



Colac Otway Shire Heritage Strategy

November 2013



Introduction

Council has an important role to play in the identification and protection of its heritage places and is guided by Commonwealth, State and local legislation, policies and strategies. The level of significance of a heritage place determines which legislative framework governs its protection. Importantly the Great Ocean Road has been identified as nationally significant, is listed on the National Heritage List and protected under federal legislation. The Victorian Heritage Register identifies 10 state significant sites that are protected under the *Victorian Heritage Act 1995*. Places of heritage significance to the Colac Otway Shire are protected by a Heritage Overlay in the Colac Otway Shire Planning Scheme. Council's role in ensuring the protection of heritage places in Colac Otway Shire is to identify and fulfil its legislative responsibilities; identify, assess and document important heritage places and to consider and act on, best practice in their conservation.

The Colac Otway area has a rich cultural heritage representing early pastoral settlement and economic boom periods, agricultural history particularly in dairy farming and potato and onion production, a unique forestry history and important commercial, civic and residential histories relating to townships. European settlement dates from 1837 when pastoralists settled near Lake Colac, with further development occurring over the following years as timber-getting and sawmills were established. Apollo Bay township was established in the 1860s, with other coastal villages being settled by the 1880s. The opening of the Great Ocean Road in 1932 gave greater access to coastal townships, with tourism spurring growth in the 1950s. Since the 1970s rural residential living has steadily increased in popularity. All of these stories are expressed in the surviving heritage places throughout the Shire. It is important to protect heritage places because they help to strengthen personal and community identity and are places of social and spiritual significance that should be preserved and passed on to future generations. Importantly they are also tourism assets that attract visitors, may create new business opportunities and contribute significantly to the Colac Otway Shire economy.

1. What is a heritage strategy?

A heritage strategy sets out priority actions for how identifying, protecting and celebrating our cultural heritage may be achieved at the local level. The Heritage Strategy will assist Colac Otway Shire to meet its heritage obligations as set out in the *Planning and Environment Act 1987* and the State Planning Policy Framework. It will set directions and priorities for the identification, protection, management and promotion of Colac Otway's heritage and for the involvement of the community in those processes. This strategic approach is supported by Heritage Victoria who is a key partner in the promotion and funding of local government heritage programmes and services.

The Heritage Strategy will allow Council to:

- Identify and report on positive heritage measures already being employed
- Identify and prioritise work to be done in the future and budget for these
- Appropriately manage and monitor heritage assets, and
- Report on and celebrate achievements.

Council's Heritage Vision Statement



Colac Otway Shire is committed to considering heritage in all aspects of Council operations, leading the community in conserving and enhancing our cultural heritage and celebrating our history through the support of tourism and business initiatives.

3. Strategy Context

Heritage in Australia is protected through a regulatory framework at the Commonwealth, State and local level. There are statutory obligations for protecting and managing cultural heritage and state and local planning frameworks. Heritage places are assessed as being of national, state or local significance and, depending on their level of significance, are managed through a mix of legislation, policies, and strategies. The section below summarises the regulatory context and its application in Victoria and explains how it applies to Colac Otway Shire.

Legislation

The following legislation applies to cultural heritage in Victoria.

Aboriginal heritage	Historic heritage
<p>State legislation</p> <p><i>Aboriginal Heritage Act 2006</i> <i>Aboriginal Heritage Regulations 2007</i></p>	<p>State Legislation</p> <p><i>Heritage Act 1995</i> <i>Planning and Environment Act 1987</i></p>
<p>Commonwealth legislation</p> <p><i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> <i>Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)</i> <i>Protection of Moveable Cultural Heritage Act 1986</i> <i>Protection of Moveable Cultural Heritage Act Regulations 1987</i></p>	<p>Commonwealth legislation</p> <p><i>Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)</i> <i>Protection of Moveable Cultural Heritage Act 1986</i> <i>Protection of Moveable Cultural Heritage Act Regulations 1987</i></p>

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

Places of national heritage significance are protected under the *EPBC Act 1999* and listed on the National Heritage List. The National Heritage List includes natural, historic and Indigenous places that are of outstanding national heritage value to the Australian nation. The Great Ocean Road and Scenic Environs, due to its extraordinary historic and natural significance, is considered to have outstanding heritage value to the nation and has been included in the Australian National Heritage List. The *EPBC Act 1999* requires that approval be obtained from the Department of the Sustainability, Environment, Water, Population and Communities before any action takes place that could have a significant impact on the national heritage values of a listed place.

Aboriginal Heritage Act 2006 & Aboriginal Heritage Regulations 2007

Legislation provides protection for all Aboriginal places, objects and human remains regardless of their inclusion on the Victorian Aboriginal Heritage Register or whether they are located on public or private land. The Act provides clear guidance to planners and developers about when and how, Aboriginal cultural heritage needs to be considered and in some situations, work cannot proceed until compliance is met. Large developments and other high impact activities in culturally sensitive landscapes can cause significant harm to Aboriginal cultural heritage. In these situations the Act may require the

preparation of a Cultural Heritage Management Plan (CHMP) which is a report recommending measures to be taken to protect Aboriginal heritage.

The *Aboriginal Heritage Regulations 2007* give effect to the *Aboriginal Heritage Act 2006* and set out the circumstances in which a CHMP is required, and the standards for preparation of a CHMP. Under the Act, a responsible authority (Council) must check whether a CHMP is required prior to determination of a planning permit application. Council has to be aware of what triggers a permit under the Act and also make sure that it complies in its own activities e.g. on land it owns. If a CHMP is required, Council cannot issue a permit until it receives a copy of the approved plan. Permits cannot be issued for activities which are inconsistent with the CHMP.

Victorian Heritage Act 1995

The *Victorian Heritage Act 1995* is administered by Heritage Victoria and is the Victorian Government's key piece of cultural heritage legislation. The Heritage Act establishes the Victorian Heritage Register, the Heritage Inventory and the Heritage Council of Victoria.

Historic places significant to Victoria are recorded on the Victorian Heritage Register (VHR) or, if archaeological sites (non Aboriginal), on the Victorian Heritage Inventory and are protected by the *Victorian Heritage Act 1995*. Owners of places on the VHR must apply to Heritage Victoria for a permit before undertaking any work on the heritage place.

There are currently ten places in the Colac Otway Shire on the Victorian Heritage Register. These are automatically included on the schedule to the Heritage Overlay in the Colac Otway Shire Council Planning Scheme.

Victorian Heritage Strategy

The State Government's strategy for heritage in Victoria is: *Victoria's Heritage: strengthening our communities*. The strategy has six key policy directions:

- Recognising a rich and diverse heritage
- Using our heritage for a sustainable future
- Managing for growth
- Telling Victoria's story
- Building strong, inclusive networks and partnerships
- Resourcing the community

The State's Heritage Strategy informs the State Planning Policy Framework of the Planning Scheme and also sets the direction for funding priorities.

State Planning Policy Framework

The State Planning Policy Framework (SPPF) sets out the State's policy directions for Victoria. Clause 15.11 concerns heritage and its purpose is:

"To assist the conservation of places that have natural, environmental, aesthetic, historic, cultural, scientific or social significance or other special value important for scientific and research purposes, as a means of understanding our past, as well as maintaining and enhancing Victoria's image and making a contribution to the economic and cultural growth of the State."

The SPPF obliges Council to: “...*identify, conserve and protect places of natural or cultural value from inappropriate development...*” and to take account of relevant legislation, including the *Aboriginal Heritage Act 2006*, and recommendations of the Victorian Heritage Council.

Local Planning Policy Framework

The Local Planning Policy Framework (LPPF) contains the strategic land use objectives for Colac Otway Shire. The LPPF policy statements need to implement and be consistent with the SPPF. There are three key elements which relate to heritage: The Municipal Strategic Statement, the Heritage Places and Areas Local Planning Policy and the Heritage Overlay. These are explained in the section below.

Municipal Strategic Statement

The Municipal Strategic Statement (MSS) is the key strategic document for Colac Otway Shire. It identifies long term directions about land use and development in the Shire; presents a vision for its community and other stakeholders; and provides the rationale for the zone and overlay requirements and particular provisions in the scheme.

Clause 21.02-2 captures the land-use vision for Cultural Heritage:

“Cultural Heritage

- *The Koori culture of the Shire is acknowledged and will be celebrated.*
- *The Shire’s significant cultural heritage resources will be conserved and enhanced.*
- *Any adaptation or development of heritage places or areas will be in a manner sympathetic to their significance.”*

In addition the importance of heritage is highlighted within the individual township visions as follows:

“21.03-3 Apollo Bay and Marengo

- *Conserve and enhance heritage places as a significant factor in developing tourism.*

21.03-4 Birregurra

- *Identify and protect historical and other key features of the community.*
- *Retain Birregurra’s heritage assets as important components of its character and attractiveness.*

21.03-7 Smaller Townships

- *Retaining heritage places as significant components of the character and attractiveness of smaller townships.”*

Local policies

Clause 22.01 Heritage Places and Areas is a policy that applies to all places and areas affected by a Heritage Overlay. The local policy needs to have regard to and implement the strategic objectives in the SPPF and MSS. Clause 22.01 sets out objectives and policies to encourage the retention of locally significant and contributory heritage places within the Heritage Overlay.

Heritage Overlay

The Heritage Overlay is a state standard Victorian Planning Provisions tool used to identify and protect heritage places. It has two parts: the general provisions incorporating the purpose, scope, permit requirements and decision guidelines and the schedule. The provisions in Clause 43.1 Heritage Overlay cannot be altered by Council. While the Clause itself is standard across Victoria, the schedule can be amended by a local planning authority to list individual properties and add some limited exemptions for permits such as tree removal, external painting of buildings and controls over internal changes to a building.

The purpose of the Heritage Overlay 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.”*

Colac Otway Shire commissioned consultants in 1998 to undertake a study to identify, assess and document all post-contact (for the purpose of the study ‘post-contact’ was defined as the period since first contact between Aboriginal and non-Aboriginal people) places of cultural significance within the Colac Otway Shire and to make recommendations for their future conservation. Potentially significant sites were assessed in accordance with the criteria adopted by the Victorian Heritage Council. The Colac Otway Heritage Study was adopted by Council in 2003 and recommendations were implemented into the planning scheme through Amendment C27 in 2008 which introduced most of our current Heritage Overlay controls.

There are currently 234 individually significant sites and 12 heritage precincts recognised in the schedule to the Heritage Overlay in the Colac Otway Shire Planning Scheme. Within a heritage precinct, the primary objective is to ensure the conservation of those elements that contribute to the area's significance. Not every building or landscape element will be significant, and the removal or alteration of non-contributory elements or the development of these sites is not usually a major concern. The objective is to ensure that where development does occur, it occurs in a manner which is appropriate to the significance, character and appearance of the heritage area.

4. Undertaking the Heritage Strategy

The Heritage Strategy has been developed through a consultative approach involving the community, Colac Otway Shire staff, Councillors and Council's heritage advisor.

Consultation has included the following methods:

- A community heritage survey (available both online and in hard copy) during September and October 2012.

- A community drop-in session held on 20 September 2012 to capture community members with an interest in heritage and owners of heritage assets listed in the Heritage Overlay.
- Workshops were held during 2012 for the following groups:
 - Approximately fifteen Council staff representing different areas of Council
 - Councillors
- A formal six week exhibition period during which the draft Heritage Strategy document was publicly available for comment.

5. What do we know?

Summary of Feedback

Key Challenges and Opportunities

The community survey asked respondents to rank the key challenges preventing the restoration and active management of heritage assets in Colac Otway Shire. In addition, it also asked respondents to rank heritage assets that provide the greatest opportunities for Colac Otway Shire. The results of this survey have been considered, alongside feedback that was obtained through the Council and community workshops. The key results are captured in the table below.

Key Challenges
Lack of available funding for private property owners undertaking restoration or maintenance works on heritage buildings
Lack of available funding or capacity for Council to invest in further heritage assessments and development of relevant heritage policy
Lack of community and Council understanding and knowledge regarding expectations under the Heritage Overlay
Creating strong heritage links between different departments across Council such as infrastructure, arts and culture and asset management
Key Opportunities
Heritage parks and gardens such as the Botanic Gardens & Memorial Square
Tourism and economic development opportunities associated with intact commercial heritage streetscapes in places such as Colac, Birregurra & Beeac
Better linkages between heritage and key Council projects (eg. Colac CBD & Entrances Project Implementation and Colac High School Master plan)
Further development of the Beechy and Forrest Tiger Rail Trails

Key Achievements

The preparation of this Heritage Strategy provided an opportunity to capture the important heritage related work that has already been achieved in the Colac Otway Shire. These key achievements are highlighted in the table below.

Key Achievements
Completion of the Heritage Study in 2003 which identified significant heritage assets and precincts. Implementation of the study recommendations through Amendment C27 to the Colac Otway Shire Planning Scheme which included the introduction of the Heritage Overlay.
Appointment of a Heritage Advisor, partly funded by Heritage Victoria, to provide advice and technical assistance.
Restoration of Apollo Bay Mechanics Institute in 2009.
Colac Botanic Gardens Master Plan prepared in 2012 and integrating heritage elements.
Development of the historic Beechy and Tiger Rail Trail tourism initiatives. This has included completion of a Cultural Heritage Management Plan for the Beechy Rail Trail and development of historical interpretative signage.
Heritage walks in Birregurra, Beeac and Forrest.
Beeac Windmill Park showcases Beeac's history in windmill manufacturing.
The Eurack Avenue of Honour restoration and re-planting ceremony in 2011.

6. What are our priorities?

Four key themes have been identified under which strategies and actions may be grouped. The following section summaries the feedback that was received under these themes and highlights information that has informed the development of the strategy action plan. The strategy action plan is a list of key heritage gaps and needs within Colac Otway Shire where appropriate resources need to be directed. The plan covers a four year period and contains realistic heritage goals that can be achieved within this timeframe.

Knowing

This theme captures actions for identifying, assessing and documenting heritage places. Feedback received from both residents and Council staff highlighted the importance of continuing to identify and assess potential heritage assets. Council staff receives regular enquiries regarding potentially significant heritage sites and it is apparent that a clear process is needed to capture and assess any site that is nominated by the public. Whilst the Colac Otway Heritage Study 2003 did cover the whole municipality it was not able to capture all significant heritage assets and it should be acknowledged that there is on-going work involved in continuing to identify and protect significant sites.

Protecting

This theme identifies actions for securing statutory protection for significant places, developing policy/guidelines to assist decision making and enabling appropriate management. Council staff highlighted the importance of ensuring heritage information in the Heritage Overlay is accurate and transparent to better assist informed decision making. In addition a gap was identified in Council's cross department communication regarding heritage and the need for more training and regular collaboration was highlighted. Council has a significant role as a manager of historical assets including roads, drains, footpaths, parks/reserves, buildings and signs.

Importantly 64.5% of survey respondents indicated that they think the historic dry stone walls in the Shire are important and should be protected within the planning scheme.

Supporting

This theme captures incentives, advisory services and financial assistance that may support heritage initiatives or owners to restore or celebrate cultural heritage. Importantly 71% of respondents believed that more work needs to be done to improve support and maintain strong links between Council and heritage stakeholders. There was consistent community feedback that highlighted the need for a more transparent, co-operative and negotiable approach to managing heritage assets.

The establishment of a Heritage Financial Assistance Program to fund restoration works on heritage buildings was the highest rated priority action in the community survey.

Communicating and promoting

This theme captures initiatives that aim to raise awareness and appreciation of the heritage of the area. 77.4% of survey respondents indicated that there needs to be more readily available, plain language information available on heritage. Developing and providing clear and concise information for heritage asset owners was consistently highlighted as a gap in Council's approach to heritage protection.

Strategy Action Plan

Four Year Action Plan	Resourcing	Target Date for Completion	Progress/Outcome
Knowing			
<i>Develop a consistent strategic approach for identifying and assessing potential significant sites for the Heritage Overlay.</i>	Internal resourcing	December 2013	Partially complete. A register has been established.
<i>Undertake heritage assessment of the former Colac-Beech Forest-Crowes Railway.</i>	Internal resourcing	June 2013	Assessment complete.
<i>Increase communication and engagement with the Shire's Historical Societies and draw on their knowledge to identify potential significant heritage assets.</i>	Internal resourcing	On-going	Underway.
<i>Undertake a study to identify, assess and document places of Aboriginal or natural significance.</i>	External resourcing	2014-17 Dependant on Council budget	Not yet commenced.
<i>Undertake Conservation Management Plans for Council owned buildings and other historic assets.</i>	Internal/External resourcing	2014-17 Dependant on Council budget	Not yet commenced.

Four Year Action Plan	Resourcing	Target Date for Completion	Progress/Outcome
Protecting			
<i>Undertake an audit of the Heritage Overlay to ensure mapping and the corresponding schedule is accurate and implement through a planning scheme amendment to update the overlay.</i>	Internal resourcing	December 2014	Audit complete. Planning scheme amendment process underway.
<i>Develop guidelines to assist decision making for places within Heritage Precincts identified in the planning scheme.</i>	Internal resourcing	December 2015	Not yet commenced.
<i>Implement the findings of the Former Colac-Beech Forest-Crowes Railway assessment to enable statutory protection for significant heritage sites.</i>	Internal resourcing	December 2014	Planning scheme amendment process underway.
<i>Apply statutory protection to the dry stone walls in the Colac Otway Shire to acknowledge their historic value.</i>	Internal resourcing	December 2014	Not yet commenced but may be incorporated into the planning scheme amendment for the Colac-Beech Forest-Crowes Railway assessment.
<i>Establish a system that alerts statutory planners, building inspectors and Council asset managers when a place is potentially significant so that they can respond appropriately.</i>	Internal resourcing	June 2014	Partially underway.
<i>Conduct a regular staff training and awareness program for those in Council responsible for managing and maintaining heritage places.</i>	Internal resourcing	On-going	Training previously conducted in 2009. New training needs to be scheduled.

Four Year Action Plan	Resourcing	Target Date for Completion	Progress/Outcome
Supporting			
<i>Establish a Heritage Financial Assistance Program to fund restoration work.</i>	Internal and external resourcing	2014-15 Dependant on Council budget	Not yet commenced. Budget request to be developed for the 2014/15 budget.
<i>Utilise Council's Heritage Advisor to:</i> <ul style="list-style-type: none"> • <i>Establish regular drop-in sessions so that residents can easily seek advice from Council's heritage advisor</i> • <i>Facilitate regular communication between Council's heritage advisor and other Council staff including the Planning and Infrastructure Departments</i> 	Internal resourcing supported by annual Heritage Victoria grant	On-going	Not yet commenced.
<i>Integrate the preservation of heritage assets into Council initiatives including the development of the Colac High School Masterplan and the Colac CBD and Entrances Project.</i>	Internal resourcing	On-going	Underway.
<i>Provide clear and straight forward guidance and advice for property owners affected by the Heritage Overlay</i>	Internal resourcing	June 2014	Draft underway.

Four Year Action Plan	Resourcing	Target Date for Completion	Progress/Outcome
Communicating and Promoting			
<i>Develop a dedicated heritage page on the Colac Otway Shire website</i>	Internal resourcing	December 2014	Not yet commenced.
<i>Develop a 'plain english' heritage brochure for those property owners affected by the Heritage Overlay and make it available at the Council customer service centres</i>	Internal resourcing	June 2014	Draft completed.
<i>Develop a 'plain english' heritage brochure for the main heritage commercial streetscapes of Colac, Birregurra and Beeac to assist business/property owners in these precincts</i>	Internal resourcing	December 2014	Not yet commenced.
<i>Include acknowledgement of heritage in the Colac Otway Shire Council Operational Plan</i>	Internal resourcing	August 2013	Complete.
<i>Make Colac Otway Shire heritage records accessible to the public through the Victorian Heritage Database</i>	Internal resourcing	June 2014	Data is currently recorded through HERMES. Records need to be linked to the Database.
<i>Encourage the celebration of Colac Otway's heritage through unique cultural events and the appropriate naming of streets and/or public assets</i>	Internal and external resourcing	On-going	Underway.