



Goughs Bay Vehicle Access Management Plan

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Executive Summary

This management plan has been developed in response to a Victorian Civil and Administrative Tribunal (VCAT) order in relation to a planning permit for a low level boat ramp at Goughs Bay.

The Goughs Bay Low Level Boat Ramp Project, commenced by Mansfield Shire Council in 2006, includes a planning permit condition to install a fence on a section of the lake bed. As land owner Goulburn-Murray Water (G-MW) did not require this permit condition and is not prepared to approve the fence due to the potential danger posed to boat operators if the fence was not removed as the lake filled.

An assessment of the Goughs Bay foreshore was undertaken in October 2007, with the view of identifying the points currently utilised by vehicles to access the lake bed and to provide control measures to discourage access and promote revegetation of eroded areas.

Vehicle access to the lake is of concern to G-MW due to the environmental damage caused by disturbance to vegetation that protects the lake bed from erosion damage. Public safety is also an issue as the eroded tracks and gullies can create dangerous and unpredictable conditions for vehicles and hazards such stumps and logs and dust increase the risks to vehicles.

G-MW recognises that Goughs Bay is a popular boating and tourist destination and one of a limited number of sites that provides low level water access to Lake Eildon on the Mansfield side of the lake. It is important that measures to control vehicle activity on the lake bed do not restrict access and use of the foreshore for legitimate recreational use.

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1 Introduction

The Goughs Bay Low Level Boat Ramp Project, commenced by Mansfield Shire Council in 2006, includes a planning permit condition to install a fence on a section of the lake bed. As land owner Goulburn-Murray Water (G-MW) did not require this permit condition and is not prepared to approve the fence due to the potential danger posed to boat operators if the fence was not removed as the lake filled.

Mansfield Shire Council has requested assistance from G-MW to satisfy the planning permit condition that requires vehicle access to the lake bed to be controlled.

An assessment of the Goughs Bay foreshore was undertaken in October 2007, with the view of identifying the points currently utilised by vehicles to access the lake bed and to provide control measures to discourage access and promote revegetation of eroded areas.

Vehicle access to the lake is of concern to G-MW due to the environmental damage caused by disturbance to vegetation that protects the lake bed from erosion damage. Public safety is also an issue as the eroded tracks and gullies can create dangerous and unpredictable conditions for vehicles.

G-MW recognises that Goughs Bay is a popular boating and tourist destination and one of a limited number of sites that provides low level water access to Lake Eildon on the Mansfield side of the lake. It is important that measures to control vehicle activity on the lake bed do not restrict access and use of the foreshore for legitimate recreational use.

The Mansfield Shire has also sought G-MW support for a new project to develop the area known as Picnic Point and link this to the Main Road intersection with a community pathway. G-MW fully supports this proposal and notes that it will be important to consider control of vehicles, particularly motorbikes as part of the pathway development.

2 Goulburn-Murray Water's Roles and Responsibilities

G-MW is a rural water corporation established under the *Water Act* 1989. The Corporation has full responsibility for the management of the State dams in its region and is the Constructing Authority for Victoria under the Murray-Darling Basin Agreement.

The Corporation undertakes its management functions within a 68,000 square kilometre region, which extends from the Great Dividing Range north to the River Murray and from Corryong down river to Nyah. G-MW also operates salinity mitigation works on the Murray downstream of Nyah, and delivers bulk water to supply points outside its region.

G-MW has five key operating groups, namely:

- Dams— involving the management and maintenance of dams and storage infrastructure and the delivery of bulk water.
- Modernisation – involving the management and maintenance of irrigation infrastructure.
- Water Delivery Services – responsible for the provision of irrigation and drainage services in Irrigation Districts, for Domestic and Stock supplies in Water Districts and for the licensing of regulated and unregulated surface water diversions.
- Planning and Environment – manages the natural resource and environmental planning functions. They provide a range of technical services including salinity mitigation, groundwater planning and control, and water quality management.
- Strategy and Stakeholder Affairs – manages the financial, communications and governance functions for the organisation as well providing expertise in risk management, regulatory requirements and stakeholder relationships.

By the nature of its activities, G-MW is a major stakeholder in Regional Catchment Strategies administered by Victoria's Catchment Management Authorities.

The Goulburn Broken Regional Catchment Strategy is of critical importance for the region as it provides the opportunity to deliver a coordinated approach to catchment management. It establishes the framework for integrated catchment management.

The Goulburn Broken River Health Strategy, which is one of the supporting strategies under the Goulburn Broken Regional Catchment Strategy, seeks to improve water quality in the Goulburn River catchment, reduce the risk of blue-green algal blooms and decrease the nutrient and sediment loads entering the River Murray. Objectives identified within the strategy include:

- Enhance and protect the rivers that are of highest community value (environmental, social and economic) from any decline in condition;
- Maintaining the condition of ecologically healthy rivers;
- Achieving an 'overall improvement' in the environmental condition of the remainder of rivers;
- Preventing damage from inappropriate development and activities.

Part of G-MW's business depends on the continuing health and sustainability of the Goulburn catchment. As the management authority for water distribution systems, the Corporation has undertaken to implement the strategy throughout its activities.

Goulburn-Murray Water also has responsibilities under the following:

- Safe Drinking Water Act 2003
- Catchment and Land Protection Act 1994
- Goulburn Broken Regional Catchment Strategy 2003
- Goulburn Broken River Health Strategy 2005-2015
- National Water Quality Management Strategy
- MDBC Water Quality Policy
- MDBC Algal Management Strategy
- State Environment Protection Policy - Waters of Victoria
- State Environment Protection Policy - Groundwaters of Victoria
- The Victorian Nutrient Management Strategy for Inland Waters
- National Strategy for the Conservation of Australia's Biological Diversity
- Victoria's Biodiversity Strategy

3 Planning Permit Application History

Goughs Bay is part of Lake Eildon which is in the special water supply catchment area of the Lake Eildon Environs which was proclaimed under Schedule 5 of the *Catchment & Land Protection Act 1994* in June 1976. Lake Eildon supplies water for irrigation, stock, domestic, potable and environmental purposes.

Goulburn-Murray Water is a Section 55 Referral Authority under the provisions of the Mansfield Shire's Planning Scheme.

Nature and Short History of the Application

- 7 February 2007 G-MW received a Section 55 referral under the Planning and Environment Act from the Mansfield Shire for planning permit application P0259/06. The application was for a low level boat ramp on Crown Land vested in G-MW on the western shore of Gough's Bay.
- 7 February 2007 G-MW assessed the application and responded to the Mansfield Shire consenting to a planning permit being granted subject to conditions.
- 21 February 2007 G-MW received a copy of the shires decision to grant a planning permit. G-MW checked the issued permit to ensure all conditions required by the Corporation were included on the issued permit. G-MW did not review the other conditions on the issued permit.
- 29 May 2007 G-MW was made aware of condition 8 of the issued permit that required temporary fencing of the Lake Bed. G-MW informed the shire that this fencing would not be approved.
- 16 October 2007 G-MW received the "Application for Enforcement Order" applied for by Brian Johnstone.
- 4 March 2008 G-MW received the VCAT's order for P2646/2007 which ordered G-MW to appear at mediation.
- 7 March 2008 G-MW received notice from VCAT that mediation had been scheduled for 3 April 2008.
- 22 April 2008 Mediation Hearing
- 5 June 2008 Joint meeting with Mansfield Shire, G-MW and Brian Johnstone to discuss draft Boat Ramp Management Plan and draft Goughs Bay Vehicle Management Plan.

Mediation

G-MW acknowledged that an error was made by the Corporation by not adequately reviewing the issued planning permit. G-MW checked the permit to ensure all conditions required by the Corporation were included on the issued permit, but did not review the other conditions required by the shire and other referral authorities.

As a referral authority covering 28 municipalities G-MW receives a significant quantity of planning permit applications and as such issued permits. Qualified staff within G-MW's Water Systems Health section were responsible for assessing planning permit applications and issuing responses on behalf of the Corporation. A different administrative staff member was responsible for reviewing issued permits to

ensure all conditions required by the Corporation were included on the issued permit. In response to the error made in assessing this application and issued permit, G-MW added an additional step to the review process which required administration staff to confirm whether G-MW is the owner of the subject land. Issued permits concerned with land owned or vested in G-MW now go through an additional review process by Water Systems Health staff. G-MW believes that by initiating this new process errors will not occur in the future.

Reason three (3) included in VCAT's order dated 3 March 2008, states that the purpose of the fence (condition 8 of the permit) was to stop vehicles driving onto the lake bed as a safety and amenity objective. G-MW believes the fence itself, if constructed, would become a safety issue as a boating hazard and therefore created a contradiction. In addition, G-MW believed that as the low level boat ramp is located in an area already used for boat launching there will not be an increase in vehicle traffic on the lake bed. G-MW also believed that the new low level access reduces the need for vehicles to drive around the foreshore to find a site suitable to access the water and therefore reduces the amount of traffic on the lake bed.

The issue of vehicle access to dry storages is not isolated to Goughs Bay or Lake Eildon. It is an issue at all G-MW storages experiencing extreme low levels and Lake Eildon is not managed in isolation from the other lakes and reservoirs within the Goulburn-Murray Water region. G-MW policy is to only allow lake bed fencing to provide for stock control and as a condition of grazing licences. Where permitted, there is construction guidelines for any permanent fencing and temporary fencing must be removed as lake levels rise.

Council agreed to provide financial support to this approach as an alternative to lake bed fencing.

4 Consultation

Reason eight (8) of the mediation hearing order dated 3 March 2008, instructed that G-MW and the Mansfield Shire must include Mr Brian Johnstone in discussions relating to finding a satisfactory solution to vehicle access on the Lake. G-MW notes that Mr Johnstone is not the only person affected by the outcomes of these discussions. Therefore G-MW intends to include the wider community of Goughs Bay in the development of this management plan as well as Mr Johnstone.

Consultation with the wider community will include members of the Mansfield Boat Club and the Goughs Bay Development Committee.

5 Vehicle Access

Six points around Goughs Bay have been identified as the main points of vehicle access. The exact locations and styles of fencing will be determined following wider community consultation. The main objective for G-MW will be to restrict vehicle access without limiting pedestrian access to the storage area.

It is also understood that there is some community interest in extending the planned pathway, from the Goughs Bay Store to Picnic Point, to the eastern foreshore area.

G-MW would be happy to incorporate these or other plans for development of the foreshore land that are identified during the community consultation process.

5.1 End of Lake Valley Drive (Site 1)

Continuation of Lake Valley Drive appears to be a private driveway. Tracks leading on to the lake bed also provide informal access to Lot 74.



Actions

- Approximately 50 metres of fencing is required from the existing private boundary fence towards the end of the sealed section of Lake Valley Drive. The fence needs to be set back off the road to allow the roadside to be slashed.
- The property owner at Lot 74 will need to be consulted regarding access requirements from the property to Lake Valley Drive. They may be required to obtain an easement over G-MW land.
- Ripping of track will be required to encourage natural regrowth of vegetation.

5.2 Council Reserve below Anchorage Way (Site 2)

This reserve is just open grassland which is slashed by Council. An access track on to the reserve also provides access on to the lake bed.



Actions

- Approximately 150 metres of fencing is required below the recreation reserve
- Ripping of track will be required to encourage natural regrowth of vegetation.
- Control of blackberries is required in this area.

5.3 Public Boat Ramp No. 1 to Main Road Intersection (Site 3)



This site also includes the main track currently providing access to the lake bed.



Actions

- Approximately 50 metres of fencing is required east of the ramp with a gate provided at the top of the boat ramp to provide access when water is present.
- Boat ramp requires some tree removal and beaching along sides and ends of ramp before it can be used for launching again.
- Some mulching of vegetation below the ramp should occur to provide for boat access when water returns.
- Fencing needs to continue from the west side of the ramp to the intersection of the main Goughs Bay Road for a distance of approximately 300 metres.
- Track to be ripped and area to be revegetated with shrubs and grasses.

5.4 Main Road Intersection to Boat Ramp No.2 (Site 4)

This section of foreshore will include the proposed walking/bike path. A fence should be constructed above the bike path to prevent vehicles and motorbikes accessing the path. This would also serve the purpose of preventing vehicles from accessing the lake bed. A gate would need to be provided for access to the ramp when lake levels permit its use.



Actions

- Construct approximately 450 metres of fence above proposed bike path.
- Install a gate for vehicle access.
- Some mulching of vegetation.
- Beaching on the sides of the boat ramp.

5.5 Boat Ramp No. 3 and Existing Toilets (Site 5)

Fencing approximately 300 metres from site 4 needs to continue around the foreshore to Site 5 to prevent vehicles accessing the pathway and the lake bed. Access gates will be required at both the above access tracks. Vehicle access from the toilets needs to be reviewed to determine if the solution to severe erosion can be resolved.



Actions

- Fencing to continue around foreshore from Site 4.
- Access gates to be provided at both tracks.
- Erosion control works.
- Beaching of boat ramp sides.
- Mulching of vegetation.

5.6 Picnic Point and Low Level Ramp Access (Site 6)

Access track to low level launching ramps, which are located below the Mansfield Boat Club, starts from this point. Some temporary fencing and ripping of existing tracks that lead on to the lake bed needs to occur to limit vehicle access to the low level boat ramp area.

In 2002 Council constructed a low level access track to a temporary launch ramp, approximately 150 metres east of the existing launching area. The culvert still remains, but is now washed out and creates a hazard for vehicles trying to drive on this track. For public safety and to discourage vehicles from continuing to travel over the crossing the culvert needs to be removed and signage and temporary barrier mesh fencing needs to be installed.



Actions

- Install temporary fencing.
- Existing tracks to be ripped to limit vehicle access.
- Old culvert crossing to disused low level launching site to be removed, and temporary fencing and signage erected.

6 Summary

6.1 Works Summary & Cost Estimate

Site	Works	Approximate Cost
1	50 metres fencing	\$500
	Ripping	\$500
	Signage	\$200
2	150 metres fencing	\$1500
	Ripping	\$1000
	Signage for vehicle control	\$300
	Blackberry control	\$200
3	350 metres fencing	\$3500
	Ripping	\$2000
	Signage for vehicle control	\$400
	Boat ramp signage	\$200
	Blackberry control	\$200
	Ramp Beaching	\$1000
4	450 metres fencing	\$4500
	Revegetation	\$2000
	Signage for bike path	\$400
	Boat ramp signage	\$200
	Ramp Beaching	\$1000
5	300 metres fencing	\$3000
	Ripping	\$1000
	Signage for bike path	\$400
	Blackberry control	\$200
	Ramp Beaching	\$1000
6	100 metres fencing	\$1000
	Ripping	\$500
	Signage for bike path/Picnic Point	\$1000
	Blackberry control	\$200
	Removal of culvert, signage & fencing	\$200
	Total Estimated Project Cost	28,100

6.2 Implementation Time Frame

An implementation time frame will be subject to the outcomes of a community consultation process and agreement on works to be implemented. When a works program has been agreed the time for implementation will be developed jointly between G-MW and Mansfield Shire. Total cost of this project is likely to require implementation to be staged over two or three years.

Some sections of fencing may be incorporated into the pathways project, although shire funding for the project may not extend to fencing and additional funding may need to be sought to complete.

Highest priority areas are sites three, five and six. These are the most highly used vehicle access points and should be addressed first.

Works to remove lake bed culvert below site six should be carried out as soon as possible. G-MW will program installation of signs at each of the access sites, advising that vehicle access is not permitted, to be completed by November 2008.

7 Appendices

7.1 Appendix A – VCAT Notice of Mediation Hearing (DM# 2386777)

7.2 Appendix B – VCAT Notice of Decision from Mediation Hearing (DM# 2424865)

7.3 Appendix C - VCAT Notice of Decision (DM# 2451087)