- 108.1. that the *event* has not, to the satisfaction of *Council*, been kept in a clean, sanitary and safe condition;
  - 108.2. that the permit holder has been convicted of an offence against a law in respect to the safe operation of an *event*;
  - 108.3. that the permit holder has not complied with a requirement of this Local Law; or
  - 108.4. that the permit holder has not complied with a permit condition.
109. Before revoking a permit, *Council* must, unless under urgent circumstances exist:
- 109.1. give written notice to the permit holder of the proposed revocation; and
  - 109.2. allow the permit holder a period stated in the notice (which must be at least 14 days from when the notice is given) to make written representations to *Council* about the proposed revocation; and
  - 109.3. consider representations made by the permit holder in response to the notice.
110. Whenever *Council* revokes a permit, it must give the permit holder notice of the revocation and the permit will be revoked as from the time on which the notice is served on the permit holder. Service will be deemed complete if delivered to a physical or electronic address supplied for the purposes of the *event* application.
111. Where an *Authorised Officer* refuses, revokes or cancels a permit for an *event* the permit holder may write to the *Chief Executive Officer* and request a review of that decision.
112. The request must:
- 112.1. be in writing within 14 days; and
  - 112.2. state any defence or grounds for review.
113. The *Chief Executive Officer* must within 14 days:
- 113.1. confirm;
  - 113.2. amend; or
  - 113.3. dismiss

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the decision and notify the appellant.

114. Where an *event organiser* conducts an *event* contrary to clause 95, and is found guilty of a breach such provision *Council* may, in its absolute discretion, apply to a Court for an account of profits in respect of the enrichment gained by the *event organiser* to an amount that will cover any costs incurred by *Council* or a third party to reinstate, repair, clean or otherwise reinstate the area of the *event* to a condition that it was in prior to the unauthorised *event*.
115. A Court may issue such orders as it deems necessary including, but not limited to, search warrants for the purposes of establishing the takings, profit or other financial benefit of conducting the *event* by the *event organiser*.
116. *Council* may also recover such reasonable costs of bringing an action in respect of this section including the costs of any investigation.
117. Where *Council* is aware, on reasonable grounds, that an *event* is planned to be conducted contrary to clause 95 and *Council*:
  - 117.1. determines that the *event* may cause a risk to public safety;
  - 117.2. determines that there is a potential for environmental harm;
  - 117.3. determines there is risk of a net negative community impact by way of traffic, human or *vehicle*, noise or any other emission of any kind;
  - 117.4. determines that there is a potential for damage or excessive wear and tear on any community, *Council* or Government infrastructure; or
  - 117.5. determines that there exist any combination of the circumstances described in clauses 117.1 - 117.4

it may apply to a Magistrates' Court for an injunction to prevent the *event* occurring. In the event of such an injunction being issued Victoria Police, supported by *Authorised Officers*, are empowered to take such actions that are reasonably necessary to enforce the injunction.

#### **Functions and Broadcasts on Roads and Council Land.**

118. A person must not, without a permit:
  - 118.1. organise or hold any party, festival, *procession*, *event* or similar activity; or
  - 118.2. use a *vehicle* with an audible public address system; or
  - 118.3. any other portable broadcasting device
 on a *road* or *Council land*.

#### **Penalty: A Maximum of 10 Penalty Units**

## PART 6 - SALE OF GOODS AND SERVICES, STREET COLLECTIONS AND DISTRIBUTIONS

### Introduction

This Part is concerned with commercial activities on *Council land* and *roads*. It establishes a permit system to regulate these commercial activities.

### Selling Goods and Services Generally

119. A person must not, without a permit, *sell*, offer or allow to be sold, or display any goods or services on a *road* or *Council land*.

#### Penalty: A Maximum of 10 Penalty Units

120. A person must not, without a permit:

- 120.1. erect or use on any land a tent, *caravan*, trailer or other *vehicle*, *temporary structure*, building, table or stall for the sale of any goods or services; or
- 120.2. *sell* goods or services from a tent, *caravan*, trailer or other *vehicle*, *temporary structure*, building, table or stall erected in contravention of clause 119.

#### Penalty: A Maximum of 10 Penalty Units

### Outdoor Eating Facilities

121. A person must not, without a permit:

- 121.1. establish; or
- 121.2. operate

an *outdoor eating facility* on any *road* or in any *public place*.

#### Penalty: A Maximum of 10 Penalty Units

### Street Collection

122. A person must not, without a permit, or permission from an *Authorised Officer*, solicit to collect:

- 122.1. on a *road*;
- 122.2. on Council land; or
- 122.3. from any *dwelling*,

any gifts, donations, or subscriptions for any purpose or cause nor authorise another person to do so.

#### Penalty: A Maximum of 10 Penalty Units

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123. Nothing in clause 122 applies to any person who is acting under or with the authority of an *Act* or Regulation.

#### **Unsolicited Material**

124. A person must not, without a permit or approval from an *authorised officer*, distribute any handbills, place cards, notices, advertisements, books, pamphlets, goods, gifts or samples to any person on any *road* or *Council land*.

125. Nothing in clause 124 applies to any person who is acting under or with the authority of an *Act* or Regulation.

**Penalty: A Maximum of 10 Penalty Units**

#### **Busking**

126. A person must not, without a permit, busk on any:

126.1. *road*; or

126.2. Council land

with the object, or apparent object, of collecting money.

**Penalty: A Maximum of 10 Penalty Units**

#### **Spruiking**

127. A person must not, without a permit, spruik on any:

127.1. *road*; or

127.2. Council land

with the object, or apparent object, of attracting custom.

**Penalty: A Maximum of 10 Penalty Units**

#### **Pavement Art**

128. A person must not, without a permit, paint or draw on any *road* or unless otherwise approved by *Council*.

**Penalty: A Maximum of 10 Penalty Units**

## PART 7 - KEEPING OF ANIMALS, BIRDS, REPTILES AND BEES

### Introduction

In this Part, the provisions regulate the keeping of *animals, birds, reptiles* and bees.

### Application of this Part

129. This Part does not apply to any land:

- 129.1. on which a pet shop is located; or
- 129.2. on which an *animal* hospital or veterinary practice is located; or
- 129.3. other like facility that is subject to the provisions of a code of practice or planning scheme

if the use of the land for this purpose is permitted under a Planning Scheme applicable to the land.

### Keeping of Animals, Birds, Reptiles and Bees Generally

130. Unless permitted under a Planning Scheme applicable to the land, an *owner* or occupier of land must not keep or allow to be kept on that land, and any other person must not keep or allow to be kept on the land, any *animal, bird, reptile* or bee in such a manner as to:

- 130.1. be offensive; or
- 130.2. be dangerous; or
- 130.3. be injurious to health; or
- 130.4. cause a nuisance

and the area in which the *animal, bird or reptile* is kept must be secure and maintained in a clean and sanitary condition.

### Penalty: A Maximum of 5 Penalty Units

### Number of Animals

131. An *owner* or occupier of land must not without a permit:

131.1. keep or allow to be kept any more in number for each type of *animal* as is set out in the following table:

|   | <i>Animal</i> | <i>Property Size up to .25 (ha)</i> | <i>Property Size .25 (ha) to 1 (ha)</i> | <i>Property Size 1 (ha) and above</i>                         |
|---|---------------|-------------------------------------|-----------------------------------------|---------------------------------------------------------------|
| a | Dogs          | 3                                   | 4                                       | 5 (other than dogs kept for working stock/primary production) |

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|   |                                     |                                                                                                                   |                 |                    |
|---|-------------------------------------|-------------------------------------------------------------------------------------------------------------------|-----------------|--------------------|
| b | Cats                                | 3                                                                                                                 | 4               | 5                  |
| c | Poultry                             | 5                                                                                                                 | 10              | No Permit Required |
| d | Roosters                            | Permit Required                                                                                                   | Permit Required | No Permit Required |
| e | Pigeons                             | 10                                                                                                                | 20              | No Permit Required |
| f | Sheep or Goats                      | Permit Required                                                                                                   | 8               | No Permit Required |
| g | Cattle/Horses & other large animals | Not Permitted                                                                                                     | 4               | No Permit Required |
| h | Pigs                                | Not permitted                                                                                                     | Permit Required | No permit required |
| i | Reptiles                            | Subject to the issuing of a license by the Department of Sustainability & Environment (DSE) or relevant authority |                 |                    |

The keeping of bees is subject to hives being licensed with the Department of Sustainability and Environment (DSE) and complying with the Apiary Code of Practice.

132. For the purpose of calculating the maximum number of *animals* which can be kept or allowed to be kept without a permit under clause 131.1, the progeny of any *animal* will, for 12 weeks after the birth be deemed not to be an *animal*.

### Housing of Animals

133. An *owner* or occupier of land must ensure that any:

133.1. *animals*, other than dogs or cats; and

133.2. *birds*

on that land are:

133.3. kept in a secure shelter or enclosure; or

133.4. confined to the land unless they are under the effective control of a person.

**Penalty: A Maximum of 10 Penalty Units**

## PART 8 - WASTE MANAGEMENT

### Introduction

This Part is concerned with the collection and disposal of waste. Among other things, it regulates the collection and disposal of garbage, *organic waste*, *recyclables* and hard waste.

### Garbage, Recyclables and Organic Waste

134. To use the recycling and waste collection service provided by *Council*, the occupier of any premises:

- 134.1. must use only *Council*-supplied mobile bins for garbage, comingled recycling and organic bin and/or *Council* approved bins for *organic waste*.
- 134.2. must deposit garbage only in the mobile garbage bin (MGB), *recyclables* only in the mobile recycling bin (MRB) and organic and food waste only in the mobile *organic waste* bin (MOB);
- 134.3. must not cause contamination of bins by depositing items or material in the bins other than garbage in the designated mobile garbage bin (MGB), *recyclables* in the designated mobile recycling bin (MRB) and food and *organic waste* in the designated mobile organic bin (MOB), or any of the following wastes:
- 134.3.1. trade waste;
  - 134.3.2. medical or infectious waste;
  - 134.3.3. slops or liquid waste;
  - 134.3.4. human or *animal* waste;
  - 134.3.5. night soil or *animal* excrement (except that disposable nappies or *animal* excrement may be placed or caused to be placed in a refuse receptacle if they are wrapped).
  - 134.3.6. soil, dirt, dust or other matter from any vacuum cleaner, sweepings, shavings, ashes, hair or other similar or moist refuse, unless it has been securely wrapped in paper or some other impermeable cover or container to prevent its escape;
  - 134.3.7. infectious waste;
  - 134.3.8. sharps, including hypodermic needles, blades and scalpels;
  - 134.3.9. sharp objects unless they are properly contained or wrapped in such a way as to render them harmless and inoffensive;
  - 134.3.10. ash or ashes (unless such ash has or ashes have been effectively dampened so as to be non- combustible);
  - 134.3.11. oils, solvents flammable liquids or paint (other than paint residue contained in a closed container);
  - 134.3.12. bricks, concrete, masonry, engine blocks or *vehicle* parts (whether or not in pieces); or
  - 134.3.13. any other waste *prescribed* by *Council*;
- 134.4. must, if directed by *Council* to do so, remove *contaminated material* from mobile bin/s;

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- 134.5. must, if directed by *Council* to do so, dispose of all contents of mobile bins containing *contaminated material*;
- 134.6. must leave the mobile bins out for collection on days designated by *Council* from time to time as collection days, or such other days as may be directed by an *Authorised Officer*;
- 134.7. must place the mobile bins out for collection no later than the night before the day of collection or such other time as designated by *Council* from time to time;
- 134.8. must not leave the mobile bins out more than one day before or one day after a designated collection day;
- 134.9. must place the mobile bins:
- 134.9.1. at the front of the premises, or at an alternative collection point as approved or designated by an *Authorised Officer*;
  - 134.9.2. immediately behind the kerb of the street *frontage* of the premises;
  - 134.9.3. on the *carriageway* side of the open drain but well clear of the trafficable surface, where no kerb and channel exist;
  - 134.9.4. at a suitable location within or outside the premises with an *Authorised Officer's* approval, where restrictions on space or access do not allow placement in accordance with clauses 134.9.1, 134.9.2 and 134.9.3;
  - 134.9.5. at a suitable location within the premises, where an *Authorised Officer* certifies that special circumstances or hardship exists;
  - 134.9.6. with the wheels facing the premises;
  - 134.9.7. at least 50cm away from any
    - 134.9.7.1. mobile bin;
    - 134.9.7.2. power pole;
    - 134.9.7.3. street furniture;
    - 134.9.7.4. tree; or
    - 134.9.7.5. other item advised by an *Authorised Officer* which may interfere with the emptying of the mobile bin;
- 134.10. must place all mobile bins out for collection in a manner specified in any written advice made available to the occupier by *Council*;

- 134.11. must ensure that any mobile bin (including contents) placed for collection does not exceed 80 kg;
- 134.12. must maintain the mobile bins in a clean and sanitary condition;
- 134.13. must ensure that the area where the mobile bins are kept on the property is kept clean and in a sanitary condition;
- 134.14. must ensure that the lid of the mobile bins are closed other than when material is being deposited in them;
- 134.15. must not cause damage to mobile bins;
- 134.16. must ensure that the mobile bins are not overfilled thus preventing the lids from being completely closed down;
- 134.17. must not place any material immediately adjacent to the mobile bin for collection; and
- 134.18. must ensure that the mobile bins provided by *Council* are not removed from the premises except for collection of material in accordance with this Local Law.

**Penalty: A Maximum of 5 Penalty Units**

**Hard Waste**

- 135. The occupier of every premises to which a hard waste collection service is provided by *Council* may place out for collection any hard waste, and must do so in a manner set out in a notice published by *Council* as specified in any written advice provided to the occupier by *Council* or in a newspaper generally circulating in the *municipal district*.
- 136. The occupier of every premises to which a hard waste collection service is provided by *Council*:
  - 136.1. may deposit hard waste on the nature strip at the front of the premises, for collection on days designated by *Council* from time to time as collection days;
  - 136.2. must not deposit items or material on the nature strip other than hard waste;
  - 136.3. must not leave the hard waste on the nature strip for more than six days before a collection day;
  - 136.4. must place the hard waste and arrange it in a manner, as specified in any written advice provided to the occupier by *Council*, in front of the premises that allows collection by a collection *vehicle*; and
  - 136.5. must remove items or material so placed, which is not collected within one day after the collection day.

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**Penalty: A Maximum of 2 Penalty Units****Disposal of disused refrigerators and other compartments**

137. A person must not place a disused refrigerator or freezer, trunk, chest or any other similar article:

137.1. with a door or lid that can be fastened or secured from the outside; and

137.2. which has a compartment with a capacity of 0.04 cubic metres or more;

137.3. upon any:

137.3.1. rubbish tip;

137.3.2. road or Council land;

137.3.3. public place; or

137.3.4. unfenced vacant land.

without having first:

137.4. removed from it every door and lid;

137.5. removed from it every lock, catch and hinge attached to a door or lid; or

137.6. otherwise rendered every door and lid incapable of being fastened.

138. Nothing in clause 137 is to be taken as allowing domestic garbage, recyclables, organic waste or hard waste to be taken outside a premises and deposited on a road other than in accordance with this Local Law.

**Penalty: A Maximum of 2 Penalty Units****Restriction on Use of Public Waste and Recycle Bins**

139. The owner or occupier of premises must not place or deposit any garbage, recyclables, organic waste, or other waste material of any kind which has been generated in or from that premises in a public waste bin.

140. A person must not deposit into a public waste bin any uncooked meat, uncooked fish heads or entrails or material prescribed by Council other than in a public waste bin designated for such waste.

141. A person may only place animal excreta in a public waste bin if it is wrapped in impermeable material.

**Penalty: A Maximum of 2 Penalty Units**

**Interference with Garbage, Recyclables, Organic Waste or Hard Waste**

142. Except if authorised, a person must not remove, add to or interfere with any garbage, *recyclables*, *organic waste* or hard waste or mobile bin left out by any other person on a *road* or other *Council land* for collection by *Council*.

**Penalty: A Maximum of 10 Penalty Units****Screening of Bins and Hoppers**

143. *Council* may, by notice in writing, direct the *owner* or occupier of any land to:

143.1. install;

143.2. repair; replace or

143.3. modify;

a fence or other means of screening an approved mobile bin or *trade waste hopper* from public view, if it is of the opinion that the approved mobile bin or *trade waste hopper* is:

143.4. unsightly;

143.5. dangerous; or

143.6. detrimental to the general amenity of the neighbourhood in which it is located.

144. A person must comply with a notice issued to him or her under clause ~~143~~144 within any time specified in the notice.

**Penalty: A Maximum of 10 Penalty Units****Depositing of Waste at Recycling and Waste Transfer Facilities, Resource Recovery Centres and Municipal Landfill Sites**

145. *Council* is recycling and waste transfer facilities, resource recovery centre and municipal landfill will be available for the disposal of waste subject to the fees, charges, terms and conditions as determined by *Council* from time to time.

146. A person using *Council's* recycling and waste transfer facility, resource recovery centre or municipal landfill:

146.1. must pay the fees and charges and comply with the terms and conditions determined by the *Council* for use of the landfill, facility or centre for such persons, including Waste Disposal tickets and Hard Waste Vouchers;

146.2. must deposit waste in accordance with the directions of the *facility* attendant or *Authorised Officer* and in accordance with any signs erected at the landfill, facility or centre;

- 146.3. may only deposit material designated by *Council* from time to time;
- 146.4. may only deposit material permitted by any Environment Protection Authority Site Licences applying to the landfill, facility or centre from time to time; and
- 146.5. must not deposit any hazardous, dangerous or infectious materials.

**Penalty: A Maximum of 10 Penalty Units**

- 147. A person must not deposit any waste at any municipal landfill, recycling and waste transfer facilities or resource recovery centre which is not at the time of deposit open to accept such waste or any such category of waste.

**Penalty: A Maximum of 20 Penalty Units**

**Scavenging at Municipal Landfill Sites, Recycling and Waste Transfer Facilities and Resource Recovery Centres**

- 148. A person must not, without a permit or permission of an *Authorised Officer*, remove material of any kind which has been deposited at any recycling and waste transfer facility, resource recovery centre or municipal landfill site

**Penalty: A Maximum of 5 Penalty Units**

- 149. In determining whether to grant a permit under clause ~~148~~149, *Council* must have regard to:

- 149.1. the nature of material to be scavenged;
- 149.2. the recyclable value of the material to *Council*;
- 149.3. the number of other current permits issued for the same purpose; and
- 149.4. any other material relevant to the circumstances associated with the application.

**Storage of Trade Waste**

- 150. The *owner* or occupier of any land must ensure that any *trade waste hopper* or other *waste bin* kept on the land and used for *trade waste* is:
  - 150.1. constructed of impermeable material;
  - 150.2. watertight;
  - 150.3. water, fly and vermin proof;
  - 150.4. equipped with any removable drainage plug required by an *Authorised Officer*, for public health or safety reasons;
  - 150.5. thoroughly cleaned following each occasion when it is emptied;

- 150.6. equipped with a fly and vermin proof lid which is kept closed at all times except when *trade waste* is being deposited in or removed from the *trade waste hopper*;
- 150.7. emptied at appropriate times or when an *Authorised Officer* directs for public health or safety reasons; and
- 150.8. maintained in a clean, inoffensive and sanitary condition.

**Penalty: A Maximum of 10 Penalty Units**

**Storage Site for Trade Waste**

- 151. If directed by *Council* for public health or safety reasons, the *owner* of any land must ensure that any area where a *trade waste hopper* or other bins are placed:
  - 151.1. is suitable for such placement or is an area directed or approved by an *Authorised Officer*;
  - 151.2. has an impermeable surface;
  - 151.3. is drained to a sewer approved by the *local water authority* for the receipt of any discharge or other outlet approved by *Council*;
  - 151.4. is supplied with water from a tap and hose; and
  - 151.5. is maintained in a clean, inoffensive and sanitary condition.

**Penalty: A Maximum of 10 Penalty Units**

**Waste Receptacles on Roads and Reserves**

- 152. Unless in accordance with this Local Law, a person must not, without a permit, place or cause to be placed on any *road* or *reserve* any mobile bin, *trade waste hopper*, waste container or waste materials of any nature.

**Penalty: A Maximum of 10 Penalty Units**

## PART 9 - ADMINISTRATION AND ENFORCEMENT

### Introduction

This Part aims to supplement the preceding provisions of the Local Law by explaining how the Local Law may be administered and enforced. In particular, powers to impound and serve *Notices to Comply* and Infringement Notices are given, and the system of applying for, obtaining and retaining permits is provided for.

### Impounding

153. An *Authorised Officer* may seize and impound any thing which has been or is being used or possessed, or which has been left, in contravention of this Local Law.
154. Where any thing has been impounded under this Local Law, *Council* or an *Authorised Officer* must, if it is practicable to do so, serve notice of the impounding personally or by mail on the person who appears to be the owner of the impounded thing.
155. An impounded thing must be surrendered to:
- 155.1. its owner; or
  - 155.2. a person acting on behalf of its owner who provides evidence to the satisfaction of an *Authorised Officer* of his or her authority from the owner,
- on
- 155.3. evidence to the satisfaction of the *Authorised Officer* being provided of the owner's right to thing; and
  - 155.4. payment of any fee determined by *Council* or an *Authorised Officer* from time to time.
156. Clauses 154 and 155 do not apply to the impounding of *alcohol* under this Local Law or other items where the nature of the item impounded is such that it would be impracticable to return the item to the person from whom it was impounded or the owner.
157. If an impounded thing has not been surrendered to its owner or a person acting on the owner's behalf within 14 days of the notice of impounding being served or, if no notice of impounding has been served, of the act of impounding, *Council* may, at its discretion:
- 157.1. sell;
  - 157.2. give away; or
  - 157.3. destroy
- the impounded thing.

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**Notices to Comply**

158. *Council* or an *Authorised Officer* may, by serving a *Notice to Comply*, direct any owner, occupier or other relevant person to remedy any thing which constitutes a breach of this Local Law.
159. A *Notice to Comply* issued in accordance with this Local Law must state the date by which the thing must be remedied.
160. The time required by a *Notice to Comply* served under this Local Law must be reasonable in the circumstances, and what will be reasonable will vary depending on the matters to be remedied, but should take into account, if applicable:
- 160.1. the amount of work involved;
  - 160.2. the degree of difficulty;
  - 160.3. the availability of necessary materials or other necessary items;
  - 160.4. climatic conditions;
  - 160.5. the degree of risk or potential risk; and
  - 160.6. any other relevant matter.
161. Any person who fails to remedy a thing in accordance with a *Notice to Comply* within the time specified is guilty of an offence under this Local Law.

**Penalty: A Maximum of 10 Penalty Units**

162. Nothing in this Local Law
- 162.1. obliges *Council* or an *Authorised Officer* to serve a *Notice to Comply*; or
  - 162.2. precludes *Council* or an *Authorised Officer* from both serving a *Notice to Comply* and also serving an Infringement Notice or prosecuting for an offence.

**Permits**

163. *Council* or an *Authorised Officer* in its, his or her absolute discretion may issue a permit under this Local Law with or without conditions, including the payment of any fee *Council* may require, or may refuse to issue the same.
164. *Council* may from time to time prescribe:
- 164.1. the manner and form in which applications for permits under this Local Law should be made; and
  - 164.2. the manner in which any permit under this Local Law should be issued.

165. *Council* may from time to time prescribe the fee for any permit issued under this Local Law.
166. *Council* or an *Authorised Officer* may waive payment of any fee or portion of a fee for a permit, and will record the reasons for waiving the fee or portion of the fee.
167. *Council* may make appropriate delegations of permit-issuing powers.
168. *Council* must keep a register of permits.
169. *Council* or an *Authorised Officer* may require an applicant for a permit to give notice of the application in a manner specified from time to time by *Council* or an *Authorised Officer*.
170. *Council* or an *Authorised Officer* may require an applicant for a permit to provide *Council* with more information before *Council* or the *Authorised Officer* deals with the permit application.
171. A permit expires on the date specified in the permit or if no such date is specified the permit will expire one (1) year after the date of issue.
172. Where *Council* or an *Authorised Officer* is of the opinion that there is or has been a breach of any conditions of a permit, it, he or she may serve a *Notice to Comply* on the permit holder.

### Considering Applications

173. In considering an application for a permit, *Council* or an *Authorised Officer* may consider any:
  - 173.1. policy or guideline adopted by *Council* relating to the subject matter of the application for the permit;
  - 173.2. submission that may be received in respect of the application;
  - 173.3. comments that may be made in respect of the application by any public body, community organisation or other person; and
  - 173.4. other relevant matter.

### Correction of Permits

174. *Council* or an *Authorised Officer* may correct a permit issued if the permit contains:
  - 174.1. a clerical mistake or an error arising from any accident, slip or omission; or
  - 174.2. an evident and material miscalculation of figures or any evident and material mistake in the description of any person, thing or property referred to in the permit.

[5925848: 9727678\_1]

- 174.3. *Council* or the *Authorised Officer* must note the correction in the register of permits.

### Grounds for Cancellation of or Amendment of Permits

175. *Council* or an *Authorised Officer* may cancel or amend any permit if , he or she considers that there has been:

- 175.1. a material misstatement or concealment of facts in relation to the application for a permit;
- 175.2. any material mistake in relation to the issue of a permit;
- 175.3. any material change of circumstances which has occurred since the issue of the permit;
- 175.4. a failure to comply with the conditions under which the permit was issued; or
- 175.5. a failure to comply with a *Notice to Comply* within the time specified in the *Notice to Comply*.

176. *Council* or the *Authorised Officer* must notify the holder of a permit of *Council's* or the *Authorised Officer's* intention to amend or cancel the permit and give the holder of that permit an opportunity to make a written submission before the permit is amended or cancelled.

177. If *Council* or the *Authorised Officer*, after considering any written submission made by the permit holder, determines to cancel or amend the permit, *Council* or the *Authorised Officer* must note that cancellation or amendment in the register of permits.

### Urgent Circumstances

178. If an *Authorised Officer* is of the opinion that:

- 178.1. a person has breached any provision of this Local Law in respect of which a *Notice to Comply* may be issued and:
  - 178.1.1. any person;
  - 178.1.2. any *animal*;
  - 178.1.3. any property; or
  - 178.1.4. the environment of the *municipal district*is in danger of substantial detriment due to the breach; and
- 178.2. that the danger may be exacerbated by the length of time it may take to serve and ensure compliance with a *Notice to Comply*

he or she may take such action as he or she considers necessary to abate or minimise the danger without serving a *Notice to Comply* if notice is given, if practicable, of:

- 178.2.1. the reasons for taking the action; and
- 178.2.2. the action taken
- 178.2.3. to the person in breach of the provision of this Local Law in respect of which the action was taken.

### Offences

179. A person who:

- 179.1. contravenes or fails to comply with any provision under this Local Law;
- 179.2. contravenes or fails to comply with any condition contained in a permit issued under this Local Law; or
- 179.3. contravenes or fails to comply with a *Notice to Comply* by the date specified in the *Notice to Comply*

is guilty of an offence and is liable to:

- 179.4. the maximum *penalty* stated under a provision or, if no *penalty* is stated, a maximum of two (2) *penalty units*;
- 179.5. a further *penalty* of one (1) *penalty unit* for each date during which the contravention continues; and
- 179.6. upon conviction for a second or subsequent offence, double the *penalty* stated under a provision of *penalty units*.

### Infringement Notices

180. As an alternative to prosecution for an offence, an *Authorised Officer* may serve an Infringement Notice on any person who commits an offence against this Local Law.

181. The *penalty* fixed for an Infringement Notice:

- 181.1. is the applicable *penalty* stated in the Schedule to this Local Law; or
- 181.2. if no applicable *penalty* is stated in the Schedule to this Local Law, two (2) *penalty units*.

182. Procedural application for all Infringements issued under a Local Law will be dealt with in accordance with the provisions of the *Infringements Act 2006*

### Reviewing a Notice

183. All requests for Infringement Notice review will be dealt with by way of *Council's* Infringement Review Panel which may withdraw the Infringement Notice, deal with the Infringement Notice by way of official warning, extend due date to allow additional time for payment, or to proceed with prosecution of the offence
184. Where an Infringement Notice is withdrawn, the person upon whom it was served is entitled to a refund of any payment which that person has made on the Infringement Notice

### Requirement to Act Fairly and Reasonably

185. In exercising any power under this Local Law, *Council* and an *Authorised Officer* must act fairly and reasonably and in proportion to the nature and extent of the breach of this Local Law.
186. Where *Council* or an *Authorised Officer* may take action forming any particular opinion, or, where *Council* or an *Authorised Officer* is required to form an opinion prior to taking any action under this Local Law, the opinion must be reasonably held having regard to all the circumstances.

### Review Rights

187. If any person is aggrieved by the fairness or reasonableness of any action taken by *Council* or an *Authorised Officer* under this Local Law including failure to be granted a permit, he or she may request the *Chief Executive Officer* to review the fairness or reasonableness of the action taken.
188. If the *Chief Executive Officer* elects to review the fairness or reasonableness of any action taken by *Council* or an *Authorised Officer*, the result of that review must be communicated to the person who made the request in accordance with clause 187.

Resolution for making this Local Law was agreed to by the Colac Otway Shire Council on the DATE.

SIGNED SEALED AND DELIVERED )

)

The COMMON SEAL of the Colac Otway Shire Council was affixed in accordance with its Local Law No 4

.....

Councillor

.....

Councillor

.....

Chief Executive Officer

This ..... day of ..... 20 .....

Notices of the proposal to make and of the making of this Local Law were included in the Victorian Government Gazette dated the ..... and the ..... respectively.

Public notice of the proposal to make and confirmation of the making of this Local Law were inserted in the ..... on ..... and ..... respectively.

A copy of this Local Law was sent to the Minister for Local Government on .....

**Schedule**Fixed Infringement *Penalties*:

| <b>Clause</b> | <b>Fixed Penalty</b>           |
|---------------|--------------------------------|
| 11.3          | Three (3) <i>Penalty Units</i> |
| 11.6          | Three (3) <i>Penalty Units</i> |
| 11.7          | Three (3) <i>Penalty Units</i> |
| 11.14         | Three (3) <i>Penalty Units</i> |
| 11.14         | Three (3) <i>Penalty Units</i> |
| 11.16         | Three (3) <i>Penalty Units</i> |
| 11.20.1       | Three (3) <i>Penalty Units</i> |
| 11.20.2       | Three (3) <i>Penalty Units</i> |
| 11.20.3       | Three (3) <i>Penalty Units</i> |
| 15.1          | Three (3) <i>Penalty Units</i> |
| 15.2          | Three (3) <i>Penalty Units</i> |
| 15.3          | Three (3) <i>Penalty Units</i> |
| 15.4          | Three (3) <i>Penalty Units</i> |
| 15.5          | Three (3) <i>Penalty Units</i> |
| 16.1 to 16.9  | Three (3) <i>Penalty Units</i> |
| 17.1 to 17.15 | Three (3) <i>Penalty Units</i> |
| 75.1          | Three (3) <i>Penalty Units</i> |
| 75.2          | Three (3) <i>Penalty Units</i> |
| 78.1          | Three (3) <i>Penalty Units</i> |
| 78.2          | Three (3) <i>Penalty Units</i> |





Colac Otway  
SHIRE

## **LIVESTOCK**

**(LOCAL LAW NO 3 – March 2013)**

[5925848: 9727025\_1]

## COLAC OTWAY SHIRE COUNCIL

## LIVESTOCK LOCAL LAW NO. 3

## PART 1

## PRELIMINARY

**Title**

1. This Local Law will be known as the "Livestock Local Law 2013" and is referred to subsequently as "this Local Law".

**Purpose**

2. The purpose of this Local Law is to:
  - 2.1 regulate the movement and *droving of livestock* through and within the *municipal district* and the *grazing of livestock* within the *municipal district*;
  - 2.2 minimise any damage to *road* pavements, formations, drainage, vegetation and surrounding areas arising from *livestock*;
  - 2.3 minimise the spread of *livestock disease* and noxious weeds in the *municipal district*;
  - 2.4 provide for the welfare of *livestock* when being grazed or moved;
  - 2.5 alert other *road* users to the presence on roads of *livestock* in the *municipal district* in the interests of safe use of roads;
  - 2.6 regulate the adequacy of fencing of *livestock*;
  - 2.7 put in place mechanisms for rectifying inadequate fencing;
  - 2.8 fix fees or charges relating to the impounding of *livestock* and all other costs incidental thereto
  - 2.9 fix charges for *road* use by *livestock* within the *municipal district*
  - 2.10 enter arrangements with neighbouring councils relating to impounding, collecting trespassing *livestock*, housing and releasing those *livestock*;

- 2.11 prescribe penalties for contravention of any provisions of this local law;
- 2.12 provide generally for the peace, order and good government of the *municipal district* including in particular, the administration of *Council's* powers and functions; and
- 2.13 revoke *Council's* Livestock Local Law 2007.

#### Authorising Provisions

- 3. This Local Law is made under section 111(1) of the *Local Government Act* 1989.

#### Commencement and Area of Operation

- 4. This Local Law commences on DATE.

#### Revocation Dates

- 5. Upon the commencement of this Local Law, *Council's* Livestock Local Law 2007 is revoked.
- 6. Unless sooner revoked, this Local Law ceases to operate on DATE.

#### Scope of This Local Law

- 7. This Local Law applies to the whole of the *municipal district* except when it is apparent from its wording that it only applies to a specified area or areas.
- 8. Where this Local Law applies to a *road*, it applies to all parts of the *road* reserve.
- 9. The provisions of this Local Law apply to the extent that they are not inconsistent with any Act, regulations or planning scheme applicable to *Council* or its *municipal district*.

#### Definition of Words Used in this Local Law

- 10. Unless inconsistent with the context or subject matter, the following words and phrases are defined to mean or include -

**“Act”** means the *Local Government Act* 1989.

**“applicant”** means the person who applies for a permit under this Local Law.

**“Authorised Officer”** means a person appointed under section 224 of the *Act*.

**“cattle”** means any bull, cow, ox, steer, heifer, calf or buffalo.

**“Council”** means Colac Otway Shire Council.

**“daylight hours”** means the hours between sunrise and sunset.

**“Declared State Road”** means a *road* declared under section 11 of the *Road Management Act 2004*.

**“disease”** means any contagious or infectious disease or any condition to which *livestock* is subject, or an exotic disease as declared by the Governor in Council for the purposes of the *Livestock Diseases Control Act 1994*.

**“droving of livestock”** means the *movement* of *livestock* within or through the *municipal district* including supplementing feeding

**“effective control”** means control by a person or persons alone or using dogs, devices, fences or other equipment so as to ensure that *livestock* are not trespassing or endangering persons or objects.

**“exemption”** means an exemption issued by or under the authority of *Council* under this Local Law.

**“grazing of livestock”:**

- (a) means causing livestock to enter and remain on a *road* or roads within the *municipal district* for purposes of grazing rather than for purposes of *droving* or *movement* of *livestock*; and
- (b) relates to *grazing* a particular or designated area and not to indiscriminate *droving* for purposes of or including supplementing feeding.

**“Guidelines”** means the Vicroads Guidelines for the Selection of Stock Crossing Sites and the Placement of Signs when Stock are on Roads.

**“livestock”** means an animal (including a bird) of any species used in connection with primary production or kept for recreational purposes, other than a dog or cat.

**“movement of livestock”** means individual or regular movement of *livestock*:

- (a) as part of normal farm management operations of one farming enterprise but not for purposes of grazing;
- (b) from one property within the *municipal district* to another property within the *municipal district* or from or to one property in the *municipal district* to or from a property within an adjacent *municipal district*;

- (c) at the rate of not less than one kilometre per hour in the direction of movement between the two properties;
- (d) where the properties concerned are occupied by the one farming enterprise; and
- (e) the movement is completed on the day of commencement.

**“municipal district”** means the municipal district of *Council*.

**“notice to comply”** means a notice to comply referred to in clauses 12 and 80 of this Local Law.

**“single farming enterprise”** means a business of farming livestock run by one or more person as a one business.

**“penalty unit”** has the meaning ascribed to it by the *Sentencing Act 1991*.

**“permit”** means a permit in writing issued by or under the authority of *Council* under this Local Law.

**“permit holder”** is the person to whom a *permit* has been issued under this Local Law.

**“public place”** has the same meaning as in Section 3 of the *Summary Offences Act 1966*.

**“Regulations”** mean the *Road Safety Road Rules 2009*.

**“road”** has the meaning ascribed to it in section 3 of the *Act* and includes a highway.

**“Schedule”** means a schedule to this Local Law.

**“senior officer”** has the meaning ascribed to it in section 3 of the *Act*.

**“Service Authority”** includes *Council*, Victoria Police, State Emergency Service or any government, semi government or non profit agency involved in remedying a problem associated with *livestock* on a *road*.

**“single form enterprise”** has the same meaning as in section 159 of the *Act*.

**“stock crossing”** means a location on a *road* used regularly for the purpose of *livestock* crossing that *road*, and to which the requirements of the *Regulations*, and the *Guidelines*, apply.

## PART 2

### LIVESTOCK ON ROADS

#### Containing Livestock

11. An owner or occupier of land on which *livestock* are kept must ensure that the fencing of, and any cattle grids relating to, that land is or are adequate to prevent the escape of that *livestock*.
12. Where an *Authorised Officer* gives a *notice to comply* to an owner or occupier of land who appears to be in breach of clause 11, the *Authorised Officer* may direct that person to immediately remove the livestock, or install, repair, replace or modify the fencing or cattle grids, including through the installation or repair of gates.

#### Offence Concerning Livestock on Roads

13. Subject to clause 14, a person who owns or is in charge of *livestock* must not, without a *permit*, cause or allow the *livestock* to be on a *road* (excluding compliant *stock crossing* locations) while:
  - 13.1. the *livestock* are being moved:
    - 13.1.1. through the *municipal district*; or
    - 13.1.2. from outside the *municipal district* towards a point of destination in the *municipal district*; or
    - 13.1.3. from a location within the *municipal district* to a point of destination outside the *municipal district*; or
  - 13.2. the *livestock* are grazing.
14. A person who owns or is in charge of *livestock* must not cause or allow the *movement of livestock* on a *road* unless the *livestock* are being moved across or along a *road* (whether directly or by being moved along and across or merely along a *road* or merely across a *road*) in order to travel from one property to another or from one part of a property to another part in accordance with clauses 28-30 (inclusive).

**Droving of Livestock**

15. Council must not issue a *permit* for the *droving of livestock* if:
- 15.1. there are more than:
    - 15.1.1. 6,000 sheep, ewes, wethers and rams; or
    - 15.1.2. 500 *cattle*; or
    - 15.1.3. 200 of any other *livestock*; or
  - 15.2. it is not satisfied that the *livestock* are able to travel:
    - 15.2.1. eight kilometres each day (being *livestock* referred to in clause 15.1.1 or 15.1.3) in one direction; or
    - 15.2.2. ten kilometres each day (being *livestock* referred to in clause 15.1.2) in one direction; or
  - 15.3. the *roads* proposed to be travelled:
    - 15.3.1. are or will be in use for the purpose for the droving of other *livestock* at the time proposed;
    - 15.3.2. are carrying such an extent of traffic or in such a condition or being used for such other purposes at the time proposed for the droving that the droving is impracticable; or
    - 15.3.3. contain areas of high conservation significance and the *applicant* cannot or is not prepared to give an undertaking to take all reasonable measures proposed to ensure that such areas are protected; or
    - 15.3.4. have been declared by *Council* under sub-clause 16.
  - 15.4. the owner or person in charge of the *livestock* refuses to provide any bond, guarantee or indemnity requested by *Council* as security against *road* or adjacent fence or property damage; or
  - 15.5. the owner or person in charge of the *livestock* does not provide evidence, to the satisfaction of *Council*, of an ability to adequately water and feed the *livestock* and to safely contain them overnight; or

- 15.6. the owner or person in charge does not supply a declaration of his/her knowledge of the health and fitness of the *livestock* in a form acceptable to *Council*; or
- 15.7. a person proposing to introduce *cattle* into Victoria has not first obtained permission in writing from an Inspector of Livestock under the *Livestock Disease Control Act 1994*, provided certification regarding the *livestock* to the Inspector nearest the first point of entry and ensured that the *livestock* are ear-tagged with approved ear-tags prior to entry or otherwise complied with the *Livestock Disease Control Act*.
16. Council may declare a *road* for the purposes of clause 15.3.4.
17. Any declaration made under clause 16 must be published in a newspaper generally circulating in the *municipal district*.
18. A person who is in charge of *livestock* which are being driven on a *road* must ensure that:
- 18.1. the *livestock* are supervised and under *effective control* at all times by a person who is competent in the management of such *livestock*;
- 18.2. *livestock* camped overnight are enclosed by a substantial and secure barrier (or otherwise isolated so as to prevent escape or danger to other *road* users);
- 18.3. proper disposal takes place of any carcass of any *livestock*, under that person's charge, which die on the *road*;
- 18.4. the *livestock* are only moved during *daylight hours*;
- 18.5. the *livestock* are not moved on roads which *Council* or an *authorised officer* has notified the person must not be used for the *droving of livestock*;
- 18.6. an Inspector of Livestock of the Department of Primary Industries or relevant authority administering the *Livestock Disease Control Act 1994* is notified if the person in charge of such *livestock* becomes aware or suspects that *livestock* (or any of them) have a *disease* or has died of a *disease* listed as a notifiable *disease* under that Act;
- 18.7. he or she complies with the provisions of the *Livestock Disease Control Act 1994* and the *Prevention of Cruelty to Animals Act 1986*; and

- 18.8. in respect of any State roads, the permission of VicRoads has been obtained.
19. In determining conditions applying to any *permit* for the *droving of livestock*, *Council* may, in addition to any conditions referred to in clause 62, impose such conditions as it considers appropriate including conditions that:
- 19.1. *livestock* not be camped in an area which is a declared or designated area of medium or high conservation value as specified in the Colac Otway Roadside Management Prescriptions;
  - 19.2. appropriate reflective signs or flashing lights be erected in front of, and at the rear of, any *livestock* camped overnight on a *road*;
  - 19.3. the number of *livestock* which may be driven in the *municipal district* at any one time not exceed the number specified in respect of the *permit*;
  - 19.4. the *livestock* travel not less than the distances specified by an *Authorised Officer* (which distances may allow for a rest day in appropriate circumstances);
  - 19.5. the *permit holder* has a current public liability policy (minimum cover \$10 million) covering risks relevant to the droving;
  - 19.6. the public liability policy notes the interests of *Council* and VicRoads;
  - 19.7. the *livestock* be healthy and free of *disease*;
  - 19.8. signs be displayed conforming to the *Guidelines*; and
  - 19.9. *livestock* are only to be driven on any *road* during *daylight hours*.
20. The route to be travelled must be specifically determined by *Council* having regard to:
- 20.1. the route requested by the *applicant*;
  - 20.2. the practicality of that route or alternative routes given:
    - 20.2.1. the respective volume of traffic regularly using *roads* in the vicinity;
    - 20.2.2. the proposed commencing and finishing locations;
    - 20.2.3. the sensitivity of vegetation on that route;

- 20.2.4. the duration and/or frequency of *livestock* droving proposed;
- 20.2.5. the number of *livestock* involved in the droving or each *livestock* droving;
- 20.2.6. any permits already granted for *livestock* droving, grazing or movement on or adjacent to the proposed area;
- 20.2.7. the condition of the *road* and prevailing weather conditions at the time of the proposed *droving of livestock* or throughout the proposed *livestock* droving;
- 20.2.8. the availability of alternative routes;
- 20.2.9. the distance to be covered each day;
- 20.2.10. the health and condition of the *livestock*;
- 20.2.11. the nature of any weeds or growth along any proposed route and the potential for *livestock* to spread noxious or environmental weeds;
- 20.2.12. the potential for safely accommodating any *livestock* overnight;
- 20.2.13. the capacity to adequately warn other *road* users of the presence of *livestock* on the *road*;
- 20.2.14. procedures for varying any route in situations of hardship;
- 20.2.15. the availability of water and feed;
- 20.2.16. the outcome of any consultation with the Department of Sustainability and Environment or relevant authority regarding native vegetation;
- 20.2.17. the views of VicRoads concerning any droving on *road* for which VicRoads is the co-ordinating or responsible road authority under the *Road Management Act 2004*; and
- 20.2.18. any other matters considered relevant by *Council*.

21. Upon the issue of a *permit* under this Part, *Council* must notify the Department of Primary Industries or relevant authority of the *permit* and of the *livestock* to be moved.

### Grazing of Livestock

22. *Council* must not issue a *permit* for the grazing of a *road* by *livestock* unless:
- 22.1. the *road* or roads or part of them proposed to be grazed can be grazed without threat to areas of medium or high conservation significance as specified under the Colac Otway Roadside Management Prescriptions;
  - 22.2. the *applicant* for the *permit* provides evidence to the satisfaction of *Council*:
    - 22.2.1. that the *livestock* will be adequately supervised and effectively controlled;
    - 22.2.2. that there will be compliance with all conditions of a *permit*;
    - 22.2.3. where required, of the health and fitness of the *livestock*; and
    - 22.2.4. of an ability to adequately feed and water the *livestock* on the *roads* proposed;
  - 22.3. the *road* or roads or part of them are at the time proposed suitable for grazing by *livestock* which can be undertaken without damage to surface, plants or adjacent structures;
  - 22.4. the *Guidelines* are in place; and
  - 22.5. the width of the *road* is adequate and that grazing be restricted to that position of the *road* which is within the limit of the owner's boundary frontage, unless endorsed on the *permit* after receipt in writing from the owner of other land adjacent to the area to be grazed.
23. *Council* reserves the right to refuse permission for grazing on either or both sides of the *road* where it believes that safety issues may exist.
24. A person who is in charge of *livestock* which are being grazed on a *road* must ensure that:

- 24.1. the *livestock* are supervised and under *effective control* at all times by a person who is competent in the management of *livestock*;
- 24.2. the carcass of any *livestock* under that person's charge which dies on a *road* is properly disposed of;
- 24.3. *livestock* are grazed only during *daylight hours*;
- 24.4. signs conform to the *Guidelines*;
- 24.5. appropriate precautions are taken to ensure that no damage occurs to *road* surfaces, furniture, drains, culverts, bridges and private entrance ways or to trees and shrubs growing within the *road* and that erosion is not caused by excessive grazing;
- 24.6. in the event that *livestock* are causing damage, including where overgrazing occurs, they are removed from the *road*;
- 24.7. the *livestock* are enclosed by an appropriate form of fencing or other control or removed from the *road* before *daylight hours* finish unless an *Authorised Officer* agrees to some other level of supervision or overnight arrangement;
- 24.8. the person has a current public liability policy (minimum cover \$10 million) on which *Councils* (and, where appropriate, VicRoads') interest is noted, and that proof of such notation is produced to the *Council* prior to commencement of grazing;
- 24.9. an Inspector of the Department of Primary Industries or relevant authority administering the *Livestock Disease Control Act 1994* is notified if the person in charge of such *livestock* becomes aware or suspects that *livestock* (or any of them) have a *disease* or has died of a *disease* listed as a notifiable *disease* under that Act;
- 24.10. he or she complies with the provisions of the *Livestock Disease Control Act 1994* and the *Prevention of Cruelty to Animals Act 1986*;
- 24.11. no roadside grazing takes place on any day declared as a Total Fire Ban Day for this Region under the *Country Fire Authority Act 1958*;
- 24.12. temporary fencing once erected is removed at the direction of an *Authorised Officer* before or at the expiry of the *permit*, unless the *permit* has been renewed for an extended period, or at the direction of *Council*; and
- 24.13. any other matters considered by *Council* to be relevant.

25. Failure to comply with any condition or direction may result in forfeiture of the bond, or removal of the fence by *Council*, at cost to the *permit holder* and/or *livestock owner*.
26. The temporary fence must be constructed by or on behalf of the person in charge of *livestock* to a standard outlined in the conditions of the *permit*.
27. The owner is responsible to ensure confinement of *livestock*, while minimising hazards to persons, animals and property.

#### **Movement of Livestock**

28. A person must not move *livestock* across and/or along a *road* to travel from one property being part of a *single farming enterprise* to another being part of the same farming enterprise or from one part of a property to another part of the same property unless:
  - 28.1. in respect of any movement or part of any movement before *daylight hours* commence or after *daylight hours* end, suitable warning lights/signage conforming to the *Guidelines*;
  - 28.2. the length of travel is minimised so far as is practicable;
  - 28.3. areas of medium or high conservation significance as specified under the Colac Otway Roadside Management Prescriptions are avoided or protected;
  - 28.4. the location of any *road* crossing is chosen having regard to the safety of all *road* users;
  - 28.5. there is compliance with any appropriate Code of Practice; and
  - 28.6. the *applicant* has a current public liability policy (minimum cover \$10 million) on which *Council's* (and where appropriate VicRoads') interest is noted, and that proof of such notation is produced to *Council* on written request.
29. A person who is in charge of *livestock* being moved across or along a *road* must ensure that:
  - 29.1. the *livestock* are supervised and under *effective control* by a person who is competent in the management of *livestock*;
  - 29.2. except where clause 29.5 applies, signs conforming to the *Guidelines* are in place and removed or deactivated following completion of the movement;

- 29.3. subject to clause 28, the *livestock* are not moved other than during *daylight hours*;
- 29.4. the *livestock* are moved promptly, to prevent unnecessary grazing of roads;
- 29.5. if there are more than 52 movements of *livestock* during a 12 month period on any *road* for which VicRoads is the co-ordinating or responsible road authority under the *Road Management Act* or any other *road* specifically determined by *Council*, and there is compliance with the *Guidelines* relating to signage and lighting;
- 29.6. if, due to the nature of the terrain, volume of traffic or visibility, vision may be restricted, additional warning is given to other *road* users;
- 29.7. where *livestock* are to be moved across or along and across any *road* in fog or other than in *daylight hours*, there is compliance with whichever of the *Guidelines* as is appropriate to the circumstance of the crossing;
- 29.8. any *livestock* deposits, on any *road* pavement, which cause or are likely to cause danger to other *road* users are removed as soon as practicable; and
- 29.9. the *livestock* are healthy and free of *disease*;
- 30. In the event of *livestock* being moved at a rate of less than one kilometre per hour, a *permit* must be obtained by the person in charge of the *livestock*.

### Stock Crossings

- 31. *Livestock* may travel on a *road* for the purposes of moving between contiguous properties if the properties are separated by a *road*, river or another impassable object or other circumstances which effectively prevent movement by another route.
- 32. A person must comply with all *stock crossing* requirements of VicRoads and the standards of *Council* set out in the Schedule.

### Non Application of Clauses

- 33. The provisions of clauses 13-30 (inclusive) do not apply to *livestock* being transported by vehicle or other means in circumstances where there is no contact between the *livestock* and the *road*.

34. The provisions of clauses 13-30 (inclusive) do not apply to a horse being ridden or moved or led by some attachment when the horse is being ridden, moved or led by its owner or by a person authorised to do so by its owner.

#### Right of Way

35. Travelling *livestock* (being *livestock* being moved in accordance with a valid livestock droving *permit*) have right of way over other stock on a *road*.
36. If a person responsible for *livestock* on a *road* is notified of the approach of travelling *livestock*, the person must move the *livestock* for which he or she is responsible to an adjoining location or keep them separate from the travelling *livestock* by means suitable for the purpose.

#### Warning Signs (refer Guidelines)

37. A person involved in *droving of livestock*, *grazing of livestock* or *movement of livestock* in the *municipal district* must ensure that adequate warning of the presence of *livestock* on the *road* is given to other *road* users or potential *road* users.
38. Apart from any other warnings considered appropriate by the person involved in such activities under clause 37, such a person must display signs conforming to the *Guidelines*.
39. A person involved in *droving of livestock* or *grazing of livestock* must ensure that any signs referred to in clause 38 are removed from the *road* at the time of completing such *droving of livestock* or *grazing of livestock* or otherwise deactivated as set out in the *Guidelines*.
40. A person involved in *movement of livestock* across a *road* must comply with whichever of the *Guidelines* and referred to in the *Regulations* is appropriate to the relevant *stock crossing*.
41. In addition to any other *permit* or *livestock* movement conditions relating to warning signs to other *road* users, lighting requirements and the location, size, contents and colour of such devices, the person in charge of *livestock* on roads must have regard to:
- 41.1. any Australian Standards for such purposes;
  - 41.2. any other signage for *road* safety having regard to topography, conditions, *livestock* type and numbers; or

- 41.3. any other requirements of VicRoads communicated to and published by *Council* in respect of *roads* for which VicRoads is the coordinating or responsible road authority under the *Road Management Act 2004*.

#### **Authorised Relocation of Livestock other than in Daylight Hours**

42. The provisions prohibiting *livestock* droving or movement on *roads* other than in *daylight hours* do not apply to:
- 42.1. relocation of *livestock* by an *Authorised Officer*; or
  - 42.2. relocation of *livestock* in an emergency or to avoid or minimise danger; or
  - 42.3. movement of *livestock* in accordance with the requirements of clauses 28-30 and the *Guidelines*.

### **Part 3 – Administration**

#### **Division 1 - Permits, Fees and Delegations**

##### **Applying for a Permit**

43. A person who wishes to apply for a *permit* may do so by:
- 43.1. lodging with *Council* an application at least 14 days before the proposed activity, in a form approved by *Council*; and
  - 43.2. paying to *Council* the appropriate application fee; and
  - 43.3. in the case of a *permit* for driving of *livestock*, lodging with *Council* a bond in the amount of \$1,000 to \$10,000, as fixed by *Council* under this Local Law, in cash or by bank cheque.
44. *Council* may require an *applicant* to provide additional information before dealing with an application for a *permit* or for an *exemption*.
45. *Council* may require a person making an application for a *permit* to give public notice which will entitle any person to make a submission and to be heard in support of such submission.

**Fees**

46. *Council* may, from time to time, by resolution determine fees for the purposes of this Local Law.
47. In determining any fees and charges *Council* may establish a system or structure of fees and charges, including a minimum or maximum fee or charge, if it considers it is appropriate to do so.
48. *Council* may waive, reduce or alter a fee with or without conditions.

**Fees and Charges relating to impounded or impounding livestock**

49. The charges to be paid under the provisions of the *Impounding of Livestock Act 1994* and any other fees relevant thereto are those determined by *Council* from time to time.
50. A copy of current fees and charges must be available from *Council*.
51. In determining fees and charges relevant to the impounding of *livestock* or impounded *livestock*, *Council* must have regard to the costs incurred in:
  - 51.1. the process of impounding;
  - 51.2. the housing, and feeding of impounded *livestock*;
  - 51.3. arranging any veterinary care or treatment;
  - 51.4. advertising;
  - 51.5. investigating ownership;
  - 51.6. calling and letting tenders;
  - 51.7. auctioning;
  - 51.8. reimbursing owners or occupiers of land trespassed by the impounded *livestock*;
  - 51.9. destruction and/or disposal;
  - 51.10. record keeping; and
  - 51.11. any other action necessary or convenient to be done for in connection with the functions;

but these considerations do not prevent *Council* from determining unit fees or charges payable in respect of each or any element of the impounding, housing, feeding, releasing, selling, treating, destroying, disposal and recording process or of any combination or combinations of them.

52. Nothing in this Local Law prevents *Council* agreeing with another council to fix or determine fees or charges incurred by either council or jointly by both or partly be one and partly by the other in respect of the costs outlined in clause 51 by one or other or both and imposing those fees or charges or retaining those fees or charges from any proceeds of sale or suing for recovery of those fees or charges.
53. Any agreement under clause 52 may include arrangements for any council to reimburse another for services rendered.

#### **Charges relating to Droving, Grazing and Moving Livestock on or along a Road Reserve**

54. In determining fees or charges relevant to the droving or *grazing of livestock* along any *road* in the *municipal district*, *Council* may fix any bond, fee or guarantee amount to be paid or provided as an alternative to or an addition to an indemnity against damage or actions.
55. Fees may be waived in exceptional circumstances or times of hardship.

#### **Bonds**

56. *Council* must refund a bond on application:
- 56.1. within seven days after refusing to issue a *permit*; or
- 56.2. if a *permit* is issued, after the departure from the *municipal district* of the *livestock* if the *applicant* has, in the opinion of an *Authorised Officer*, complied with the conditions of the *permit*.
57. *Council* may retain all or part of a bond, to the extent of the cost to *Council* of repairing any damage to *roads* or other property which, in the opinion of an *Authorised Officer*, has occurred as a result of the moving of the *livestock*.
58. If a deduction is made from a bond before the *livestock* have left the *municipal district*, the *permit holder* must, within 48 hours, make further payment to maintain the amount of the bond at the prescribed amount.
59. In the event of the cost to *Council* of repairing any damage exceeding the amount of the bond, the *applicant* must pay the outstanding amount to *Council* and *Council* may serve a *notice to comply* on the *applicant*.

**Issue of Permits**

60. Council may:
- 60.1. issue a *permit*, with or without conditions; or
  - 60.2. refuse to issue a *permit*.

**Duration of Permits**

61. A *permit* is in force until the expiry date indicated on the *permit*, unless it is cancelled before the expiry date.

**Conditional Permits**

62. In addition to any other conditions which it may impose, Council may include in a *permit* or *exemption* other conditions which it considers to be appropriate, including conditions relating to:
- 62.1. a time limit to be applied either specifying the duration, commencement or completion date;
  - 62.2. the happening of an event;
  - 62.3. the rectification, remedying or restoration of a situation or circumstance;
  - 62.4. where the *applicant* is not the owner of the subject property, the written consent of the owner; and
  - 62.5. the granting of some other permit or authorisation.
63. Apart from any mandatory provisions or conditions under this Local Law, the conditions of a *permit* must be set out in or attached to the *permit*.
64. Council may, during the currency of *permit*, alter the conditions of a *permit* if it considers it to be appropriate to do so, after providing the *permit holder* with an opportunity to make comment on the proposed alteration.
65. A person who undertakes an activity for which Council has issued a *permit* must comply with the conditions of the *permit*.
66. Where an *Authorised Officer* considers that doubt arises as to the health and/or fitness of *livestock* to be grazed or moved within the *municipal district* without potential adverse health effect to other *livestock* in the *municipal district*, he or she may require the owner, drover or person in charge of the

*livestock* being or proposed to be grazed or moved to have the *livestock* examined by a suitable veterinary practitioner appointed by *Council* for the purpose at the cost of the owner, drover or person in charge of that *livestock*.

67. In the event that the veterinary practitioner confirms that the *livestock* are unhealthy or unfit to be grazed or moved in the *municipal district*, the *Authorised Officer* may refuse to allow such droving, grazing or movement.

#### **Cancellation of a Permit**

68. *Council* may cancel a *permit* if it considers that:
- 68.1. there has been a serious or ongoing breach of any condition of the *permit*; or
  - 68.2. a *notice to comply* has been issued, but not complied with within seven days after the time specified in the notice for compliance; or
  - 68.3. there was a significant error or misrepresentation in the application for the *permit*; or
  - 68.4. in the circumstances, the *permit* should be cancelled.
69. Before cancellation of a *permit*, *Council* will provide to the *permit holder* an opportunity to make comment on the proposed cancellation.
70. If a *permit holder* is not the owner of the land and the owner's written consent was required to be given to the application for the *permit*, the owner must be notified of any *notice to comply* and of the reason why it has been served.

#### **Correction of Permits**

71. *Council* may correct a *permit* in relation to:
- 71.1. an unintentional error or an omission; or
  - 71.2. an evident material miscalculation or an evident material mistake of description of a person, thing or property.
72. *Council* must notify a *permit holder* in writing of any correction.

#### **Exemptions**

73. *Council* may by written notice exempt any person or class of persons from the requirement to have a *permit*, either generally or at specified times.

74. An *exemption* may be granted subject to conditions.
75. A person must comply with the conditions of an *exemption*.
76. An *exemption* may be cancelled or corrected as if it were a *permit*.
77. Despite any provision in this Local Law requiring a *permit* to undertake any particular activity, no offence will arise where *Council* or its delegate has granted an *exemption* from the requirements to hold any such *permit* and the holder of that *exemption* carries out the activity authorised by, and in accordance with any conditions contained in, that *exemption*.
78. Where compliance with any condition of a *permit* or an *exemption* or other condition arising under this Local Law is impracticable in a particular circumstance, *Council* may exempt a person from compliance with that condition or vary the condition in a way which is capable of compliance.

#### Application Offence

79. A person who makes a false representation or declaration (whether oral or in writing), or who intentionally omits relevant information in an application for a *permit* or *exemption* is guilty of an offence.

## Division 2 - Enforcement

### Power of Authorised Officers to Direct - Notice to Comply

80. An *Authorised Officer* may, by a written notice given to a person who appears to be in breach of this local law, direct that person to remedy any situation which constitutes a breach under this local law.

### Time to Comply

81. A *notice to comply* must state the time and date by which the situation must be remedied.
82. The time required by a *Notice to Comply* must be reasonable in the circumstances and what will be reasonable will vary depending on the matters to be remedied, but should take into account if applicable:
- 82.1. the amount of work involved;
  - 82.2. the degree of difficulty;
  - 82.3. the availability of necessary materials or other necessary items; climatic conditions; the degree of risk or potential risk; and any other relevant factor.

### Failure to Comply to a Notice to Comply

83. A person who fails to comply with a *notice to comply* served on that person is guilty of an offence.

### Power of Authorised Officer to Act in Urgent Circumstances

84. In urgent circumstances arising as a result of a failure to comply with this local law, an *Authorised Officer* may take action to remove, remedy or rectify a situation without first serving a *notice to comply* if:
- 84.1. the *Authorised Officer* considers the circumstances or situation to be sufficiently urgent and that the time involved or difficulties associated with the serving of a notice may place a person, animal, property or thing at risk or in danger; and
  - 84.2. wherever possible, a *senior officer* is given prior notice of the proposed action.

85. In deciding whether circumstances are urgent, an *Authorised Officer* must take into consideration, to the extent relevant:
- 85.1. whether it is practicable to contact:
    - 85.1.1. the person by whose default, permission of sufferance the situation has arisen; or
    - 85.1.2. the owner or the occupier of the premises or property affected; and
  - 85.2. whether there is an urgent risk or threat to public health, public safety, the environment or animal welfare.
86. The action taken by an *Authorised Officer* under clause 84 must not extend beyond what is necessary to cause the immediate abatement of or minimise the risk or danger involved.
87. An *Authorised Officer* who takes action under clause 84 must ensure that, as soon as practicable details of the circumstances and remedying action are forwarded to the person on whose behalf the action was taken.

#### **Power of Authorised Officer to Impound**

88. An *Authorised Officer* may impound *livestock* which is on a *road* other than in accordance with this Local Law.
89. Any *livestock* impounded by an *Authorised Officer* must be dealt with in accordance with the *Impounding of Livestock Act 1994*.

#### **Infringement Notices**

90. As an alternative to prosecution, an *Authorised Officer* may serve an infringement notice (carrying a penalty of three *penalty units*) on a person who:
- 90.1. has contravened; or
  - 90.2. is reasonably suspected of contravening this Local Law.

#### **Reviewing a Notice**

91. All requests for Infringement Notice review will be dealt with by way of *Council's* Infringement Review Panel which may withdraw the Infringement Notice, deal with the Infringement Notice by way of official warning, extend

due date to allow additional time for payment, or to proceed with prosecution of the offence.

92. Where an Infringement Notice is withdrawn, the person upon whom it was served is entitled to a refund of any payment which that person has made on the Infringement Notice

#### **Maximum Penalty**

93. The following maximum penalty applies to any failure to comply with a provision of this Local Law in respect of which no separate penalty is specified:

- 93.1. First Offence - 10 *penalty units*; and
- 93.2. Second Offence - 20 *penalty units*; and
- 93.3. a further 2 *penalty units* for each day during which the offence continues after the conviction for the offence.

**Livestock Local Law**

This Local Law was agreed to by Colac Otway Shire Council on .....

The COMMON SEAL of the Colac Otway Shire Council was affixed in accordance with its Local Law No 4

.....  
Councillor

.....  
Councillor

.....  
Chief Executive Officer

This ..... day of ..... 20.....

## Livestock Local Law

### Schedule

### Standards

#### Introduction

The following Standards have been prepared to assist with the interpretation of this Local Law. Additional documentation is available from *Council's* Local Law Unit, to assist *livestock* owners comply with the provisions of this Local Law. E.g. VicRoads regulations, *Impounding of Livestock Act 1994* and VicRoads signage and lighting guidelines and environmental issues.

#### Standard No. 1 Crossing the road/regular movement across roads

1. Where *livestock* are to be moved to a property across a *road*:
  - 1.1 *livestock* movements must be at (or as near as possible to) 90 degrees to the direction of the *road*; and
  - 1.2 no wires, strings, tapes or other things are used to form a laneway or temporary fence across a carriage way.

#### Standard No. 2 Construction of stock crossings, access laneways & fences

1. *Road* crossings are to be constructed to ensure:
  - 1.3 municipal assets, drains etc. are not damaged; and
  - 1.4 the safety of other *road* users is considered when sighting the crossing (sight distances, signs, etc); and
  - 1.5 culvert sizes are adequate; and
  - 1.6 there is a minimum damage to native vegetation.
2. *Livestock* owners wishing to construct a crossing can contact appropriate *Council* officers for advice and on-site discussion on their proposal.

# Agenda



## Assembly of Councillors Record

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Document Management Co-ordinator for filing. A copy of the completed form must be provided to the Executive Officer to the CEO, Mayor & Councillors for reporting at the next Ordinary Council Meeting.

### Assembly Details:

**Date:** 6 February 2013

**Time:** 5:15pm – 6:15pm

**Assembly Location:** Central Reserve – Hockey Rooms

### In Attendance:

**Councillors:** Cr Brian Crook

...../...../...../.....

**Officer/s:** Ian Seuren – Manager Recreation, Arts and Culture

...../...../...../.....

**Matter/s Discussed:** See attached meeting agenda.

.....  
(some e.g's. Discussion s with property owners and/or residents, Planning Permit Application No. xxxx re proposed development at No. xx Pascoe Street, Apollo Bay, Council Plan steering committee with Councillors and officers.)

### Conflict of Interest Disclosures: (refer page 5)

**Councillors:** Not applicable

...../...../...../.....

**Officer/s:** Not applicable

...../...../...../.....

**Left meeting at:** At conclusion of the meeting at 6:15pm

**Completed by:** Ian Seuren – Manager, Recreation, Arts and Culture



## Assembly of Councillors Record

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Document Management Co-ordinator for filing. A copy of the completed form must be provided to the Executive Officer to the CEO, Mayor & Councillors for reporting at the next Ordinary Council Meeting. {See over for Explanation/Guide Notes}

### Assembly Details:

Date:

14 / 2 / 13

Time:

7:30 am/pm

Assembly Location:

Colac Botanic Cafe

(some e.g's. COPACC, Colac Otway Shire Offices, 2 - 6 Rae Street, Colac, Shire Offices - Nelson Street, Apollo Bay)

### In Attendance:

Councillors:

Cr. C. Smith

Officer/s:

Laurence Towers

Matter/s Discussed:

Friends of Colac Botanic Gardens

(some e.g's. Discussion s with property owners and/or residents, Planning Permit Application No. xxxx re proposed development at No. xx Pascoe Street, Apollo Bay, Council Plan steering committee with Councillors and officers.)

### Conflict of Interest Disclosures: (refer page 5)

Councillors:

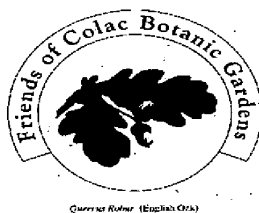
Officer/s:

Left meeting at:

Completed by:

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## MINUTES

of Meeting Thurs 14th February 2013, 7:30pm, at Colac Botanic Café

**PRESENT:** Anne Mercer (AM) IN CHAIR, Roslyn Scanlan (RS) secretary, Chris Bell (CB) treasurer, Jan McMahon(JM), Sue Mulder (SM), Helen Paatsch(HP), Jen Todorovic (JT), Laurence Towers (LT), Cr Chris Smith (CS),

**APOLOGIES:** Pauline Maunsell, Anthea Merewether, Mary Eaton

### MINUTES OF PREVIOUS MEETING

Moved CB 2nd HP

### Business Arising:

Letter re Friends accommodation deferred: President requests further discussion of all options. (see correspondence)

Potting group lunch delayed as Marion has been unwell. To be scheduled when appropriate.

Assets to be documented. In progress. JM provided list of books held.

### CORRESPONDENCE

**Out:** Congratulations and thanks to Richard Barley re leadership of GPCAA  
Friends of Hamilton Botanic Gardens re timing of visit to CBG.

### In:

1. Anthea M unable to continue on committee at this time.
2. Elm Watch Dec '12
3. Jubaea
4. Richard Barley – acknowledgement
5. Jayde Mulder – ‘Active in Parks’ Coordinator – interested in Friends activities and meeting with committee
6. David Pilley – letter forwarded from Council- praise re lookout and gardens
7. Newsletters from several Friends groups - forwarded by email
8. 13<sup>th</sup> Australasian Conference of Volunteer Guides in Botanic Gardens – 28 Oct to 1<sup>st</sup> Nov 2013 in Christchurch NZ. Draft programme sent via R Noone AFBG
9. AFBG – Registrations open for BGANZ VIC Plant Forum 19-21 March: ‘Putting the Botanic Back into Botanic Gardens’ at Royal Botanic Gardens Melbourne
10. St Lawrence -re use of Botanic Cafe by Friends of CBG.

Moved: HP 2<sup>nd</sup>:JM

### Business arising from correspondence :

1. Co-opt someone to replace Anthea on committee? Committee to consider candidates.
5. Meet with Jayde Mulder re Active in Parks programme and our activities: Friday 1<sup>st</sup> March at 10.30am at Colac Botanic Cafe. AM, CB, HP & JT will attend meeting.

9. BGANZ Vic Plant Forum 19-21 March. Friends of CBG will pay the fee for JM & one other committee member to attend. Moved RS Amended JM 2<sup>nd</sup> HP. LT & Mark Robinson will also attend.
10. RS spoke with Toby o'Connor of St Lawrence, Colac. He gave verbal approval to continue to use the Cafe until further advised. He will write to COS re the Friends of CBG's use of the Colac Botanic Cafe. AM to request of Mgr of Infrastructure that Friends' President & Secretary be present as observers at the meeting between St Lawrence and COS. AM to also provide Mgr of Infrastructure with written advice of the Friends' needs in this respect.

#### **TREASURER'S REPORT**

Current balance \$7,361.22. Plant sales continue to provide income. Replacement filing cabinet purchased.

Moved: CB 2<sup>nd</sup>:JM Carried

#### **GARDENER'S REPORT LT**

Report tabled

Gardens around the Cafe are in desperate need of a watering system. Two significant trees have died and others are struggling. There are no funds available in the Gardens budget to purchase the necessary components.

AM to ask Mgr Infrastructure to propose to St Lawrence a three way split of the cost to install a watering system, ie. COS, St Lawrence & the Friends of CBG. Moved SM 2<sup>nd</sup> CB Carried.

#### **POTTING REPORT JM**

The Potters now meet on 4<sup>th</sup> Wednesday of each month. December & January were very dry. JM & GK watered as well as usual duties. Several large pots in flower were placed on the stall and sold well. 6"+ pots are still needed.

AM expressed thanks for the work as it is our source of income.

#### **GENERAL BUSINESS:**

- History of Colac BG: HP presented some print formats and their cost for discussion. The landscape format was agreed on. With this decision it will now be possible to apply for a grant for the publication.

The content will be themed rather than chronological.

- Develop a website for Friends CBG: CB to spend up to \$1,000 to establish a website for Friends of CBG & to apply to COS for a community grant for it. Moved CB 2<sup>nd</sup> SM Grant applications by May 4<sup>th</sup>. Website designers were discussed.

- Consider activities for this year:

Councillors and partners to be invited to tour the Gardens and meet informally with us.

Moved JT 2<sup>nd</sup> CB RS to discuss the best date for this with Rhonda Deigan.

Visits to/from other Friends groups – Hamilton (when the Gardens have recovered from lack of rain)

Plant sales - Saturday 13<sup>th</sup> April. To be publicised in the Colac Herald and on the COS events calendar.

Colac's Wattle Day – in September – advertise a morning tea with Friends of CBG (wattle seed biscuits?) and a tour of the Gardens' wattles.

Speakers and Trips to be further considered.

- Tour group – AM & HP will guide Warnambool Carers Group on a tour of the Gardens on Tuesday 5<sup>th</sup> March at 11:15am.
- RS & AM to meet with COS Events staff re 150<sup>th</sup> planning and focus of responsibility. They will request a letter from COS stating that the official 150<sup>th</sup> Celebration is a COS event and that Friends of CBG will provide some assistance with its organisation and other supporting events. Moved CB 2<sup>nd</sup> JM Carried.
- Lake Colac Committee (HP representative) is considering the future of the metal arches along the park paths. No decision has been made yet.
- RS to arrange a reprint of the CBG pamphlet. The contact details listed on the pamphlet to be the Friends of CBG's PO Box number.

**RAFFLE:** Won by CS

**NEXT MEETING:** Thurs 14<sup>th</sup> March

**Councillor Induction Tour  
Wednesday 20 February 2013**

| TIME                                                | LOCATION                                 | TOPICS/FACILITIES/ISSUE                                                                                                                                                                                                                                                                                                                                       | UNIT TO BE INVOLVED/PRESENTING                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8.30am Depart from Rae Street Staff Car Park, Colac |                                          |                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 8.50am                                              | Arrive Gellibrand                        | Gellibrand Small Town Community Structure Plan<br>Small Town Tourism Interpretative Signage<br><br>Beechy Rail Trail<br><br>Depot<br><br>Rex Norman Reserve<br><br>NSP<br><br>Rural Living Strategy & Bushfire Local Planning Policy Project                                                                                                                  | <u>Economic Development Unit</u> - Mike Barrow<br><br><u>Infrastructure Services</u> : Paula Gardiner <ul style="list-style-type: none"> <li>Works underway Paula to meet us there.</li> </ul> <u>Environment &amp; Community Safety</u> : <ul style="list-style-type: none"> <li>NSP – Wendie Fox</li> </ul> <u>Planning</u> - Doug McNeill                                                                                                                                                                                                                       |
| 9.30 am Depart Gellibrand for Lavers Hill           |                                          |                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 10.00am – Morning Tea at Otway NouriShed,           |                                          |                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                                     | Arrive Lavers Hill                       | Hall<br>Swimming Pool                                                                                                                                                                                                                                                                                                                                         | <u>Economic Development Unit</u> - Mike Barrow                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 10.30 am Depart Lavers Hill                         |                                          |                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 11.10 am                                            | Arrive Apollo Bay<br>Lunch Included      | Harbour – Operations and Development (inc. Master Plan) and general upgrade<br>Golf course Issue and lease/road realignment<br>Heathfield Estate<br>Transfer Station<br>Apollo Bay Structure Plan<br>Foreshore Management arrangements<br>Apollo Bay Footpaths & Roads<br>Swimming Pool<br>New library<br>Water Storage<br>Drainage<br>Pascoe Street Car Park | <u>Planning</u> - Doug McNeill<br><br><u>Economic Development Unit</u> - Mike Barrow <ul style="list-style-type: none"> <li>Apollo Bay Harbour STIP Project</li> </ul> <u>Infrastructure Services</u> <ul style="list-style-type: none"> <li>Harbour – Ranjani Jha to meet us there.</li> <li>Transfer Stn - Ranjani Jha and Janet Forbes to meet us there.</li> <li>Footpaths and Roads - Adam Lehmann.</li> </ul> <u>Environment &amp; Community Safety</u> <ul style="list-style-type: none"> <li>Barham river - Willow tree removal - Travis Riches</li> </ul> |
| 12.30 pm                                            | <u>Lunch</u><br><u>Surf Club Catered</u> | Presentation from Otway Coast Committee                                                                                                                                                                                                                                                                                                                       | Gary McPike & Andrew Buchanan <ul style="list-style-type: none"> <li>NSP Site - Wendie Fox</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 1.30pm Depart Apollo Bay for Wye River              |                                          |                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2.00 pm                                             | Arrive Wye River<br>Separation Creek     | Parking<br>Rubbish<br>Harrington Park<br>Planning Issues<br>Great Ocean Road Issues                                                                                                                                                                                                                                                                           | <u>Infrastructure Services</u> : Neil Allen, Ranjani Jha & Janet Forbes<br><u>Recreation Arts &amp; Culture</u> : Ian Seuren & Doug McNeill<br><u>Infrastructure Services</u> : Neil Allen                                                                                                                                                                                                                                                                                                                                                                         |
| 3.00 pm                                             | <u>Afternoon tea</u>                     | Wye River Café & General Store                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 3.30 pm Depart for Colac                            |                                          |                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

**Attendees:** Cr Russell, Cr Crook, Cr Woodcroft, Cr Hart, Cr Delahunty  
**Rob Small, Neil Allen, Colin Hayman, Doug McNeill, Rick Morrow, Ian Seuren, Carmen Lawrence, Adam Lehmann, Stewart Anderson, Mike Barrow, Ranjani Jha, Paula Gardiner**  
**Apologies:** Cr McCrickard, Cr Smith, Brett Exelby, Jack Green, Greg Fletcher

**Part:** Greg Anderton, Janet Forbes, Guy Permezel, Jill Sharp, Adam Lehmann

|                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |     |
|----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| <br><b>Agenda</b> | <h1 style="text-align: center;">Councillor Workshop</h1> <p style="text-align: right;">Tuesday, 26 February 2013<br/>COPACC Meeting Room<br/>2.00 pm to 4.00 pm</p>                                                                                                                                                                                                                                                                                                          |     |
|                                                                                                    | <p><b>ATTENDEES:</b><br/>         Cr Lyn Russell (Mayor), Cr Stephen Hart, Cr Terry Woodcroft, Cr Michael Delahunty, Cr Brian Crook (from 3.30 pm)</p> <p>Rob Small (CEO)<br/>         Colin Hayman (GM, Corporate &amp; Community Services)<br/>         Jack Green (GM, Sustainable Planning &amp; Development)<br/>         Neil Allen (GM, Infrastructure &amp; Services)<br/>         Brett Exelby (Manager Finance &amp; Customer Services)</p> <p><b>Apology:</b></p> |     |
|                                                                                                    | <h2 style="text-align: center;">Agenda Topics</h2>                                                                                                                                                                                                                                                                                                                                                                                                                           |     |
| 9.00 am                                                                                            | Declaration of Interest                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Nil |
| 2.00 pm – 4.00 pm                                                                                  | 2013-14 Budget                                                                                                                                                                                                                                                                                                                                                                                                                                                               |     |



| <b><u>Venue – COPACC Meeting Rooms, Colac</u></b> |                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Attendees:</b>                                 | Cr. Lyn Russell (Mayor)<br>Cr. Stephen Hart<br>Cr. Brian Crook<br>Cr. Michael Delahunty<br>Cr. Terry Woodcroft (absent: 10.45am – 12.55pm)<br>Cr. Mick McCrickard (from 12.00pm)<br>Rob Small (CEO)<br>Jack Green (GM Sustainable Planning & Development)<br>Neil Allen (GM Infrastructure & Services)<br>Colin Hayman (GM Corporate & Community Services) |
| <b>9.30 am</b>                                    | G21 Regional Growth Plan Implementation Plan Status Report –Jack Green                                                                                                                                                                                                                                                                                     |
| <b>10.00 am</b>                                   | Local Laws Review – Stewart Anderson/Graeme Murphy                                                                                                                                                                                                                                                                                                         |
| <b>11.00 am</b>                                   | Achieving Carbon Neutrality in Colac Otway Shire – Dora Novak/Stewart Anderson/Travis Riches<br>James Selth & Aaron Yuen (ARUP)                                                                                                                                                                                                                            |
| <b>11.45 am</b>                                   | RDV Rounds 3 & 4 and Priority Projects – Mike Barrow                                                                                                                                                                                                                                                                                                       |
| <b>12.00 pm</b>                                   | Lunch                                                                                                                                                                                                                                                                                                                                                      |
| <b>12.30pm</b>                                    | Barwon Regional Waste Management Group - Enzo Bruscella (BRWMG) and Amy O'Brien (Sustainability Victoria)                                                                                                                                                                                                                                                  |
| <b>1.10 pm</b>                                    | Status of Colac Bypass Corridor and Heavy Vehicle Deviation Study – Gillian Austin (Aurecon)                                                                                                                                                                                                                                                               |
| <b>1.40 pm</b>                                    | VicRoads – Tony Henderson – Highway Director, Duplication                                                                                                                                                                                                                                                                                                  |
| <b>2.30 pm</b>                                    | Councillor Briefing Session                                                                                                                                                                                                                                                                                                                                |



## Assembly of Councillors Record

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Document Management Co-ordinator for filing. A copy of the completed form must be provided to the Executive Officer to the CEO, Mayor & Councillors for reporting at the next Ordinary Council Meeting.

### Assembly Details: Lake Colac Coordinating Committee Meeting

**Date:** 12/03/2013

**Time:** 1.00 pm

**Assembly Location:** COPACC Meeting Room 1

#### In Attendance:

Councillors: Cr Chris Smith

Officer/s: Rob Small, Chief Executive Officer  
Stewart Anderson, Manager Environment and Community Safety  
Mick Cosgriff, Economic Development Officer

#### Matter/s Discussed:

- CCMA Waterwatch program
- CCMA Priority Water Catchment Strategy Development
- Barwon Water Reclamation Plant outflows, and the potential classification of these flows as environmental.
- Fish re-stocking project for Lake Colac
- Greening Australia Funding application,
- COS environment update:
  - Carp levels
  - Barongarook Creek works
  - Lake Colac pathway vegetation maintenance
- COS Capital works update
  - Meredith Park upgrades put on hold
- Meredith park free camping v commercial camping issues
- Current Lake Colac water levels

#### Conflict of Interest Disclosures:

Councillors: No conflicts of interest were declared

Officer/s: No conflicts of interest were declared

Meeting closed at 4.30pm

Completed by: Mick Cosgriff



# Councillor Workshop

Wednesday, 13 March 2013  
COPACC Meeting Room  
9.15 am to 4.10 pm

## ATTENDEES:

Cr Lyn Russell (Mayor), Cr Chris Smith (from 10.30am to 10.40am), Cr Mick McCrickard (from 10.10am to 10.40am & from 12.30pm - 4.10pm), Cr Michael Delahunty (from 9.30am), Cr Brian Crook (absent from 1.20pm – 2.00pm & left at 2.55pm)

Rob Small (CEO)  
Colin Hayman (GM, Corporate & Community Services)  
Jack Green (GM, Sustainable Planning & Development)  
Neil Allen (GM, Infrastructure & Services) (absent from 11.30am – 12.00pm)

## Part:

Adam Lehmann (Manager Sustainable Assets)  
Brett Exelby (Manager Finance & Customer Service)  
Mike Barrow (Manager Economic Development)  
Roger Barnett (Community by Design)  
Doug McNeill (Manager Planning & Building)  
Gemma Browning (Strategic Planner)  
Blaithin Butler (Statutory Planning Coordinator)  
Don Lewis (Senior Strategic Planner)  
Mark Hayes (Maddocks)  
Rhonda Deigan (Exec Officer)

**Apology:** Cr Terry Woodcroft, Cr Stephen Hart

## Agenda Topics

|                     |                                                                     |                                                 |
|---------------------|---------------------------------------------------------------------|-------------------------------------------------|
| 9.15 am             | Declaration of Interest                                             |                                                 |
| 9.15 am – 9.30 am   | Planning Committee Briefing Session                                 |                                                 |
| 9.30 am – 10.05 am  | Landslips                                                           | Adam Lehmann                                    |
| 10.05 am – 10.15 am | Meredith Park Update                                                | Rob Small                                       |
| 10.15 am – 10.30 am | Morning Tea                                                         |                                                 |
| 10.30 am – 10.40 am | Planning Committee Meeting                                          |                                                 |
| 10.40 am – 10.55 am | Barwon Water – Future Sources – Colac Otway Shire submission        | Rob Small                                       |
| 10.55 am – 11.25 am | Beechy Rail Line Heritage Assessment & Audit of Heritage Overlay    | Doug McNeill/Gemma Browning                     |
| 11.25 am – 12.00 pm | High School Masterplan<br>Rob Small declared a conflict of interest | Mike Barrow/Roger Barnett (Community by Design) |

|                            |                                 |                       |
|----------------------------|---------------------------------|-----------------------|
| <b>12.00 pm – 12.30 pm</b> | <b>Lunch</b>                    |                       |
| <b>12.30 pm – 1.20 pm</b>  | <b>Finance</b>                  | Brett Exelby          |
| <b>1.20 pm – 1.45 pm</b>   | <b>Renewal Forecast Summary</b> | Adam Lehmann          |
| <b>1.45 pm – 2.05 pm</b>   | <b>Afternoon Tea</b>            |                       |
| <b>2.05 pm – 4.10 pm</b>   | <b>Conflict of Interest</b>     | Mark Hayes (Maddocks) |

## Joint Committee

17 October 2012 Minutes



Colac Community Library  
and Learning Centre

1. **Welcome.** Helen Paatsch agreed to chair the meeting, and welcomed all.
2. **Present:** Helen Paatsch, Colin Hayman, Jackie Dullard, Simon Dewar, Roslyn Cousins
3. **Apologies:** Stephen Hart

| Agenda Item                                                 | Discussion                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Action                                                 |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 4. Previous minutes 15/8/2012                               | Minutes were accepted.<br><i>Moved by Simon Dewar and seconded by Colin Hayman</i>                                                                                                                                                                                                                                                                                                                                                                                                                                    | Carried                                                |
| 5. Business arising                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                        |
| 5.1 Cleaning                                                | Cleaning contract has been reviewed and new quote goes to School Council next week for consideration.                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                        |
| 5.2 Landscaping                                             | Simon reported that the minor plant out has occurred. Road side signs for the School and CCLLC are to be installed this week.                                                                                                                                                                                                                                                                                                                                                                                         |                                                        |
| 5.3 Meeting Policy                                          | Updated guidelines were distributed.<br>Guidelines were accepted.<br><i>Moved by Simon Dewar and seconded by Colin Hayman</i>                                                                                                                                                                                                                                                                                                                                                                                         | Roslyn                                                 |
| 5.4 CSC Banner                                              | Relocated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                        |
| 5.5 JC Plan                                                 | Draft presented to the meeting and amended. Updated plan to be noted and distributed.<br><i>Moved by Helen Paatsch and seconded by Colin Hayman</i>                                                                                                                                                                                                                                                                                                                                                                   | Roslyn                                                 |
| <b>6. Agreement Amendment</b>                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                        |
|                                                             | Changes yet to be confirmed by DEECD<br>Once received, Council will undertake recruitment of the third public member of the Joint Committee.                                                                                                                                                                                                                                                                                                                                                                          | Colin Hayman                                           |
| <b>7. Transport Connections Funding for improved access</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                        |
|                                                             | Priorities for the expenditure of \$20,000 to improve access were discussed and agreed.<br><b>PARKING</b><br>Relocation of the accessible Parking bays<br>Meet new standards in signs & markings<br>Parking for people with prams<br>Install seating between the accessible parking bays and the front door<br>Hand Rail installed<br><b>FOYER FLOOR</b><br>Slip resist surface from front door to Library carpeting<br><b>ACCESSIBLE TOILETS</b><br>Install a sliding door<br>Change sign<br>Install emergency alarm | Colin Hayman to liaise with COSworks on car park work. |

## Joint Committee

17 October 2012 Minutes



Colac Community Library  
and Learning Centre

| 8. Equipment Request |                                                                                                                                                                                                                                                                 |                            |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
|                      | Enhancements to the meeting rooms were discussed. Using funds raised from meeting room fees blinds for the green room and a pull down projection screen for meeting room three will be purchased.<br><br><i>Moved by Colin Hayman, seconded Jackie Dullard.</i> | Simon Dewar<br><br>Carried |
| 9. Next meeting      | Wednesday, 20 February, 5pm                                                                                                                                                                                                                                     | Roslyn to circulate agenda |
| Meeting closed:      | 5.55pm                                                                                                                                                                                                                                                          |                            |