

Heritage Council Regulatory Committee

Mornington Peninsula Water Supply Scheme

Tarago Reservoir (Baw Baw Shire) and Beaconsfield Reservoir (Cardinia Shire) and Frankston Reservoir (Frankston City) and Bittern Reservoir and Crib Point (Mornington Peninsula Shire)

Members – Mr Simon Molesworth AO KC, Dr Steve Campbell-Wright, Mr Peter Mathieson

DETERMINATION OF THE HERITAGE COUNCIL

The Heritage Council has considered a request to review the Executive Director’s decision to refuse to accept a nomination to include the Mornington Peninsula Water Supply Scheme located at Tarago Reservoir, Beaconsfield Reservoir, Frankston Reservoir and Bittern Reservoir and Crib Point in the Victorian Heritage Register. Pursuant to section 30(5)(a) of the *Heritage Act 2017*, the Heritage Council has determined to affirm the decision under review and refuse to accept the nomination.

Mr Simon Molesworth AO KC (Chair)
Dr Steve Campbell-Wright
Mr Peter Mathieson

Decision date – 19 December 2024

ACKNOWLEDGEMENT

As a peak heritage body, we acknowledge the Traditional Owners of the Country that we call Victoria, as the original custodians of Victoria's land and waters, and acknowledge the importance and significance of Aboriginal cultural heritage in Victoria. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of Aboriginal culture and traditional practices.

INTERESTED PARTIES

EXECUTIVE DIRECTOR, HERITAGE VICTORIA

The Executive Director, Heritage Victoria, refused to accept the nomination pursuant to section 29(1) of the *Heritage Act 2017*. The Executive Director provided information used in refusing the nomination to the Heritage Council, and attended the meeting of parties. The Executive Director was represented at the meeting of parties by Mr Geoff Austin, Manager, Heritage Register and Ms Fiona McMahon, Heritage Officer, Assessments.

SAVE THE BEACONSFIELD RESERVOIR ACTION GROUP (THE NOMINATOR)

The nomination was made on behalf of the Save the Beaconsfield Reservoir Action Group ('SBRAG') by Mr Harry Jensen, President of SBRAG. The nominator requested that the Heritage Council review the Executive Director's refusal to accept the nomination and provided further information. The nominator and other members of SBRAG attended the meeting of parties and responded to questions put by the Heritage Council Regulatory Committee.

HERITAGE COUNCIL REGULATORY COMMITTEE

THE COMMITTEE

A Heritage Council Regulatory Committee ('the Committee') of three members was constituted to consider the request for review, the information received in response to it, and to make a determination, as delegated by the Heritage Council pursuant to sections 13 and 15 of the Act.

INTRODUCTION/BACKGROUND

THE PLACE

01. The Mornington Peninsula Water Supply Scheme ('the Place'/'MPWSS') was constructed between 1916 and 1969 and comprises:
 - storage reservoirs at Beaconsfield, Lysterfield and Tarago
 - the Bunyip-Beaconsfield main race and the Tarago-Bunyip aqueduct
 - service reservoirs at Bittern, Dromana, Devilbend, Flinders Naval Base, Frankston, Hastings, Mornington and Flinders.
02. The Place is described in a 2010 Heritage Study undertaken by Context Heritage (now GML Heritage) for Melbourne Water as follows:

Beaconsfield Reservoir is an earthfill embankment dam, which has an internal earth core sealing element. The height to the crest of the dam is 24 metres and the length of crest is 174 metres. Lysterfield is an earthfill embankment dam with a crest height of 14 metres and a crest length of 523 metres. Tarago is a rockfill embankment dam. The crest height is 34 metres and the length is 300 metres (ANCOLD).

The Bunyip to Beaconsfield main race is an open, V-shaped channel that connects the reservoir to the Bunyip River. The channel is partially earthen-lined and partially lined with mass concrete. In the concrete sections that were inspected (in the vicinity of Thewlis Road and near Officer Road) there is evidence of the sides of the aqueduct being raised - perhaps at the time that the Tarago aqueduct was brought on-line. The race includes sections of tunnels and siphons and there are some original or early reinforced concrete road bridges across the race such as the example on Thewlis Road.

The Tarago-Bunyip aqueduct begins at a small diversion weir on the Tarago River just to the north of the Tarago Reservoir and connects to the Bunyip main race at a simple 'drop' structure. The aqueduct is an open channel, constructed of mass concrete, which is 'U' shaped in profile for part of its length and 'V' shaped in others. The weir is of unusual construction, comprising steel sheet piles with timber battens. Siphons and tunnels convey the aqueduct across streams, gullies and watercourses and tunnels through hills. Tunnels are used extensively on the Tarago aqueduct, which comprises tunnels for almost 50% of its length.

The 1920s service reservoirs were small, originally open and earthen-lined storages, which vary in design and size according to the position in the system. Bittern and Frankston Reservoirs are both formed by an earthfill embankment dam across a gully or watercourse. Frankston, which has a sandy clay core, is the largest service reservoir with a capacity of 680 megalitres and is situated in the Sweetwater Creek and received water from two inlets. The dam has a crest length of 240 metres and a crest width of 4 metres, with a crest height of 19 metres. Bittern, which is situated off the Devilbend Creek upstream of the later Devilbend Reservoir, has a capacity of 573 megalitres with a crest length of 320 metres, a crest width of 2.75 metres and a crest height of 7.6 metres.

Mornington and Dromana are small service reservoirs that were constructed by excavating and using the borrowed soil to construct the surrounding embankments. Originally, there were unlined with rock protection on the sloping facings. The capacity of Dromana is 79 megalitres, while Mornington is 323 megalitres. Devilbend, by far the largest storage, is a rockfill embankment dam with a crest height of 29 metres and a length of 275 metres. It has a storage capacity of 14,600 megalitres (ANCOLD).

As noted in the history, most with the exception of Dromana have now been decommissioned. Dromana reservoir has been lined and enclosed with a steel roof, while Mornington and Frankston have been replaced by steel tanks.¹

¹ Context Heritage, *Regional Water Supply Heritage Study: Melbourne region*, Vol 4, pp.15–16 (2010)

THE NOMINATION

- 03.** The nomination was submitted by Mr Harry Jensen, President of Save the Beaconsfield Reservoir Action Group ('SBRAG') on 14 December 2023. The Place was nominated under the following Criteria, in the Heritage Council's Criteria and Threshold Guidelines ('Criteria for Assessment') (**Attachment 1**):²
- **Criterion A** – Importance to the course, or pattern, of Victoria's cultural history.
 - **Criterion C** – Potential to yield information that will contribute to an understanding of Victoria's cultural history.
 - **Criterion D** – Importance in demonstrating the principal characteristics of a class of cultural places and objects.
 - **Criterion H** – Special association with the life or works of a person, or group of persons, of importance in Victoria's history.
- 04.** In subsequent correspondence and information provided, the nominator advised that Criterion G had been inadvertently left out of the original nomination documentation. The nominator subsequently advised the Committee that the Place should also be considered under 'Criterion G – Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons'.
- 05.** The nomination was made for 'the entire length of the Mornington Peninsula Water Supply Scheme from its origins in Bunyip to the naval base.'
- 06.** On 14 May 2024 the Executive Director notified the nominator that as the Place had 'no reasonable prospect of inclusion' in the Victorian Heritage Register ('Heritage Register'), pursuant to section 29(1) of the *Heritage Act 2017* ('the Act') the nomination was refused.

DECISION OF THE EXECUTIVE DIRECTOR

- 07.** Pursuant to section 29 of the Act, the Executive Director may refuse to accept a nomination if it is considered that the nominated place or object has no reasonable prospect of inclusion in the Heritage Register.
- 08.** On 14 May 2024, the Executive Director notified the nominator that the nomination had been refused on the grounds that the Place had no reasonable prospect of inclusion in the Heritage Register. The Executive Director was of the view that 'the place does not have a reasonable prospect of meeting any of these criteria at the State-level.'
- 09.** In relation to Criterion A, while the Executive Director agreed that 'the design and construction of water supply systems has been essential to urban development in Victoria', he did not find that would render the Place to be of State-level significance.
- 10.** In relation to Criterion C, the Executive Director did not find that the Place had the ability to yield knowledge of significance to Victoria via investigation of its physical evidence.
- 11.** In relation to Criterion D, the Executive Director agreed that the Place is an example of a twentieth-century water supply scheme but that it does not meet the State-level threshold tests as being a 'notable example' (i.e. fine, influential or pivotal).
- 12.** In relation to Criterion H, the Executive Director did not find that the historical association between the Place and any person involved (including engineers and political leaders) could be appreciated or understood better than most other places in Victoria.
- 13.** The Executive Director did not provide a response to Criterion G due to the inadvertent omission in the original nomination documentation. For completeness, the Committee addresses Criterion G in this determination.

² Heritage Council of Victoria, [Assessing the cultural heritage significance of places and objects for possible state heritage listing: The Victorian Heritage Register Criteria and Threshold Guidelines](#), endorsed 6 Dec 2012, updated 1 Dec 2022.

REQUEST FOR REVIEW

14. On 10 June 2024, the Heritage Council received a request for a review of the Executive Director's refusal to accept the nomination of the Place, pursuant to section 30 of the Act.
15. The Committee was appointed to consider, pursuant to section 30(5) of the Act, whether the Executive Director's refusal decision should be (a) affirmed, (b) set aside, and another decision made in substitution for it, or (c) set aside, and remitted to the Executive Director for reconsideration.
16. The Committee was not tasked with considering whether the Place should be included in the Heritage Register, rather it was tasked to consider whether the Executive Director should accept the nomination and subsequently make a recommendation as to whether the Place should or should not be included in the Heritage Register.
17. The Committee has given due consideration as to whether the Place has a 'reasonable prospect of inclusion' in the Heritage Register.

PRELIMINARY, PROCEDURAL AND OTHER MATTERS

CONFLICTS OF INTEREST

18. The Chair invited Committee members to make declarations in relation to any matters that may potentially give rise to an actual or perceived conflict of interest. The Committee members were satisfied that there were no relevant conflicts of interest and made no such declarations.

FUTURE USE, MAINTENANCE AND DEVELOPMENT

19. It is not the role of the Committee to consider future proposals or to pre-empt any decisions regarding future permits under the Act. Pursuant to sections 30 of the Act, the role of the Committee is to determine whether the Place, or part of it, has a reasonable prospect of inclusion in the Heritage Register, and therefore whether the nomination is to be accepted by the Executive Director.

REQUEST FOR INFORMATION

20. On 9 July 2024, pursuant to sections 2.1–2.3.4 of the Heritage Council's *Protocol 2 – Nomination Reviews*, the Committee notified the following persons or organisations that a review of the Executive Director's refusal had been requested:
 - the Executive Director
 - the nominator
 - Baw Baw Shire Council (as a responsible authority for part of the Place)
 - Cardinia Shire Council (as a responsible authority for part of the Place)
 - Frankston City Council (as a responsible authority for part of the Place)
 - Mornington Peninsula Shire Council (as a responsible authority for part of the Place)
 - Melbourne Water (as a responsible authority for part of the Place)
 - Parks Victoria (as a responsible authority for part of the Place)
 - the Department of Energy, Environment and Climate Action (as a responsible authority for part of the Place).
21. The Committee invited the above persons or organisations to provide any information that may assist the Committee in undertaking the nomination review.
22. The Executive Director provided further information on 19 July 2024, which was circulated to the nominator. No other person or organisation identified above provided any further information.

23. On 12 August 2024, the nominator provided further material including photographs, maps and letters of support from community members and field professionals. The further information was provided to the Executive Director.

MEETING OF THE PARTIES

24. Having reviewed the extensive material provided, the Committee determined that it could benefit from a meeting between the Committee, Executive Director and nominator.
25. Pursuant to section 2.4 of the Heritage Council's *Protocol 2 – Nomination Reviews*, the Committee may ask parties to attend a meeting so that the Committee can directly ask questions of affected parties, to assist it in completing its review.
26. On 22 August 2024, the Committee advised the Executive Director and nominator that a meeting would be held on 12 September 2024, online using the Microsoft Teams videoconference platform.
27. The nominator subsequently requested and was granted an adjournment to that meeting date. On 3 September 2024, the Committee advised that the meeting was to be held on 25 November 2024. No further adjournments were sought, and the meeting was held as scheduled on 25 November 2024.
28. Representatives of the Executive Director and SBRAAG attended the meeting and responded verbally to the Committee's enquiries. No submissions were made or received during the meeting, its purpose being to clarify elements of the nomination documentation that had already been filed with the Committee.
29. The Committee has carefully and thoroughly considered all responses and information provided during the meeting and in written material in making its determination. The Committee thanks parties for their attendance.

ISSUES

30. The following section is not intended to be a complete record of information provided to the Committee. It is a summary of what the Committee considers to be the key issues, followed by an explanation of the position the Committee takes on each key issue.

SUMMARY OF POSITIONS

31. The Executive Director's position, broadly, was that the Place did not meet any of the Criteria for inclusion in the Heritage Register at a State-level, and therefore had 'no reasonable prospect of inclusion'. The Executive Director had relied, in part, on a study completed by Context Heritage (now GML Heritage) in 2010 for Melbourne Water, titled *Regional Water Supply Heritage Study: Melbourne region Volumes 1–4*.
32. In that study, the Mornington Peninsula Water Supply Scheme and the Beaconsfield Reservoir had been assessed individually as being of local heritage significance. Other water supply schemes including the Maroondah Water Supply System (VHR H2381) and Yan Yean Water Supply System (VHR H2333) had been assessed as being of State-level significance and are today included in the Heritage Register.
33. The Executive Director included in the statement of reasons for making the refusal, comparative examples of water supply systems already included in the Heritage Register, and suggested that for a Place to be included in the Heritage Register, 'it must be equivalent or better able to demonstrate the characteristics of the class than others of the type that are registered.' The Executive Director listed five examples of water supply systems included in the Heritage Register, and noted that while others could be registered in the future, the Place does not demonstrate characteristics that are equivalent or better than those already included in the Heritage Register.

34. The nominator did not agree with the Executive Director's use of comparative examples, and stated in their nomination review request documentation that 'Heritage Victoria persists in adopting a "comparative" approach to assessing the heritage value of heritage infrastructure when the MPWSS by its very purpose is unique. It is the only water supply scheme involved directly in Victoria's defence between WW1 and WW2.'
35. The nominator was of the view that the Place is significant at a State-level for its purpose in providing potable water for the HMAS Cerberus Naval Base ('the naval base'). The nominator suggested that the Place is unique for its role in Victoria's naval heritage.
36. In relation to Criterion G, the nominator was of the view that the nomination itself, the fund-raising which enabled it, and the contribution made by stakeholders and members with heritage research efforts are 'clearly evidence of SBRAG members having connections with and support of the present day community'. The nominator also suggested that until Melbourne Water closed access to the Place, it was a 'social magnet' attracting many visitors from as far afield as Melbourne. The nominator was also of the view that the nomination is important for maritime stakeholders, and advised that SBRAG had liaised extensively with the Melbourne Maritime Heritage Network, the Royal Australian Navy and the Australian Heritage Advocacy Alliance.
37. The nominator also suggested that the Place meets the State-level threshold for Criterion H, for its association with 'significant historical figures that have shaped our State and Nation'. It was suggested that associations with figures such as Prime Minister Andrew Fisher, Victorian Premier William Alexander Watt and British Admiral Sir Reginald Henderson KCB RN contributed to the State-level significance of the Place under Criterion H.

COMMITTEE ASSESSMENT AND RESPONSE AGAINST CRITERIA FOR ASSESSMENT

CRITERION A – IMPORTANCE TO THE COURSE, OR PATTERN, OF VICTORIA'S CULTURAL HISTORY

38. The original nomination contended that the Place was of State-level significance under Criterion A for its 'contribution to the development of burgeoning seaside towns by providing a sufficient water supply to multiple towns along the Mornington Peninsula where there was previously none'.
39. The original nomination also contended that the Place was significant for its contribution to the training of Australia's navy at Crib Point.
40. In the review request, the nominator maintained the position that the Place is significant for its unique role in Victoria's naval heritage and stated that 'there are no comparable water schemes in Victoria which were designed and established to specifically enable and enhance Australian and Victorian naval defence capability.'
41. The nominator was of the view that the primary purpose of the Place in supplying water to the HMAS Cerberus Naval Base at Crib Point is its defining historical purpose. The nominator stated that the historical purpose, also described as a unique and crucial purpose, is the point of differentiation of this Place, and that for this reason, it is not comparable to other water supply schemes in the State.
42. In response to enquiries by the Committee during the meeting, representatives of SBRAG suggested that the question of why the system exists at all is important to consider. Members of SBRAG stated that the supply scheme was ordered by Prime Minister Andrew Fisher, and it was not until Andrew Fisher became Prime Minister that Australia had a navy. It was further suggested that the connection between the water supply scheme and Prime Minister Fisher, and the contribution he made to Victoria, is a significant connection.
43. The Committee raised that the evidence provided to confirm the view that Prime Minister Fisher ordered the water supply scheme suggests that the scheme was already in contemplation. The Committee asked whether there was any further evidence that SBRAG could provide to confirm that it was the Prime Minister who ordered construction of the Place.

44. Members of SBRAG responded, agreeing that the water supply scheme had already been contemplated by other Councils in the region, but that without the impetus of the Federal Government and Prime Minister Fisher the Place may never have been built. It was suggested that Prime Minister Fisher took advantage of the already contemplated water supply scheme to ensure a water supply scheme for the HMAS Cerberus Naval Base.
45. In SBRAG's view, Prime Minister Fisher was influential in the construction and size of the water supply scheme. Members of SBRAG noted that they had not found any evidence to suggest that a water supply scheme of the size seen today had been contemplated prior to Prime Minister Fisher's input, and that the only reason the Mornington Peninsula was able to expand is because of the water supply scheme.
46. In response, the Executive Director commented that water is a fundamental necessity to sustaining life, agriculture and industry. The Executive Director referenced a report by Clarrie Talbot, which suggests that multiple options of providing water to the Mornington Peninsula area were explored, and that ultimately the usual approach of having storage in high elevation, fed by diversion weirs and aqueducts was chosen. The Executive Director commented that, if the Place is of State-level significance for supplying water to the naval base, then by extension whichever system supplied water to the naval base might be said to have State-level significance. Supplying water to the naval base doesn't elevate the significance of the Place.
47. The Executive Director commented that the HMAS Cerberus Naval Base is significant at a Commonwealth level already, and that this nomination is not in relation to the cultural heritage of the naval base. It is in relation to the water supply system and that, in this case, it displays the same characteristics as most water supply systems and is therefore not unique.

Committee discussion and conclusion

48. The Committee acknowledges that the Place contributed to the growth and permanent settlement of the Mornington Peninsula region, but notes that all water supply schemes in the State could be said to have made such a contribution to Victoria.
49. While the Committee agrees with the original nomination document, that the Place is associated with the growth and development of the Mornington Peninsula region, it does not find that the Place allows the association to be understood better than most other places in Victoria with substantially the same association. The Committee is of the view that every water supply scheme in Victoria would have the same association and would have contributed to the growth and development of a particular region. That is not to say that every water supply system in Victoria should be included in the Heritage Register.
50. The Committee is of the view that the comparative examples cited by the Executive Director are important and relevant under the Act. There are five water supply schemes included in the Heritage Register, which all demonstrate a unique aspect in the history of providing water to Victorians.
51. While the Committee understands that the historical development of the Mornington Peninsula region relied upon the construction and use of the water supply scheme, it does not find that this is a unique or particularly significant aspect of the history of the Place.
52. The Committee is not convinced that the association between the Place and the development of the Mornington Peninsula region would meet the State-level threshold for significance, and agrees with the Executive Director that there are other places that have a greater ability to enable understanding of the role of water supply in supporting urban development.
53. The Committee has also given consideration to the association between the Place and the HMAS Cerberus Naval Base and the suggestion by the nominator and SBRAG representatives that the Place is unique for this association.

54. The Committee does not dispute the historic evidence provided by the nominator, but is not so convinced that the provision of potable water to the HMAS Cerberus Naval Base could render the Place to be of State-level significance.
55. The Committee finds that the provided historical document signed by Prime Minister Fisher is interesting, but it is not compelled that the involvement of Prime Minister Fisher elevates the significance of the Place to a State-level. The Committee is of the view that the evidence suggests that rather than Prime Minister Fisher ordering the supply scheme to be constructed, the navy – in correspondence appropriately signed by Prime Minister Fisher as the correct means of communication between federal and state authorities – sought to use or extend the scheme already conceived and in preliminary design.
56. The Committee also refers to the document provided by the nominator in their original nomination materials by Clarrie Talbot, titled 'Naval Base and Mornington Peninsula Water Supply Scheme' (2006) which states on page 3 that a body known as Mornington Conference of Municipalities was formed to actively pursue a water supply scheme for the Mornington Peninsula.
57. Talbot's report goes on to state that Prime Minister Fisher had enquired as to whether the HMAS Cerberus Naval Base could be included in the Mornington Peninsula Water Supply Scheme.
58. Regardless of the origins of the Place, the Committee finds that the evidence provided in the original nomination documents points towards a usual process of community lobbying, and political support, for required infrastructure. It does not find that the associations between the Place and Prime Minister Fisher, or other politicians mentioned, to be unique or of potential State-level significance.
59. Further, in relation to the association between the Place and the naval base, the Committee finds that the association does not elevate the Place to State-level significance. The naval base was developed from 1913,³ and construction of the first stage of the water supply scheme commenced in 1917.⁴ The naval base had functioned without connection to the water supply scheme, and it is plausible that the naval base would have continued to function regardless.
60. The Committee finds, based on the evidence before it, that the Place does not have a reasonable prospect of inclusion in the Heritage Register under **Criterion A**.

CRITERION C – POTENTIAL TO YIELD INFORMATION THAT WILL CONTRIBUTE TO AN UNDERSTANDING OF VICTORIA'S CULTURAL HISTORY

61. The nomination suggested that the Place is significant under Criterion C as it may be able to contribute to an understanding of Victoria's relationship with the Commonwealth during the 1910s, and when a national emergency (WWI) was anticipated and then unfolded as the scheme was planned, constructed and completed.
62. The Executive Director was of the view that, while the 'state and commonwealth records of the time may provide information about government relations at the time', that this type of information was unlikely to be revealed in the physical fabric of the Place.
63. In response, the nominator suggested that the Executive Director had been 'dismissive' of the physical aspects of the Place, and that the Executive Director's view was incorrect.
64. The nominator further outlined some technical aspects of the physical fabric of the Place and stated that, in the experience of SBRAG, the 'physical fabric of the site remains' and that it is 'sound'.

³ Australian Government, Department of Climate Change, Energy, the Environment and Water, [Commonwealth Heritage List](#), HMAS Cerberus, Cook Rd, VIC Australia.

⁴ Context Heritage, *Regional Water Supply Heritage Study: Melbourne region*, Vol 4, pp.15–16 (PDF pp.154–155) (2010).

Committee discussion and conclusion

65. The Committee notes the descriptions of the remaining physical elements, as provided by the nominator. However, the Committee notes that the case for the remaining physical fabric to yield knowledge of significance for Victoria is not made out in the material before the Committee.
66. The Committee refers to the Criteria for Assessment for Criterion C. The Committee notes that Step C1 of those tests requires the physical and documentary evidence of a place to 'indicate a likelihood that the place/object contains evidence of cultural heritage significance that is not currently visible and/or well understood or available from other sources'.
67. The Committee notes that, in this instance, there is a wide range of documentary evidence relating to the history and associations of the Place and that, as noted by the nominator, there is ample physical evidence.
68. The Committee therefore believes that further investigation would likely not reveal a previously unknown element of the Place that is of significance to Victoria.
69. The Committee finds, based on the evidence before it, that the Place does not have a reasonable prospect of inclusion in the Heritage Register under **Criterion C**.

CRITERION D – IMPORTANCE IN DEMONSTRATING THE PRINCIPAL CHARACTERISTICS OF A CLASS OF CULTURAL PLACES AND OBJECTS

70. The Executive Director agreed with the nominator that the Place is in the class of place 'twentieth-century water supply scheme'.
71. The original nomination documentation proposed that the Place is significant under Criterion D as it 'demonstrates the design, engineering, construction and subsequent changes required to implement, maintain and adapt an extensive water supply scheme functioning within an evolving 20th century urban environment'.
72. The original nomination further went on to state that there is still much 'physical fabric remaining across the site'.
73. In response to the Executive Director's refusal to accept the nomination, the nominator stated that the Place is the 'only water supply scheme involved directly in Victoria's defence between WW1 and WW2', and that 'to ignore this significant aspect is inappropriate and irrelevant'.
74. The nominator further suggested that the Place is the only water scheme specifically designed for defence purposes, and that other water supply schemes cited by the Executive Director were not for this purpose. The nominator suggested that the Place is a 'pivotal example in the evolution of water supply system' as it was 'designed specifically for national defence purposes'. The nominator also suggested that the Place was 'influential' in the growth and continual use of the HMAS Cerberus Naval Base and that without the Place the base could not have been a viable location for providing coastal defensive activity.

Committee discussion and conclusion

75. The Committee agrees that, while the Place is in the class of place 'twentieth-century water supply scheme', it does not find that the Place would meet the State-level threshold for significance under Criterion D.
76. While the Committee notes the connection between the Place and the naval base, it does not agree that this connection elevates the significance of the Place to a State-level.
77. As stated above at paragraphs 53–60, the Committee is not so compelled that the Place was solely developed for the naval base, noting that the naval base had already been designated for that location with various water supply options contemplated. The naval base was in use prior to the provision of water via the supply scheme to that location, in 1922.
78. Again, the Committee notes that, regardless of the origin of the MPWSS, the connection between the naval base and the MPWSS does not render it to be a notable example in the class of place, 'twentieth-century water supply scheme'.

79. The Committee refers to the Criteria and Threshold Guidelines for Criterion D and the reference tool in relation to the term 'notable'. The Committee has considered whether the MPWSS could be considered to be 'fine', 'influential' or 'pivotal'.
80. In relation to the term 'fine', while the Place may display characteristics (meaning characteristics of the physical fabric) that are typical of the class, those characteristics are not of a higher quality, or more historical relevance, than are typical of places in that class. The historical relevance of the Place in providing water to a particular region and the naval base is not of higher historical relevance than other water supply schemes. The Committee finds its purpose and use is 'typical' of the class and not of greater quality or historical relevance.
81. In relation to the term 'influential', the Committee has not seen in the evidence before it that this particular Place contains characteristics, design, technology or materials that were copied in subsequent water supply schemes.
82. In relation to the term 'pivotal', the Committee has not seen in the evidence before it that this particular Place encapsulates a key evolutionary stage in the development of this class.
83. The Committee finds, based on the evidence before it, that the Place does not have a reasonable prospect of inclusion in the Heritage Register under **Criterion D**.

CRITERION G – STRONG OR SPECIAL ASSOCIATION WITH A PARTICULAR pRESENT-DAY COMMUNITY OR CULTURAL GROUP FOR SOCIAL, CULTURAL OR SPIRITUAL REASONS

84. Criterion G was not included in the original nomination documentation. The Committee understands that this was an inadvertent omission, so while the Executive Director did not provide any comment in relation to Criterion G, for completeness the Committee has included an assessment and discussion in this determination.
85. The nominator contends that the nomination, in and of itself, the fund-raising which enabled it, and the contribution made by stakeholders and members is evidence of SBRAG members having connections with and support of the present-day community.
86. The nominator further suggested that the 'thousands of residents and community members who live in the region' have strong social associations and connections with the Place. The nominator noted that Beaconsfield Reservoir was a social magnet in the 1900s and visitors arrived by train to Beaconsfield Reservoir, and that SBRAG committee members have fond memories of visiting the Beaconsfield Reservoir before the 1970s when access was stopped.
87. The nominator also contended that the Place is important to the cultural group 'maritime and heritage stakeholders.'

Committee discussion and conclusion

88. The Committee notes the strong attachment that the nominator and SBRAG committee members have to the Beaconsfield Reservoir, as outlined in the nominator's own words in written documentation and during the meeting of parties.
89. Members of the SBRAG expressed their passion for the Beaconsfield Reservoir and broader MPWSS, which has not gone unnoticed by the Committee.
90. The Committee refers to the Criteria and Threshold Guidelines for Criterion G. The Committee finds that it is plausible that Step G1 of those guidelines may be met, as there is (i) existence of a community group; (ii) existence of a strong attachment to the place; and (iii) existence of a time depth to that attachment.
91. However, when considering Step G2, which must be met for a place or object to be of State-level significance pursuant to Criterion G, it does not find that Step G2 is likely to be met.

92. The Committee has seen no evidence before it that the social value resonates across the broader Victorian community. The evidence before it suggests a strong local connection to the Place, but not that the Place contributes to Victoria's identity.
93. In this instance, the Committee is of the view that exclusion guidelines 'XG4 – does not resonate across the broader Victorian community', and 'XG6 – the social value is historical rather than in the present day', apply. While the SBRAG is an active community group, it could not be said that the connection felt by SBRAG members, or indeed local community members, resonates across Victoria. The Committee is also of the view that, because the Beaconsfield Reservoir has been closed since the 1970s, the present-day community does not have a demonstrated enduring connection to the Beaconsfield Reservoir.
94. Further, while the SBRAG is associated closely with the Beaconsfield Reservoir, and the nominator suggested that there is an association to that reservoir with the local community, no evidence that any community is associated with other elements of the entire MPWSS has been provided.
95. The Committee finds, based on the evidence before it, that the Place does not have a reasonable prospect of inclusion in the Heritage Register under **Criterion G**.

CRITERION H – SPECIAL ASSOCIATION WITH THE LIFE OR WORKS OF A PERSON, OR GROUP OF PERSONS OF IMPORTANCE IN VICTORIA'S HISTORY

96. It was proposed in the nomination that the Place is significant for its association with Municipal Engineer Albert Keaston Trenavin Sambell, Sir Reginald Henderson and politicians including Premier William Watt and Prime Minister Andrew Fisher.
97. The Executive Director agreed that the Place did have associations with those people, as is shown through documentary evidence. However, the Executive Director did not find that the Place would allow those associations to be appreciated better than most other places or objects in Victoria.
98. The nominator responded, stating that the Executive Director's commentary was 'irrelevant', and that evidence had been provided to refute the assessment.
99. The nominator reiterated historical evidence that demonstrates the association between various important, historical figures and the Place.
100. The association between Prime Minister Andrew Fisher has been discussed above at Criterion A, and the association with Sir Reginald Henderson KCB RN, while interesting, is not directly related to development of the Place. That association is better understood through the Commonwealth Heritage Listing of the HMAS Cerberus Naval Base.

Committee discussion and conclusion

101. The Committee refers to the Criteria and Threshold Guidelines for Criterion H. The Committee is of the view that it is plausible that step H1 and H2 may be met, as the Place does have an association with a group of persons (being political figures of the time) who made a strong contribution to their field. The Committee finds that there is documentary evidence of such an association, although it is not clear in the material before it if there is any physical evidence of the association.
102. When considering the test for step H3, however, the Committee does not find in the evidence before it that there was any enduring or close interaction between the person(s) and the Place. For instance, the connection to Prime Minister Fisher, as far as the evidence has shown, was only for a short period of time during his support for building the MPWSS and extending its use to meet Commonwealth needs. Similarly, the association between Albert Keaston Trenavin Sambell, the engineer for the water supply scheme, does not appear to be enduring and/or close.

103. It is plausible that, as an engineer for the Mornington Shire and other nearby Shires, Sambell would have been involved in several infrastructure projects, and that there is no evidence before the Committee that his work on this particular Place led to an enduring and/or close connection to it.
104. The Committee notes that major public infrastructure is usually associated with notable people, due to the nature of finances and approvals required.
105. The Committee does not find that the Place could allow the association between the named people and their importance to Victoria's history to be readily appreciated better than most other places or objects in Victoria.
106. The Committee finds, based on the evidence before it, that the Place does not have a reasonable prospect of inclusion in the Heritage Register under **Criterion H**.

CONCLUSION

107. The Committee notes the time the nominator and SBRAG Committee has taken to compile the substantial historical material the Committee had access to when making its determination. The Committee acknowledges the strong desire of the community to regain access to the Beaconsfield Reservoir and notes the advocacy work undertaken to-date in relation to the closure of the Beaconsfield Reservoir.
108. The Committee thanks the nominator, SBRAG and Executive Director for providing material in relation to the Place, attending the meeting and responding to the Committee's enquiries in a thorough and well-informed manner.
109. The Heritage Council has considered a request to review the Executive Director's decision to refuse to accept a nomination to include the Mornington Peninsula Water Supply Scheme located at Tarago Reservoir, Beaconsfield Reservoir, Frankston Reservoir and Bittern Reservoir and Crib Point in the Victorian Heritage Register. Pursuant to section 30(5)(a) of the *Heritage Act 2017*, the Heritage Council has determined to affirm the decision under review and refuse to accept the nomination.

ATTACHMENT 1

HERITAGE COUNCIL CRITERIA FOR ASSESSMENT OF PLACES AND OBJECTS OF CULTURAL HERITAGE SIGNIFICANCE

CRITERION A	Importance to the course, or pattern, of Victoria's cultural history.
CRITERION B	Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
CRITERION C	Potential to yield information that will contribute to an understanding of Victoria's cultural history.
CRITERION D	Importance in demonstrating the principal characteristics of a class of cultural places or 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 present-day community or cultural group for social, cultural or spiritual reasons.
CRITERION H	Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

These were adopted by the Heritage Council at its meeting on 1 December 2022, and replace the previous criteria adopted by the Heritage Council on 6 December 2012.