

## **MEDIA RELEASE**

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**Contact:** Diana Snaith 02 6071 5100

# **Corryong Grandstand**

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Much has been said recently about what Council should have done or not done in relation to the Corryong Grandstand and unfortunately information included in media reports has not accurately reflected the involvement of Towong Shire Council in this matter. The following information is provided in order for all interested parties to understand the role of Council and what steps Council did take to ensure protection was provided for the grandstand and due consideration was given to this matter.

The Corryong Recreation Reserve and the structures situated on it are not owned by nor managed by Council. The Corryong Grandstand was identified through Council's Heritage Study (July 2010) as worthy of statutory protection.

In early 2012 it came to the attention of Council that consent (under the Building Act 1993) may be sought by the Corryong Recreation Reserve Committee of Management to demolish the Grandstand.

The planning controls in place at that time did not include planning permit requirements for the demolition of the building. This meant that a Building Permit to demolish the grandstand could be obtained under the Building Act 1993 and the grandstand demolished without any consideration of its heritage value nor any consultation with the community.

In March 2012, four years ago, Council resolved to seek interim protection for the grandstand building should a building permit application to demolish the building be sought by the Recreation Reserve Committee of Management, thereby enabling the building to be protected while further structural assessment could be carried out

and enabling the community to participate in discussion about the future of the building.

Without taking the steps Council did it would have been possible for the grandstand to be demolished without any consideration of its heritage value or any consultation with the community.

Under the Planning and Environment Act Council is the 'Responsible Authority'– the body responsible for administering the Towong Planning Scheme. The Towong Planning Scheme is based on the Victorian Planning Provisions.

On 14 November 2013 a Heritage Overlay was introduced into the Towong Planning Scheme. Council applied the Heritage Overlay to the grandstand building because the building deserved statutory protection based on the findings of the Towong Shire Heritage Study. The application of the Heritage Overlay to the building meant that no demolition could happen without planning consent being obtained, any planning permit application to demolish the building had to be assessed with reference to the heritage values of the building and a transparent process that involved the community was required in assessing any planning permit application.

On 26 June 2014 a planning permit application was lodged by the Corryong Recreation Reserve Committee of Management for the demolition of the Corryong Grandstand.

Public Notice of the application was given widely to adjoining and adjacent land holders, as well as a sign being placed on the Grandstand building and a notice placed in the Corryong Courier on 10 July 2014. Additionally a news article was published on the front page of the Corryong Courier on 3 July 2014. Six objections to the application were received.

At the 2 September 2014 Council meeting held in Corryong the planning permit application was considered and Council resolved to grant a planning permit, with conditions, for the demolition of the grandstand building.

At that Council meeting the Mayor of the day, Cr. Fraser, addressed the members of the gallery and commented that although Council had resolved to issue the permit Council hoped that the parties concerned would be able to work together to find a suitable solution that did not require the demolition of the grandstand building.

Arts Upper Murray Inc. subsequently made application to the Victorian Civil and Administrative Tribunal (VCAT) for a review of the responsible authority's (Council) decision to grant the permit.

On 2 June 2015 VCAT made the following Order:

1. The order of the Tribunal is that the decision of the responsible authority is affirmed.
2. In permit application No.2014/031 a permit is granted and directed to be issued for land at Strzelecki Way, Corryong known as the Corryong Recreation Reserve for the demolition of the Corryong Recreation Reserve Grandstand subject to the conditions set out in the Notice of Decision to Grant a Permit issued by the responsible authority on 2 September 2014.

VCAT (the independent umpire) was the ultimate arbiter for the planning permit to demolish the grandstand, not Council. Unfortunately this is widely misunderstood throughout the community.

The planning permit contained a number of conditions that the Recreation Reserve Committee of Management was required to meet.

Where planning permits include conditions it is up to the permit holder to ensure that the conditions are met and it is reasonable for Council to believe that a permit holder will satisfy the conditions.

Councillors and Council staff had not been advised as to when the demolition works were to commence.

It is correct that the works in relation to the demolition did commence prior to the responsible authority (Council) being satisfied that a key permit condition had been met.

As soon as Council became aware of this Council contacted the Department of Land, Environment, Water and Planning (DELWP) and the works were halted. DELWP and the Recreation Reserve Committee of Management were advised that further information was required in order to meet the permit condition which required documentation of the building structure and the historical context of the grandstand in the community and cultural life of Corryong.

A concern that has been raised by community members is 'how can the structure of the grandstand be documented if the demolition works have already commenced'. Fortunately the grandstand structure and components had been fully documented some months earlier prior to any demolition works commencing.

In 2011 the Recreation Reserve Committee of Management commissioned a report on the condition of the grandstand and following this report the grandstand was immediately closed and a fence erected around it due to its unsafe condition. The comment included in the report from presiding member at VCAT in relation to this was: 'the fact that the grandstand was immediately locked up ....would have been an obvious trigger for the community to be concerned about the future of the grandstand. It is unfortunate that the community did not take any action to put in place some real alternatives for retention and restoration, if they were genuinely available'.

Council is very disappointed that the parties concerned, being the Grandstand Preservation Committee and the Recreation Reserve Committee of Management and the community of Corryong more generally, were not able to agree on a solution that did not require the demolition of the grandstand building, particularly when the condition of the grandstand had again become an issue in 2011.

Council acknowledges that this matter has divided the community and it is a particularly difficult time for all concerned.

The Department of Land, Water, Environment and Planning, in response to one of Council's Planning Permit conditions has prepared a document that contains a significant amount of information in relation to the grandstand, including full documentation of the structure and components of the building. This document will be available from Council's Tallangatta office for anyone who is interested. The document will also be available from the Corryong Museum, Visitor Information Centre and Corryong Council office.