

## Heritage Council Determination

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<b>Determination date</b>	5 June 2025
<b>Place/Object name</b>	Djarrak (Bells Beach) [ <i>former name: Bells Beach Surfing Recreation Reserve</i> ]
<b>Location</b>	Coastal Reserve, Bells Beach, Surf Coast Shire, Wadawurrung Country
<b>VHR number</b>	VHR H2032
<b>Category</b>	Registered Place
<b>Relevant legislative provision/s</b>	Amendment to the Victorian Heritage Register, pursuant to section 62 of the <i>Heritage Act 2017</i>

### Determination of the Heritage Council

The Heritage Council of Victoria determined on 5 June 2025, in accordance with Part 3 and Part 5 of the *Heritage Act 2017* ('the Act'), that the above Place is to be amended in the Victorian Heritage Register.

The Heritage Council determined to make the following amendments to the Victorian Heritage Register:

- changing the name of the place from 'Bells Beach Surfing Recreation Reserve' to 'Djarrak (Bells Beach)'; and
  - amending the registered extent of the Place to all of the place shown hatched on Diagram 2032; and
  - determining categories of works or activities which may be carried out in relation to the Place for which a permit is not required.
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## The Place

### Description

Extract from the Executive Director's Recommendation, for information only.

*The following is a description of Djarrak (Bells Beach) (VHR H2032) at the time of the site inspection by Heritage Victoria in November 2024.*

*Djarrak (Bells Beach) is located on the traditional land of the Wadawurrung people.*

*Djarrak (Bells Beach) is a 2-kilometre stretch of coastline of 112 hectares (277 acres) to the south-west of Torquay and Jan Juc. It comprises 38 hectares (94 acres) of coastal heathland and beach, and 74 hectares (183 acres) of sea, being Bass Strait. The beach known as 'Bells Beach' is one part of the place. It is formed by a natural amphitheatre of limestone cliffs with an unnamed freshwater creek to the south.*

*The place is mostly comprised of environmental elements, but there are three car parks for surfers and other visitors. The northern Waves car park contains the Wave sign, the central Winki Pop car park contains a toilet block onto which is painted a Koori mural. Nearby the mural there is the Mindii sandstone marker and Warnjarrah's Journey Initiation marker. This car park is the site of temporary infrastructure for the annual Rip Curl Pro competition, including a judges' platform. The main stairs to Bells Beach run off this car park. The Spirit of Surfing markers are located near these stairs. The Southside car park (south) is located near Jarosite Road. Across the place there are interpretative panels, fences, hard landscaping elements and plantings.*

### Executive Director's Recommendation ('the Recommendation')

The State-level cultural heritage significance of the Bells Beach Surfing Recreation Reserve was recognised in 2003 by its inclusion in the Victorian Heritage Register (VHR).

On 21 December 2021, Surf Coast Shire, in collaboration with the Wadawurrung Traditional Owners Aboriginal Corporation lodged an amendment application ('the application') for the Bells Beach Surfing Recreation Reserve (VHR H2032) with the Executive Director, Heritage Victoria. On 25 February 2022, the Executive Director accepted the application for the following reasons:

- Removal of existing and addition of new specific permit exemptions; and
- Amending the registered extent of the Place.

The Executive Director also proposed to change the name of the Place in the VHR from 'Bells Beach Surfing Recreation Reserve' to 'Djarrak (Bells Beach)', in addition to changes which are not statutory elements of the existing registration and are therefore not the subject of the Heritage Council's determination.

The Executive Director will make the following non-statutory changes:

- Update the diagram and written extent of registration to make consistent with current formatting; and
- Update the Statement of Significance to reflect current practice; and
- Update the history and description sections.

On 17 March 2025 the Executive Director made a recommendation to the Heritage Council ('the Recommendation') that the existing registration for the Place should be amended in the VHR. The Recommendation was advertised publicly for a period of 60 days, beginning on 21 March 2025.

### Section 44 submissions

No submissions were received during the public advertisement period.

## Amendment application

### Reasons for amendment

The application to amend the existing registration was prepared by Dr David Rowe, Heritage Advisor, Surf Coast Shire in consultation with the Wadawurrung Traditional Owners Aboriginal Corporation.

The application, accompanied by a comprehensive report, sought the following amendments to the existing registration for the Place:

- Removal of the F2 Koori Mural and Mindii and Warnjarrah stone markers as features of cultural heritage significance from the written extent of the place;
- Addition of specific permit exemptions to remove the F2 Koori Mural from the side of the toilet block where it is located; and
- Changes to the Statement of Significance for the Place, including that the Place be registered under Criterion E.

The Executive Director supported amendments to the written extent of registration and specific permit exemptions as requested by the application. The Executive Director supported some amendments to the Statement of Significance for the Place, but did not support its registration under Criterion E.

### Change of name

The Executive Director recommended that the registered name of the Place be changed to 'Djararak (Bells Beach)' as part of this amendment, noting that it is popularly known as 'Bells Beach' and is traditionally known as 'Tarruc' (Djararak) by the Wadawurrung People. It was additionally noted that 'Djararak (Bells Beach)' is the name now used for the Place by Surf Coast Shire and Rip Curl International.

### Amendment to extent of registration

#### *Written extent of registration*

The application requested the removal of the F2 Koori Mural and Mindii and Warnjarrah stone markers from the written extent of registration. The Executive Director supported this request.

#### *Mapped extent of registration*

The Recommendation of the Executive Director additionally proposed to 'tidy up' the mapped extent of the registration by:

- Mapping the existing extent boundary with greater GIS accuracy in the State cadastre; and
- Clarifying the seaward extent and express it in current terminology.

### Specific permit exemptions

The application sought the addition of specific permit exemptions to allow the removal of the F2 Koori Mural from the toilet block located within the registered extent of the Place. The Executive Director supported this request and proposed additional categories of works or activities which may be carried out in relation to the Place for which a permit is not required.

## Heritage Council's findings

The Heritage Council's statutory remit is confined by the *Heritage Act 2017*. When a place or object is included in the VHR, the description, history, Statement of Significance and permit policy do not form statutory components of the Heritage Register. Nonetheless, those elements assist in understanding and managing places and objects included in the VHR.

The Heritage Council records its suggestion that the Statement of Significance and description summary for the Place be amended by:

- Including wording under Criterion A (Historical Significance) and Criterion G (Social Significance) to reflect the contribution made by the geological formations, bathymetry and other natural qualities of the place in establishing its State-level cultural heritage significance as a surfing location.

The Heritage Council's decision is confined to the extent of registration, permit exemptions and name. The Heritage Council's findings in relation to the Place accord with the Executive Director's Recommendation.

The Heritage Council agrees that proposed amendment to the extent of registration for the Place is appropriate and agrees that proposed specific permit exemptions would not harm the cultural heritage significance of the Place. The Heritage Council determined that the name of the Place should be changed from 'Bells Beach Surfing Recreation Reserve' to 'Djarraak (Bells Beach)'.

### Extent of Registration (Attachment 1)

The Extent of Registration is provided as **Attachment 1** and includes all of the place shown on Diagram 2032, encompassing parts of Crown Allotments 2014, 2001, 2059 and 2064 Parish of Jan Juc and parts of Lot 1 on Title Plan 106529 and Lot 1 on Title Plan 857350 and a coastal strip from the Local Government Boundary 300m seaward.

The recommended extent of registration comprises all elements and features of State-level cultural heritage significance, at Djarraak (Bells Beach), including the Spirit of Surfing sandstone markers and the Wave Sign.

### Permit exemptions (Attachment 2)

The Heritage Council determined specific permit exemptions for works or activities which would not harm the cultural heritage significance of the Place. The specific permit exemptions are provided as **Attachment 2**.

### Conclusion

The Heritage Council of Victoria determined, in accordance with Part 3 and Part 5 of the *Heritage Act 2017* ('the Act'), that the above Place is to be amended in the Victorian Heritage Register by:

- changing the name of the place from 'Bells Beach Surfing Recreation Reserve' to 'Djarraak (Bells Beach)'; and
- amending the registered extent of the Place to all of the place shown hatched on Diagram 2032; and
- determining categories of works or activities which may be carried out in relation to the Place for which a permit is not required.

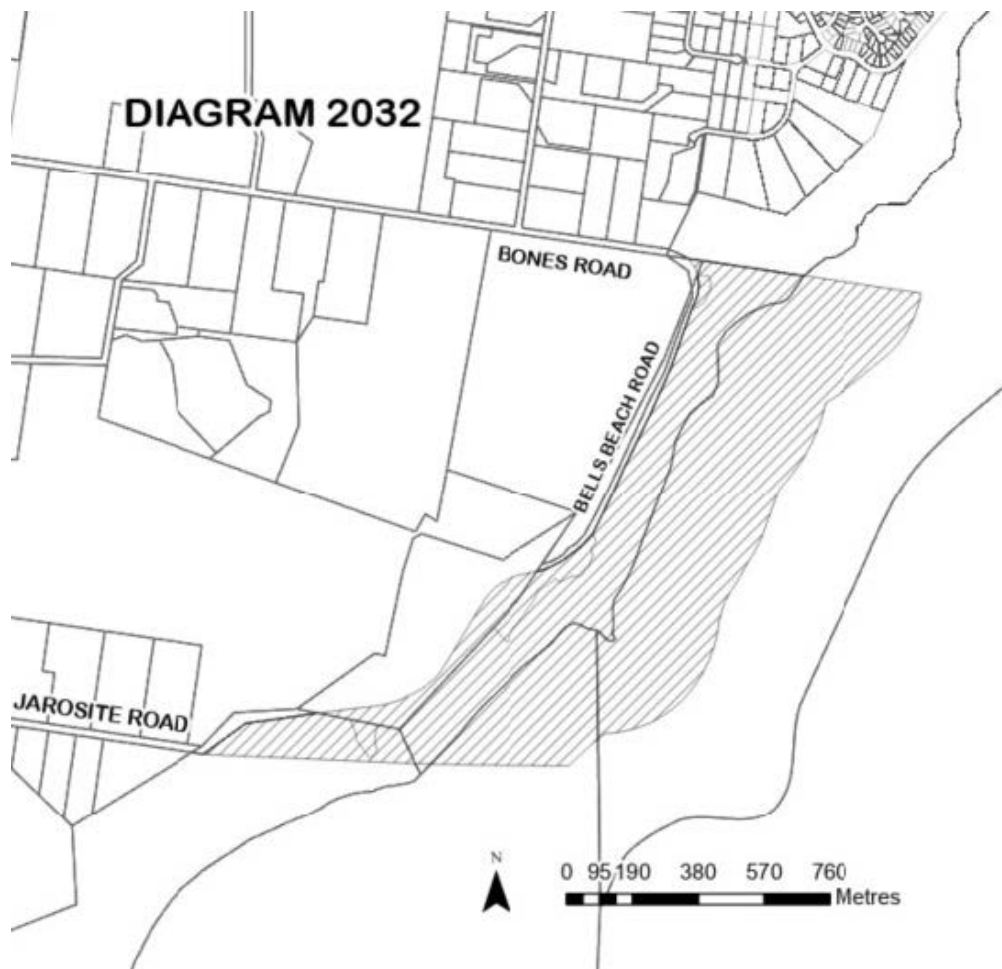


**Professor Philip Goad**  
**Chair, Heritage Council of Victoria**

# Attachment 1

## Extent of Registration

All of the place shown hatched on Diagram 2032 encompassing parts of Crown Allotments 2014, 2001, 2059 and 2064 Parish of Jan Juc and parts of Lot 1 on Title Plan 106529 and Lot 1 on Title Plan 857350 and a coastal strip from the Local Government Boundary 300m seaward.



# Attachment 2

## Categories of Works or Activities which may be undertaken without a Permit (Permit exemptions)

### Permit exemptions

#### General exemptions

General exemptions apply to all places and objects included in the VHR. General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which do not harm its cultural heritage significance, to proceed without the need to obtain approvals under the *Heritage Act 2017*.

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions. Find out more about heritage permit exemptions [here](#).

#### Specific exemptions

The works and activities below are not considered to cause harm to the cultural heritage significance of the [insert place / object name] subject to the following guidelines and conditions:

#### Guidelines

1. Where there is an inconsistency between permit exemptions specific to the registered place or object ('specific exemptions') established in accordance with either section 49(3) or section 92(3) of the Act and general exemptions established in accordance with section 92(1) of the Act specific exemptions will prevail to the extent of any inconsistency.
2. In specific exemptions, words have the same meaning as in the Act, unless otherwise indicated. Where there is an inconsistency between specific exemptions and the Act, the Act will prevail to the extent of any inconsistency.
3. Nothing in specific exemptions obviates the responsibility of a proponent to obtain the consent of the owner of the registered place or object, or if the registered place or object is situated on Crown Land the land manager as defined in the *Crown Land (Reserves) Act 1978*, prior to undertaking works or activities in accordance with specific exemptions.
4. If a Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage Act 2006* is required for works covered by specific exemptions, specific exemptions will apply only if the Cultural Heritage Management Plan has been approved prior to works or activities commencing. Where there is an inconsistency between specific exemptions and a Cultural Heritage Management Plan for the relevant works and activities, Heritage Victoria must be contacted for advice on the appropriate approval pathway.
5. Specific exemptions do not constitute approvals, authorisations or exemptions under any other legislation, Local Government, State Government or Commonwealth Government requirements, including but not limited to the *Planning and Environment Act 1987*, the *Aboriginal Heritage Act 2006*, and the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). Nothing in this declaration exempts owners or their agents from the responsibility to obtain relevant planning, building or environmental approvals from the responsible authority where applicable.
6. Care should be taken when working with heritage buildings and objects, as historic fabric may contain dangerous and poisonous materials (for example lead paint and asbestos). Appropriate personal

protective equipment should be worn at all times. If you are unsure, seek advice from a qualified heritage architect, heritage consultant or local Council heritage advisor

7. The presence of unsafe materials (for example asbestos, lead paint etc) at a registered place or object does not automatically exempt remedial works or activities in accordance with this category. Approvals under Part 5 of the Act must be obtained to undertake works or activities that are not expressly exempted by the below specific exemptions.
8. All works should be informed by a Conservation Management Plan prepared for the place or object. The Executive Director is not bound by any Conservation Management Plan and permits still must be obtained for works suggested in any Conservation Management Plan.

### **Conditions**

1. All works or activities permitted under specific exemptions must be planned and carried out in a manner which prevents harm to the registered place or object. Harm includes moving, removing or damaging any part of the registered place or object that contributes to its cultural heritage significance.
2. If during the carrying out of works or activities in accordance with specific exemptions original or previously hidden or inaccessible details of the registered place are revealed relating to its cultural heritage significance, including but not limited to historical archaeological remains, such as features, deposits or artefacts, then works must cease and Heritage Victoria notified as soon as possible.
3. If during the carrying out of works or activities in accordance with specific exemptions any Aboriginal cultural heritage is discovered or exposed at any time, all works must cease and the Secretary (as defined in the *Aboriginal Heritage Act 2006*) must be contacted immediately to ascertain requirements under the *Aboriginal Heritage Act 2006*.
4. If during the carrying out of works or activities in accordance with specific exemptions any munitions or other potentially explosive artefacts are discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.
5. If during the carrying out of works or activities in accordance with specific exemptions any suspected human remains are found the works or activities must cease. The remains must be left in place and protected from harm or damage. Victoria Police and the State Coroner's Office must be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the State Emergency Control Centre must be immediately notified on 1300 888 544, and, as required under s.17(3)(b) of the *Aboriginal Heritage Act 2006*, all details about the location and nature of the human remains must be provided to the Secretary (as defined in the *Aboriginal Heritage Act 2006*).

### **Exempt works and activities**

#### **Exempt works**

1. Removal of the Koori Mural painted on the toilet block in the main carpark.
2. Removal of the toilet block in the main carpark.
3. Internal alterations to the toilet block in the main car park.
4. Repair and resurfacing of road surfaces and paths in the same or similar materials.
5. Installation, repair or removal of regulatory signs, warning signs and directional signs.
6. Removal, maintenance, repair or replacement of fencing, gates and posts in the same or similar materials.
7. Planting, pruning, maintenance and removal of vegetation.
8. Ground level works to maintain, repair or reconfigure the existing carparks provided that the area is not expanded. This includes the repair or resealing of carpark surfaces; the repair, removal, installation or maintenance of kerbing, drains, bollards, and speed humps; and the repair, removal or installation of directional signage and line marking.

***Exempt activities***

**Surfing Victoria Rip Curl Pro Bells Beach annual surfing event**

9. All works and activities related to this event as specified in the Rip Curl Pro Management Plan by Surfing Victoria in consultation with the World Surf League.