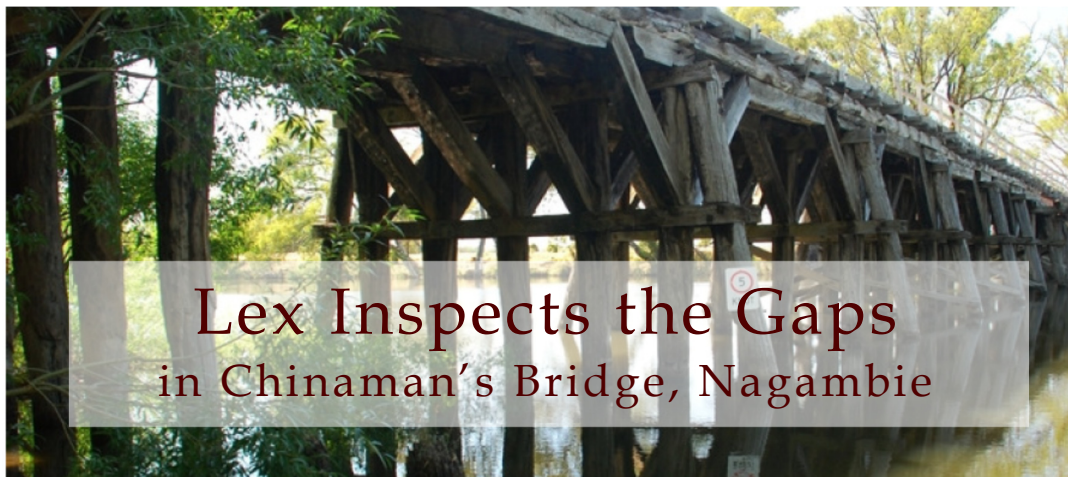


LEX LOCI'S TRAVELS

3 JUNE 2021

An irregular one-pager from The Public Land Consultancy



Lex Inspects the Gaps in Chinaman's Bridge, Nagambie

Here we have a disused trestle bridge over the Goulburn River, built in 1891. Lex can see that it's seriously defective – and so is the law.

According to the [Victorian Heritage Register](#) the bridge “...is of architectural importance as one of the earliest completely timber road bridges in Victoria. It is important for its use of hand-hewn timber in its construction and details...”

But it's falling down. The deck is full of gaping holes, the guard rails have fallen off, and the supporting piles are rotting away. In Lex's opinion, it is lethally dangerous.



Who owns it? There was a time when this was a declared arterial road, and therefore the bridge was owned by VicRoads. But the road was de-arterialised in 1995, when a new bridge went up nearby. This caused the road to become the responsibility of the Shire of Strathbogie – whether the Shire liked it or not. They didn't.

So Strathbogie discontinued the road altogether, causing it to become Crown land under the control of DELWP, whether DELWP wanted it or not. They didn't. But they are stuck with it: insofar as it is still a physical roadway, its Coordinating Road Authority is the Secretary for DELWP.

So can DELWP demolish it? Lex checks the *Heritage Act 2017*. No they can't, not without the consent of Heritage Victoria. It is an indictable offence to demolish or alter a heritage-listed place. Penalty \$40,000.

But surely the *Building Act 1993* requires that structures be safe? No, it doesn't – not if those structures are bridges.

The final hole Lex would like to see filled relates to the thing's name. Sure, the area was once populated by Chinese market gardeners but, as noted by the Chinese Community Council of Australia, the word *Chinaman* is “an offensive term from the White Australia age ([click here](#)).”

Which brings Lex to the *Geographic Place Names Act 1998*. Guidelines made under that Act tell us that ‘proposed names should not be offensive, racist, derogatory or demeaning.’ The Act can reproach the use of such names, but it cannot cause them to be expunged.

Which will be fixed first – the bridge or the law? Lex isn't holding his breath. ♦

See you there! Lex Loci



Nagambie is in Taungurung country