

## ORDINARY MEETING OF COUNCIL

**Notice** is hereby given of the  
Ordinary Meeting of Council to be held at  
Council Chambers, 15 Stead Street, Ballan on  
Wednesday 5 June 2013,  
commencing at 7:00 p.m.

### Members:

Cr. Pat Toohey (Mayor)	Woodlands Ward
Cr. Allan Comrie	East Moorabool Ward
Cr. David Edwards	East Moorabool Ward
Cr. John Spain	East Moorabool Ward
Cr. Tonia Dudzik	East Moorabool Ward
Cr. Paul Tatchell	Central Ward
Cr. Tom Sullivan	West Moorabool Ward

### Officers:

Mr. Rob Croxford	Chief Executive Officer
Mr. Shane Marr	General Manager Corporate Services
Mr. Phil Jeffrey	General Manager Infrastructure
Mr. Satwinder Sandhu	General Manager Growth and Development
Mr. Danny Colgan	General Manager Community Services

**Rob Croxford**  
**Chief Executive Officer**

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**1. OPENING OF MEETING AND PRAYER**

**Almighty God be with us as we work for the people of the Shire of Moorabool.**

**Grant us wisdom that we may care for the Shire as true stewards of your creation.**

**May we be aware of the great responsibilities placed upon us.**

**Help us to be just in all our dealings and may our work prosper for the good of all.**

**Amen**

**2. PRESENT**

**3. APOLOGIES**

**4. CONFIRMATION OF MINUTES**

**4.1 Ordinary Meeting of Council – Wednesday 15 May 2013**

**Recommendation:**

**That Council confirms the Minutes of the Ordinary Meeting of Council held on Wednesday 15 May 2013.**



## 5. DISCLOSURE OF CONFLICT OF INTEREST

Under the Local Government Act (1989), the classification of the type of interest giving rise to a conflict is; a direct interest; or an indirect interest (section 77A and 77B). The type of indirect interest specified under Section 78, 78A, 78B, 78C or 78D of the Local Government Act 1989 set out the requirements of a Councillor or member of a Special Committee to disclose any conflicts of interest that the Councillor or member of a Special Committee may have in a matter being or likely to be considered at a meeting of the Council or Committee.

Definitions of the class of the interest are:

- a direct interest
  - (section 77A, 77B)
- an indirect interest (see below)
  - indirect interest by close association (section 78)
  - indirect financial interest (section 78A)
  - indirect interest because of conflicting duty (section 78B)
  - indirect interest because of receipt of gift(s) (section 78C)
  - indirect interest through civil proceedings (section 78D)

### Time for Disclosure of Conflicts of Interest

In addition to the Council protocol relating to disclosure at the beginning of the meeting, section 79 of the Local Government Act 1989 (the Act) requires a Councillor to disclose the details, classification and the nature of the conflict of interest immediately at the beginning of the meeting and/or before consideration or discussion of the Item.

Section 79(6) of the Act states:

While the matter is being considered or any vote is taken in relation to the matter, the Councillor or member of a special committee must:

- (a) leave the room and notify the Mayor or the Chairperson of the special committee that he or she is doing so; and
- (b) remain outside the room and any gallery or other area in view of hearing of the room.

The Councillor is to be notified by the Mayor or Chairperson of the special committee that he or she may return to the room after consideration of the matter and all votes on the matter.

There are important reasons for requiring this disclosure immediately before the relevant matter is considered.

- Firstly, members of the public might only be in attendance for part of a meeting and should be able to see that all matters are considered in an appropriately transparent manner.
- Secondly, if conflicts of interest are not disclosed immediately before an item there is a risk that a Councillor who arrives late to a meeting may fail to disclose their conflict of interest and be in breach of the Act.

**6. MAYOR'S REPORT**

**To be presented at the meeting by the Mayor.**

**Recommendation:**

**That the Mayor's report be received.**

**7. COUNCILLORS' REPORTS**

**To be presented at the meeting by Councillors.**

**Recommendation:**

**That the Councillors' reports be received.**

## 8. PUBLIC QUESTION TIME

The Council has made provision in the business of the Ordinary Meetings of the Council for the holding of a Public Question Time.

Public Question Time is required to be conducted in accordance with the requirements contained within the **Public Question Time Protocols and Procedural Guidelines**.

The person asking the question is to stand and identify themselves by name and residential address before asking the question.

All questions are to be directed to the Mayor as Chairperson, who shall determine the appropriate person to respond to the question.

**The person asking the question must be present in the gallery when the question is considered and may be asked for clarification by the Mayor.**

At the discretion of the Mayor, a lengthy question may be required to be placed into writing by the person asking the question. The Mayor may accept a question on notice, in the event that research is required to provide a response. In the case of questions taken on notice, both the question and response shall be recorded in the Minutes of the Meeting.

### ***Procedural Guidelines – Public Question Time***

A maximum of two questions may be asked by any one person at any one time.

If a person has submitted 2 questions to a meeting, the second question: may, at the discretion of the Mayor, be deferred until all other persons who have asked a question have had their questions asked and answered; or may not be asked if the time allotted for public question time has expired.

A maximum of three minutes per question will be allocated. An extension of time may be granted at the discretion of the Mayor.

The Mayor will nominate the appropriate person to respond to each question. In the event that the question is directed for response by a Council Officer, it shall be referred through the Chief Executive Officer.

The Mayor may disallow any question, which is considered:

To relate to a matter outside the duties, functions and powers of Council;

To be defamatory, indecent, offensive, abusive, irrelevant, trivial or objectionable in language or substance;

To be confidential in nature or of legal significance;

To deal with a subject matter already answered; To be aimed to embarrass any person;

To relate to personnel matters;

To relate to the personal hardship of any resident or ratepayer;

To relate to industrial matters;

To relate to contractual matters;

To relate to proposed developments;

To relate to legal advice;

To relate to matters affecting the security of Council property; or

To relate to any other matter which Council considers would prejudice the Council or any person.

The Mayor has the discretion to seek clarification of the question if deemed necessary but otherwise the person asking the question is not permitted to enter into debate with or directly question the Mayor or Chief Executive Officer.

The Mayor may direct that a member of the gallery ceases speaking if the above procedure is not followed.

**9. PETITIONS**

**No petitions have been made to Council for consideration as part of this Agenda.**

## 10. PRESENTATIONS / DEPUTATIONS

The Council has made provision in the business of the Ordinary Meetings of the Council for the making of presentations or deputations to Council in relation to matters presented on the agenda for Council consideration.

Presentations or deputations are required to be conducted in accordance with the requirements contained within the **Presentation/Deputations Protocols and Procedural Guidelines**.

Persons wishing to make a presentation or deputation to Council on a matter included in the agenda shall inform Council prior to the meeting by contacting the Chief Executive Officer's office and registering their name and agenda item being spoken to.

At the meeting the Mayor will invite the persons wishing to make a presentation or delegation to address the Council on the agenda item.

The person making the presentation or deputation is to stand and address Council on the item. No debate on the item is permitted between the person making the presentation or delegation and the Council.

A maximum of three minutes per presentation or delegation will be allocated. An extension of time may be granted at the discretion of the Mayor.

Councillors, through the Mayor, may ask the person making the presentation or delegation for clarification of matters presented.

The Mayor may direct that a member of the gallery ceases speaking if the above procedure is not followed.

### List of Persons making Presentations/Deputations other than in relation to a planning item listed on the agenda:

Item No	Description	Name	Position
-	-	-	-

### List of Persons making Presentations/Deputations to a planning item listed on the agenda:

Individuals seeking to make a presentation to the Council on a planning item listed on the agenda for consideration at the meeting will be heard by the Council immediately preceding consideration of the Council Officer's report on the planning item.

Item No	Description	Name	Applicant/ Objector
-	-	-	-



## 11. OFFICER'S REPORTS

### 11.1 CHIEF EXECUTIVE OFFICER

#### 11.1.1 Moorabool Shire Council Film Policy Review

##### Introduction

File No.: 17/05/005  
Author: Peter Forbes  
Manager: Rob Croxford

##### Background

The current Moorabool Shire Council Film Policy has been reviewed to ensure it remains relevant and current for its purpose of facilitating film activity within Moorabool Shire Council.

Moorabool Shire has been the location for various feature films since this policy has been in place. Feature films like *'Charlotte's Webb'*, television series such as *'RUSH'* and television commercials such as *'Good Year'* tyres.

Since the last review of this policy in September 2010, Moorabool Shire has been the location for mini-series such as the *'Dr Blake Mysteries'*, a documentary for the Discovery Channel, *'Behind Mansion Walls'* and a television commercial for the *'Traffic Accident Commission'*.

The film industry is labour and resource intensive, with potential to generate additional jobs and investment into the local economy.

Prior to Council adopting the current Moorabool Shire Council Film Policy, Council's dealings with the film industry were undertaken by the Business Development Officer without policy or protocols. Since the implementation of the Moorabool Shire Council Film Policy, Council now have clear policies and protocols to guide actions and responses.

The original Film Policy was formally considered and adopted by Council at the Ordinary Meeting of Council on Wednesday 19 April 2006 and last reviewed and adopted on 1 September 2010.

Many enquires have been reviewed via this policy since the last review, culminating in approximately 8 location permits being issued. No serious incidents have been documented from the issuing of these permits.

The current policy has brought benefits to Moorabool Shire Council as predicted in the report to establish establishing the Film Policy.

Specifically the development of a Film Policy has allowed Council to:

- Present a clear statement of intent in respect of filming within the Shire;
- Promote the Shire as a “film friendly” location to local, state-wide, national and international film makers;
- Have a co-ordinated approach to the conduct of Council and its officers in relation to filming within the Shire;
- Develop opportunities to promote and market the Shires natural and built features for films and film crews; and
- Allow all stakeholders (including local government, public authorities, the community, producers and production companies) to understand precisely their commitments and expectations when filming within Moorabool Shire.

Strategies listed and developed within the Film Policy have provided positive outcomes for the film and television industry, Moorabool Shire and the community, including:

- A balance between residential, business and film and television industry needs and interests;
- Streamlined promotion of and access to Moorabool Shire for the film and television industry;
- Recognition of Moorabool Shire as a film-friendly and premier filming location in Victoria;
- An increase in film and television productions using Moorabool Shire as a location;
- Enhanced reputation and profile for Moorabool Shire as offering a coordinated, high quality service;
- Contribution to building Moorabool Shire’s capacity as a centre for arts and cultural activities;
- Greater visitor awareness of Moorabool Shire’s geographical, environmental and heritage assets;
- Minimised risk of litigation and insurance claims for Moorabool Shire, and increased protection for the Council’s reputation; and
- Recognition of the cultural value and economic benefits to be derived from the attraction of filming activity.

As part of the review, feedback was sought from Film Victoria and The Film Cluster of Film Ballarat and Beyond. Both confirmed the current policy was adequate from a film industry and a film liaison perspective.

Council considered the proposed policy on 1 May, 2013 and resolved that the policy lay on the table for further consideration and adoption at the Ordinary Meeting of Council, 5 June 2013.

### **Proposal**

The current Moorabool Shire Council Film Policy be retained and be endorsed as appropriate for future use, subject to very minor alterations to reflect the current staffing, practise, structures and resources.

## **Policy Key Elements**

It is proposed that the Film Liaison Officer responsibilities should reside with the Tourism Officer and the permit signed off by the Manager, PR, Marketing and Tourism or its equivalent.

The strategic alliance with the Local Governments of Ballarat, Ararat, Northern Grampians, Pyrenees, Hepburn and now Golden Plains has offered greater attractiveness and variety for film makers. This partnership cluster has led to increased promotional opportunities and profile for Moorabool at minimal cost to Council.

The co-funded film website is Council's main tool in which to communicate with film and television professionals to select film locations in the seven participating Councils. It is recommended that this alliance continue to be an integral part of Council's Film Policy and Strategy.

In order to facilitate timely investigation and resolution of filming applications, delegation of authority for issuing permits over all areas should continue to reside with the Film Liaison Officer.

The policy includes a 'No Fees' position for processing of filming permits, which is consistent with the approach of all the seven member Councils in the Ballarat and Beyond Film Partnership Cluster.

The no fees position only applies to the permit itself. Council fees and charges for other activities resulting from the filming activities, such as, for example, road management, filming on Council land where a fee would normally apply, supervisory personal if required, and any other costs incurred in the facilitation of the application, still apply and will be borne by the applicant.

In addition, a bond may also be required for filming activity in buildings and on or around property owned by Council. A bond is refundable and will act as a security deposit to be paid to Moorabool Shire Council subject to the conditions of the Film Permit.

The no fees policy for filming permits is based on the rationale that the net fee return is likely to be insubstantial compared with the increased attraction of promoting the entire region as a no Filming Permit Fees. Additionally where no permit fee charged, Council may consider itself a sponsor of the film on a case by case basis. Council may therefore receive promotional benefits of this approach.

## **Scope of Policy**

After review, it is recommended that the scope of the Moorabool Shire Council Film Policy remain as per the following:

- Policy coverage to all areas of Moorabool Shire to coordinate filming activity occurring on land under its care and management; and
- A framework within which applications for filming and, stills photography will be reviewed and processed. (Refer Film Policy and appendices 1,2,3,4,5 for process)

### **Consideration**

The policy protocol relating to the consideration of items which affect beyond the current year is applied for consideration of matters whose impact or influence will extend to directly affect the activities and/or financial planning of Council for a period beyond the term of the Current Council Budget, and whether relating to Council policy pronouncements or specific projects.

### **Policy Implications**

The 2009–2013 Council Plan provides as follows:

<b>Key Result Area</b>	Community Wellbeing
<b>Objective</b>	A strong and diverse local economy
<b>Strategy</b>	Encourage tourism initiatives through local and regional groups

The review of the Moorabool Shire Council Film Policy is consistent with the 2009-2013 Council Plan.

### **Financial Implications**

There are no financial implications as a result of the review of this policy

### **Risk & Occupational Health & Safety Issues**

There are no risk or Occupational Health and Safety issues as a result of a review of this policy.

### **Communications Strategy**

There is no communications strategy required for the review of this policy.

### **Consideration**

The policy protocol relating to the consideration of items which affect beyond the current year is applied for consideration of matters whose impact or influence will extend to directly affect the activities and/or financial planning of Council for a period beyond the term of the Current Council Budget, and whether relating to Council policy pronouncements or specific projects.

### **Victorian Charter of Human Rights and Responsibilities Act 2006**

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

### **Officer's Declaration of Conflict of Interests**

Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

*Manager – Rob Croxford*

In providing this advice to Council as the Manager, I have no interests to disclose in this report.

*Author – Peter Forbes*

In providing this advice to Council as the Author, I have no interests to disclose in this report.

### **Conclusion**

Having previously resolved that the policy lay on the table for further consideration and adoption at the next Ordinary Meeting of Council, the Film Policy (HS004 - Version 003) is now placed before the Council for its endorsement.

### **Recommendation:**

**That Council, in accordance with Moorabool Shire Council Policy Protocol, Consideration of Items which affect beyond the Current Year, now endorses the Film Policy (HS004 – Version 003).**

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### **Report Authorisation**

#### **Authorised by:**

**Name:** Rob Croxford  
**Title:** Chief Executive Officer  
**Date:** Wednesday 5 June 2013



# Attachment - Item 11.1.1(a)

## GUIDELINES FOR FILMING AND STILLS PHOTOGRAPHY

### DISCLAIMER NOTICE

This document is based on the Film Victoria Film Permit Template. It not intended as a provision of legal advice to any particular circumstance nor should it be relied upon as a substitute for legal advice from a qualified legal practitioner in relation to its content.

1. Moorabool Shire Council reserves the right to cancel any permit in the event of activities not being conducted in accordance with the "Film Permit" and guidelines detailed in the "Film Policy" and "Guidelines for Filming and Stills Photography".
2. All activities must comply Moorabool Shire's local laws, and the laws or regulations of any other authority having jurisdiction over the area where filming is to take place.
3. Council requires evidence (Certificate of Currency) of a minimum \$10,000,000 public liability Insurance for filming and \$5,000,000 for stills photography to be provided by the production company/producer prior to issuing the permit to film.
4. Filming is not usually permitted between midnight and 6:00am. Unless Council approves a variation in writing, filming must only occur between the times specified in the permit. In instances where a filmmaker wishes to film outside the usual permitted filming hours in residential or built up areas, a request must be made to the Moorabool Shire Film Officer at least two (2) weeks before the intended date of filming. The Film Officer will assess the impact of the production company's/producer's application and notify all affected parties in writing. Residents will be asked to respond in writing by reply-paid post or facsimile if they have objections to the filming taking place. Once permission to lift the curfew has been granted, the production company/ producer will be required to letter drop the area to ensure everyone is kept informed of the proposed activity.
5. The Victoria Police Film and Television Office must be informed of any filming activity that may be of concern or interest to Victoria Police. This will include all filming planned for public open space, any filming on roadways or use of a low loader and tracking shots on roads in general, and in particular, filming that requires the use of firearms, imitation firearms or special effects.
6. The production company/producer must notify in writing, local traders and residents in the immediate vicinity of the proposed location. The timeframe for this notification will be managed in consultation with Film Officer. A copy of the notification must be provided to the Council.
7. The production company/producer is requested to provide five (5) days notice for reserved parking applications. Maps indicating the location and number of parking spaces required must be supplied. Assistance cannot be provided by Council staff for reserved parking in busy areas, unless neighbouring traders/residents are provided with adequate notice.
8. The production company/producer must request permission from Council to install any tents or marquees in Council parks or open spaces, and must consult carefully with Council to avoid damage being caused to Council infrastructure and assets e.g. underground sprinkler systems, plumbing etc.
9. The production company/producer will not allow any wilful damage or permanent alterations to the locations or contents of the location without express prior permission in writing from the Council.
10. The production company/producer will remove all its personal property and rubbish from the location and restore the location to the condition it was in prior to filming.
11. The production company/producer will bear all costs associated with repairing damage generated by their filming activities and expenses associated with advertising, traffic control, road closures and any other costs incurred by Council in facilitation of the application.
12. The production company/producer may be required to pay a bond to the Council, not less than 24 hours prior to the filming date. This bond may be applied by the Council, at its sole discretion, to repair any damage or replace any losses as a consequence of the filming, including unpaid fees or service charges. The balance, less deductions made in accordance with the policy or



guidelines, will be refunded within 14 days of completion of filming at the location.

13. Production companies/producers must ensure that traffic plans and signage erected around the film location comply with the Worksite Traffic Management Code of Practice Australian Standard at all times. Details of Traffic Management Standards can be obtained by contacting VicRoads Regional Traffic Engineers.
14. Council is entitled to have a representative present at all times (as a non-paid observer except in the situation where the nature of the filming requires a Council representative to be present). Any authorised Council officer may ask the production company's representative to produce a copy of the "Film Permit".
15. The production company/producer will ensure that all crew, cast and other persons in its employ follow reasonable directions given by the Council or its delegate.
16. The production company will not portray the Council as endorsing or supporting any products or service or any views, opinions, attitudes or ideas suggested, conveyed, advertised, canvassed, depicted, or otherwise expressed, without prior written consent from the Council.
17. The production company/producer will, if requested by the Council, acknowledge the assistance of the Council in the production of the film or video by the usual method of end credits or as mutually agreed.
18. Compliance with all statutory obligations relating to matters of occupational health and safety, Workcover and any other statutory or regulatory requirements in the delivery of the production is mandatory.
19. The production company/producer will ensure all dangerous substances and articles to be brought onto location will be listed as such in the application. Before permission may be given, the production company/producer may be required to provide a safety report in regard to the proposed filming activities in accordance with the relevant film and television codes and key Victorian Occupational Health and Safety Acts. A copy of the safety report may be required to accompany the application.
20. The production company/producer acknowledges that it conducts filming entirely at its own risk and hereby releases to the fullest extent permitted by the law, the Council and its servants, agents and contractors, in the absence of any wilful default on their part, from all claims of every kind resulting from any accident, death or injury

occurring at the location to any person or property.

21. The production company/producer warrants that all information provided in or attached to the application is true and correct in every particular, and that no material or relevant information has been omitted.
22. The "Film Permit", policy, guidelines and any executed "Location Agreement" (if applicable) are the entire agreement between the production company/producer and the Council, and no external document or oral statement will be admitted in evidence to amend, alter or vary them.

## PERMIT FEES

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Moorabool Shire Council charges no fees for permission to film within the Shire except those specific charges listed elsewhere for services rendered

## SPONSORSHIP/ FEE WAIVER MAY BE AVAILABLE FOR:

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- Projects which demonstrate benefits for the community;
- Projects which concern charitable activities;
- Documentaries whose subject relates to the cultural heritage of the Moorabool Shire
- Emerging producers and/or directors;
- Student projects.



# Attachment - Item 11.1.1(b)

## RISK MANAGEMENT PLAN – FILMING

### DISCLAIMER NOTICE

The development of this Risk Management Plan and matrix has been based on the Australian Standard AS/NZ 4360/2004 - Risk Management. Film Victoria and Moorabool Shire Council would like to acknowledge the work of the City of Melbourne Event Operations Team for their contribution to the interpretation of the standard and the development of this Risk Management Plan. This Risk Management Plan is not intended as providing legal advice to any particular circumstance nor should it be relied upon as a substitute for legal advice from a qualified legal practitioner in relation to its content

### IMPORTANT

Applicants are required to consult and communicate with all stakeholders regarding the status of risks and controls while filming on location. Applicants must continually monitor the risks and controls for any changes and communicate with all stakeholders if the status of the risks should change at any time.

### COMPLETING THE RISK MANAGEMENT PLAN

1. Identify all foreseeable risks and their physical consequences
2. Identify strategies for eliminating the risks
3. Assess the risk by using the Risk Matrix codes below (for likelihood, consequence and rating)
4. Accept or reject risk based on assessment
5. If rejected, identify new treatment for eliminating the risks by listing further controls
6. Reassess the risk given the new treatment by using the Risk Matrix codes below (for likelihood, consequence and rating)
7. Assign the further controls to appropriate persons

1. IDENTIFY ALL FORESEEABLE RISKS			2. REVIEW STRATEGIES FOR ELIMINATING RISK	3. ASSESS THE RISK USING RISK MATRIX CODES			4. ACCEPT / REJECT RISK	5. IF REJECTED, IDENTIFY NEW TREATMENT	6. REASSESS THE RISK WITH NEW CONTROLS			7. ASSIGN STRATEGIES
Risk No.	Risk	Physical Consequence	Current Controls	Likelihood	Consequence	Rating	Accept/Reject	Further Controls	Likelihood	Consequence	Rating	Appropriate Person
								-				
								-				

### Example Matrix for determining level of risk

Rating		Consequence				
		1. (insignificant)	2. (Minor)	3. (Moderate)	4. (Major)	5. (Catastrophic)
LIKELIHOOD	A (Almost Certain)	Medium	High	High	Very High	Very High
	B (Likely)	Medium	Medium	High	High	Very High
	C (Moderate)	Low	Medium	High	High	High
	D (Unlikely)	Low	Low	Medium	Medium	High
	E (Rare)	Low	Low	Medium	Medium	High

### Example Risk Treatment Key

RATING	TREATMENT REQUIRED
Very High	Senior executive management attention needed, action plans and management responsibility
High	Senior executive management attention needed, action plans and management responsibility specified.
Medium	Manage by specific monitoring or response procedures, with management responsibility specified.
Low	Manage by routine procedures, unlikely to need specific application of resources.

NOTES: The relationship between consequence and likelihood will differ for each application: the level of risk assigned to each cell needs to reflect this. Please refer to the Risk Management Guidelines – Companion to AS/NZS 4360:2004. PROVIDE EXTRA PAGES IF NECESSARY.

# Attachment - Item 11.1.1(c)



# FILM PERMIT

**DISCLAIMER NOTICE**

This document is based on the Film Victoria Film Permit Template. It is not intended as a provision of legal advice to any particular circumstance nor should it be relied upon as a substitute for legal advice from a qualified legal practitioner in relation to its content.

**APPLICANT** \_\_\_\_\_ (“the Permit Holder”)

**PRODUCTION COMPANY** \_\_\_\_\_ (“the Production Company”)

**TIME** \_\_\_\_\_ **DATE** \_\_\_\_\_  
**LOCATION** \_\_\_\_\_ (“the Location”)

**CONDITIONS**

- |  |  |
|--|--|
| <p>1. Before any activity associated with filming commences, all activities must comply with any applicable local laws of the Council. All other necessary consents and approvals must be obtained and all other legislative requirements must be complied with.</p> | <p>2. The Permit Holder must abide by the guidelines detailed in the “Film Policy” and “Guidelines for Filming and Stills Photography in Moorabool Shire”</p>  |
|  | <p>3. The permit must be kept on the site by the Permit Holder and must be produced to an authorised officer of Council on request. Council is entitled to have a representative present at all times.</p> |

**ADDITIONAL REQUIREMENTS** (if any)

**LOCATION FEE/BOND** \$ \_\_\_\_\_  
**APPROVED** \_\_\_\_\_ **DATE** \_\_\_\_\_

.....  
**Moorabool Shire Council Film Officer**

This permit is issued to the Production Company to film, video or photograph on the streets or property of the Location, subject to the jurisdictions and special conditions (if any) of Moorabool Shire Council at the times, dates and specific locations designated above and/or in attached documentation.

**SUBJECT TO SPECIAL CONDITIONS** (attach documentation outlining the special conditions, if any)

**SIGNATURE**

**NAME**

**TITLE**

# Attachment - Item 11.1.1(d)

## LOCATION AGREEMENT

### DISCLAIMER NOTICE

This document is based on the Film Victoria Location Agreement Template. It not intended as a provision of legal advice to any particular circumstance nor should it be relied upon as a substitute for legal advice from a qualified legal practitioner in relation to its content.

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### BETWEEN

(“the Producer”)

ADDRESS

TEL

Email

ABN

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### AND

(“the Location Provider”)

ADDRESS

TEL

Email

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### THE AGREEMENT

The Location Provider **hereby grants** the Producer the following rights in the use of

ADDRESS

(“the Location”)

for the purposes of filming or photography of exterior and/or interior scenes in connection

with

(“the Subject Matter”)

ENTITLED

(“the Production”)

on the dates and times set out below.

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### REPRESENTATION OF THE LOCATION

The Location Provider agrees with the Producer that:

- a) The Producer has the option to represent the Location under it’s proper title (if any); as another actual place or property; or, as a fictional place; and
- b) All copyright in any images or sounds recorded or made at or of the Location rests with the Producer who may use or not use the same on, in relation to or in connection with the Subject Matter in any way the Producer deems fit.

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### DATES AND TIMES

The Location Provider agrees that the Producer has permission to enter the Location and bring such persons, props, sets and equipment as the Producer requires for filming or photography, for the following period:

FROM                      am/pm                      ON                      (Date)

TO                              am/pm                      ON                      (Date) (“the Period”)

Should the Producer need to return to the Location for re-shooting, or because of weather delays, permission for further access will not be unreasonably withheld.

**INDEMNIFICATION & INSURANCE**

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In consideration of the rights hereby granted to the Producer by the Location Provider, the Producer agrees:

- a)** To be bound by the application and permit (if any) and conditions attached to this agreement (if any);
- b)** To obtain and keep current a public liability insurance policy for at least 10 million dollars (filming) or 5 million dollars (stills photography); In case of crowd participation additional coverage may be required.
- c)** To indemnify the Location Provider for any loss, damage or injury of any kind arising out of acts or omissions of the Producer, its employees, agents or contractors;
- d)** To indemnify the Location Provider against all claims or suits of any kind whatsoever against the Location Provider for loss, damage or injury of any kind arising out of the acts or omissions of the Producer, its employees, agents or otherwise, in exercising its rights under this Agreement; and;
- e)** That he/she conducts the filming entirely at his/her own risk and releases the Location Provider (in the absence of negligence or willful default on the Location Provider's part) from all claims of any kind occurring at the Location to any person or property.

**AUTHORITY**

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The Location Provider warrants:

- a)** He/she has the authority to enter into this agreement and to grant the rights hereby granted by virtue of being: the registered proprietor; lessee; or managing agent who enters this agreement for and on behalf of the proprietor; or, public authority in which control has been vested, of the property located at the Location;
- b) EITHER**
  - 1)** The Location Provider is the sole person entitled to the use and occupancy of the Location during the period specified in this agreement or the individual tenants have been informed and are agreeable;
  - OR**
  - 2)** The Location is a public place, including road or footpath, and the Location Provider is the public authority in which control of the Location is vested;
- c)** The Location Provider has not and will not grant any other rights over the Location, which may interfere with the filming to be conducted by the Producer during the period specified in this agreement.

**FEE**

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Moorabool Shire has a NO FEES policy in relation to Filming and Film Permits within the Shire. However, fees may be charged in respect of the provision of other Council services and facilities. (See Moorabool Shire Film Policy and Film Guidelines).

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**SIGNED**  
For and on behalf of the Producer

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**SIGNED**  
For and on behalf of the Location Provider

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PRINT NAME

---

PRINT NAME

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DATE:

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DATE:

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# Attachment - Item 11.1.1(e)



## FILM PERMIT APPLICATION

### **DISCLAIMER NOTICE**

This document is based on the Film Victoria Film Permit Template. It is not intended as a provision of legal advice to any particular circumstance nor should it be relied upon as a substitute for legal advice from a qualified legal practitioner in relation to its content.

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**PRODUCTION COMPANY** **ABN**

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**ADDRESS**

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**TEL** **email**

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**PRODUCTION MANAGER** **TEL**

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**LOCATION MANAGER** **TEL/MOB**

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**LOCATION (if more than one, attach a list)**

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**DATES OF USE** **TIMES OF USE**

---

**TITLE OF PRODUCTION**

---

**NO. OF ESSENTIAL PARKING SPACES** (provide map of proposed crew parking)

---

**NO. OF CAST & CREW**

---

**TYPE OF PRODUCTION (tick one)**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Feature Film    | <input type="checkbox"/> Telemovie                     | <input type="checkbox"/> TV Series/Serial |
| <input type="checkbox"/> Documentary     | <input type="checkbox"/> Training/Industrial           | <input type="checkbox"/> Student Film     |
| <input type="checkbox"/> Music Video     | <input type="checkbox"/> Commercial Stills Photography |   |
| <input type="checkbox"/> Other (specify) | <input type="checkbox"/> TV Commercial                 |   |

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**PLEASE ATTACH**

- A copy of Certificate of Currency of public liability insurance;
- A brief description of the action being shot;
- Map of location and preferred parking spaces;
- Location agreement (if applicable);
- Risk management plans including safety reports, traffic & pedestrian management plans (if required);
- Addendum application if there are special conditions e.g. lighting, noise, firearms etc.

# MOORABOOL SHIRE COUNCIL FILM PERMIT APPLICATION

## **INDEMNIFICATION**

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The production company agrees to indemnify MOORABOOL SHIRE COUNCIL against all claims or suits of any kind whatsoever against MOORABOOL SHIRE COUNCIL for loss, damage or injury of any kind arising out of the negligence or unlawful conduct of the production company and its employees, agents or otherwise. The production company agrees to comply with all the local laws of Moorabool Shire Council and all other relevant legislation, Council conditions, guidelines and special conditions provided.

Signed for, and on behalf of the production company, who warrants that he/she is authorised to sign this application on behalf of the production company.

## **SIGNATURE**

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NAME

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TITLE

DATE

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## **ADDENDUM FILM PERMIT APPLICATION**

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LOCATION(S)

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DATES

TIMES OF USE

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DETAILS OF PROPOSED SHOOT

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SPECIAL REQUIREMENTS (attach appropriate safety documentation to this application)

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# Attachment - Item 11.1.1(f)

<b>Policy No.:</b>	HS004	<b>HS004 – Film Policy</b>
<b>Review Date:</b>	July 2015	
<b>Revision No.:</b>	003	
<b>Policy Manual Version No.:</b>	003	
<b>Adopted by:</b>	Moorabool Shire Council	Date TBC

## 1. Purpose and Scope of the Policy

To provide:

- Clear policies and protocols to guide Council's actions and responses to requests for filming within Moorabool Shire Council.
- Policy coverage to all areas of Moorabool Shire to coordinate filming activity occurring on land under its care and management.
- A framework within which applications for filming and, stills photography will be reviewed and processed.

## 2. Policy

### MOORABOOL SHIRE COUNCIL - FILM POLICY April 2013

#### Disclaimer Notice

The development of this Policy has been based on the policy writing conducted by Film Victoria for local government. Film Victoria acknowledges the assistance of the cities of Melbourne, Port Phillip, Ballarat, Greater Geelong, Greater Bendigo, Yarra, Darebin, Hobson's Bay, Stonnington, Wyndham, Hepburn Shire, Cardinia Shire, Mount Alexander Shire, Campaspe Shire and the Borough of Queenscliffe for their contributions to the development of film policy in Victoria. This Policy is not intended as a provision of legal advice to any particular circumstance nor should it be relied upon as a substitute for legal advice from a qualified legal practitioner in relation to its content.

#### About Moorabool Shire

Moorabool Shire is a prominent regional centre located in the Australian state of Victoria, approximately 50 km west of Melbourne. Moorabool Shire has a population of approximately 30,000 most of whom live in the major centres of Bacchus Marsh and Ballan. The shire offers diverse and accessible locations, infrastructure and services and a film-friendly and proactive approach to facilitating productions in the region.

It is also home to some of Victoria's most popular natural attractions – including the Lerderderg and Werribee Gorges and the Wombat State Forest.

The appeal of Moorabool Shire is its varied landscapes, pretty townships and heritage locations, and their ability to double for a number of iconic settings from around the world.

This makes Moorabool Shire the ideal setting for any film, television or photographic project.

## Vision

To increase Moorabool Shire's profile as a desirable production destination, to advocate and facilitate filming activity in the region, and to generate greater economic benefits for Moorabool Shire while maintaining community amenities.

## Background

Interest in Victoria as a location for production and post-production of films, television programs and commercials has increased dramatically in recent years. This is due to a greater awareness of the state's spectacular and diverse locations, the availability of attractive federal and state-based financial incentives, Major studio facilities in Melbourne, and Film Victoria's promotion of the state as a film-friendly production destination.

Moorabool Shire Council recognises the need for a coordinated approach across local government to address the increased demand from the local, interstate and international production industry, and has committed to promoting and facilitating greater access to its locations.

The film and television industry can generate revenue for hospitality, travel and other local industries. A powerful secondary impact of films, television programs and commercials is the promotion of the region and the stimulation of tourism and investment.

## Scope of Policy

This policy covers all areas of Moorabool Shire, to coordinate filming activity occurring on land under its care and management.

This policy introduces a framework within which applications for filming and stills photography will be reviewed and processed. The policy allows all stakeholders (including local government, public authorities, the community, producers and production companies) to understand precisely their commitments and expectations when filming in Moorabool Shire.

The document provides guidelines for filming and stills photography in Moorabool Shire including:

Motion picture photography for

- Television;
- Feature films;
- Advertising;
- Student film projects;
- Documentaries;
- Music videos; and
- Commercial stills photography.

## Strategies

Moorabool Shire Council's Film Policy will achieve its vision by implementing the following strategies:

- Implement, monitor and maintain an efficient and effective process for using Moorabool Shire for film and photographic purposes;
- Provide guidelines for a coordinated information and permit approval service for the film and television industry;
- Ensure the film and television industry adheres to the policy and guidelines;

- Provide a high level of service with efficient responses to film and television industry enquiries and film permit applications;
- Develop and maintain systems for a streamlined approach to the provision of information and service requests from the film and television industry;
- Monitor the level of film activity to minimise impacts on community amenity, both residential and business;
- Facilitate and monitor the notification of filming activity to residents, business operators and the relevant public authorities;
- Act as an advocate for the film and television industry within Council, to the community and in dealings with relevant public authorities; and
- Actively work with key government agencies, including Film Victoria, to effectively advocate and promote Moorabool Shire as a film-friendly production destination with diverse and accessible locations.

### Outcomes

These strategies will result in a number of positive outcomes for the film and television industry, Moorabool Shire and the community including:

- A balance between residential, business and film and television industry needs and interests;
- Streamlined promotion of and access to Moorabool Shire for the film and television industry;
- Recognition of Moorabool Shire as a film-friendly and premier filming location in Victoria;
- An increase in film and television productions using Moorabool Shire as a location;
- Enhanced reputation and profile for Moorabool Shire as offering a coordinated, high quality service;
- Contribution to building Moorabool Shire's capacity as a centre for arts and cultural activities;
- Greater visitor awareness of Moorabool Shire's geographical, environmental and heritage assets;
- Minimised risk of litigation and insurance claims for Moorabool Shire, and increased protection for the Council's reputation; and
- Recognition of the cultural value and economic benefits to be derived from the attraction of filming activity.

### APPLICATION TO FILM

#### Film Permits and Local Laws

When filming in streets, parks and gardens and other open spaces managed by the Council, a completed "Film Permit Application" form is necessary. If filming in or around Council-owned buildings, a "Location Agreement" may be required in addition to the Council's "Film Permit Application" form. This should be checked with the Moorabool Shire's Film Liaison Officer when the application is lodged. Once the application has been processed by Council, approval for filming and/or otherwise will then be issued.

Moorabool Shire Council's local laws incorporate guidelines for the use of roads, footpaths and other public spaces during filming activity. Commencement of this activity is subject to Council's approval and issuance of a "Film Permit".

Decisions will be based on the "Film Permit Application", evidence of adequate public liability insurance and any other documentation required by Council as outlined in this policy. Filming without a permit will result in a penalty.

The timeframe for the issue of permits correlates to the location and the activity's potential impact on the amenity of residents; business operators and traffic (refer to 'Council Notification and Consultation' and 'Permit Processing' for more information).

Filming is usually not permitted between the hours of midnight and 6.00am. In some instances, permission may be granted for filming during these hours. Express written permission from the Moorabool Shire's Film Liaison Officer must be obtained. Please refer to the "Guidelines for Filming and Stills Photography in Moorabool Shire" for details on altering curfew hours. The "Guidelines for Filming and Stills Photography in Moorabool Shire Council", "Film Permit Application" form, sample "Film Permit", "Risk Management Plan" and "Location Agreement" for Moorabool Shire Council follow as attachments.

### **Filming on Private Property**

Production companies wishing to film on private property are expected to enter into a location agreement with the owners of that property as well as to adhere to any conditions detailed in Guidelines for Filming and Stills Photography. Similar notification of neighbours and other stakeholders etc apply to filming on private property as to filming on Council property.

### **Private Property Owners and Filming**

Any enquiries and concerns by private property owners about filming on their property can be addressed by contacting Film Victoria on [www.film.vic.gov.au](http://www.film.vic.gov.au), by email at [contact@film.vic.gov.au](mailto:contact@film.vic.gov.au); by mail at GPO Box 4361 Melbourne 3001; by fax on 9660 3201 or by phone on 9660 3200.

### **Delegation of Authority**

The delegation of authority for issuing permits and charging fees rests with the Moorabool Shire's Film Liaison Officer. The Film Liaison Officer is the Council's point of contact for filmmakers and their crew, and liaises with other departments to confirm traffic management requirements and ensure film makers are using public and commercial spaces and Council facilities appropriately. The Film Liaison Officer is charged with processing applications, issuing permits, coordinating the availability of locations, monitoring filming activity in the region and liaising internally and externally.

In the event of a dispute or difference arising from the interpretation of this policy, any decision made by the Film Liaison Officer shall be final.

### **Council Notification and Consultation**

Moorabool Shire Council understands that a production's schedule may change frequently and at the last minute and, where possible, will endeavour to accommodate flexible timeframes for notification to Council of proposed filming activity.

Generally, a Film Permit Application that DOES NOT have any impact on the normal flow of traffic must be submitted to Council at least seven (7) business days prior to the intended commencement date of filming activity. Applications that DO require traffic and pedestrian management planning must be submitted at least twenty (20) business days prior, to allow time for these extra measures to be considered by Council.

It should be noted that applications for permits for any proposed filming within the Avenue of Honour, Bacchus Marsh may require a longer processing period.

Major filming activity may require special consultation with representatives of Council before and during the production process to ensure that any risks which may be associated with the filming activity are minimised, e.g. ongoing disruptions to parking and traffic. (See also 'Risk Management' and 'Traffic and Pedestrian Management Plans').

### Permit Processing

Most film permit applications will be turned over within 48 hours where all the required information is provided, however, applicants will need to allow for the impact on the location if short notice is given, and will be required to contact relevant stakeholders of their intention to film. (See 'Communication with Stakeholders').

### Fees

Moorabool Shire Council wishes to ensure greater access to its locations and encourage filming activity by providing a "no fees policy" for film permit processing.

Unless existing fees apply to exclusive use of a particular area (e.g. parks, gardens), the "no fees policy" will apply to filming activity that occurs on Council-owned land or property. However, costs to Council in providing supervisory personnel (if required), event coordination, expenses associated with advertising, traffic control, road closures and any other costs incurred in the facilitation of the application will be borne by the applicant.

A bond may be required for filming activity in buildings and on or around property owned by Council. A bond is refundable and will act as a security deposit to be paid to Moorabool Shire Council subject to the conditions of the "Film Permit". A bond may be applied based on an assessment of risk to, or adverse impact on Council property and to ensure that the production company follows the "Guidelines for Filming and Stills Photography" and the "Location Agreement".

The bond (if applicable) will be negotiated before filming begins and will be returned within 14 days of its conclusion, subject to any claim for damages.

Other fees that may apply include requests for reserved on-street parking. All vehicles must be parked in accordance with a parking plan agreed to by Council at the time of application (refer to 'Fees to Other Departments' and 'Traffic and Pedestrian Management Plans').

### Sponsorships - Criteria for Fee Waiver

Fees for filming activity may be waived in certain circumstances. Moorabool Shire Council treats this type of support as a sponsorship.

Applicants in receipt of sponsorship are required to acknowledge the Council in the end credits of the project. The acknowledgment will read "Filmed in Moorabool Shire and/or "Thanks to Moorabool Shire Council, and the communities of (names of towns/areas in which filming takes place).

Any applicant seeking to have fees waived must attach a written request to the "Film Permit Application" stating the rationale for sponsorship. The Film Liaison Officer is delegated with the authority to approve sponsorship.

Sponsorship may be available for:

- Projects which demonstrate benefits for the community;
- Projects which concern charitable activities;



- Documentaries whose subject relates to the cultural heritage of Moorabool Shire;
- Emerging producers and/or directors; and
- Student projects.

Fees will not be waived retrospectively. If fees are waived, charges may still be payable for a bond and/or additional costs such as insurance, security, supervision, the moving or relocation of physical items, and any costs incurred by Council as a result of the filming activity.

### **Fees to Other Departments**

In the majority of applications the location fee charged (if applicable) covers the full service provided by Council. Additional fees may be charged when film crew park their vehicles in metered or restricted parking areas. There may be additional permits and/ or fees required with certain activities (e.g. erecting a crane on a footpath). Any additional requirements should be discussed with the Film Liaison Officer when lodging the application.

### **Damage to Council Property**

Any costs associated with the clearing away of waste generated by the filming activity and for any damage to Council infrastructure including, but not limited to, parks and gardens, irrigation, roads and other Council property will be borne by the production company/producer.

The production company/producer shall restore the location to its pre-existing condition by the conclusion of filming and to the satisfaction of Council.

If such restoration works are not undertaken to the standard required by Moorabool Shire Council, Council may, at the cost of the production company, in all respects undertake or have undertaken by independent contractors restoration works.

The production company/ producer will pay the costs of such restoration works to Council within seven (7) days of a request in writing from the Film Liaison Officer. Council may, if it so determines, apply the amount of the bond (if applicable) paid by the production company/ producer as payment or part payment as the case may be of such works.

### **Equipment**

Moorabool Shire Council accepts no responsibility for damage to, or loss of any equipment utilised for film and television production. Reasonable care must be taken at all times when setting up and dismantling equipment, to minimise impact and to ensure the safety and protection of the community.

### **Insurance and Indemnities**

All film permit applications are required to provide evidence of appropriate public liability insurance cover. Applicants must present their Certificate of Currency to the Film Liaison Officer as part of their film permit application, prior to a permit being issued.

The Certificate of Currency must clearly state that:

- (i) The policy covers liability for the death or injury to any person or damage to any property arising out of the activity authorised by the permit;
- (ii) The amount of cover held for filming must not be less than \$10 million (and \$5 million for stills photography).

Information that must be supplied to Council with a copy of the Certificate of Currency:

- Insurer's name, address, phone, fax and email details;
- Policy number;
- Policy expiry date;
- The names of all the insured parties;
- Details of what is covered under the insurance policy;
- Details of all the exclusions under the policy (including policy excess);
- Public liability value;
- Details of the insurer's local representatives (offshore projects only); and
- Claim forms and claims procedure (offshore projects only).

Applicants employing the services of stunt performers are required to provide evidence of appropriate specialised risk insurance or Workcover, which must accompany a copy of the required safety plans and reports (refer to section on 'Risk Management').

Applicants are also required to indemnify Council in relation to any claims or other matters that may arise as a result of any filming activity. All filming activity must comply with common law. Further information on risks, liabilities, indemnity and insurance, can be obtained from the Film Liaison Officer.

### **Risk Management**

Some aspects of filming activity (e.g. road closures, stunts) may present potential risks that should be identified in advance, with appropriate management measures put in place prior to the commencement of filming. A key component of planning a film shoot involves performing a risk assessment of the proposed filming activity - to identify, analyse and assess foreseeable risks, to establish priorities for risk control and to apply cost effective risk control measures.

Moorabool Shire Council may require the applicant to complete a "Risk Management Plan" in accordance with the relevant Australian Standard to demonstrate that a risk assessment has been conducted.

Risk management plans must identify any potential hazards and actions and how it is intended that the production company will mitigate those risks associated with the filming activity. Advice can be sought from the Film Liaison Officer.

Moorabool Shire Council may also require the applicant to submit a safety report in regard to the proposed filming activities, prepared in accordance with the relevant film and television codes and the key Victorian Occupational Health and Safety Acts. If required, a copy of the safety report must accompany the risk management plan and be made available to the Council with the film permit application.

### **Traffic and Pedestrian Management Plans**

Filming activity can present safety issues for members of the public where the activity interferes with the normal flow of traffic or pedestrian access. Accordingly, the safety of participants and spectators must be taken into consideration when filming takes place.

If the proposed filming activity will impact on any road or footpath, applicants must develop traffic and/or pedestrian management plans outlining the objectives and strategies for managing proposed road closures and/or pedestrian traffic.

Traffic and pedestrian management plans must be accompanied by a risk management plan (in accordance with the relevant Australian Standard ) and must include a detailed diagram of the proposed location that clearly shows:

- Location of any safety lights;
- Location of diversion and closure signs;
- Location of road closures and barricades;
- Location of safety personnel and police (if required); and
- Location of Variable Message Signs (VMS).

### **Communication with Stakeholders**

Moorabool Shire Council aims to keep the local community and public authorities informed of events and activities that may have an impact on them, so that they are supportive of production companies and their presence in Moorabool Shire. Projects that are expected to have an impact on Moorabool Shire's residents, business operators, visitors and infrastructure, require the implementation of appropriate communication and logistics strategies to inform and minimise any inconvenience to Moorabool Shire's stakeholders.

For major filming activity, the Moorabool Shire Council will help facilitate communication and consultation between the production company and local stakeholders. In most circumstances, the location managers and/or producers will be required to communicate directly with relevant residents, business operators and public authorities.

In order to maintain a balanced level of community amenity, applicants are required to notify in writing persons and businesses that may be affected by their presence. The timeframe for this notification will be managed in consultation with the Film Liaison Officer.

Notification must include:

- Name of a contact person on site (to handle enquiries and complaints);
- Dates and times for start and finish of set-up and filming; and
- Details of the use of firearms, stunts or explosives if any are used.

Applicants should be advised that other agencies, public authorities and property owners may need to be consulted prior to filming in Moorabool Shire.

Filming on land under the control of Parks Victoria, water authorities, VicRoads and the Department of Sustainability and Environment, will necessitate the applicant to contact those agencies and obtain approvals as necessary.

Applicants must notify the Victoria Police Film and Television Office of any filming activity that may be of concern or interest to Victoria Police. This includes but is not limited to all filming planned for public open space, any filming on roads in general and, in particular, filming that requires the use of firearms, imitation firearms and special effects. The Film Liaison Officer should be consulted for other instances that may require notifying Victoria Police.

### **Internal Liaison in Moorabool Shire Council**

Filming activity can impact on several Council departments and business units. Internal liaison may require communication with: Councillors, Management, Policy and Governance, Development Services, Environmental Health, Recreation and Community Services, Health, Organisation Development, Finance, Asset Management, Engineering Services, Economic Development, Tourism, Compliance, Neighbourhood Amenity, Parks and Open Spaces.

Effective communication is an essential factor in the provision of these services to the film and television industry. Internal liaison between all departments to support filming activity is essential to provide an efficient service, which develops and maintains positive relationships between the film industry, Moorabool Shire Council and its residents, business operators and public authorities.

### **Working with Moorabool Shire Council**

Moorabool Shire Council supports and encourages filming activities in the region. Council will protect its interests and assets and promote the reputation and profile of Moorabool Shire including its geographical, environmental and heritage assets.

Council may have a representative present on location at all times. The production company/producer is responsible for ensuring all crew, cast and other persons engaged by the production company follow reasonable directions given by Council officers or delegates.

Where possible, Council assistance in the production should be acknowledged in the end credits, or as mutually agreed. The acknowledgment will generally read "Filmed in Moorabool Shire, Victoria, Australia" and/or "Thanks to Moorabool Shire Council and the communities of (names of towns/areas in which filming takes place)".

### **Content of Film Scripts**

Any issue(s) in relation to the content of what is being filmed or how it is going to be used, which could be considered sensitive or offensive to Moorabool Shire Council is to be detailed in an attachment to the "Film Permit Application" and is to be discussed with the Film Liaison Officer prior to approval being granted. Sensitive or offensive issues might include nudity, violence, content with political or racial implications etc.

The production company/producer will not portray Moorabool Shire or Moorabool shire Council as endorsing or supporting any product, service or any views, opinions, attitudes or ideas suggested, conveyed, advertised, canvassed, depicted or otherwise expressed, without prior written consent from Council.

### **Promotional Photography**

Moorabool Shire Council may request permission from the production company/producer to photograph the crew during filming. All images will be used solely for promotional purposes to attract filming to Moorabool Shire. Further consultation on this matter will be on a case-by-case basis.

### **External Events**

Moorabool Shire Council will not be held responsible for any interference to the filming activities arising from any external events or third parties not caused or controlled by the Council.

### **Non-Compliance**

If Council finds that the permit holder is in breach of the terms and conditions of the “Film Permit”, this will result in immediate cancellation of the permit, removal of the production crew and cessation of their filming activity in Moorabool Shire.

### **Cancellation Costs**

Where Moorabool Shire Council and/or its employees have incurred costs and the production company/producer withdraws an application or incurs cancellation of the film permit due to non-compliance with the terms of the permit, then these costs will be passed on in full to the production company/producer and will be paid within seven (7) days of the receipt of notification of costs.

### **Strategic Alliances**

Moorabool Shire Council has a strategic partnership with five other Local Governments that has established a regional film attraction website and a film cluster in collaboration with Film Victoria. The website address is [www.filmballarathepburnandbeyond.com.au](http://www.filmballarathepburnandbeyond.com.au)

It provides the film and television industry with a streamlined tool for accessing information about filming on location in Moorabool Hepburn, Ballarat, Ararat, Northern Grampians and Pyrenees Local Government Areas. The website forms part of the broader Film Victoria initiative linking film attraction websites across Victorian local government to its central online locations library.

### **Council Film Liaison Services and Contacts**

The Film Liaison Officer is the Council contact for film crews and photographers, and will be responsible for internal liaison to ensure optimum traffic management and use of public and commercial spaces and facilities.

The Film Liaison Officer provides the film industry with advice on the guidelines and procedures, and evaluates and processes film permit applications. The service encourages location managers and film producers to provide ongoing information about filming activities. The Film Liaison Officer will work in collaboration with Film Victoria and the Victoria Police Film and Television Office and other public authorities when administering these services.

### **Contact Details**

Mr Peter Forbes  
Film Liaison Officer  
PO Box 18 Ballan 3342  
Telephone: +61 (0)3 53667100  
Mobile: +61 (0)400 526 052  
Email: [film@moorabool.vic.gov.au](mailto:film@moorabool.vic.gov.au)

### 3. Precedence

Version 1 Moorabool Shire Council Film Policy May 2006 Policy # 001

Version 2 Moorabool Shire Council Film Policy September 2010 Policy # 002

### 4. Council Plan Reference – Key Performance Area

Community Wellbeing

## 11.2 GROWTH AND DEVELOPMENT

### 11.2.1 Amendment C06 – Part 2 - Bacchus Marsh Heritage Study

#### Introduction

File No.: 13/06/007  
Author: Damien Drew  
General Manager: Satwinder Sandhu

#### Background

Moorabool Planning Scheme Amendment C06 Part 2 seeks to implement the recommendations of the *Bacchus Marsh Heritage Study 1995*. Council has received the Panel Reports in relation to the Amendment, which affects approximately 80 properties. A list of the properties to be included in the Amendment as recommended by the Panel are included in Attachment 1.

The Bacchus Marsh Heritage Study was prepared by Richard Peterson and Daniel Catrice for the (former) Shire of Bacchus Marsh and the (former) Historic Buildings Council in 1995.

This Study recommended that a number of culturally significant heritage places be included in the Planning Scheme (Heritage Overlay) to provide statutory protection from unplanned demolition and inappropriate development or alterations, which could adversely affect their cultural significance.

The Heritage Overlay has a focus on *'those elements which contribute to the significance of heritage places'* and ensuring *'that development does not adversely affect the significance of heritage places.'*

Most of the heritage places identified in the Study are within the localities of Bacchus Marsh and Maddingley, although some places are located within Balliang, Merrimu, Myrning, Pentland Hills, and Rowsley.

At its Ordinary Meeting held on 20 December, 2006, Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit a planning scheme amendment (C06) to implement the recommendations of the *Bacchus Marsh Heritage Study 1995*.

Amendment C06 was initially authorised in 2008 with internal reviews occurring through this period, and on 23 March, 2010, the Minister for Planning reauthorised Moorabool Shire Council to prepare the Amendment.

The Amendment was subsequently prepared and included the implementation of the recommendations of the Bacchus Marsh Heritage Study 1995 by amending the Heritage Overlay to introduce an additional 145 places of heritage significance. All of the heritage places are within the boundaries of the former Shire of Bacchus Marsh.



Amendment C06 was placed on public exhibition between 14 April and the 25 June, 2010, including notices in local papers and individual letters to all affected property owners. A total of 46 submissions were received in response to the amendment during the public exhibition period, which included, 33 of opposition, seven (7) offering no objection but requesting alterations/changes, one (1) offering no position and four (4) indicating support or no objection for the amendment.

Two (2) late submissions were received after the Council Meeting held on 17 November, 2010. One of the late submissions objected to the inclusion of a property in the Heritage Overlay, and the other did not object but requested alterations/changes to the amendment.

The submissions were evaluated and consultation with the submitters was undertaken. Following this process a summary report and officer recommendations were presented to Council on 18 August, 2010. The resolution of this meeting was to defer consideration of the recommendation.

Council reconsidered the Amendment at its Meeting on 17 November, 2010. Further officer advice was provided in relation to the splitting of the amendment into two parts as follows:

- a) public buildings and corrections to the existing heritage overlay; and
- b) private residences and sites with unresolved objections.

At this Meeting, Council resolved to split Moorabool Planning Scheme Amendment C06 into two parts and to adopt Amendment C06 Part 1. Eight submissions were resolved, and one submission was partially resolved, via the splitting of the Amendment and adoption of Part 1.

Amendment C06 Part 1, which included 60 sites of heritage significance (predominantly public buildings and places of assembly, geographical places of significance and commercial buildings) in the Heritage Overlay, was incorporated in the Moorabool Planning Scheme on 9 February, 2012 when that part of the Amendment was gazetted.

Amendment C06 – Part 2 comprises the balance of places (approximately 80 properties) not included within Part 1, such as, private residences and private properties with unresolvable submissions (objections). Thirty four (34) submissions remained unresolved including objections and requests for alterations/changes, in relation to 34 properties proposed to be included in the Heritage Overlay and two sites already included in the Overlay.

In relation to Part 2, the Council resolution stated:

- a) *to develop a policy on selection criteria for inclusion in the Heritage Overlay for amendment C06 to the Moorabool Planning Scheme for Private Residences.*
- b) *review of the Planning Scheme Amendment work program having taken into consideration recommendation 4a) of this report and available resources and other identified priorities.*

In accordance with the resolution of 17 November, 2010, the strategic planning department work initiated the review of the Bacchus Marsh



Heritage Study comprising two separate reports, revised citations where there have been unresolvable objections, and a review of the criteria for the application of the Heritage Overlay to private residences.

The reports include '*Moorabool Shire Council Planning Scheme Amendment C06 – Part 2, Application of Heritage Overlay, Revised citations for Properties recommended for inclusion in the Heritage Overlay, July 2012*' and '*Bacchus Marsh Heritage Study Review – C06 Part 2, Significance Threshold Policy & Peer Review of Residential Places July 2012*' both prepared by Samantha Westbrooke Pty Ltd.

Under the provisions of Section 30(1)(a) of the Planning and Environment Act 1987, Part 2 of the Amendment was due to lapse on 29 April, 2012. The Minister for Planning has granted Council a twelve-month extension for the adoption of Amendment C06 - Part 2 until 29 April, 2013. A further twelve-month extension has since been granted until 29 April, 2014.

On 19 September, 2012, Council resolved to request the appointment of a Planning Panel by the Minister for Planning to consider the submissions received. Council resolved to submit the exhibited amendment to the Panel, subject to the recommended changes.

### **The Amendment**

Amendment C06 - Part 2 seeks to include the following places in the Heritage Overlay of the Moorabool Planning Scheme:

#### **Bacchus Marsh**

1. HO80, 48 Grant Street, Bacchus Marsh (Office)
2. HO204, 48A Grant Street, Bacchus Marsh (Dwelling)
3. HO56, Part Lot A on TP6085, Bacchus Marsh Road, Bacchus Marsh (Saint Patrick's House Broadlands Estate)
4. HO58, 12 Boyd Street, Bacchus Marsh (Dwelling)
5. HO59, 33 Clarinda Street, Bacchus Marsh (Former Hospital Manager Residence)
6. HO60, 18 Crook Street, Bacchus Marsh (Dwelling)
7. HO61, 4 Dugdale Street, Bacchus Marsh (Dwelling)
8. HO65, 38 Gisborne Road, Bacchus Marsh (Dwelling)
9. HO66, 40 Gisborne Road, Bacchus Marsh (Dwelling)
10. HO67, 42 Gisborne Road, Bacchus Marsh (Dwelling)
11. HO68, 48 Gisborne Road, Bacchus Marsh (Dwelling)
12. HO69, 52 Gisborne Road, Bacchus Marsh (Dwelling)
13. HO70, 63 Gisborne Road, Bacchus Marsh (Dwelling)
14. HO71, 14 Graham Street, Bacchus Marsh (Dwelling, Webster Brothers Yard and the "Iron Church")
15. HO72, 21 Graham Street, Bacchus Marsh (Dwelling)
16. HO73, 22 Graham Street, Bacchus Marsh (Dwelling)
17. HO77, 10 Grant Street, Bacchus Marsh (Dwelling)
18. HO78, 18 Grant Street, Bacchus Marsh (Former Hospital and Surgery "Ashley")
19. HO85, 14 & 16 Lerderberg Street, Bacchus Marsh (Dwelling)
20. HO86, 15 Lerderberg Street, Bacchus Marsh (Former Caroline Chisholm Society)
21. HO87, 29 Lerderberg Street, Bacchus Marsh (Dwelling)

22. HO88, 42 Lerderderg Street, Bacchus Marsh (Dwelling)
23. HO89, 48 Lerderderg Street, Bacchus Marsh (Dwelling)
24. HO93, 69 Lerderderg Street, Bacchus Marsh (Dwelling)
25. HO94, 80 Lerderderg Street, Bacchus Marsh (Dwelling)
26. HO95, 86 & 89-92 Lerderderg Street, Bacchus Marsh (Two Dwellings "Hobler's Cottage" and "Riverton")
27. HO96, 89 Lerderderg Street, Bacchus Marsh (Former AMF Officers Shed)
28. HO98, 51 Main Street, Bacchus Marsh (Dwelling)
29. HO99, 70-72 Main Street, Bacchus Marsh (Dwelling, Garden and Former Office)
30. HO100, 85-87 Main Street, Bacchus Marsh (Dwelling)
31. HO101, 88-90 Main Street, Bacchus Marsh (Dwelling and garden)
32. HO102, 91 Main Street, Bacchus Marsh (Dwelling)
33. HO103, 97 Main Street, Bacchus Marsh (Shop, Former Garage)
34. HO104, 105, 105A & Lot 1 & 2 on LP216877 Main Street, Bacchus Marsh (Shop and Dwelling)
35. HO114, 239 Main Street, Bacchus Marsh (Dwelling "Ivison")
36. HO115, 263 Main Street, Bacchus Marsh (Conifer Hedge and Windbreak)
37. HO116, 267 Main Street, Bacchus Marsh (Dwelling "Waratah")
38. HO117, 271-273 Main Street, Bacchus Marsh (Dwelling "Sunnyside")
39. HO118, 5B Millbank Street, Bacchus Marsh (Former Kelvin Grove Private Hospital)
40. HO119, 22 Candeloro Street, Bacchus Marsh (Dwelling)
41. HO120, 5 Pilmer Street, Bacchus Marsh (Dwelling "Baronscourt")
42. HO121, 13 Sydney Street, Bacchus Marsh (Dwelling)
43. HO122, 2 White Avenue, Bacchus Marsh (Dwelling)
44. HO123, 16 Young Street, Bacchus Marsh (Dwelling "The White Cottage")
45. HO125, 28 Young Street, Bacchus Marsh (Dwelling)
46. HO145, 375 Bacchus Marsh Road, Bacchus Marsh (Dwelling)

#### Balliang

47. HO128, 1419 Bacchus Marsh-Balliang Road, Balliang (Farmhouse "The Gables")
48. HO130, 51 Dukelows Road, Balliang (Farmhouse)
49. HO131, 92 Lees Road, Balliang (Farmhouse)
50. HO132, 99 McMahons Road, Balliang (Farmhouse)

#### Balliang East

51. HO133, 3105 Geelong – Bacchus Marsh Road, Balliang East (Dwelling)

#### Darley

52. HO141, 70 Lerderderg Gorge Road, Darley (Farmhouse)
53. HO142, 325 Lerderderg Gorge Road, Darley (Farmhouse "Morven")
54. HO143, 377 Lerderderg Gorge Road, Darley (Farmhouse)
55. HO144, 2 Wellington Street, Darley (Former Presbytery)

### Long Forest

- 56. HO155, 61 Moonah Drive, Long Forest (Dwelling)
- 57. HO156, 18 Red Box Court, Long Forest (Dwelling)
- 58. HO157, 33 Wattle Court, Long Forest (Dwelling)

### Maddingley

- 59. HO160, 40 Fisken Street, Maddingley (Dwelling "Naheehs")
- 60. HO165, McCormacks Road, Maddingley (Drystone Wall)
- 61. HO166, 25 Rowsley Station Road, Maddingley (Industrial Building)
- 62. HO169, 18 Taverner Street, Maddingley (Two Dwellings)
- 63. HO170, 22 Taverner Street, Maddingley (Dwelling and Osage Orange Avenue)
- 64. HO173, 176 Werribee Vale Road, Maddingley (Farmhouse "Blinkbonnie" and Dethridge Irrigation Wheel)
- 65. HO174, 289 Werribee Vale Road, Maddingley (Farmhouse)
- 66. HO175, 360 Werribee Vale Road, Maddingley (Farmhouse)
- 67. HO176, 520 Werribee Vale Road, Maddingley (Farmhouse "Errindale")

### Merrimu

- 68. HO147, 705 Bacchus Marsh Road, Hopetoun Park (Former W Symington House and Symington's Brewery)
- 69. HO179, 20 Lerderderg Park Road, Merrimu (Farmhouse "Lerderderg Park", concrete silo and concrete water tank)
- 70. HO180, 21 Lerderderg Park Road, Merrimu (Former Djerriwarrh State School)

### Myrniong

- 71. HO182, 229 Long Point Road, Myrniong (Farmhouse "Woodlands", windmills and landscape)
- 72. HO186, 29 Main Street, Myrniong (Dwelling and Former Police Station and Cells)
- 73. HO187, 45 Main Street, Myrniong (Dwelling "Girraween")
- 74. HO188, 55 Main Street, Myrniong (Dwelling)
- 75. HO189, 61 Main Street, Myrniong (Dwelling, Former Milk Factory)
- 76. HO190, 90 Mt Blackwood Road, Myrniong (Dwelling)
- 77. HO193, 61 Muddy Lane, Myrniong (Farmhouse "Clifton")

### Parwan

- 78. HO194, 75 Browns Lane, Parwan (Dwelling)
- 79. HO195, 52 Bucklers Road, Parwan (Outbuildings)

### Pentland Hills

- 80. HO198, 81 Condons Lane, Pentland Hills (Farmhouse "Hilton")

### Rowsley

- 81. HO202, 44 Paces Lane, Rowsley (Dwelling)

In addition, the Amendment proposes to correct the following error, which currently exists within the schedule to the Heritage Overlay:

- HO15 – change the address description to 13-17 Franklin Street, Maddingley.

## **Discussion**

### ***Pre-Amendment C06 review***

The following review process occurred prior to the exhibition of Amendment C06:

- In 2001-2002, Council officers and consultants consulted the owners and occupiers of most places identified in the 1995 Heritage Study. Sixty-two submissions requested that properties not be included in an amendment;
- From the recommended 171 places, 48 were 'short-listed' (presumably for inclusion in the Heritage Overlay) by the consultants;
- Council officers met with Heritage Victoria representatives in February 2002 who advised that:
  - the full list of places should be included in the formal amendment.
  - heritage places are identified on the basis of their heritage significance, and the inclusion or otherwise of a property in a control is based on merit, and not solely based on the owner's preference. Heritage Victoria, as the principal external funding body for heritage studies, was keen to see that the integrity of the study recommendations would be maintained, and
  - the correct forum for any '*culling*' of the list would be at a Panel hearing.
- Due to the long delays in implementing the findings of the 1995 Heritage Study, a '*ground truthing*' exercise was carried out in 2005 by Richard Allen (former Heritage Consultant). It found that 12 former heritage places no longer existed.
- After a Councillor Workshop in March 2005, inspections of places proposed for inclusion in the HO were undertaken to confirm they retain their heritage integrity.

### ***Public Exhibition Process***

Amendment C06 was exhibited in accordance with the provisions of the Planning and Environment Act 1987 between 14 April and 25 June, 2010. Notice was provided to all relevant Government Departments, Statutory Authorities and affected landowners and occupiers. Notices were placed in the Moorabool News, Council's web site, Government Gazette and the Moorabool Matters publications.

In addition, the public exhibition processes included the preparation of a public information brochure, which was distributed to all affected landowners/occupiers.

During the public exhibition period, Council officers met with many affected landowners.

A total of 48 submissions, including two (2) late submissions, were received in response to Amendment C06, of which four (4) supported the amendment or offered no objection, seven (7) offering no objection but requesting alterations/changes, one (1) offering no position, and 34 opposed the inclusion of individual properties in the Amendment.

Submissions not supporting the amendment primarily related to:

- impacts on a specific property;
- potential adverse impacts on property values and development potential;
- the need to obtain planning approval to make changes to properties;
- perceived lack of heritage significance of more recent (Post World War II) dwellings; and
- recent changes to individual buildings reducing their heritage significance.

After the splitting of the amendment, 34 submissions remain unresolved, including objections and requests for alterations/changes, in relation to 34 properties proposed to be included in the Heritage Overlay and two (2) sites already included in the Overlay.

### ***The Part 2 review process***

When Council resolved to split the Amendment (17 November 2010) it resolved for Part 2:

- *To develop a policy on selection criteria for inclusion in the Heritage Overlay for amendment C06 to the Moorabool Planning Scheme for Private Residences.*
- *Seek a review of the Planning Scheme Amendment work program having taken into consideration recommendation 4a) of this report and available resources and other identified priorities.*

A review of the heritage places in Amendment C06 – Part 2 was undertaken in a three-tier process. The initial process included a Council officer and the heritage adviser visiting the property and, in the majority of cases, meeting with the property owner on site. This process has assisted the affected community members in understanding the implications of the Heritage Overlay and ensured that all necessary information was provided to the heritage advisor reviewing each submission.

The second review process was revision of the full citations for 22 sites where Council Officers and Heritage Advisor recommended the retention of the place in the HO following the first stage of the review process. It was recommended these properties should remain in Part 2 to the amendment and be forwarded to the planning panel for consideration and recommendation to Council.

The third tier was the development of a threshold policy to provide a basis for the inclusion of private residences in the Heritage Overlay. It included a review of 50 private residences, which were not subject to submissions against the threshold policy, to verify their heritage significance.

Of the 50 properties reviewed, 48 met the requirements of the threshold policy and were recommended to be retained within Amendment C06 – Part 2, with two sites recommended for removal. Revised statements of significance were prepared for the 48 properties recommended for retention in the Amendment.

Thus, the process of review responded to issues raised by submitters in relation to the justification for the inclusion of private residences within the HO by re-examining the policy and criteria that informed the property specific evaluations. Council's heritage consultants Samantha Westbrooke Pty Ltd prepared the following reports:

- *'Bacchus Marsh Heritage Study Review – C06 Part 2, Significance Threshold Policy & Peer Review of Residential Places July 2012' (the Threshold Policy report).*
- *'Moorabool Shire Council Planning Scheme Amendment C06 – Part 2, Application of Heritage Overlay, Revised citations for Properties recommended for inclusion in the Heritage Overlay, July 2012'.*

The report notes:

*"Heritage assessments and studies are usually carried out by qualified and experienced professionals following the principles outlined in the Burra Charter (Australia ICOMOS Charter for the Conservation of Places of Cultural Significance). Assessment reports generally include a history and description of the site, an assessment of the condition and integrity of the place, and a comparative analysis to substantiate the significance of the place. The Statement of Significance generally identifies 'what' is historically important and 'why' it is important."*

### **Sites recommended to be removed from the Amendment**

At the conclusion of the first stage of the review process, the heritage advisor recommended the following sites to be removed from the amendment:

1. 38 Gisborne Road, Bacchus Marsh (HO65, Submitter 2)
2. 40 Gisborne Road, Bacchus Marsh (HO66, Submitter 42)
3. 42 Gisborne Road, Bacchus Marsh (HO67, Submitter 27)
4. 48 Gisborne Road, Bacchus Marsh (HO68, Submitter 8)
5. 52 Gisborne Road, Bacchus Marsh (HO69, Submitter 19)
6. 63 Gisborne Road, Bacchus Marsh (HO70, Submitter 24)
7. 91 Main Street, Bacchus Marsh (HO111, Submitter 25 & 26)
8. 2 White Avenue, Bacchus Marsh (HO122, Submitter 20)
9. 61 Moonah Drive, Long Forest (HO155, Submitter 21)

As part of the second stage of the review process, the heritage advisor recommended that a further two places be removed from the amendment. The two properties recommended for removal were:

1. 18 Red Box Court, Long Forest (HO156)
2. 33 Wattle Court, Long Forest (HO157)

Council submitted to the Panel that all of the above properties should be removed from the Amendment C06 Part 2.



Following the Panel Hearing a final inspection of properties has been undertaken, which revealed that the farmhouse at 92 Lees Road, Balliang (HO131) has been demolished. Thus, this property should be removed from the Amendment.

### **Panel Process**

An Independent Panel was appointed by the Minister for Planning to consider and hear submissions in response to Amendment C06 Part 2 on 14 December, 2012, under the provisions of Sections 153 and 155 of the *Planning and Environment Act 1987*.

It is important to note that the basic role of a panel is to:

- give submitters an opportunity to be heard in an independent forum and in an informal, non-judicial manner. A panel is not a court of law.
- give independent advice to the planning authority (Council) and the Minister for Planning about an amendment and about submissions referred to it. A panel makes a recommendation to the planning authority. It does not formally decide whether the amendment is to be approved.

All submitters were notified of the Panel Hearing by Planning Panels Victoria and given the opportunity to present to the Panel. All submissions were considered by the Panel, even if the submitter did not make a presentation at the Hearing.

The Panel reviewed the merits of the Amendment, including the basis for defining the heritage value of individual properties. In addition, the Panel recognised that Council responded to submissions by supporting changes to the Amendment and the Panel process has provided an opportunity for those affected to present their views.

Prior to the Panel Hearing, Council officers identified several drafting and mapping discrepancies and suggested a number of improvements to the exhibited documentation, which formed part of Council's submission to the Panel.

The Panel conducted its public hearing over a period of three days on 4 March, 2013 to 5 March, 2013 and 3 April, 2013. In addition to Council and its expert witness, seven parties made written and oral submissions at the hearing. Expert evidence was presented on behalf of two submitters, Devine Communities (heritage) and the Calleja Group of Companies (heritage and planning).

This gap between the hearing days primarily occurred due to a request from the Calleja Group for an adjournment of the Panel Hearing. The adjournment was requested to allow further time for the preparation of expert witness reports in relation to the former CSR Mill in Rowsley Station Road.

To ensure that progress on the implementation of other elements of the Amendment (Part 2) was not delayed, the Panel agreed to provide an Interim Report. The interim report considered submissions heard on Days 1 and 2 of the hearing, and those submissions where a request had not been made to be heard (by a submitter).

Submissions addressed on Day 3 (and to be addressed in the Final Panel report) relate to: 'Woodlands', 229 Long Point Road, Myrning (HO182); 33 Clarinda Street, Bacchus Marsh (HO59); 91 Main Street, Bacchus Marsh (HO102); and 25 Rowsley Station Road, Maddingley (HO166).

Council received an Interim Report from the Panel on 10 April, 2013 which presented the Panel findings on Amendment provisions relating to 77 of the 81 places included in Amendment C06 Part 2. The Interim Panel Report was publicly released by DPCD on 9 May, 2013.

It is noted that the Panel's assessment of the submissions made when the hearing reconvened on 3 April, 2013 are not addressed in the Interim Report but were provided in the Final Report.

Council received the Final Panel Report on 13 May, 2013. It deals only with the submissions heard on Day 3 relating to HO166, HO59, HO102 and HO182. The conclusions and recommendations of the interim report are not altered by the final report.

### ***Panel Findings and Recommendations***

In summary, the Panel supports the amendment and endorses the 1995 Heritage Study, and Council's position on the significance of the majority of places proposed for inclusion in the Heritage Overlay.

The Panel acknowledged that criteria and practice in the assessment of heritage places has evolved since the 1995 Heritage Study that underpins Amendment C06 was undertaken.

However, it was satisfied that the methodology adopted in the 1995 Heritage Study is sound and the extensive reviews undertaken preceding and through the Amendment/Panel processes have provided a significant level of scrutiny of the 1995 assessments. Overall, the Panel found that the basis provided by the study has been verified and revisions have been identified where necessary.

The Panel recommended that Council consider undertaking further work to address a number of remaining 'gaps'. It emphasised that this work should not delay the approval of Amendment C06, which is important to establish a framework to protect the places of identified heritage significance. In addition, the Panel endorsed the expert evidence that the citations for places to which the HO was applied under Part 1 of Amendment C06 should be reviewed and updated if necessary.

Further, the Panel noted that it is best practice to include statements of significance in an incorporated document to provide certainty for the decision making process. It recommended that Council should consider undertaking these further pieces of work.

### ***Consolidated Recommendations***

The Panel recommended that Amendment C06 Part 2 to the Moorabool Planning Scheme be adopted as exhibited, subject to a number of recommendations. The Panel recommendations and Council officer's response are outlined below:



## Final Report

1. ***Reduce the extent of HO166 (JBD Industrial Park, Maddingley) on the west, north and east of the site to:***
  - ***Exclude the new buildings on the west of the site;***
  - ***Exclude the chipper house (building 5 shown on Figure 2 of this report); and***
  - ***Encompass only the other elements identified in the statement of significance as contributing to the heritage significance of the complex, plus a distance of five metres from the contributory around the perimeter of each contributory building (where these do not directly abut more recent buildings).***

### Officer comment

Council submitted to the Panel that the JBD Industrial Park (former CSR Timbrock Mill), Maddingley should be retained in the Amendment, in accordance with the resolution of the OMC Meeting held on 19 September, 2012.

Expert evidence presented at the Panel hearing on behalf of Council and the property owner (Calleja Group) concurred that the factory complex has heritage significance, however, the evidence differed on the extent of the area of significance.

The Panel accepted the consensus view that the complex is of local heritage significance, but recommended exclusion of the chipper house from the HO as it is a relatively minor component of the original factory complex.

Officers agree with the Panel recommendation as it clarifies and refines the extent of significance, and will revise the relevant amendment documentation accordingly.

2. ***Council consider implementing HO166 as a separate part of the Amendment to enable the addition of an incorporated plan that is agreed between Council and the owner within three months of advice to the owner of Council's response to this recommendation (if agreement cannot be reached on a management plan within the nominated timeframe, the application of HO166 should proceed without a management plan).***

### Officer comment

Officers agree with the Panel recommendation to implement HO166 as a separate part of the Amendment (splitting the Amendment into Parts 2 and 3) to enable the addition of an incorporated plan for this site. An incorporated plan would assist the property owner by providing certainty and appropriate exemptions from permit requirements.

In addition, it is considered appropriate that preparation of an incorporated plan, which is agreed between Council and the owner within three months of advice to the owner of Council's response to this recommendation.

Officers have revised the relevant amendment documentation accordingly.

- 3. Remove the following properties from Amendment C06 Part 2:**
- **33 Clarinda Street (HO59); and**
  - **91 Main Street (HO102).**

**Officer comment**

Council submitted to the Panel that the property at 91 Main Street (HO102) should be removed from the Amendment and that the property at 33 Clarinda Street (HO59) should be retained in the Amendment.

The Panel has recommended that Council should undertake “a review of places from the Post World War 2 era to determine the relative value of houses from this period, including houses that have been deleted during the process leading up to the Amendment and this report.” (See Recommendation 14 below).

It is considered that removing the property at 33 Clarinda Street (HO59) from the Amendment is consistent with the approach adopted for the other Post World War 2 properties included in the Amendment.

Therefore, officers agree with the Panel recommendation and have revised the relevant amendment documentation accordingly.

- 4. Alter the address in the schedule entry for HO182 – Farmhouse ‘Woodlands’, windmills and landscape – to 229 Long Point Road, Myrniong and amend the HO mapping to identify the correct property (excluding the row of pines to the south of the homestead complex, which are located on the adjoining property).**

**Officer comment**

Council submitted to the Panel that these changes were required to ensure that the correct property was identified in the HO Schedule and mapping.

Officers agree with the Panel recommendation and will revise the relevant amendment documentation accordingly.

- 5. If the draft incorporated plan for the property at 229 Long Point Road, Myrniong can be finalised to the satisfaction of the owner and Council within the timeframe for adoption and approval of Amendment C06 Part 2, include it as part of the amendment.**

**Officer comment**

Officers agree with the Panel recommendation and have commenced a process to finalise the incorporated plan.

Furthermore, it is recommended that HO182 be implemented as a separate part of the Amendment, in conjunction with HO166, to enable the finalisation of an incorporated plan that is agreed between Council and the property owner.

6. ***Alter the description in the HO schedule for HO95 to 'Riverton' and amend the mapping to identify the correct location on the property (as proposed by Council).***

**Officer comment**

Council submitted to the Panel that these changes were required to ensure that the correct property was identified in the HO Schedule and mapping.

Officers agree with the Panel recommendation and will revise the relevant amendment documentation accordingly.

7. ***Council consider preparing a document that compiles the revised statements of significance provided to the Panel (with the further revisions identified during the Hearing process) for incorporation in the planning scheme as part of Amendment C06.***

**Officer comment**

Officers agree with the Panel recommendation and will revise the relevant amendment documentation accordingly. If Council resolves to split the Amendment as recommended by the Panel, it is considered that this document should be incorporated in the planning scheme as part of Amendment C06 Part 3.

**Interim Report**

8. ***Alter the description of the following places in the schedule to the HO:***
- ***8 Crook Street, Bacchus Marsh (HO60) to 'Carisbrook';***
  - ***Refer to 'Nerowie Outbuildings' (HO195) and the mapping for the site should be altered as proposed by Council;***
  - ***80 Lerderberg Street, Bacchus Marsh (HO94) to delete reference to the orchard complex;***
  - ***44 Paces Lane, Rowsley (HO202) to 'Willowbank'; and***
  - ***Combine 48 and 48A Grant Street, Bacchus Marsh (HO80 and HO204) into a single listing.***

**Officer comment**

Council submitted to the Panel that the majority of these changes should be made to the description of the places in the schedule to the HO.

Officers agree with the Panel recommendation and will revise the relevant amendment documentation accordingly.

9. ***Remove the following properties from Amendment C06 Part 2:***
- ***2 White Avenue, Bacchus Marsh (HO122);***
  - ***61 Moonah Drive, Long Forest (HO155);***
  - ***Drystone Wall at McCormacks Road, Maddingley (HO165);***
  - ***18 Red Box Court, Long Forest (HO156);***
  - ***33 Wattle Court, Long Forest (HO157); and***

- **38, 40, 42, 48, 52 and 63 Gisborne Road, Bacchus Marsh (HO65-HO70).**

#### **Officer comment**

Council submitted to the Panel that all of these properties, except the drystone wall at McCormacks Road, Maddingley, should be removed from the Amendment.

The Panel noted that the integrity of the drystone wall has deteriorated since it was first identified in 1989-90, and that there has been a significant loss of fabric since 2009. It determined that the HO should not be applied to this drystone wall. However, it suggested that Council should consider applying Clause 52.07 to all drystone walls in the Shire, as an interim measure pending the outcomes of a drystone wall study for municipality.

Officers agree with the Panel recommendation and have revised the relevant amendment documentation accordingly.

#### **10. *Revise the HO mapping for:***

- **289 Werribee Vale Road, Maddingley (HO174) to reduce the area (as recommended in Mr Peter Lovell's statement of evidence dated 22 February 2013);**
- **48 and 48A Grant Street, Bacchus Marsh (HO80 and HO204) to combine the HO into a single site;**
- **89 Lerderberg Street, Bacchus Marsh (HO96) to cover the whole of the former military hut; and**
- **97 Main Street, Bacchus Marsh (HO103) to cover the whole of the former garage building, as proposed by Council.**

#### **Officer comment**

Council submitted to the Panel that the HO mapping for all of these properties required revision to clarify the areas of significance.

Officers agree with the Panel recommendation and will revise the relevant amendment documentation accordingly.

#### **11. *Council review the tree control provisions for consistency with citations and delete tree controls from the schedule to the HO where trees are not identified as significant in the citation for the place.***

#### **Officer comment**

Officers agree with the Panel recommendation and have revised the relevant amendment documentation accordingly.

#### **12. *Defer action relating to the following properties pending the submission of this Panel's final report:***

- **'Woodlands', 229 Long Point Road, Myrniong (HO182);**
- **33 Clarinda Street, Bacchus Marsh (HO59);**
- **91 Main Street, Bacchus Marsh (HO102); and**

- **25 Rowsley Station Road, Maddingley (HO166) (the former CSR Wood Panels Bacchus Marsh Mill, also known as JBD Industrial Park).**

#### **Officer comment**

Recommendations in relation to these properties were included in the Final Panel Report. See the Officer comments in response to those recommendations (Recommendations 1 – 5) above.

#### **Other Recommendations**

13. **Amend the ‘What is significant?’ section of the statement of significance for 55 Main Street, Myrniong (HO188) to record that the rear hip-roofed section of the building is not significant.**

#### **Officer comment**

Officers agree with the Panel recommendation and will revise the relevant statement of significance accordingly.

14. **Council give consideration to further revision of the citation for 44 Paces Lane, Rowsley (HO202) to improve the consistency of its description of the style of the house.**

#### **Officer comment**

Officers agree with the Panel recommendation and will revise the relevant citation accordingly.

15. **Council consider undertaking the following further work:**
  - **Evaluate precincts, such as in Lerderderg Street and Grant Street;**
  - **An examination of drystone walls of the Shire to determine whether or not Clause 52.37 should be invoked;**
  - **Review of places from the Post World War 2 era to determine the relative value of houses from this period, including houses that have been deleted during the process leading up to the Amendment and this report;**
  - **Prepare up to date statements of significance for those properties already included in the Heritage Overlay through Part 1 of Amendment C06 that are currently still relying on the statements of significance provided in the Bacchus Marsh Heritage Study, 1995; and**
  - **Advance the introduction of protection for potential heritage precincts, such as in Lerderderg and Grant Streets.**

#### **Officer comment**

Officers agree with the Panel recommendation and will seek to progress these actions subject to the availability of funding.

This work could be appropriately carried out as part of Council's heritage program to review and assess identified heritage sites, which are yet to be protected by Heritage controls.

**16. Council consider introducing tree controls through a separate Amendment where trees are identified as important to the significance of the place.**

**Officer comment**

Officers agree with the Panel recommendation and will seek to progress these actions subject to the availability of funding.

This work could be appropriately carried out as part of Council's heritage program to review and assess identified heritage sites, which are yet to be protected by Heritage controls.

**17. Establish a potential heritage place list which includes the places identified in the Bacchus Marsh Heritage Study 1995 as being of Interest.**

**Officer comment**

Officers agree with the Panel recommendation and will establish a potential heritage place list accordingly.

**Strategic basis of the Amendment**

The Panel considered a number of issues relating to the strategic basis of the Amendment, which were raised in submissions. These general issues related to: planning restrictions on owners, the protracted process and age of the 1995 Heritage Study underpinning the Amendment; whether thresholds of heritage significance for particular places were appropriate; the inconsistent treatment of tree controls and the need for further work required to address gaps (such as, precincts and drystone walls) or dated citations.

*Planning restrictions on owners*

The Panel commented that the HO is an appropriate mechanism to advance the objectives of planning for Victoria, State Planning Policy, Local Planning Policy and DPCD guidelines. This framework for planning in Victoria and the Moorabool Shire clearly establishes a basis for protecting heritage places via application of the HO, where appropriate assessment establishes that places are of significance to the local community or wider population.

Limitations are imposed by the HO through permit requirements, with associated costs and processes. However, the Overlay provides a range of exemptions intended to avoid unnecessary demands on landowners where proposed building or works are unlikely to affect the heritage significance of the property.



### *The protracted process and dated Heritage Study*

It was acknowledged by the Panel that criteria and practice in the assessment of heritage places has evolved, as distinct from being transformed, since the 1995 Heritage Study. The same can be said for the assessment of places included in Part 2 of Amendment C06, which were the subject of the Panel's consideration.

The Panel noted comments in the submission presented by the National Trust at the hearing that their representative was not aware of any other heritage amendment process, which had involved so many levels of review and verification and so much additional work.

As noted earlier in this report, the Panel was satisfied that there have been extensive review processes undertaken by Council, prior to the preparation of the Amendment and through the Amendment submission and Panel processes, which have provided a significant level of scrutiny of the 1995 assessments. Overall, the basis provided by the study has been verified and revisions were recommended where necessary.

### *Thresholds*

Various submissions argued that the level of change to the original fabric of their property compromised its heritage values to a point where its inclusion in the HO was not justified.

Assessment of significance is based on established methodology used in Australian jurisdictions, which the Panel was satisfied has been applied in this case. However, an element of expert judgement is required in the assessment process.

The submission and Panel processes allow review of that judgement. Consideration of this issue in relation to specific properties is provided in the Panel report.

### *Tree controls*

The National Trust identified a significant number of inconsistencies between citations and Amendment C06 provisions relating to tree controls.

The Panel suggests that Council review the tree control provisions for consistency with citations. Where trees are not identified as significant in the citation, the tree control should be deleted from the schedule to the HO for the place.

Where trees are identified as significant components of the place, tree controls should be applied. However, in the interests of procedural fairness the Panel does not support the introduction of tree controls as a post-exhibition process, other than by agreement with owners. Therefore, the introduction of additional tree controls will require a separate Amendment.

### *Other further work*

During the course of the Panel hearing (and inspections), the following gaps and/or need for further work have been identified:

- A more comprehensive examination of drystone walls of the Shire would determine whether Clause 52.37 should be invoked.
- A number of post-World War 2 heritage houses have been deleted from the Amendment due to reservations about the assessment and the comparative analysis in particular. A further review of places from this era would be desirable to determine the relative value of houses from this period, including houses which have been deleted during the process leading up to the Amendment and this report.
- Council's expert witness expressed some reservations about citations associated with places previously included in the HO via Part 1 of Amendment C06. This view was expressed in the evidence statement: *"Due to the protracted nature by which Amendment C06 has come about, a number of properties are now included in the Heritage Overlay without up to date statements of significance. And, as a result of the Peer Review commissioned by Moorabool Shire in 2012 for the private properties, which form part of C06 Part 2, up to date statements of significance have been prepared for all of these properties. Therefore to provide consistency and for all properties included in the Heritage Overlay it is recommended that up to date statements of significance be prepared for those properties already included in the Heritage Overlay that are currently still relying on the statements of significance provided in the Bacchus Marsh Heritage Study, 1995."*
- The original proposals for the inclusion of heritage precincts have not been translated into Amendment C06. It is the Panel's understanding that this resulted in the places within precincts that were of heritage significance but did not align with the precinct objectives being individually identified, whereas places of comparable (or greater) significance that contributed to the overall precinct heritage values were not included in the HO. The Panel's inspections confirmed that there are heritage places in the Lerderderg Street and Grant Street areas with conspicuous heritage values that remain unprotected. It agreed with recommendation of Council's expert witness that 'A Heritage Overlay Precinct be pursued for the protection of the substantially intact collection of Victorian and Edwardian buildings in Lerderderg Street, Bacchus Marsh.' In addition, consideration should be given to other potential heritage precincts, such as, in Grant Street.
- Council advised the Panel that it was aware of individual places where there appears to be a prima facie case for heritage protection, which were not included in the Amendment. Again, the Panel's inspections confirmed that this is the case. It agreed with recommendation of Council's expert witness that: *A potential heritage list be commenced which includes the places identified in the Bacchus Marsh Heritage Study, 1995 as being of Interest.*



### *Property Values*

The Panel stated that the effect of property values is not a relevant consideration when considering whether places are of sufficient heritage significance to warrant being listed under the Heritage Overlay.

The interim Panel Report is included as Attachment 2. The final Panel Report is included as Attachment 3.

### **Policy Implications**

The 2009–2013 Council Plan provides as follows:

<b>Key Result Area</b>	Enhanced Natural and Built Environment
<b>Objective</b>	Effective and efficient land use planning and building control
<b>Strategy</b>	Develop and apply a Planning Scheme that facilitates land use and development to support the social, economic and environmental well-being of the Shire.
	Preserve local heritage through planning controls.
<b>Supporting Strategic Document and/or Projects -</b>	Bacchus Marsh Heritage Study

The proposed amendment is consistent with the 2009 - 2013 Council Plan.

### **Planning and Environment Act 1987**

Council has prepared the heritage study and amendment to meet its responsibilities and duties as a Planning Authority under the provisions of the *Planning and Environment Act 1987*. Section 4(d) of the Act includes and objective to *“to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.”*

Section 12 of the Act outlines the duties and power of planning authority (council) under the Act:

*12(1) A planning authority must—*

- (a) implement the objectives of planning in Victoria;*
- (d) prepare amendments to a planning scheme for which it is a planning authority;*

### **State Planning Policy Framework**

The identification and protection of places of cultural significance is clearly the intent within the following State planning policy.

Clause 11 of the Scheme sets out the goals and principles of State planning policy and provides that:

*“The State Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Planning and Environment Act 1987) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.”*

The State Planning Policy for Heritage, as identified at Clause 15.03-1 - Heritage Conservation, of the Moorabool Planning Scheme has the following objective:

- *To ensure the conservation of places of heritage significance.*

The implementation of the above objective includes planning and responsible authorities through strategies, including:

- *Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.*
- *Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity.*
- *Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.*
- *Encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations.*
- *Retain those elements that contribute to the importance of the heritage place.*
- *Encourage the conservation and restoration of contributory elements.*
- *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*
- *Support adaptive reuse of heritage buildings whose use has become redundant.*

### **Local Planning Policy Framework**

The following Local Planning Policies within the Moorabool Planning Scheme provides strong support for the further identification and protection of significant heritage places.

#### **“21.01 Municipal Context**

*Moorabool Shire is characterised by its townships in rural settings and its distinctive rural landscapes which comprise a diversity of vast ranges, plains, ancient gorges, and areas of intensive horticulture. The varied and rich topographical features are integral environmental, agricultural, and recreational resources for the Shire.*

*These environmental assets, as well as existing built form, historic buildings and landscapes, contribute to the Shire’s numerous places of natural and cultural heritage significance.”*

“21.01-2 Key Issues

*Key issues that direct land use planning in Moorabool Shire are:*

...

*Environment*

...

*The environmental assets (including the Brisbane Ranges National Park, Lerderberg State Park, Werribee Gorge State Park, the Wombat State Forest, and Long Forest Nature Conservation Reserve), as well significant waterways, historic buildings, rural townscapes, and landscapes contribute to the Shire’s numerous places of natural and cultural heritage significance. These features inter-twine to form the character and lifestyle opportunities that attract people to Moorabool Shire.”*

“21.03 Settlement and Housing

...

*21.03-4 Objective—Landscape and Neighbourhood Character*

*To ensure new development in all zones respects the existing character, landscape setting and amenity of the local area.*

*Strategies*

- *Infill development should protect and enhance the existing character, built form and natural environment of the Shire’s towns and villages including the country town scale and rural atmosphere of each town.*
- ...
- *Protect and reinforce the Shire’s built and natural heritage as identified in heritage studies for the Shire.”*

“21.04 Economic Development and Employment

*21.04-1 Key Issues and Influences*

...

*Local employment*

...

*Tourism development draws on many aspects of the Shire including recreation, leisure activities, environment, wineries, mineral springs, heritage and landscape features.*

...

*21.04-5 Objective—Local Employment*

*Support the development and facilitation of increased local employment opportunities in order to strengthen the local economy.*

### Strategies

- *Facilitate development of the tourism sector by protecting the natural environment, heritage and town character.*

### Clause 21.06- Heritage

The objective of this clause is to preserve, promote and enhance places of heritage significance in the Shire. The strategies to achieve this objective are:

- *To preserve, promote, and enhance places of heritage significance including those of historical, aesthetic, architectural, scientific, and/or social value.*
- *Ensure new development is sympathetic to existing heritage places and makes a positive contribution to its heritage value.*
- *Where a permit is required for demolition/significant alterations of a heritage place, an application must be supported with documentation which demonstrates:*
  - *That the demolition/alterations will contribute to the long-term conservation of the significant fabric and/or part of the building.*
  - *That the demolition/alterations involve later inappropriate modifications to the heritage place.*
  - *That any cultural heritage significance of the place will be enhanced.*
  - *That any significant fabric to be unavoidably removed as part of the demolition/alterations can be re-instated.*
  - *A heritage impact statement may be required to be prepared, by a person/s of suitable experience and qualification in heritage architecture/interpretation.*
- *Protect important landscape features, views and built heritage including conservation of natural environment that have significant geological, botanical, zoological or other scientific importance.*
- *Encourage replanting of a similar type of tree where the removal of a significant tree is unavoidable.*
- *Protect known and identified sites of Aboriginal cultural heritage, including archaeological and historical places.*
- *Protect significant built heritage assets and streetscapes especially in Bacchus Marsh, Ballan, Blackwood, Gordon, and Mt Egerton.*

The implementation action is to:

- *Apply the Heritage Overlay (HO) to protect significant buildings, heritage precincts, sites, areas, and trees identified in relevant heritage studies.*

### Clause 21.07- Bacchus Marsh

Clause 21.07 describes many attributes, which define the character of Bacchus Marsh, included is the significant heritage buildings. Clause 21.07 seeks to facilitate further growth within Bacchus Marsh while maintaining those key attributes that make Bacchus Marsh a unique and attractive place to live.

The amendment will have positive social effects through the protection of places of cultural heritage significance for the benefit of current and future generations. It will have a positive effect on the environment through the retention of significant heritage places, and promotion of sustainable development by conserving valuable resources and embedded energy in existing development.

## Planning Scheme

### Heritage Overlay

The Heritage Overlay (HO) is the planning scheme tool used to achieve objectives to conserve and enhance heritage places. It has a focus on *'those elements which contribute to the significance of heritage places'* and ensuring *'that development does not adversely affect the significance of heritage places.'*

Permit requirements under the HO are the primary mechanism in the planning scheme to provide statutory protection for heritage places from unplanned demolition and inappropriate development or alterations, which could adversely affect their cultural significance.

The Heritage Overlay controls do not affect routine maintenance, or internal works or renovations (except where the schedule requires it) and specifically, the following minor works do not require a planning approval:

- Repairs or routine maintenance, which do not change the appearance of a heritage place. The repairs must be undertaken to the same details, specifications and materials.
- Anything done in accordance with an incorporated plan specified in a schedule to the overlay.

In summary, permit requirements relate proposals to subdivide land; to demolish or remove a building; to construct a building or construct or carry out works, and to externally paint an unpainted surface. In some cases, the schedule activates provisions, such as, whether prohibited uses may be considered and controls relating to external painting, internal alterations, trees, outbuildings and fences.

Inclusion of a site within the Heritage Overlay does not automatically prevent changes from occurring on a the site. Rather, the planning scheme sets in place a process to consider any proposed change against its impact on heritage significance.

In circumstances where there is little impact on key elements of significance a planning permit (under the Heritage Overlay) is likely to be issued. Where there is a greater impact on significance this needs to be evaluated and a decision made in relation to net community impact.

If a planning permit application is refused, it is possible to have that decision reviewed by the Victorian Civil and Administrative Tribunal.

## Financial Implications

Substantial financial assistance has been provided to Council by the Commonwealth and State Governments to enable the preparation of the Bacchus Marsh Heritage Study and Amendment C06.

Council has recently received assistance from the Department of Planning and Community Development's Rural Planning Flying Squad to progress this Amendment.

The Department is funding the preparation of draft Council reports and draft submissions/presentations to Planning Panels Victoria, which has enabled staff resources to be dedicated to other projects on the strategic planning work program.

The new heritage listings are likely to generate additional planning permit applications, however, it is expected that the increase will not exceed the capacity of Council to continue to meet its statutory obligations.

## Risk & Occupational Health & Safety Issues

Adopting a planning scheme amendment is a normal part of the planning process and thus there are unlikely to be any risks if Council resolves to adopt Amendment C06 in accordance with the recommendations of the Planning Panel.

As Council may be aware, the Minister for Planning makes the ultimate decision in regard to a Planning Scheme Amendment. To ensure that the support of the Minister can be gained for the approval of an amendment, a planning authority (Council) must follow the correct procedures and protocols, in accordance with the provisions of the *Planning and Environment Act 1987*.

Under the provisions of the Act, a Panel is appointed by the Minister for Planning to hear submissions made about amendments to planning schemes, and to make recommendations or provide expert advice about whether or not the amendment should proceed. The Act requires Council to carefully consider the recommendations of a Planning Panel prior to deciding whether the amendment is to proceed.

To minimise any risk, it is recommended that Council be guided by the Panel's findings. Any decision countering the recommendations received would need to be carefully measured given the risk of conflicting with the *Planning and Environment Act 1987*.

If Council chooses to adopt the Amendment without following the Panel's recommendations, the Minister would require significant justification to consider approving the Amendment. In addition, if Council cannot provide appropriate justification for not following the Planning Panel's recommendations, its decision may be deemed to be inconsistent with a number of the objectives of planning in Victoria.



If Council disregards the recommendations of the Planning Panel when submitting Planning Scheme Amendment C06 Part 2 for Ministerial approval, it could be subjected to further procedural delays or even possible changes by the Minister, under Section 35 (1) (b) of the *Planning and Environment Act 1987*.

Considerable financial support has been provided by the Commonwealth and State Governments to enable Council to prepare the Study and Amendment. These grants have been provided on the basis that the implementation of the Study would occur via its incorporation into the planning scheme.

Thus, if the Amendment does not progress to the approval phase, the ability to obtain State Government assistance to complete the West Moorabool Heritage Study could be jeopardised, which would affect Council's ability to implement its strategic planning objectives and key result areas of the Council Plan.

Furthermore, if the Heritage Overlay is not in place to protect the Shire's heritage assets, there is a risk of the potential loss of significant buildings over time, ultimately eroding the heritage significance and character of Bacchus Marsh, which is highly valued by the community.

There are unlikely to be any occupational health and safety implications for Council in relation to this amendment.

### **Communications and Consultation Strategy**

Considerable consultation with affected landowners has occurred since the preparation of the Bacchus Marsh Heritage Study commenced in the early 1990s.

This planning scheme amendment has undergone a rigorous consultation process. Public exhibition was undertaken in accordance with the provisions of the *Planning and Environment Act 1987*. The exhibition process is outlined in the Discussion Section of this report.

All submitters will be notified of the outcome regarding the consideration of this report. Council officers will continue to work with affected property owners to seek the implementation of Amendment C06 Part 2.

The Independent Panel conducted its public hearings in Bacchus Marsh and Ballan, and provided the opportunity for submitters to attend the hearing and make a presentation to the Panel. The Panel hearing was the culmination of all previous consultation undertaken in relation to the BMHS and Amendment C06.

In addition, there are many people and groups in the wider community with an interest in heritage. Many have been involved with the BMHS or Stage 1 of the WMHS. There was significant media interest last year in the progress of heritage studies in the Shire.

## **Victorian Charter of Human Rights and Responsibilities Act 2006**

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

### **Officer's Declaration of Conflict of Interests**

Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

#### *General Manager – Satwinder Sandhu*

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

#### *Author – Damien Drew*

In providing this advice to Council as the Author, I have no interests to disclose in this report.

### **Conclusion**

Heritage provides an essential link with the past and contributes to the creation of a sense of place for our community. The Bacchus Marsh Heritage Study has assisted Council in identifying the Shire's significant heritage places.

The only means to provide statutory protection for important heritage assets identified in the Heritage Study is through an amendment to the Moorabool Planning Scheme, which applies the Heritage Overlay to the significant sites.

Protection of these places by applying the Heritage Overlay will benefit the community through a better understanding of the Bacchus Marsh area's rich cultural history, recognising and realising the positive contribution that culturally significant places make to the Moorabool Shire, and fostering a sense of local identity.

Following the public exhibition of Amendment C06, a number of issues identified in submissions remained unresolved. In response to concerns raised in submissions, a rigorous review of Amendment C06 – Part 2 was undertaken. This review confirmed the validity of the Bacchus Marsh Heritage Study 1995 and that the majority of the properties identified meet the current criteria for protection under the Heritage Overlay.

To provide direction to Council as to how best to proceed with the amendment, a Planning Panel was appointed to consider these issues. All submitters were notified of the Panel Hearing by Planning Panels Victoria and given the opportunity to present to the Panel. All submissions were considered by the Panel, even if the submitter did not make a presentation at the Hearing.



The Panel reviewed the merits of the Amendment, including the basis for defining the heritage value of individual properties. In addition, the Panel recognised that Council responded to submissions by supporting changes to the Amendment and the Panel process has provided an opportunity for those affected to present their views.

The Panel Hearing process and findings provides a significant planning milestone for Council. It represents a culmination of a significant planning process, which commenced in 1994-95. A significant amount of community and stakeholder engagement has occurred to the stage of enabling the amendment to be considered for adoption.

Therefore, it is considered that the Panel's Report, which endorses the adoption of the Amendment, is a significant step towards providing greater certainty regarding the protection of heritage places in Bacchus Marsh and surrounds, and meeting Council's requirement as a planning authority to conserve places of heritage significance.

Whilst the Panel has recommended that the Amendment be adopted by Council, subject to some minor changes, it is noted that most of these changes were suggested in Council's Panel submission.

Furthermore, adopting Amendment C06 Part 2 will bring the Amendment closer to its conclusion, ultimately resolving uncertainty in the community in relation to the protection of places of heritage significance in Bacchus Marsh and surrounds.

This report recommends adoption of Amendment C06 Part 2, modified in accordance with the Panel recommendations. It is recommended that the modified amendment be submitted to the Minister for Planning for approval.

**Recommendation:**

**That Council, having considered the recommendations of the Planning Panel's Interim and Final Reports regarding Moorabool Planning Scheme Amendment C06 Part 2 pursuant to Section 27 of the Planning and Environment Act 1987, resolves to:**

1. **Remove the following properties from Amendment C06 Part 2:**
  - a. **33 Clarinda Street (HO59);**
  - b. **91 Main Street (HO102);**
  - c. **2 White Avenue, Bacchus Marsh (HO122);**
  - d. **61 Moonah Drive, Long Forest (HO155);**
  - e. **Drystone Wall at McCormacks Road, Maddingley (HO165);**
  - f. **18 Red Box Court, Long Forest (HO156);**
  - g. **33 Wattle Court, Long Forest (HO157);**
  - h. **38, 40, 42, 48, 52 and 63 Gisborne Road, Bacchus Marsh (HO65-HO70); and**
  - i. **92 Lees Road, Balliang (HO131).**
2. **Split Amendment C06 Part 2 into two parts in the form outlined in Attachment 1 to this report;**

3. **Adopt Amendment C06 Part 2, with changes as recommended by the Panel as follows:**
  - a. **Alter the description of the following places in the schedule to the HO:**
    - i. **86 – 92 Lerderderg Street, Bacchus Marsh HO95 to ‘Riverton’ and amend the mapping to identify the correct location on the property as proposed by Council;**
    - ii. **8 Crook Street, Bacchus Marsh (HO60) to ‘Carisbrook’;**
    - iii. **Refer to ‘Nerowie Outbuildings’ (HO195) and the mapping for the site should be altered as proposed by Council;**
    - iv.
    - v. **80 Lerderderg Street, Bacchus Marsh (HO94) to delete reference to the orchard complex;**
    - vi. **44 Paces Lane, Rowsley (HO202) to ‘Willowbank’; and**
    - vii. **Combine 48 and 48A Grant Street, Bacchus Marsh (HO80 and HO204) into a single listing.**
  - b. **Revise the HO mapping for:**
    - i. **289 Werribee Vale Road, Maddingley (HO174) to reduce the area (as recommended in Mr Peter Lovell’s statement of evidence dated 22 February 2013);**
    - ii. **48 and 48A Grant Street, Bacchus Marsh (HO80 and HO204) to combine the HO into a single site;**
    - iii. **89 Lerderderg Street, Bacchus Marsh (HO96) to cover the whole of the former military hut; and**
    - iv. **97 Main Street, Bacchus Marsh (HO103) to cover the whole of the former garage building, as proposed by Council.**
  - c. **Review the tree control provisions for consistency with citations and delete tree controls from the schedule to the HO where trees are not identified as significant in the citation for the place.**
4. **Submit the adopted Amendment C06 Part 2, together with the prescribed information, to the Minister for Planning requesting approval pursuant to Section 31(1) of the Planning and Environment Act 1987.**
5. **Consider the adoption of Amendment C06 Part 3 at the Ordinary Council Meeting on 18 September, 2013.**

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**Report Authorisation****Authorised by:**

  
**Name:** Satwinder Sandhu  
**Title:** General Manager Growth and Development  
**Date:** Wednesday 5 June 2013

# Attachment - Item 11.2.1(a)

## Attachment 3 - List of heritage places affected by Amendment C6 Part 2 and Part 3

### Amendment C6 Part 2

Heritage Overlay Reference	Name and address of Heritage Place	Comments
	<b>Bacchus Marsh</b>	
HO145	House 375 Bacchus Marsh Road (Avenue of Honour)	New addition to the Heritage Schedule and Overlay
HO56	Saint Patrick's House Broadlands Estate Part Lot A on TP6085, Bacchus Marsh Road (Avenue of Honour)	New addition to the Heritage Schedule and Overlay
HO58	Dwelling 12 Boyd Street	New addition to the Heritage Schedule and Overlay
HO119	Dwelling 22 Candeloro Street	New addition to the Heritage Schedule and Overlay
HO60	Dwelling "Carisbrook" 18 Crook Street	New addition to the Heritage Schedule and Overlay
HO61	Dwelling "Lorraine" 4 Dugdale Street	New addition to the Heritage Schedule and Overlay
HO71	Dwelling, Webster Brothers Yard and the "Iron Church" 14 Graham Street	New addition to the Heritage Schedule and Overlay
HO72	Dwelling 21 Graham Street	New addition to the Heritage Schedule and Overlay
HO73	Dwelling 22 Graham Street	New addition to the Heritage Schedule and Overlay
HO74	Former P.S. Carey Motors 4-6 Grant Street	New addition to the Heritage Schedule and Overlay
HO77	Shop and Dwelling 10 Grant Street and 10A Grant Street	New addition to the Heritage Schedule and Overlay
HO78	Former Hospital and Surgery "Ashley" 18 Grant Street	New addition to the Heritage Schedule and Overlay
HO80	Former Shop and Dwelling 48 & 48A Grant Street	New addition to the Heritage Schedule and Overlay
HO85	Dwelling 14 & 16 Lerderderg Street	New addition to the Heritage Schedule and Overlay
HO86	Caroline Chisholm Society (former dwelling) 15 Lerderderg Street	New addition to the Heritage Schedule and Overlay
HO87	Dwelling 29 Lerderderg Street	New addition to the Heritage Schedule and Overlay
HO88	Dwelling 42 Lerderderg Street	New addition to the Heritage Schedule and Overlay
HO89	Dwelling 48 Lerderderg Street	New addition to the Heritage Schedule and Overlay

<b>Heritage Overlay Reference</b>	<b>Name and address of Heritage Place</b>	<b>Comments</b>
HO93	Dwelling 69 Lerderderg Street	New addition to the Heritage Schedule and Overlay
HO94	Dwelling 80 Lerderderg Street	New addition to the Heritage Schedule and Overlay
HO95	Two Dwellings "Hobler's Cottage" and "Riverton" 86 & 89-92 Lerderderg Street	New addition to the Heritage Schedule and Overlay
HO96	Former AMF Officers Shed 89 Lerderderg Street	New addition to the Heritage Schedule and Overlay
HO98	Dwelling "Banool" 51 Main Street	New addition to the Heritage Schedule and Overlay
HO99	Dwelling, Garden and Former Office (Theo van Alkemade, Estate Agent) 70-72 Main Street	New addition to the Heritage Schedule and Overlay
HO100	Dwelling "Pentland" and Garden 85 & 87 Main Street	New addition to the Heritage Schedule and Overlay
HO101	Dwelling and Garden 88-90 Main Street	New addition to the Heritage Schedule and Overlay
HO103	Shop (Former Motor Garage) 97 Main Street	New addition to the Heritage Schedule and Overlay
HO104	Shop and Dwelling (above) 105, 105A & Lot 1 & 2 on LP216877 Main Street	New addition to the Heritage Schedule and Overlay
HO114	Dwelling "Ivison" 239 Main Street	New addition to the Heritage Schedule and Overlay
HO115	Conifer Hedge and Windbreak 263 Main Street (Avenue of Honour)	New addition to the Heritage Schedule and Overlay
HO116	Dwelling "Waratah" 267 Main Street (Avenue of Honour)	New addition to the Heritage Schedule and Overlay
HO117	Dwelling "Sunnyside" 271-273 Main Street (Avenue of Honour)	New addition to the Heritage Schedule and Overlay
HO118	Former Kelvin Grove Private Hospital 5B Millbank Street	New addition to the Heritage Schedule and Overlay
HO120	Dwelling "Baronscourt" 5 Pilmer Street	New addition to the Heritage Schedule and Overlay
HO121	Dwelling 13 Sydney Street	New addition to the Heritage Schedule and Overlay
HO123	Dwelling "The White Cottage" 16 Young Street	New addition to the Heritage Schedule and Overlay
HO125	Dwelling 28 Young Street	New addition to the Heritage Schedule and Overlay
<b>Balliang</b>		
HO128	"The Gables" Farmhouse 1419 Bacchus Marsh-Balliang Road	New addition to the Heritage Schedule and Overlay
HO130	Farmhouse	New addition to the Heritage Schedule and

<b>Heritage Overlay Reference</b>	<b>Name and address of Heritage Place</b>	<b>Comments</b>
	51 Dukelows Road	Overlay
HO132	Farmhouse 99 McMahons Road	New addition to the Heritage Schedule and Overlay
<b>Balliang East</b>		
HO133	Dwelling 3105 Geelong – Bacchus Marsh Road	New addition to the Heritage Schedule and Overlay
<b>Darley</b>		
HO141	Farmhouse 70 Lerderderg Gorge Road	New addition to the Heritage Schedule and Overlay
HO142	Farmhouse “Morven” including garden and driveway avenue of trees 325 Lerderderg Gorge Road	New addition to the Heritage Schedule and Overlay
HO143	Farmhouse 377 Lerderderg Gorge Road	New addition to the Heritage Schedule and Overlay
HO144	Former Presbytery 2 Wellington Street	New addition to the Heritage Schedule and Overlay
<b>Maddingley</b>		
HO160	Dwelling “Naheehs” 40 Fiskens Street	New addition to the Heritage Schedule and Overlay
HO15	Brick Cottage 13-17 Franklin Street	Alter the existing address description from 13 Franklin Street to 13-17 Franklin Street
HO169	Dwelling and Cowan Cottage 18 Taverner Street	New addition to the Heritage Schedule and Overlay
HO170	Osage Orange Avenue 22 Taverner Street	New addition to the Heritage Schedule and Overlay
HO173	Farmhouse “Blinkbonnie” and Dethridge Irrigation Wheel 176 Werribee Vale Road	New addition to the Heritage Schedule and Overlay
HO174	Farmhouse “Vallence’s Farm” 338 Werribee Vale Road	New addition to the Heritage Schedule and Overlay
HO175	Farmhouse 360 Werribee Vale Road	New addition to the Heritage Schedule and Overlay
HO176	Farmhouse “Errindale” 520 Werribee Vale Road	New addition to the Heritage Schedule and Overlay
<b>Merrimu</b>		
HO147	Former W Symington House and Symington’s Brewery Industrial Archaeological Site 705 Bacchus Marsh Road	New addition to the Heritage Schedule and Overlay
HO179	Farmhouse “Lerderderg Park”, concrete silo and concrete water tank 20 Lerderderg Park Road	New addition to the Heritage Schedule and Overlay
HO180	Dwelling (former Djerriwarrh State School/ Djerriwarrh Creek School) 21 Lerderderg Park Road	New addition to the Heritage Schedule and Overlay

Heritage Overlay Reference	Name and address of Heritage Place	Comments
<b>Myrniong</b>		
HO182	Farmhouse "Woodlands", windmills and landscape 229 Long Point Road	New addition to the Heritage Schedule and Overlay
HO186	Dwelling (Former Police Station and Gaol) 29 Main Street	New addition to the Heritage Schedule and Overlay
HO187	Dwelling "Girraween" 45 Main Street	New addition to the Heritage Schedule and Overlay
HO188	Former Myrniong Hotel 55 Main Street	New addition to the Heritage Schedule and Overlay
HO189	Milk Factory and Dwelling - Dairymen's Cooperative 61 Main Street	New addition to the Heritage Schedule and Overlay
HO190	Dwelling "Millside" 90 Mt Blackwood Road	New addition to the Heritage Schedule and Overlay
HO193	Farmhouse "Clifton" 61 Muddy Lane	New addition to the Heritage Schedule and Overlay
<b>Parwan</b>		
HO194	Dwelling 75 Browns Lane	New addition to the Heritage Schedule and Overlay
HO195	"Nerowie" Outbuildings 52 Bucklers Road	New addition to the Heritage Schedule and Overlay
<b>Pentland Hills</b>		
HO198	Farmhouse "Hilton" 81 Condons Lane	New addition to the Heritage Schedule and Overlay
<b>Rowsley</b>		
HO202	Farmhouse "Willowbank" 44 Paces Lane	New addition to the Heritage Schedule and Overlay

## Amendment C6 Part 3

Heritage Overlay Reference	Name and address of Heritage Place	Comments
<b>Maddingley</b>		
HO166	CSR Wood Panels Bacchus Marsh Mill 25 Rowsley Station Road	New addition to the Heritage Schedule and Overlay
<b>Myrniong</b>		
HO182	Farmhouse "Woodlands", windmills and landscape 229 Long Point Road	New addition to the Heritage Schedule and Overlay

# Attachment - Item 11.2.1(b)





*Planning and Environment Act 1987*

## **Interim Panel Report**

Moorabool Planning Scheme  
Amendment C6 Part 2

**10 April 2013**

*Planning and Environment Act 1987*

Panel Report pursuant to Sections 153 and 155 of the Act  
Amendment C6 Part 2 to the Moorabool Planning Scheme



Cathie McRobert, Chair



Helen Martin, Member



# Summary, Overall Conclusions and Consolidated Recommendations

## Amendment Summary

<b>The Amendment</b>	Amendment C6 Part 2 to the Moorabool Planning Scheme (the Amendment). Council resolved to split the amendment into two parts and to refer submissions relating to the Amendment (Part 2) that remained unresolved for consideration by a Panel.
<b>Purpose of Amendment</b>	To implement the recommendations of the Bacchus Marsh Heritage Study 1995 (the 1995 Heritage Study) by including 81 additional places in the Heritage Overlay (HO).
<b>The proponent &amp; Planning Authority</b>	Moorabool Shire (the Council).
<b>Exhibition</b>	14 April - 25 June 2010.
<b>Submissions</b>	34 submissions relating to the Amendment objected or sought changes to the Amendment. They are listed in Appendix A.

## The Panel Process

<b>The Panel</b>	Cathie McRobert (Chair); and Helen Martin.
<b>Panel hearings</b>	<p>Directions Hearing: 1 February 2013  Hearings: 4 - 5 March 2013.</p> <p>The Hearing reconvened on 3 April to consider submissions relating to:</p> <ul style="list-style-type: none"> <li>• HO59 - 33 Clarinda Street, Bacchus Marsh;</li> <li>• HO102 - 91 Main Street, Bacchus Marsh;</li> <li>• HO166 - JBD Industrial Park at 25 Rowsley Station Road, Maddingley; and</li> <li>• HO182 – ‘Woodlands’, 229 Long Point Road, Myrning.</li> </ul> <p>Submissions relating to these properties are not addressed in this interim report.</p>
<b>Site inspections</b>	The Panel made unaccompanied inspections on 4 and 5 March 2013 of the places that were the subject of objecting submissions that were heard on 4 and 5 March 2013.



<b>Appearances</b>	<p>Moorabool Shire represented by Damien Drew and Lisa Gervasoni who called expert evidence from:</p> <ul style="list-style-type: none"> <li>• Samantha Westbrooke of Samantha Westbrooke Pty Ltd – Heritage Architect.</li> </ul> <p>National Trust of Australia (Vic) (the National Trust) represented by Paul Roser.</p> <p>Devine Communities represented by Cathy Pearl of SJB Planning who called expert evidence from:</p> <ul style="list-style-type: none"> <li>• Peter Lovell of Lovell Chen – Heritage.</li> </ul> <p>J H White.</p> <p>(Heather &amp; John Sevald and Mandy Moerenhout originally requested to be heard but withdrew the request after receiving advice of Council support for removal of their property from the HO).</p>
<b>Scope of interim report</b>	<p>The Panel agreed to a request on behalf of Calleja to defer the part of the hearing relating to their submission, but provides this interim report, in order to ensure that progress on the implementation of other elements of the Amendment (Part 2) is not delayed, the Panel. The interim report deals with submissions heard on Days 1 and 2 of the hearing and where a request had not been made to be heard. The Panel’s assessment of the submissions<sup>1</sup> made when the hearing reconvened on 3 April 2013 are not addressed in this Interim report but will be provided in the Final report.</p>
<b>Date of interim report</b>	<p>10 April 2013.</p>

## Overall Conclusions

The Panel acknowledges that criteria and practice in the assessment of heritage places has evolved since the 1995 Heritage Study that underpins Amendment C6 was undertaken. However, we are satisfied that the methodology adopted in the 1995 Heritage Study is sound and the extensive review undertaken leading up to and through the Amendment/Panel processes have provided a significant level of scrutiny of the 1995 assessments. Overall the basis provided by the study has been verified and revisions have been identified where necessary.

We have recommended that Council consider undertaking further work to address a number of ‘gaps’ that remain. This work should not delay the approval of Amendment C6 which is important to establish a framework to protect the places of identified heritage significance. Expert evidence has also suggested that the citations for places to which the HO was applied under Part 1 of Amendment C6 should be reviewed and updated if necessary.

<sup>1</sup> The submissions addressed on Day 3 (and to be addressed in the Final Panel report) relate to: ‘Woodlands’, 229 Long Point Road, Myrniong (HO182); 33 Clarinda Street, Bacchus Marsh (HO59); 91 Main Street, Bacchus Marsh (HO102); and 25 Rowsley Station Road, Maddingley (HO166).



## Consolidated Recommendations

Based on the reasons set out in this Report, the Panel recommends that Amendment C6 Part 2 to the Moorabool Planning Scheme be adopted as exhibited subject to the following recommendations:

1. **Alter the description of the following places in the schedule to the HO:**
  - **18 Crook Street, Bacchus Marsh (HO60) to *'Carisbrook'*;**
  - **Refer to *'Nerowie Outbuildings'* (HO195) and the mapping for the site should be altered as proposed by Council;**
  - **80 Lerderderg Street, Bacchus Marsh (HO94) to delete reference to the orchard complex;**
  - **44 Paces Lane, Rowsley (HO202) to *'Willowbank'*; and**
  - **Combine 48 and 48A Grant Street, Bacchus Marsh (HO80 and HO204) into a single listing.**
2. **Remove the following properties from Amendment C6 Part 2:**
  - **2 White Avenue, Bacchus Marsh (HO122);**
  - **61 Moonah Drive, Long Forest (HO155);**
  - **Drystone Wall at McCormacks Road, Maddingley (HO165);**
  - **18 Red Box Court, Long Forest (HO156);**
  - **33 Wattle Court, Long Forest (HO157); and**
  - **38, 40, 42, 48, 52 and 63 Gisborne Road, Bacchus Marsh (HO65-HO70).**
3. **Revise the HO mapping for:**
  - **289 Werribee Vale Road, Maddingley (HO174) to reduce the area (as recommended in Mr Peter Lovell's statement of evidence dated 22 February 2013);**
  - **48 and 48A Grant Street, Bacchus Marsh (HO80 and HO204) to combine the HO into a single site;**
  - **89 Lerderderg Street, Bacchus Marsh (HO96) to cover the whole of the former military hut; and**
  - **97 Main Street, Bacchus Marsh (HO103) to cover the whole of the former garage building, as proposed by Council.**
4. **Council review the tree control provisions for consistency with citations and delete tree controls from the schedule to the HO where trees are not identified as significant in the citation for the place.**
5. **Defer action relating to the following properties pending the submission of this Panel's final report:**
  - **Woodlands', 229 Long Point Road, Myrning (HO182);**
  - **33 Clarinda Street, Bacchus Marsh (HO59);**
  - **91 Main Street, Bacchus Marsh (HO102); and**
  - **25 Rowsley Station Road, Maddingley (HO166) (the former CSR Wood Panels Bacchus Marsh Mill, also known as JBD Industrial Park).**



### Other Recommendations

6. Amend the *'What is significant?'* section of the statement of significance for 55 Main Street, Myrning (HO188) to record that the rear hip-roofed section of the building is not significant.
7. Council give consideration to further revision of the citation for 44 Paces Lane, Rowsley (HO202) to improve the consistency of its description of the style of the house.
8. Council consider undertaking the following further work:
  - Evaluate precincts, such as in Lerderderg Street and Grant Street;
  - An examination of drystone walls of the Shire to determine whether or not Clause 52.37 should be invoked;
  - Review of places from the Post World War 2 era to determine the relative value of houses from this period, including houses that have been deleted during the process leading up to the Amendment and this report;
  - Prepare up to date statements of significance for those properties already included in the Heritage Overlay through Part 1 of Amendment C6 that are currently still relying on the statements of significance provided in the Bacchus Marsh Heritage Study, 1995; and
  - Advance the introduction of protection for potential heritage precincts, such as in Lerderderg and Grant Streets.
9. Council consider introducing tree controls through a separate Amendment where trees are identified as important to the significance of the place.
10. Establish a potential heritage place list which includes the places identified in the Bacchus Marsh Heritage Study 1995 as being of Interest.

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**Appendix A List of Submitters**



# 1 What is proposed?

## 1.1 The exhibited amendment

Amendment C6 was prepared to implement the recommendations of the *Bacchus Marsh Heritage Study 1995* (the 1995 Study) by amending the HO to introduce an additional 145 places of heritage significance. These places are within the boundaries of the former Shire of Bacchus Marsh. Amendment C6 also proposed to amend the HO Schedule to allow prohibited uses (subject to planning approval) for eight places; to correct the descriptions in the schedule to the HO of places; and to amend Clause 21.06 - Heritage to identify the 1995 Study and clarify planning permit application requirements.

### Authorisation

The amendment was initially authorised on 29 May, 2008 and the Minister for Planning reauthorised the preparation of Amendment C6 on 19 March, 2010.

### Submissions to Amendment C6

Of the 48 submissions received in response to the Amendment C6 (including two late submissions), four indicated support or no objection and one requested the inclusion of an existing place (Bacchus Marsh Avenue of Honour) in the HO. The other submissions objected or sought changes to Amendment C6.

## 1.2 Splitting of the Amendment C6 – Parts 1 and 2

Council resolved on 17 November 2010 to split Amendment C6 into two parts comprising the components set out below.

### 1.2.1 Part 1

Part 1 applied the HO to public buildings or geographical places of significance. Part 1 also:

- Made corrections to the existing HO descriptions of places;
- Deleted the HO from a property;
- Amended the address for HO15 to 13-15 Franklin Street, Maddingley (although this was shown in Council's documentation as forming part of Part 2);
- Provided for prohibited uses (subject to planning approval) on eight places; and
- Amended Clause 21.06 - Heritage.

Council advised the Panel that eight submissions were resolved, and one submission was partially resolved via the splitting of the Amendment and adoption of Part 1. The submissions deemed by Council to be resolved by the adoption of Part 1 were:

- Corrections to HO Schedule descriptions and/or citations relating to the following places:
  - HO197 Former Thelma Ross Memorial Church, Parwan (Submission 4 – withdrawn);
  - HO63 Saint Andrew's Uniting Church and Parish Centre halls, Bacchus Marsh (Submission 15 – withdrawn);

- HO64, HO105, HO127 & HO181 Bacchus Marsh Holy Trinity Anglican Church, Parish Hall, Memorial Lawn and Garden; Shops at 110, 110A, 112 & 114 Main Street, Bacchus Marsh; Balliang Saint George's Anglican Church, Myrniong Christ Church Anglican Church (Submission 23 – withdrawn); and
- HO112 Soldiers Memorial Hall and Former Mechanics Institute 203 & 207 Main Street, Bacchus Marsh (Submission 38).
- The Heritage Advisor's review (July 2010) determined that the significance of the following places was not sufficient to justify inclusion in the HO:
  - HO124 - Pre-School Centre at 23 Young Street, Bacchus Marsh (Submission 28);
  - HO32- Maddingley No 2 Open Cut Mine (Submission 32); and
  - HO85 - Swimming Pool 55 Grant Street, Bacchus Marsh (Submission 41).
- HO203 - The Heritage Advisor's review (July 2010) that the HO was not the appropriate method of protecting a site of archaeological potential such as the Early Clay Quarries and Siding, Paces Lane, Rowsley (Submission 32).
- HO111– deleted as the Library building (former Shire of Bacchus Marsh Offices) at 197 Main Street, Bacchus Marsh as the building had been demolished (Submission 34).

The Amendment C6 Part 1 changes were incorporated in the Moorabool Planning Scheme on 9 February, 2012 when that part of the Amendment was gazetted.

### 1.2.2 Part 2

The Amendment (Part 2) proposes to apply the HO to 81 additional places and to correct the address description of HO15<sup>2</sup>. Part 2 relates to:

- All private residences proposed for inclusion in the HO (whether or not they were the subject of a submission); and
- Other places with unresolved objections.

Part 2 of the Amendment was due to lapse on 29 April, 2012<sup>3</sup> but the Minister granted a twelve-month extension for the adoption of Amendment C6 Part 2 until 29 April, 2013.

### 1.3 Post-exhibition changes supported by Council

After splitting the Amendment Council undertook a review of places proposed for inclusion in the HO under Part 2 (see Chapter 2.1). This process resulted in recommendations to remove the exhibited HO from the following places:

- 38 Gisborne Road, Bacchus Marsh (HO65, Submission 2);
- 40 Gisborne Road, Bacchus Marsh (HO66, Submission 42);
- 42 Gisborne Road, Bacchus Marsh (HO67, Submission 27);
- 48 Gisborne Road, Bacchus Marsh (HO68, Submission 8);
- 52 Gisborne Road, Bacchus Marsh (HO69, Submission 19);
- 63 Gisborne Road, Bacchus Marsh (HO70, Submission 24);
- 91 Main Street, Bacchus Marsh (HO111, Submissions 25 & 26);
- 2 White Avenue, Bacchus Marsh (HO122, Submission 20); and

<sup>2</sup> This correction is redundant as it was included in Part 1 of the Amendment.

<sup>3</sup> Section 30(1)(a) of the Act.

- 61 Moonah Drive, Long Forest (HO155, Submission 21)

Before the Hearing Council circulated Part 2 Amendment documentation (maps and the HO schedule) which *'tracked'* the proposed changes.

### 1.3.1 Response to identified errors

At the Directions Hearing held on 1 February 2013 Council advised that:

- Discussions were occurring regarding the extent of HO174;
- Its consideration of submissions had not addressed a submission from Southern Rural Water relating to H 62 (which was included in the planning scheme under Part 1) and HO173.
- Mapping of HO95, HO103, HO182 and HO195 was incorrect.

The Panel directed that in each case Council should advise the property owners of the errors, and advise that the Panel would accommodate late submissions and Requests to be Heard.

Ms Lidgett requested to be heard when the Panel reconvened on 3 April 2013 in relation to *'Woodlands'*, 229 Long Point Road, Myrniong (HO182) and the Panel evaluation of submissions relating to that property will be provided in the Final panel report. However, as more than a month has elapsed since Council letters were sent and no other submissions or requests to be heard were received in relation to the above errors, the Panel has considered these matters in Chapter 3 on the basis that those affected do not wish to make a submission or be heard by the Panel.

## 1.4 Planning policy context

The objectives for planning in Victoria in the Act include 'to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.'<sup>4</sup> This intent is reaffirmed and amplified in the following State and local planning policies in the Moorabool Planning Scheme:

- Clause 15.03-1 Heritage Conservation aims *'To ensure the conservation of places of heritage significance'* through strategies that include:
  - *'Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.'*
  - *Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity.*
  - *Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.*
  - *Encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations.*

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<sup>4</sup> Section 4(d) of the Act, Objective of Planning in Victoria and restated in Clause 10.02 which sets out the goals of the State Planning Policy Framework.

- *Retain those elements that contribute to the importance of the heritage place.*
- *Encourage the conservation and restoration of contributory elements.*
- *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*
- *Support adaptive reuse of heritage buildings whose use has become redundant.'*
- Clauses 21.01 Municipal Context 21.01-2 Key Issues identify historic buildings and landscapes as assets that contribute to the character and lifestyle opportunities that attract people to Moorabool Shire.
- Clause 21.03-4 includes a strategy to *'Protect and reinforce the Shire's built and natural heritage as identified in heritage studies for the Shire.'*
- Clause 21.04 Economic Development and Employment strategies include *'Facilitate development of the tourism sector by protecting the natural environment, heritage and town character.'*
- Clause 21.06 - Heritage outlines Council's objective to preserve, promote and enhance places of heritage significance. The strategies to achieve this objective are:
  - *'To preserve, promote, and enhance places of heritage significance including those of historical, aesthetic, architectural, scientific, and/or social value.*
  - *Ensure new development is sympathetic to existing heritage places and makes a positive contribution to its heritage value.*
  - *Where a permit is required for demolition/significant alterations of a heritage place, an application must be supported with documentation which demonstrates:*
    - *That the demolition/alterations will contribute to the long-term conservation of the significant fabric and/or part of the building.*
    - *That the demolition/alterations involve later inappropriate modifications to the heritage place.*
    - *That any cultural heritage significance of the place will be enhanced.*
    - *That any significant fabric to be unavoidably removed as part of the demolition/alterations can be re-instated.*
  - ...
  - *Encourage replanting of a similar type of tree where the removal of a significant tree is unavoidable.*
  - *Protect significant built heritage assets and streetscapes especially in Bacchus Marsh, Ballan, Blackwood, Gordon, and Mt Egerton.'*
- Clause 21.07- Bacchus Marsh includes the significant heritage buildings in the attributes that define the character of Bacchus Marsh and are to be maintained as the town grows.

There is ample policy support for the introduction of the HO to places of documented heritage significance and the Moorabool MSS identifies Bacchus Marsh as an area where significant built heritage assets should be protected.

## 1.5 Planning scheme provisions

### The Heritage Overlay

The HO has a focus on *'those elements which contribute to the significance of heritage places'* and ensuring *'that development does not adversely affect the significance of heritage places.'*

Permits required under the HO are the primary mechanism in the planning scheme to achieve objectives to conserve and enhance heritage places. In summary, permits requirements relate proposals to subdivide land; to demolish or remove a building; to construct a building or construct or carry out works, and to externally paint an unpainted surface. In some cases the schedule *'turns on'* provisions, such as whether prohibited uses may be considered and controls relating to external painting, internal alterations, trees, outbuildings and fences.

The Heritage Overlay controls do not impact on routine maintenance, or internal works or renovations (except where the schedule requires it) and specifically, the following minor works do not require a permit:

- Repairs or routine maintenance, which do not change the appearance of a heritage place. The repairs must be undertaken to the same details, specifications and materials<sup>5</sup>.
- Anything done in accordance with an incorporated plan specified in a schedule to the overlay.

**Clause 52.37 Post Boxes and Dry Stone Walls** requires a permit to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to the clause.

## 1.6 Other guidance

As noted in Council's submission to the Panel the *Applying the Heritage Overlay Practice Note Revised September 2012* (the Practice Note) indicates that the HO should apply to the following places:

- *Any place that has been listed on the Australian Heritage Council's now closed Register of the National Estate.*
- *Any place that has been referred by the Heritage Council for consideration for an amendment to the planning scheme.*
- *Places listed on the National Trust Register of the National Trust of Australia (Victoria), provided the significance of the place can be shown to justify the application of the overlay.*
- *Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.'*

The Practice Notes also:

- Sets out the heritage criteria for all new heritage assessment work which have been broadly adopted across Australia and should be used.

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<sup>5</sup> Clause 62.02.

- Guidance on the preparation of statements of significance for heritage places with a format that addresses *'What is significant?'*, *'How is it significant?'* and *'Why is it significant?'*
- Drafting the Heritage Overlay schedule.
- Mapping Heritage places, including advice that *'It is usually important to include land surrounding a building, structure, tree or feature of importance to ensure that any new development does not adversely affect the setting or context of the significant feature. In most situations, the extent of the provision will be the whole of the property.'*

## 1.7 Issues dealt with in this interim report

At the Directions Hearing submissions on behalf of Calleja requested deferral of the part of the hearing relating to their submission due to a communication issue that resulted in the submitter only becoming aware of the Panel hearing in January 2013 (after the last previous correspondence in November 2010). In addition, Calleja had only recently become aware of further research commissioned by Council which resulted in a revised Council position and citation for HO166. Insufficient time was available prior to the scheduled commencement of the hearing for Calleja to evaluate the implications of the HO provisions that were then proposed and for their Heritage expert (who was not available on the scheduled hearing dates) to provide advice/meet directions regarding the exchange of expert reports. The Panel agreed to defer the part of the hearing relating to the Calleja submissions and evidence. However, it advised that, in order to ensure that progress on the implementation of other elements of the Amendment (Part 2) was not delayed, the Panel would submit an interim report dealing with submissions heard on Days 1 and 2 of the hearing and where a request had not been made to be heard.

Further requests to be heard on Day 3 of the Hearing were received from Ms Mundy (on behalf of Mr & Mrs Michalski), Ms Lidgett and Ms del Papa.

The Panel's assessment of the submissions made when the hearing reconvened on 3 April 2013 are not addressed in this Interim report but will be provided in the Final report. The submissions relate to:

- 'Woodlands', 229 Long Point Road, Myrniong (HO182) – Submission No 46;
- 33 Clarinda Street, Bacchus Marsh (HO59) – Submission No 47;
- 91 Main Street, Bacchus Marsh (HO102) – Submission Nos 25 & 26; and
- 25 Rowsley Station Road, Maddingley (HO166) – Submission No 32. This property is the former CSR Wood Panels Bacchus Marsh Mill, also known as JBD Industrial Park.

While some submissions, such as from the National Trust, were supportive of the Amendment, submissions from individual property owners sought corrections to description of the property (or citation content) and/or HO mapping; questioned the currency and rigor of the assessments underpinning the Amendment (Part 2); challenged whether the heritage significance of their property justified the application of the HO; or objected to the constraints on future development and the procedural burden imposed by the overlay.

This report is structured on the basis of:

- Whether the Amendment has a sound strategic basis. In Chapter 2, the process and rigor of the analysis underpinning Amendment provisions is considered, together with broader issues raised in relation to matters such as the age of the 1995 Study, apparent '*gaps*' in heritage protection and the implications of the Amendment for property owners;
- Consideration of submissions in Chapter 3; and
- In Chapter 4, consideration of changes either proposed by Council, or where Council supported changes put forward in submissions.



## 2 Does the Amendment have a sound strategic basis?

### 2.1 The 1995 Heritage Study and review processes

#### The 1995 Study

The Bacchus Marsh Heritage Study 1995 (the 1995 Study) was prepared by Richard Peterson and Daniel Caprice for the former Shire of Bacchus Marsh and the former Historic Buildings Council. It used the *Australia INCOMES Charter for the Conservation of Places of Cultural Significance: The Burra Charter 1988* (1988 Burra Charter) and included an environmental history<sup>6</sup>. The 1995 Heritage Study provided citations for the 171 places recommended for inclusion in the HO.

#### Pre-Amendment C6 review

The following review process occurred prior to the exhibition of Amendment C6:

- In 2001-2002 Council officers and consultants consulted the owners and occupiers of most places identified in the 1995 Heritage Study. Sixty-two submissions requested that properties not be included in an amendment;
- Council advised that *'From the recommended 171 places, 48 were 'short-listed' (presumably for inclusion in the Heritage Overlay) by the consultants'*;
- Council officers met with Heritage Victoria representatives in February 2002 who advised that:
  - the full list of places should be included in the formal amendment.
  - heritage places are identified on the basis of their heritage significance and the inclusion or otherwise of a property in a control is based on merit and not solely on the basis of the owner's preference. Heritage Victoria, as the principal external funding body for heritage studies, was keen to see that the integrity of the study recommendations would be maintained, and
  - the correct forum for any *'culling'* of the list would be at a Panel hearing.
- Due to the long delays in implementing the findings of the 1995 Heritage Study a *'ground truthing'* exercise was carried out in 2005 by Richard Allen (former Heritage Consultant). It was found that 12 former heritage places no longer existed<sup>7</sup>.
- After a Councillor Workshop in March 2005 inspections of a list of places proposed for inclusion in the HO were undertaken to confirm they retain their heritage integrity.

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<sup>6</sup> The environmental history utilising the themes of: exploration; pastoralism; agriculture; transport; mining and quarrying; industry; townships; water; governing Bacchus Marsh; community life; conserving Bacchus Marsh and commemorating Bacchus Marsh.

<sup>7</sup> For example, some of the railway heritage places identified by the study had been demolished by the earthworks connected with the fast rail project.



## The Part 2 review process

When Council resolved to split the Amendment (17 November 2010) it resolved for Part 2:

*To develop a policy on selection criteria for inclusion in the Heritage Overlay for amendment C06 to the Moorabool Planning Scheme for Private Residences.*

*Seek a review of the Planning Scheme Amendment work program having taken into consideration recommendation 4a) of this report and available resources and other identified priorities.*

This process of review responded to issues raised in relation to the justification for the inclusion of private residences within the HO by revisiting the policy and criteria that informed the property specific evaluations. Samantha Westbrooke Pty Ltd prepared the following separate reports:

- *'Bacchus Marsh Heritage Study Review – C06 Part 2, Significance Threshold Policy & Peer Review of Residential Places July 2012' (the Threshold Policy report).*
- *'Moorabool Shire Council Planning Scheme Amendment C06 – Part 2, Application of Heritage Overlay, Revised citations for Properties recommended for inclusion in the Heritage Overlay, July 2012'.*

Council advised the review of the heritage places included in Part 2 of the Amendment occurred in a three-tier process comprising:

- A Council officer and the Heritage Advisor visited the majority of properties subject to submissions and, in most cases, meeting with the property owner on site (late June- early July 2010). This process assisted the affected community members in understanding the implications of the HO and informed the Heritage Advisor's review of submissions;
- The review and revision of citations for the sites where Council Officers and Heritage Advisor recommended the retention of the place in the HO; and
- The Threshold Policy report described how the Burra Charter 1999 process for assessment of cultural heritage significance was utilised to establish a threshold for local significance. Council advised that of the 50 sites reviewed, most of which were private residences not subject to submissions, 48 satisfied the threshold policy and were recommended to be retained within Amendment C6 Part 2, with two residences recommended for removal. A separate report relating to 22 places recommended for inclusion in the HO provided revised citations with historical and descriptive information primarily derived from the 1995 Heritage Study and additional historical and descriptive information, a new comparative analysis, statements of significance and updated photographs taken in May 2012.

The Panel accepts the 2012 assessment that two 1970-80s Long Forest residences (18 Red Box Court (HO156) and 33 Wattle Court (HO157)) do not satisfy the threshold policy and should be deleted from Amendment C6 Part 2.

### Panel Recommendation

**Delete HO156 (18 Red Box Court, Long Forest) and HO157 (33 Wattle Court, Long Forest) from Amendment C6 Part 2.**

## 2.2 Discussion

The issues relating to the strategic basis for the Amendment are addressed on the basis of the following themes raised in submissions: unwanted restrictions on owners; the protracted process and age of the 1995 Heritage Study underpinning the Amendment; whether thresholds of heritage significance for particular places were appropriate; the inconsistent treatment of tree controls and the need for further work required to address gaps (such as precincts and drystone walls) or dated citations.

### Planning restrictions on owners

Some submissions<sup>8</sup> appeared to object primarily to the imposition by the HO over their property of unwanted restrictions on their ability to do what they want to their property and the burden of planning permit requirements.

The Panel considers that the HO is an appropriate mechanism to advance the objectives of planning for Victoria, State Planning Policy, Local Planning Policy and DPCD guidelines (see Chapters 1.4, 1.5 and 1.6). This framework for planning in Victoria and Moorabool clearly establishes a basis for protecting heritage places through the HO where appropriate assessment establishes they are of significance to the local community or wider population. While the HO does impose limitations through permit requirements, with associated costs and processes, the overlay provides a range of exemptions intended to avoid unnecessary demands on land owners where proposed building or works are unlikely to affect the heritage significance of the property.

### The Protracted process and dated heritage study.

Submissions raised a range of issues associated with the foundation of the Amendment dating back to a study undertaken in 1995. These concerns included:

- The protracted process has contributed to confusion and meant landowners have been subject to an extended period of uncertainty<sup>9</sup>;
- Assessment criteria and practice have changed<sup>10</sup>;
- There are important inaccuracies in some assessments as a result of the time since the original assessments were prepared, with:
  - some values demonstrably diminished, such as the drystone wall identified by HO165;
  - significant changes having occurred that are not reflected in the Statement of significance, such as in relation to 80 Lerderderg Street, Bacchus Marsh (HO94); or
  - the significant place being completely lost such. Demolition of 12 places was identified in the pre-Amendment C6 *'ground-truthing'* carried out in 2005 by Richard Allen, including 48 Gisborne Street. The loss of trees identified in the citation for 33 Clarinda Street, Bacchus Marsh is another example.

Council acknowledged changes in assessment criteria used in determining heritage significance but considers the 1995 Heritage Study and its methodology is appropriate for

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<sup>8</sup> For example, submission No 33 relating to HO186 at 29 Main Street, Myrniong.

<sup>9</sup> As raised for example in the submission on behalf of Calleja and Fred and Joy Michalski.

<sup>10</sup> As raised for example in the submission on behalf of Calleja.

the consideration of cultural heritage significance. It submitted that while the 1988 Burra Charter used in the 1995 Heritage Study has been superseded by the 1999 Burra Charter<sup>11</sup>, the associated Guidelines (including *Procedures for Undertaking Studies and Reports*) are based on the 1988 Burra Charter. Council noted the criteria developed for the 1995 Heritage Study utilised the Historic Buildings Council (now Heritage Council) Criteria and the Macedon Ranges Model. Council’s submission included a table (reproduced below) to illustrate a high degree of consistency with the current Victorian Heritage Register Criteria and Threshold Guidelines. Council emphasised that several reviews have been undertaken since the 1995 Heritage Study to ensure consistency with the current practice and statutory framework.

Victorian Heritage Register Criteria	Bacchus Marsh Heritage 1995 Heritage Study Criteria
Importance to the course, or pattern, of Victoria’s cultural history.	Represents or is an extraordinary example of a way of life, activity, process or function (historical). Demonstrates changing sequence of styles, occupancy, pattern, usage sequence over time (historical). Demonstrates social movement or government/institution action (historical).
Possession of uncommon, rare or endangered aspects of Victoria’s cultural history.	Example (rare or intact) of a building type (architectural).
Potential to yield information that will contribute to an understanding of Victoria’s cultural history.	Demonstrates creative, technical, or scientific accomplishment in construction or settlement (scientific). Past contribution to the understanding of science or natural history (scientific). Experimental plantings (scientific). Potential as a research document/archaeology (scientific).
Importance in demonstrating the principal characteristics of a class of cultural places and objects.	Influential in development of a style, technology, process, construction technique (architectural) <sup>12</sup> .
Importance in exhibiting particular aesthetic characteristics.	Aesthetic quality recognised by design experts (aesthetic).
Importance in demonstrating a high degree of creative or technical achievement in a particular period.	Demonstrating typical or outstanding craftsmanship, decoration or use of material (architectural).
Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.	Artistic, religious, spiritual, symbolic, cultural, educational or social associations (historical). Known and valued by the local community/landmark (social).
Special association with the life or works of a person or group of persons, of importance in Victoria’s history.	Demonstrates association with important figure(s), cultural groups or event (historical). Representative example of an architect’s work (architectural).

The Panel acknowledges that criteria and practice in the assessment of heritage places has evolved, as distinct from being transformed, since the 1995 Heritage Study. The same can be said for the assessment of places included in Part 2 of Amendment C6 which are the subject of this Panel’s consideration. While the Council alignment of criteria shown above could be debated, we are satisfied that the methodology adopted in the 1995 is sound and the changes in criteria and practice since that work was undertaken are not so great as to warrant rejection of the findings. The Panel notes Mr Roser of the National Trust commented that he was not aware of any other heritage Amendment process that had involved so many levels of review and verification and so much extra work. The Panel is

<sup>11</sup> *Burra Charter: Australia ICOMOS Charter for the Conservation of Places of Cultural Significance 1999.*  
<sup>12</sup> The Panel notes that these criteria are not really equivalent, as the criterion is about ‘representativeness’ rather than influential examples but the difference is not a fundamental methodological flaw.

satisfied that there has been an extensive review processes adopted by Council leading up to the Amendment and through the Amendment submission and Panel processes have provided a significant level of scrutiny of the 1995 assessments. Overall, the basis provided by the study has been verified and revisions were recommended where necessary.

### **Thresholds**

Various submissions argued that the level of change to the original fabric of their property compromised its heritage values to a point where its inclusion in the HO was not justified.

Assessment of significance is based on established methodology, which we are satisfied has been applied in this case. However, an element of expert judgement is required in the assessment process and the submission and Panel processes allow review of that judgement. Consideration of this issue in relation to specific properties is provided in Chapter 3.

### **Tree controls**

The National Trust identified a significant number of inconsistencies between citations and Amendment C6 provisions relating to tree controls.

The Panel suggests that Council review the tree control provisions for consistency with citations. Where trees are not identified as significant in the citation, the tree control should be deleted from the schedule to the HO for the place.

Where trees are identified as significant components of the place, tree controls should be applied. However, as noted in relation to HO190 (see Chapter 3.8), in the interests of procedural fairness the Panel does not support the introduction of tree controls as a post-exhibition process, other than by agreement with owners. Therefore, the introduction of additional tree controls will require a separate Amendment.

### **Other further work**

During the course of the Panel hearing (and inspections) the following gaps and/or need for further work have been identified:

- A more comprehensive examination of drystone walls of the Shire would determine whether or not Clause 52.37 should be invoked (see discussion in Chapter 3.13).
- A number of post World War 2 heritage houses have been deleted from the Amendment due to reservations about the assessment and the comparative analysis in particular. A further review of places from this era would be desirable to determine the relative value of houses from this period, including houses that have been deleted during the process leading up to the Amendment and this report.
- Ms Westbrooke expressed some reservations about citations associated with places included in the HO via Part 1 of Amendment C6. She expressed the view in her evidence statement:

*Due to the protracted nature by which Amendment C6 has come about, a number of properties are now included in the Heritage Overlay without*

*up to date statements of significance. And, as a result of the Peer Review commissioned by Moorabool Shire in 2012 for the private properties, which form part of C6 Part 2, up to date statements of significance have been prepared for all of these properties. Therefore to provide consistency and for all properties included in the Heritage Overlay it is recommended that up to date statements of significance be prepared for those properties already included in the Heritage Overlay that are currently still relying on the statements of significance provided in the Bacchus Marsh Heritage Study, 1995.*

- The original proposals for the inclusion of heritage precincts have not been translated into Amendment C6. It is the Panel's understanding that this resulted in the places within precincts that were of heritage significance but did not align with the precinct objectives being individually identified, whereas places of comparable (or greater) significance that contributed to the overall precinct heritage values were not included in the HO. The Panel's inspections confirmed that there are heritage places in the Lerderderg Street and Grant Street areas with conspicuous heritage values that remain unprotected. We agree with Ms Westbrooke recommendation that *'A Heritage Overlay Precinct be pursued for the protection of the substantially intact collection of Victorian and Edwardian buildings in Lerderderg Street, Bacchus Marsh.'* Consideration should also be given to other potential heritage precincts, such as in Grant Street.
- Council was also aware of individual places where there appears to be a prima facie case for heritage protection that are not included in the Amendment. Again the Panel inspections confirmed that this is the case. We agree with Ms Westbrooke's recommendation that:

*A potential heritage list be commenced which includes the places identified in the Bacchus Marsh Heritage Study, 1995 as being of Interest.*

### **Panel Recommendations**

#### **Council review the tree control provisions for consistency with citations and:**

- **Delete tree controls from the schedule to the HO where trees are not identified as significant in the citation for the place.**
- **Consider introducing tree controls through a separate Amendment where trees are identified as important to the significance of the place.**

#### **Council consider undertaking the following further work:**

- **An examination of drystone walls of the shire to determine whether or not Clause 52.37 should be invoked.**
- **Review of places from the Post World War 2 era to determine the relative value of houses from this period, including houses that have been deleted during the process leading up to the Amendment and this report.**
- **Prepare up to date statements of significance for those properties already included in the Heritage Overlay through Part 1 of Amendment C6 that are currently still relying on the statements of significance provided in the Bacchus Marsh Heritage Study, 1995.**

- **Advance the introduction of protection for potential heritage precincts, such as in Lerderberg and Grant Streets.**
- **Establish a potential heritage place list which includes the places identified in the Bacchus Marsh Heritage Study, 1995 as being of Interest.**

## 3 Consideration of submissions – places that Council proposes to retain in Amendment

### 3.1 Introduction

This Chapter deals with those properties on which submissions were received and considered by Council and its Heritage Advisor, but the Council does not support making the change requested in the submission, i.e. Council continues to support the application of the HO. In some cases, Council proposes to make changes to the schedule, amendment mapping or supporting documentation – the citation for the place – to address errors of fact or other issues raised by submitters, or to correct inaccuracies in Amendment documentation.

### 3.2 48 & 48A Grant Street, Bacchus Marsh (HO80 & HO204) – Submission No 1

The property at 48 Grant Street, Bacchus Marsh contains an Edwardian style shop that was previously used as a bakery. The property at 48A directly adjacent on the south side contains an Edwardian style residence set back from the street boundary.

#### Statements of significance

Amendment C6 listed the shop at 48 Grant Street at HO80 (described by its present use of ‘office’) and the house at 48A Grant Street as HO204 (‘house and shop’).

The shop (former bakery) at 48 Grant Street was listed in 1994 as place number 131 and assessed as:

*... of historical significance as a representative embodiment of the way of life and the operation of food processing in the Edwardian period and for its association with the locally important Alkemade family. It is of local architectural significance as a representative surviving example of a building type, as a bakery or shop.*

The house at 48 Grant Street, described as ‘house and adjacent shop’, was listed as place number 130 in 1994 and assessed as:

*A detached Edwardian house with a complicated roof design, which with the adjoining shop (ref. 131) was built in 1909 to the design of the owner, Cornelius LT van Alkemade and leased to a baker, who operated a bakery in the adjoining shop.*

*It is of local historical significance as a representative embodiment of the way of life in the Edwardian period and for its association with the locally important Alkemade family. It is of local architectural significance as a representative, yet most interesting, example of the domestic Edwardian style, and a of a surviving example of a building type, as a small town house on a constrained urban site.*



## Submissions and evidence

The submission from the owner of both properties not object to the HO being applied to them, but pointed out that there was no shop on the lot at 48A Grant Street. He also noted that the other adjoining shop at 50 Grant Street also had some heritage value and should be included and identified.

Ms Westbrooke subsequently reassessed the site on behalf of Council and recommended that a combined citation should be prepared for the two properties at 48 and 48A Grant Street, because of their shared history. The revised citation was prepared and included in the document Revised Citations for Properties recommended for inclusion in the Heritage Overlay, Final Report, July 2012 (Samantha Westbrooke Pty Ltd).

Council's submission to the hearing recommended that the two properties should be combined under a single HO number, and that the mapping and the schedule to the HO should be revised accordingly.

Council also advised that the shop at 50 Grant Street (shown as number 46 in diagram accompanying the 1994 citations) had apparently not been evaluated in the original study and therefore was not included in Amendment C6.

## Discussion

The heritage value of the properties and 48 and 48A Grant Street is not in dispute.

With regard to the shop at 50 Grant Street, there appears, on the basis of the Panel's inspection, to be a strong case for evaluating its heritage significance and perhaps considering it and the two adjoining properties – with or without other nearby properties in Grant Street – as part of a future heritage precinct.

Panel supports the proposal to combine the listing for the former shop at 48 Grant Street and the residence at 48A Grant Street and the adoption of the revised citation.

## Panel Recommendation

**Combine 48 and 48A Grant Street, Bacchus Marsh (HO80 and HO204) into a single listing in the schedule to the HO and alter the mapping for the site accordingly.**

**Consider undertaking further work to evaluate precincts, such as in Lerderderg Street and Grant Street.**

### 3.3 18 Crook Street, Bacchus Marsh (HO60) – Submission No 3

The citation from the 1994 study describes 18 Crook Street, Bacchus Marsh (HO60) as an isolated red brick, double-fronted, symmetrical, apparently late Victorian farmhouse with some Edwardian characteristics. The house, named in the citation as '*Greenwood (?)*', was assessed as being historically and architecturally significant at a local level.



## Submissions and evidence

A submission from the owners of the property queried the origin of the name '*Greenwood*' and advised that the name they have given to it is '*Carisbrook*'.

Council and Ms Westbrooke noted that the name has no impact on its identified significance and agreed that it should be shown as '*Carisbrook*' in the schedule and the citation, with '*Greenwood*' being noted in the citation as a former name.

## Discussion

The heritage significance of the place is not in dispute. Since no particular historical significance appears to attach to the former name of the property (and indeed the original study appeared to be uncertain if the name was correct) the Panel has no objections it being changed.

## Panel Recommendation

**Alter the name of the property at 18 Crook Street, Bacchus Marsh (HO60) in the schedule to the HO to read '*Carisbrook*'.**

### 3.4 52 Bucklers Road, Parwan (HO195) – Submission No 5

52 Bucklers Road, Parwan (HO195) contains outbuildings associated with a nearby house – known as '*Nerowie*' – located in the adjoining Shire of Melton and included under the HO in the Melton Planning Scheme.

The 1994 citation identified the complex – described as '*Buckler's Farm*' (the name by which it was listed in the schedule to the HO in Amendment C6) – as originally forming part of Simon Staughton's Exford Estate. It described the outbuildings as providing context to the farmhouse. The complex was considered to be of local historical significance as representing the way of life of a small farmer before the First World War.

## Submissions and evidence

A submission concerning this property pointed out that the outbuildings were part of Nerowie Station and were built for the Staughton family, long before the Buckler's farmed the property.

Ms Westbrooke agreed that the connection with the Staughton family was an important part of the significance of the property and recommended revising the citation to add material from the Shire of Melton Heritage Study (2007-08). The revised citation provides a statement of significance for the buildings on the subject land, independent of the house. It also adopts the description '*Nerowie Outbuildings*' for the property.

Council advised at the Panel hearing that the extent of the HO proposed in the exhibited mapping for Amendment C6 was incorrect. The polygon needs to be moved to the south to cover the full extent of the outbuildings and to exclude land that is of no significance.

## Discussion

The heritage significance of the place was not challenged in any material put to the Panel. We have no objection to the proposed change of name.

Council told the Panel that the owner had been advised of the mapping error and no submissions had been received.

The Panel considers the HO should be applied to the revised extent of land at 52 Bucklers Road, Parwan (HO195).

## Panel recommendation

**Alter the description of HO195 in the schedule to the HO to 'Nerowie Outbuildings' and the mapping for the site should be altered as proposed by Council.**

### 3.5 10 Grant Street, Bacchus Marsh (HO77) – Submission No 9

10 Grant Street, Bacchus Marsh is an early Edwardian brick house with a detached brick shop in front of the house on the same allotment. The original citation (1994) assessed the property as follows:

*It is of historical significance locally as a representative embodiment of a way of life in the Edwardian period.*

*It is also of architectural significance locally as a rare example of this combined shop and detached house building type, with a significant garden.*

## Submissions and evidence

The owner of the property at 10 Grant Street submitted:

*... I believe the heritage overlay will not apply to our house considering the recent renovations we have undertaken. We have put on an extension with modern touches and therefore has affected the style of the house. We will also establish modern gardens in the near future...*

Ms Westbrooke advised that she had inspected the site and concluded that the some of the renovations to the front of the residence, including the new cast iron fence, have enhanced its appearance as viewed from the street. Although the additions are attached to the dwelling, they are set behind the original main section and have minimal visibility from Grant Street. The brick shop has not been altered. Ms Westbrooke concluded that the additions and alterations do not detract from the identified significance as outlined in the original citation. She recommended that the property be included in the HO, but that the citation be revised to include a current photograph and update the description to record the recent additions. She prepared a revised citation in 2012.

## Discussion

The Panel accepts Ms Westbrooke's expert opinion that the recent changes to the dwelling at 10 Grant Street do not impact on the identified significance of the property.

In addition, we note that no tree controls are proposed for the property in the schedule to the HO, so future changes to the garden will not require a permit.

The HO should be applied to the house and shop at 10 Grant Street, Bacchus Marsh (HO77), as proposed by Amendment C6 Part 2. The changes to the citation are also supported.

### **3.6 55 Main Street, Myrning (HO188) – Submission No 11**

55 Main Street, Myrning (HO188) is the former Myrning Hotel, an early Victorian bluestone building from 1865, now a residence. The original citation (1994) assessed the property as follows:

*It is locally historically significant for its association with social developments and hospitality in the life of the township, and as an early hotel, and pioneering in the town. It is also historically significant as a representative embodiment of a way of life and its social values, 130 years ago in a small rural settlement. It is architecturally significant as a relatively intact surviving early hotel building.*

The citation commented first (in the summary section at the front) that the level of intactness was ‘*very good*’ then later described it as ‘*reasonable*’. It recorded that the verandah floor had been replaced with concrete and the verandah itself replaced with a steel frame in an appropriate form and some changes had been made to the windows. The corrugated iron roof was eroding.

The ‘*visual description*’ section of the citation noted a hip-roofed addition to the rear of the original bluestone building. It also suggested that the two large Monterey Cypress trees on the north-east boundary of the ‘*smaller cottage garden*’ should be preserved, because they provided a link to the streetscape at that end of town and are typical of the exotic conifer planting of the Victorian era.

#### **Submissions and evidence**

A submission objected to the application of the HO to the property. It recorded the owners’ pride in the improvements they had made to the property and noted that no further changes were likely. However, they did not want their home to be subjected to controls administered by ‘*bureaucrats*’. Mr White told the hearing that the rear extension had existed at least since he was a boy, but the weatherboard cladding has recently been replaced (with another material) and the rear porch has been altered. He also said that the roof was originally slate but had been replaced ‘*in the last few years*’. He had also been told by a solicitor that heritage listing would reduce the resale value of the property, although he had no plans to sell.

Ms Westbrooke reviewed the site and came to the conclusion that it had clear historical and architectural significance as outlined in the original citation. She subsequently revised the citation (2012). Council also supported the heritage listing of the property.

#### **Discussion**

The Panel notes that the revised citation includes a recent photograph and, in the statement of significance, a clearer description of the building’s aesthetic (architectural) significance,

drawing on the description in the 1994 citation. Under *'What is significant?'* it says: *'the former Myrniong Hotel at 55 Main Street, Myrniong'*. When questioned, Ms Westbrooke advised that in her opinion, the rear hip-roofed section is not significant.

Mr White did not provide any information that challenged the heritage significance attributed to the property in both the 1994 study and Ms Westbrooke's recent re-evaluation. By his account, the alterations to the building have been quite limited, even since its construction and certainly since the original heritage study. In this regard, the Panel notes that the slate roof must have been replaced before 1994, as it was described at that time as *'iron'* (and corroding, as noted above). The recent photograph indicates that the roofing material has been renewed since 1994.

The question of the effect of heritage listing on property values is not a matter that should be considered at the stage of applying an HO, where the issue is whether or not a place has heritage significance at the local level.

The Panel also notes that no tree controls are proposed in the HO schedule exhibited as part of Amendment C6. The trees referred to in the original citation appear to be those shown to the left of the main façade in the photograph included in the 1994 citation. Judging from the 2001 photograph supplied by Council these were removed at some time in the intervening period.

The Panel is satisfied that the HO should be applied to the property at 55 Main Street, Myrniong as proposed by Amendment C6 Part 2.

#### **Panel recommendation**

**Amend the *'What is significant?'* section of the statement of significance for 55 Main Street, Myrniong (HO188) to record that the rear hip-roofed section of the building is not significant.**

### **3.7 29 Lerderderg Street, Bacchus Marsh (HO87) – Submission No 12**

The house at 29 Lerderderg Street, Bacchus Marsh (HO87) is a late 1930s house in the Moderne style. The original citation (1994) noted that the house was originally erected in 1929 for an orchardist. It assessed the property as:

*A particularly intact eclectic Moderne timber late 1930s house.*

*It is historically significant locally as a representative embodiment of the way of life and social values in its historical period. It is also architecturally significant as an intact surviving representative example of the domestic Moderne style.*

#### **Submissions and evidence**

The owners object to the application of the HO. They believe the residence is of little heritage value and are concerned about the possible devaluation of the property – which had potential for dual occupancy – as a result of heritage controls.

Ms Westbrooke's assessment was that, although the significance of the property was not well substantiated in the original citation, it is of local historical and architectural significance

and worthy of protection under the HO. She noted that, prior to proceeding to a panel, work was required to strengthen the statement of significance. Her expert witness statement recorded that a revised citation had been prepared (2012), further emphasising its architectural significance to the local area.

Council supports heritage listing of the property.

### **Discussion**

The Panel accepts the evidence of Ms Westbrooke that the property at 29 Lerderderg Street, Bacchus Marsh is of local historical and aesthetic significance to the Shire of Moorabool. We agree that the HO should be applied to the property as proposed by Amendment C6 Part 2.

As noted above (see Chapter 3.5) the important question to be addressed at the amendment stage is whether properties have heritage significance, not the effects of heritage listing on property values.

### **3.8 90 Mt Blackwood Road, Myrning (HO190) – Submission No 14**

The property known as *'Millside'* at 90 Mt Blackwood Road, Myrning (HO190) is a double fronted timber Edwardian style farmhouse, surrounded by trees. The 1994 citation estimated the probable construction date as 1910 and identified *'hedges'*, *'trees'* and *'planting formation'* as significant intact elements. It assessed the significance of the place as follows:

*A particularly intact characteristic timber Edwardian farmhouse, with various contextual surviving elements including: pine windbreaks and fences (including with drystone base).*

*This is of local historical significance as a representative embodiment of an agricultural way of life before the First World War. It is architecturally significant as a representative Edwardian farmhouse.*

### **Submissions and evidence**

The owners of the property object to the proposal to apply the HO, stating:

*This house and some of the buildings were built by my father and grandfather in 1925 and the trees were sown for windbreaks after that over many years. The original fences were post and rail, as was common in those days and have been replaced by wire. The rubble stone base is stone that has been hand picked over a number of years also.*

*We try to keep the buildings and surrounds in good order and I would hate to be restricted in what I can and cannot do if this heritage listing is allowed to go through.*

Ms Westbrooke responded to the submission by acknowledging that the date given for the building of the house in the 1994 citation was wrong. However, she put the view that the house is still of an Edwardian appearance, despite its 1925 construction, and that this demonstrates the continuing use of earlier style buildings within country areas. Her

inspection indicated that the house had been very little changed since it was completed. The varying ages of the windbreaks and the fact that the wire fences had replaced original post and rail barriers did not affect the significance of the place.

Ms Westbrooke's conclusion was that the property has sufficient historical and architectural significance as an excellent intact example of a 1920s farming property in the municipality. She recommended applying the HO to it, but revising the citation to reflect the new information. The citation was revised in 2012 and a copy supplied to the owners.

The revised citation shows the date of the house – described as an *'Edwardian style farmhouse'* and some outbuildings as 1925 and notes that the windbreaks were planted over a number of years. It still contains the statement that there is a *'late nineteenth century timber outbuilding'* separated from the house by a hedge. It also lists the various fences and gates that are of interest, and describes the various trees, arbours and windbreaks located on the property.

The comparative analysis notes that there are three farm complexes in Myrniong recommended for inclusion in the HO through the Bacchus Marsh Heritage Study. The other two are earlier (1860s and early 20<sup>th</sup> century respectively). They therefore demonstrate the constituents and appearance of a farm from each of these periods and the continuing practice of farming in Myrniong. The property at 90 Mt Blackwood Road is distinguished from the others by its different period and the fact that it is *'a humble complex of buildings constructed by the original owner'*.

The statement of significance assesses the property as being of local historical and architectural significance. Under the heading *'Why is it significant?'* says:

*The Farm Complex at 90 Mt Blackwood Road, Myrniong is of historical [sic] for its demonstration of the continuing settlement of the Myrniong area for agricultural purposes into the 1920s. With the retention of a number of outbuildings and structures dating from the 1920s to the 1950s, the property is of historical significance for demonstrating the workings of a farm in the period from the 1920s to the mid 20<sup>th</sup> century.*

*The Farm Complex at 90 Mt Blackwood Road, Myrniong is of aesthetic significance as an intact farm property from the 1920s with various contextual surviving elements including pine windbreaks, corrugated iron clad farm buildings, and fences (including with dry stone base). The farmhouse is of aesthetic significance as a characteristic owner built timber farmhouse with Edwardian features, even though it was built in the 1920s.*

## Discussion

Several elements of the original citation and assessment are called into question by the information in the owners' submission: the date of the property is given as 1910s, when it was actually 1925; and the statement of significance identifies its historical significance as deriving from the fact that it is *'a representative embodiment of an agricultural way of life before the First World War'*. The citation also describes as *'contextual elements'* (and elsewhere *'significant intact elements'*) various trees, windbreaks, fences and gates that the



submission points out were planted or constructed at somewhat later dates. However, the Panel notes that the citation does not claim that these are contemporary with the dwelling.

The question for the Panel is whether the corrections made by the owner invalidate the claim that the property has local heritage significance.

It seems to us that the difference between a house and farm complex approximately 100 years old and one not quite 90 years old is relatively insignificant in terms of heritage significance at a local level. The property was still an early farm in the district and its main elements remain the same – the house, the apparently older timber outbuilding, the trees and windbreaks, and the fences and gates. It is also likely that – given the intervention of the war – that farming systems in the district in the 1910s and the 1920s would not have been substantially different.

The Panel has therefore considered the property on the basis of the revised citation and concluded that it is of local historical and aesthetic significance.

We note that no tree controls are proposed for this property in the exhibited schedule to the HO; this seems odd in the light of the prominence given to descriptions of the windbreaks in the citations and the statement of significance. The National Trust raised in its submission the issue of the inconsistency of application of tree controls in Amendment C6 Part 2, though it did not make specific reference to this property. It pointed out that some properties where tree controls are proposed to be applied in the schedule have no mention of significant trees in their citations and that the reverse also applies.

In the interests of procedural fairness, the Panel does not support the inclusion of tree controls as a post exhibition process, other than by agreement with owners. However, Council might consider, as part of a future amendment, whether tree controls are desirable to help maintain the identified significance of the property (and others).

The Panel is satisfied that the HO should be applied to ‘*Millside*’, 90 Mt Blackwood Road, Myrniong (HO190) as proposed in Amendment C6 Part 2.

### **3.9 61 Main Street, Myrniong (HO189) – Submission No 18**

61 Main Street, Myrniong (HO189) contains a large timber framed milk factory and an adjoining timber, hip-roofed Victorian residence, apparently originally the manager’s residence. The significance of the property was assessed 1994 as:

*A large timber framed milk factory building and adjoining timber Victorian residence, both built about 1877. It opened as a cheese factory from 1877 until 1892, then as a milk factory, until 1942. This is the only surviving building from the once vigorous dairying industry in the Shire.*

*It is of historical significance locally as a representative embodiment of a way of life and an industrial process and for its association with industrial and agricultural developments in community life regarding the milk industry and dairying. It is of architectural significance as a rare relatively intact surviving 1870s milk and cheese factory.*

## Submissions and evidence

One submission objected to the HO listing of the property, on the grounds that *'the house does not resemble its original state anymore'*. No details were provided.

Ms Westbrooke's expert evidence records her view that, although substantial alterations have been made to the original dwelling, the remaining intact elements of the house and the milk factory are sufficient to demonstrate the local historical significance of this site.

The revised citation notes, under *'What is significant?'* that the only parts of the house that are significant are the front, main hipped-roof section, with gable wing and verandah. The house and the former milk factory are found to be of local historic and aesthetic significance and the aesthetic significance of the house is also described in *'Why is it significant?'*

Council recommended retaining the property in the Amendment.

## Discussion

The Panel accepts Ms Westbrooke's evidence that the property at 61 Main Street, Myrniong (HO189) is of local historical and aesthetic significance, despite additions and alterations to the residence. The Panel supports the Council and expert view that the HO should be applied to 61 Main Street, Myrniong (HO189) as proposed by Amendment C6 Part 2.

### 3.10 80 Lerderderg Street, Bacchus Marsh (HO94) – Submission No 22

80 Lerderderg Street, Bacchus Marsh (HO94) is a triple-fronted brick California Bungalow. It is described in the exhibited schedule to the HO as *'Dwelling and orchard complex (B & S Durham, Appleworld)'*. The 1994 citation noted that the house was built for an orchardist and had various contextual elements, including an operating orchard. It assessed the significance of the place as follows:

*A brick California Bungalow style farmhouse built in 1925 for Arthur Hunter Durham and still owned and operated by the Durham family. The complex includes the fruit warehouse, unusual fence, hedges, windbreaks, footpath and operating orchard.*

## Submissions and evidence

The owners object to the proposed HO listing on the grounds that the property no longer includes an operating orchard, fruit sheds, hedges, footpaths or fencing of any significance. In addition, substantial changes have been made over time to the house, including addition of the verandah and right-hand wing in 1938-39, the west sunroom in 1945, the north facing back area in 1950, the south facing dining area in 1988, a double brick garage in 1994 and numerous other changes.

Ms Westbrooke's re-assessment acknowledged that the apple storage sheds, the unusual fence and the tall Cypress hedge had been removed. She also concluded that the history, comparative analysis and [statement of] significance included in the original citation were not adequate for recommending the inclusion of the place in the HO. However, Ms Westbrooke believed that the importance of the Durham family in the orchard history of the



area and the intactness of the residence were sufficient to justify its local significance. She considered that the 1938-39 additions to the front were part of the significant residence and that the rear additions did not detract from the aesthetic significance of the property as viewed from Lerderderg Street. Ms Westbrooke recommended that a revised citation should be prepared to provide a more comprehensive history and updated description and to strengthen the justification for local significance.

Ms Westbrooke's expert evidence records that the revised citation was prepared in 2012. This restricts the significance of the place to the residence, which is assessed as being of local historical and aesthetic significance. The section '*Why is it significant?*' now reads:

*The Residence 80 Lerderderg Street, Bacchus Marsh is of historical importance for its associations with the development of the orchard industry in 1920s Bacchus Marsh. The property is of historical significance as part of the Nagle Estate, which contained the Bacchus Marsh Flats and was sold as productive land. The property is of historical significance for its associations with the prominent orcharding family, the Durhams. The Durhams' association with the district began when Arthur Hunter Durham purchased this property in 1918.*

*The Residence at 80 Lerderderg Street, Bacchus Marsh is of aesthetic significance as an example of an Inter-War Californian bungalow demonstrating the key features of the period, including the tall gables with weatherboard cladding, deep verandah with broad brick pillars and tripartite timber framed double hung windows.*

Council supported the application of the HO to the property.

## **Discussion**

The Panel notes that the property at 80 Lerderderg Street, Bacchus Marsh has changed significantly since the 1994 citation and assessment was prepared. Many of what were described as its '*contextual elements*' – the orchard, the apple storage sheds, the unusual fence, the concrete footpath and the tall Cypress hedge – have disappeared since that time. This indicates that the description of the place in the exhibited schedule is no longer accurate.

The Panel, however, accepts Ms Westbrooke's assessment that the dwelling itself is sufficient historical and aesthetic significance at the local level to justify the application of the HO, accompanied by the revised citation.

## **Panel recommendation**

**Alter the description of the property at 80 Lerderderg Street, Bacchus Marsh (HO94) in the schedule to the HO to delete reference to the orchard complex.**

### **3.11 48 Lerderderg Street, Bacchus Marsh (HO89) – Submission No 29**

The house at 48 Lerderderg Street, Bacchus Marsh (HO89) is a weatherboard double-fronted symmetrical Edwardian house with a hip roof. The original citation (1994) describes the significance of the property as:

*A timber Edwardian house with some residual Italianate characteristics built in 1913. From the 1930s depression, it was leased by the father of Frank and Mary Hardy. Frank was an important and influential Australian writer and political activist and Mary was an equally important and uniquely talented actress.*

*The house is of local historical significance in demonstrating an association with important and influential people. It is one of only three such in Bacchus Marsh.*

The intactness of the building was assessed as 'fair'. The citation noted that all the windows had been replaced unsympathetically and the verandah floor had been replaced with a concrete slab, thus truncating the posts.

### **Submissions and evidence**

One submission was received concerning this property, objecting to the application of the HO. The owners recorded the alterations made to the property, including: replacing the front sash windows with modern aluminium and plastic windows; replacing all other windows in the house with modern aluminium windows; lowering the internal ceiling heights and removing original cornices; replacing original doors; modernising the kitchen, bathroom, lights and light switches; and removing chimneys and fireplaces.

Ms Westbrooke, after inspecting the property, agreed with the owner about the extent of changes that had been made. However, she pointed out that the significance of the property did not rest on the intactness of the Edwardian style building but on its associations with the Hardy family. She recommended improvements to the citation, to strengthen the connection with the Hardy family and to clarify the lesser importance of the intactness of the Edwardian style building. The revised citation (1912) assesses the significance of the property as follows:

*The Residence at 48 Lerderderg Street, Bacchus Marsh is of local historical significance for its associations with the residential development of Bacchus Marsh and the local builder W Jones who constructed the house for his brother. Constructed in 19013, it is important as one of the earliest residences constructed in Lerderderg Street, representing the 1913 subdivision of land formerly owned by W.H. McFarlane. The residence is of historical significance for its associations with prominent Australians, Frank and Mary Hardy. From the 1930s, Thomas Hardy, the father of Frank and Mary Hardy, leased the residence for himself and his family. Frank was in his early teenage years by this time and Mary was a young child. Frank was an important and influential Australian writer and political activist, and Mary was equally important as a uniquely talented actress.*

Council recommended that the HO should be applied to the property.

In response to questioning from the Panel, Ms Westbrooke stated that if the place had been assessed as significant for its aesthetic values, even at a representative level, the degree of alteration might have been an issue. However, she believed it still represents the historical values attributed to it, despite alterations.

The Panel also queried the strength of the association with the Hardy family, given that Thomas Hardy did not own the house and the period of the family's residence was not

known. Council tabled an extract from a 1986 publication ('Bacchus Marsh by Bacchus Marsh: an anecdotal history' compiled by Geoffrey Camm, Shire of Bacchus Marsh) in which Frank Hardy reminisced about his life in the town. He recounted how his father and their neighbours in Lerderderg Street and other town identities became the basis for characters in his popular series of 'Benson Valley' stories. Hardy described himself and his mates as 'The Lerderderg push'. Hardy also recalled how he continued to visit his family regularly after he moved to Melbourne and they were still in Lerderderg Street. During this time he watched his sister Mary developing her talents as an actress and wit. He went on to say:

*When she was on radio, Mary made Lerderderg Street, Bacchus Marsh quite famous and people thought she'd invented it. Mary would tell hundreds of anecdotes about Bacchus Marsh on the radio...*

## **Discussion**

The Panel notes that it is not contested that substantial alterations have been made to the property and, as a result, its level of intactness is relatively low. However, most of the alterations to the outside of the house appear (apart from removal of the chimneys) to be reversible. More substantial changes have been made inside, but the interior has not been identified as part of the significance of the place and, as a result, no internal alteration controls are proposed in the schedule.

The revised citation places the house in its historic context, as one of the first dwellings built in Lerderderg Street, and therefore provides support for the historical significance attributed to it.

The connection of the house with the Hardy family has also been substantiated to the Panel's satisfaction. The extract from Camm's publication demonstrates that both Frank and Mary made extensive use of Lerderderg Street and characters from Bacchus Marsh in their subsequent writing and broadcasting careers.

## **Conclusion**

The HO should be applied to the property at 48 Lerderderg Street, Bacchus Marsh (HO89) as proposed by Amendment C6 Part 2.

### **3.12 18-20 Taverner Street, Maddingley (HO169) – Submission No 30**

18-20 Taverner Street, Maddingley (HO169), described in the exhibited schedule to the HO as 'Dwelling and Cowan Cottage', contains an Edwardian timber house, a timber cottage (apparently converted from a shed) and another timber building, possibly a former a stable.

The original (1994) citation recorded that there were 44 Edwardian houses identified in Bacchus Marsh Shire, but this was the earliest associated with orcharding and also retained evidence of this activity. The statement of significance read:

*A characteristic Edwardian timber house, a former timber stables and another timber outbuilding built in 1904 and 1912 respectively, occupied by James Cowan, the first commercial orchardist in Bacchus Marsh.*

*Of local historical significance as pioneering of its type and representative of an agricultural practice of its time.*

*The house is also of architectural significance as a representative example of any Edwardian farmhouse, now remarkable for its location so close to the centre of Bacchus Marsh.*

### **Submissions and evidence**

The owners of the property support, in principle, the idea of preserving what is left of historical sites within the Moorabool Shire, but object to the application of the HO to this property on the grounds of the overlay being *'unwelcome and a burden on our property'*.

The submission noted that the grandfather of one of the current owners constructed the house and other buildings. Since purchasing the property in 1974, when *'Cowan's Cottage'* (the building on the corner of Bond Street) was in extremely poor condition, the owners had spent a lot of time and money on restoring the buildings to their present appearance.

Ms Westbrooke inspected the site and confirmed that she considered it to be of local historical and architectural significance for the reasons outlined in the original citation.

The revised citation contains more information about the role of the Cowan family in establishing orcharding in Bacchus Marsh, a comprehensive comparative analysis – focusing on farm complexes rather than Edwardian dwellings – and more detailed statement of significance drawing on the pre-existing and new material in the citation.

Council supports the application of the HO to the property.

### **Discussion**

The submission did not provide any new information about the property or provide any heritage grounds to challenge the significance attributed to the place in the original citation. The Panel has therefore concluded that it is of local heritage significance and the HO should be applied to the property as proposed by Amendment C6 Part 2.

### **3.13 McCormacks Road, Maddingley (HO165) – Submission Nos 31 & 44**

The proposed HO165 is a drystone wall, with a wire fence above, running along McCormacks Road, Maddingley.

The original 1994 citation identifies this site as being in Dogtrap Gully Road, Rowsley<sup>13</sup>. It describes the fence as:

*A substantial and unusual drystone wall built along the north side of Dogtrap Gully Road, high above the golf course, for a length of 0.4 km, as it ascends the Rowley escarpment. It consists of about three levels of stacked stones with wide capping stones. On the inside is an old post and wire fence, with three strands of wire,*

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<sup>13</sup> The continuation of McCormacks Road on the other side of the railway line is called Dogtrap Road. The railway crossing also marks the boundary between Rowsley and Maddingley.

*about the height of the wall. It is protected also on the post side with a recent steel dropper and barbed wire fence. While this is a fairly low (less than a metre) and roughly built wall, it is quite unusual, being made from very flat and angular slabs of basalt and having a cope of large flat slabs. Coursing is evident in some places and the necessary height for holding stock has been achieved through the use of timber posts and two strands of barbed wire on top of the wall.*

A diagram included in the citation showed the wall to be 800mm high.

The comparative analysis stated that there were four drystone walls in the [Bacchus Marsh] Shire and a further four which had a stone base beneath a post and wire fence. This wall was considered to be the finest example, other than the 'private' wall on the 'Greystones' property. The condition of the wall at the time was assessed as excellent, although the consultants noted that it had been damaged by recent roadworks.

The statement of significance read:

*An early drystone wall marking the southern boundary of Henry Vallence's Werribee Vale property, built in 1864.*

*Of local historical significance as an early surviving wall, and as an indication of the earliest local settlement pattern. It is also of local architectural significance in demonstrating the skilled craftsmanship and techniques of the stone-waller's trade. This has been assessed as the finest drystone wall in Bacchus Marsh visible to the public.*

### **Submissions and evidence**

Two submissions were received on this property, both on behalf of the owner(s).

The first, from Peter Andrew Barrett, architectural conservation consultant (June 2010) raised issues about the age of the study and queried whether it met modern requirements for heritage assessment (See discussion in Chapter 2). With regard to the drystone wall, Mr Barrett noted the height of the wall in 1994 and recorded the results of his recent inspection, which showed that it had deteriorated to quite an extent since that time.

*In most places the fence is considerably lower than 800mm and in many parts so much of the wall has been removed it is not visible from many parts of its environs. Given its current deteriorated condition, it seems unworthy of protection with a heritage overlay.*

The second submission, from SJB Planning Pty Ltd, made similar comments about the age of the study. In relation to the drystone wall it said:

*Our client objects to the entire extent of the proposed Heritage Overlay HO165. As the basis of the proposed overlay is the findings of the BMHS from some 15 years ago, the wall has significantly deteriorated over this time and some of the wall has been removed. Accordingly, it is not considered worthy of inclusion within a Heritage Overlay.*

Ms Pearl's submission to the hearing on behalf of Devine Communities (the owners) reiterated the view that the drystone wall does not warrant heritage protection and the concerns from the original submission regarding the age of the study and a perceived lack of rigor and accuracy in the heritage assessment. She said Mr Lovell's evidence supported this opinion. Ms Pearl tabled approved development plans for the site, one of which – the West Maddingley Development Plan – contemplates residential development of the adjoining land, with lot frontages directly abutting McCormacks Road along the stretch where the drystone wall is located. She commented that the wall was apparently not picked up with the site analysis was done, nor was it drawn to the company's attention by Council, despite being the subject of a proposed HO in an exhibited amendment.

Council's submission to the hearing originally put the view that the McCormacks Road drystone wall (HO165) should be retained in Amendment C6 Part 2, but in the light of the statement of matters of agreement between the expert witnesses, sought the Panel's guidance on the appropriate treatment of this site. Mr Drew also commented regarding the West Maddingley Development Plan that *'that part of the plan is still fluid'* and further changes were expected.

Mr Roser, for the National Trust supported the application of the HO to the wall in McCormacks Road but also encouraged the Shire to undertake a broader study of other walls in the municipality.

Ms Westbrooke's response to the submissions in 2010 was as follows:

*...I have inspected the site, and believe that while some sections of the drystone wall have deteriorated since the Heritage Study was undertaken, other sections are merely covered by vegetation and are substantially intact. I also believe that the wall is of sufficient rarity and technical importance to justify local significance even if some sections have deteriorated. This is a substantial length of drystone wall indicating early settlement in the area. Acknowledgement of some deterioration should be provided in revised citation and possibly further strengthening to the statement of significance.*

Lovell Chen, architects and heritage consultants, who were subsequently engaged to assess the wall, concluded in November 2010<sup>14</sup>:

*... the drystone wall is not considered to be of sufficient significance to warrant inclusion in the Heritage Overlay. While we have not investigated the history and date of the wall, and acknowledge that it may well be of historical interest or significance, the current intactness and integrity of the wall is very poor. The wall has a diminished presence in the landscape; has undergone general deterioration including lowering and settling into the ground; and is marked by fallen and tumbled stones, and a spreading base. It now longer provides much in the way of evidence of its original construction technique.*

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<sup>14</sup> In a letter from Ms Brady to the owner (dated November 2010) which was forwarded to Council.



This advice also suggested that listing under Clause 52.37 of the Moorabool Planning Scheme (Post Boxes and Dry Stone Walls) would provide an appropriate level of recognition and protection for a wall such as this.

The revised statement of significance for the wall (2012) reads:

*The drystone wall along the northern side of McCormacks Road, Maddingley is of historical significance as an early surviving wall, and as an indication of the earliest local settlement pattern. The wall is of historical significance for its associations with early farming settlement in the area and, in particular, the Vallence family. The wall marks the southern boundary of Henry Vallence's Werribee Vale property, built in 1864.*

*The drystone wall along the northern side of McCormacks Road, Maddingley is of aesthetic significance in demonstrating the skilled craftsmanship and techniques of the stonewaller's trade. This has been assessed as the finest drystone wall in Bacchus Marsh area visible to the public.*

Ms Westbrooke's statement of evidence for the hearing reiterated her original view that wall was of sufficient historical and aesthetic significance to justify protection in the HO. She referred to the proposed residential development of the adjoining land and commented that new gate openings in the wall were likely to be permissible through the planning process without detrimental impact on the identified significance of the wall.

Peter Lovell in his statement of evidence noted that the McCormacks Road wall was first identified in a 1989-90 survey of drystone walls in the western region of Melbourne, undertaken by Gary Vines. At that time, the length of the wall was 2 kilometres (as opposed to 400 metres today) and its height was approximately 900mm, not including the coping stones, which added a further 200mm. Under the grading scheme used in this study, the wall was assessed on the basis of its height, technique ('technically competent') and condition ('largely intact'). The definition of '*technically competent*' included the statement: '*These walls demonstrate the basic tenets of drystone wall construction but do not have the refinements of the better walls*'.

Mr Lovell went on to point out that the wall had already deteriorated by the time of the 1994 study and has since diminished even further, probably due to pilfering of stone. He stated, however, that evidence of the form of the wall, including coping stones is still apparent in places. He estimated the current height of the wall to be a maximum of 500mm. Mr Lovell said that judging by the 1989 photograph taken by Gary Vines (included in Lovell's statement of evidence) the condition and intactness of the wall at that time would '*unquestionably*' have warranted heritage protection but that he believed that changes since that time meant that it now did not achieve the threshold for individual significance.

Mr Lovell also commented on other drystone walls in Moorabool Shire, by way of comparison. He appeared to place a higher value on walls that are located in relatively close proximity to the homestead/farm complexes with which they are associated<sup>15</sup> rather than

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<sup>15</sup> Such as HO1 'Greystones', a property on the Victorian Heritage Register, and HO190, 'Millside' at Myrning, proposed to be added to the HO as part of this Amendment.

isolated walls. He noted that HO134, recently added to the HO through Amendment C6 Part 1, is a site-specific listing of drystone walls along the Geelong–Bacchus Marsh Road and Swamp Road, Balliang East. Mr Lovell also examined other walls identified in 1994 and found that they had also deteriorated since that time. Further, several walls were identified that had not been included in previous studies, some of which Mr Lovell considered to be in better condition and/or longer than the subject wall (or HO143). He concluded:

*Fieldwork undertaken by Lovell Chen indicates that there are a number of drystone walls, constructed of basalt within the Shire which are of a comparable level of integrity to the subject example. Some other examples, including that which is already subject to a site specific heritage overlay are hard to discern in their present form, partly due to recent rampant growth of vegetation. Others are largely disassembled, and in poor condition. In the context of this brief comparative analysis, the subject walling [i.e. McCormacks Road] appears to be of a higher level of integrity than that which comprises HO134, or that portion of wall adjoining 3126 Geelong–Bacchus Marsh Road. The wall appears to be of a similar height to that to Davis Lane, Balliang East. Its length of 400 metres also puts it in the mid-range of other identified walls. The surviving wall to the property at Elaine–Blue Bridge Road [Mt Doran] appears, although this could not be confirmed at close view, to be the wall with the highest degree of original integrity. This could be readily attributed to its location on private property and at a distance from roads. The subject wall’s roadside location, also in an area which appears to be one which presently has little traffic or surveillance, has enabled unauthorized removal of its fabric.*

Mr Lovell’s statement also discussed the various options for heritage recognition in the planning scheme, including the HO and Clause 52.37. He recommended that the McCormack’s Road wall should not be included in the HO:

*It now survives as a much degraded fragment of a considerably longer and far more intact structure. It is a wall which evidences relatively common practice of the day, albeit opportunistically pursued dependent upon the availability of the raw material and a labour force. While located on the Vallence property, the context is one in which there is no visual connection between the homestead complex and the wall and little ability to make that connection unless prompted by observation of written record.*

*Under such circumstances it is not a structure which in my assessment meets any of the relevant heritage criteria at a sufficiently high level to meet the threshold of local significance. At most it might be seen as a contributory element had it been directly proximate to the homestead on Werribee Vale Road; but this is not the case.*

*Addressing the revised statement of significance, it is a wall remnant of historic interest in its association with early settlement and the Vallence family, but not of such as scale or extent that it informs the local settlement pattern. Similarly the marking of the boundary is of limited interest. As related to its physical characteristics it has very limited ability to demonstrate ‘skilled craftsmanship and techniques of the stonewaller’s trade and is no longer a wall of fine construction.’*



Mr Lovell's statement of evidence also commented that it was apparent that there were significantly more drystone walls in Moorabool Shire than have currently been identified and the application of Clause 52.37 could be sought to provide planning scheme protection on a shire-wide basis. He concluded on this matter:

*... it would be desirable that Moorabool undertake a more comprehensive examination of the whole of the drystone walls of the shire and determine whether or not Clause 52.37 should be invoked.*

At the hearing, Ms Westbrooke presented the statement of matters on which she and Mr Lovell had agreed (as previously directed by the Panel). This read:

*Given the information provided in Peter Lovell's Statement of Evidence regarding other drystone walls in the Shire of Moorabool, which are comparable to the one on McCormacks Road, Maddingley and the likelihood of other potentially significant stone walls being identified in areas outside the former Shire of Bacchus Marsh (currently the subject of a separate Heritage Study, rather than individually list the drystone wall on McCormacks Road, Maddingley as part of amendment C6, it would be more appropriate for Moorabool Shire Council to undertake a comprehensive survey of all stone walls in the Shire (including this one) with the intention of invoking clause 52.37 of the Particular Provision of the Planning Scheme to protect all significant stone walls in the municipality.*

*It is therefore agreed by both Heritage Expert Witnesses that HO165 Drystone Wall, McCormacks Road, Maddingley be removed from Amendment C6 Part 2.*

Ms Westbrooke, despite the statement of agreement on matters between the heritage experts, eventually told the hearing that she thought the McCormacks Road wall should be included immediately under Clause 52.37, until a broader study of drystone walls in the Shire was carried out and the relative importance of this one could be assessed. Mr Lovell did not support this proposition, as he considered that the effect of Clause 52.37 would not be much different, in terms of permit requirements, from application of the HO.

## Discussion

The Panel notes that, despite the proposal to apply the HO to the subject drystone wall, Council approved the West Maddingley Development Plan with a road layout and property access arrangements that would have significant implications for the wall. However, this Panel's primary concern is whether the heritage significance of the drystone wall in McCormacks Road warrants the application of the HO and therefore we have not considered the Development Plan in our deliberations and conclusions.

There was considerable discussion at the hearing about the heritage significance of the drystone wall (given its current extent, height and intactness) and how it should be treated in the planning scheme.

The Panel's inspection confirmed the evidence that the McCormacks Street drystone wall is substantially reduced in both length and height from when it was first identified in 1989-90. Its intactness had deteriorated further by the time of the Bacchus Marsh Heritage Study assessment in 1994 and much more significantly since that time. Photographs in Mr Lovell's statement of evidence indicate there has even been a considerable loss of fabric since 2009. In the words used in Ms Brady's 2010 letter *'the wall has a diminished presence in the landscape'*, to the extent that it is hardly recognisable from the road.

The Panel therefore accepts the advice of both heritage experts that the HO should not be applied to the drystone wall in McCormacks Road, Maddingley (proposed HO165).

The Panel also accepts Mr Lovell's evidence – confirmed in the statement of matters agreed between the two heritage experts – that there are a number of other drystone walls of heritage significance in the Shire and that the comparative assessments undertaken to date are inadequate to determine which are the most intact or characteristics examples.

The Panel therefore endorses the suggestions of the heritage experts that a study of drystone walls in the Shire of Moorabool should be undertaken. However, we also suggest – in line with the recommendations of the 2007 Advisory Committee that investigated the heritage provisions in planning schemes – that Moorabool Shire should consider applying Clause 52.37 to all drystone walls in the Shire, as an interim measure pending the outcomes of the study. The significant walls could then be added to the HO, and controls removed from those that were not considered to merit heritage protection.

## Panel recommendation

**Delete the Drystone Wall at McCormacks Road, Maddingley (HO165) from Amendment C6 Part 2.**

### **3.14 289 Werribee Vale Road, Maddingley (HO174) – Submission Nos 31 & 44**

The property at 289 Werribee Vale Road, Maddingley (HO174), known as *'Vallence's Farm'*, contains a brick farmhouse, an underground dairy, other outbuildings, garden and windbreaks. The original (1994) citation noted that the house was obscured by its elevation and surrounding plantings and implied that the consultants had not been able to access the property. The statement of significance read:

*An apparently Edwardian brick farmhouse, although there has been a farmhouse here since 1864. It has an early (?) underground dairy.*

*It has local historical significance as a representative embodiment of a way of life and probably a changing sequence of architectural styles.*

*The dairy is of local significance as a relatively rare surviving example of a building type.*

## **Submissions and evidence**

Two submissions on behalf of the owner(s) were received concerning this property.

As noted above in relation to the drystone wall, the first submission from Mr Peter Barrett, architectural conservation consultant, raised issues about the age of the study and whether it met modern requirements for heritage assessment. The submission also recorded the results of recent research Mr Barrett had undertaken, which showed that the farm complex dated back to at least the 1860s. The substantial brick homestead had been built in several stages and the property also contained a timber barn, in addition to the brick former dairy. Mr Barrett commented that the HO boundaries proposed in Amendment C6 were *'arbitrary, and seem to have no direct relationship to landscape features or built environment elements of significance on the site'*. He acknowledged that some elements on the farm needed to be conserved, but recommended a smaller, building specific HO, related to the homestead, barn and dairy.

The second submission, from SJB Planning Pty Ltd, made similar comments about the age of the study and questioned the rigour and accuracy of the assessment on which the Amendment is based. It noted that although their client was *'broadly understanding of the assessment (albeit limited) of the Vallence farmhouse'*, they objected, as a minimum, to the proposed extent of the HO.

Ms Westbrooke's response to the submissions indicated that she had inspected the site and acknowledged that the existing citation was inadequate as a basis for justifying HO controls. However, she advised that, in her view, the site had clear historical, architectural and possibly technical significance as an early farm complex, including the brick homestead, a shearing shed partially constructed of timber slabs, an early dairy building constructed of stone and timber slabs and a sheep dip. She advised that a revised citation should be prepared for the site, to clearly define the elements that are significant and the extent of significance.

In November 2010, a supplementary submission on behalf of the owner of *'Vallence's Farm'* was received from Anita Brady of Lovell Chen, architects and heritage consultations which:

- Confirmed that, in her opinion, the property was of local historical and architectural significance.
- Indicated that the homestead appeared to date from the 1860s, as its detailing was consistent with the period and it was made of hand-made bricks.
- Reiterated the view expressed in the earlier submissions that the area of HO coverage should be reduced. The submission suggested a reduced extent to

include the homestead, the significant outbuildings, and the driveway and entrance to the house.

Ms Westbrooke produced a revised citation in July 2012, incorporating the information from the submissions and from her site inspection. It also included a proposal for a reduced HO coverage, along the lines suggested by Ms Brady. Ms Westbrooke's expert witness statement noted that the reduced extent included the three significant buildings and sufficient land around them to retain an open farm setting.

Peter Lovell<sup>16</sup> concurred with the previous assessments of the significance of the site and the comments about the extent of significance. In his statement of evidence, he pointed out that the extent of the proposed HO (as mapped in the exhibited Amendment) was very generous and did not appear to have any particular rationale, either in regard to historical precedent or alignment of fences. He generally supported the revised proposal put forward by Ms Westbrooke but stated that *'the western boundary has moved too far in and that it should be located so that the erosion gully/creek is included in full'*. He also recommended the preparation of an incorporated plan for the property that required the preparation of a Conservation Management Plan to guide the future management of the property.

Ms Westbrooke tabled at the hearing a Statement of Matters, as required by the Panel, that advised that they had reached agreement on the significance of the property and on the extent, which should include the additional area recommended by Mr Lovell.

Council supported the application of the HO to the property and also endorsed the variation to the extent, as agreed by the heritage experts.

### **Discussion**

In the light agreement reached between the heritage experts, and endorsed by Council, the Panel has concluded that the property at 289 Werribee Vale Road, Maddingley (HO174) has local heritage significance and should be retained in the Amendment, with the extent of the HO reduced to that recommended in Mr Peter Lovell's statement of evidence.

### **Panel Recommendation**

**Revise the HO mapping for 289 Werribee Vale Road, Maddingley (HO174) to reduce the area as recommended in Mr Peter Lovell's statement of evidence dated 22 February 2013.**

### **3.15 29 Main Street, Myrniong (HO186) – Submission No 33**

29 Main Street, Myrniong (HO186) contains a bluestone residence and a two-storey sandstone outbuilding, formerly the Myrniong Police Station and gaol. The original (1994) citation for the property identified its significance as follows:

*An ashlar bluestone former police station and gaol (outbuilding), built about 1870 and operating until 1877.*

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<sup>16</sup> Called as an expert witness by the owners of the property.

*It has local historical significance in demonstrating the effect of government action on a rural community, and architecturally significant as a representative example of a relatively intact surviving early bluestone house, one of a group in Main Street.*

### **Submissions and evidence**

The owner's objection to the application of the HO put the view that the period over which the building operated as a police station and gaol was too short to warrant a heritage listing. In addition, the street number of the property has changed, so interested people would not longer find it using its historic address. They noted that the photographs in the 1994 citation did not show the verandah, which had since been changed, or the fire damage to the sandstone building. Various changes had been made since 1994, including restoration of the sandstone barn, addition of a laundry to the rear of the house and erection of a colorbond shed at the rear of the property. The owners recorded their desire to continue to improve the property in a way that was 'period correct' but stated that they did not want to go through the amount of paperwork and extra expense involved in heritage listing.

Ms Westbrooke assessed the site and concluded that it was:

*...clearly of local significance for both historical and architectural significance due to the two stone buildings located on the site and the appearance of the building in Myrniong as a former civic complex'.*

Ms Westbrooke recommended that the citation should be revised to include new photographs and to strengthen the statement of significance. A revised citation was prepared in 2012. The revised statement of significance now reads:

*The former Police Station and Gaol at 29 Main Street, Myrniong is of historical significance as an early and important civic building demonstrating the establishment of Myrniong in the 1870s. The Police Station and Gaol were constructed around 1870, but only used for that purpose until 1877. The Gaol is of historical significance as a rare building type dating from an early period in Victoria's history, and demonstrating law enforcement practices in the mid 19<sup>th</sup> century.*

*The former Police Station & Stables, 29 Main Street, Myrniong is of aesthetic significance as a representative and intact example of an early bluestone Police Station, contributing to the distinctive group of bluestone buildings in Main Street, Myrniong. The building demonstrates key features of a mid 19<sup>th</sup> century bluestone dwelling including the hipped roof, symmetrical design, tuckpointed bluestone ashlar with dressed quoins, skillion verandah spanning between end wing walls, four panel front timber door, and timber framed double hung windows with six pane sashes. The Gaol at the rear is of aesthetic significance as a rare surviving example of a building type. It is also of significance for its construction in local sandstone.*

Council's submission to the hearing supported the retention of the property in the HO.

## Discussion

The Panel accepts the evidence of Ms Westbrooke that the property is of local historical and aesthetic significance. Although there is no discussion in her statement of evidence about the effects of the changes notified in the submission, the Panel has concluded on the basis of the photograph in the revised citation and our own inspection that these have not detracted from the significance of the property. In fact, some of the changes, such as the removal of the verandah decoration, repair/replacement of the iron roof, restoration of the barn and removal of the *'inappropriate'* fence may even have enhanced its significance.

## Conclusions

The HO should be applied to the property at 29 Main Street, Myrniong (HO186) as proposed by Amendment C6 Part 2.

### 3.16 89 Lerderderg Street, Bacchus Marsh (HO96) – Submission No 35

89 Lerderderg Street, Bacchus Marsh (HO96) contains a corrugated iron shed, believed to be a former Army building. The original statement of significance (1994) read:

*A particularly intact iron-clad former military hut, possibly an officer's mess from the Darley military camp, erected in 1940 and relocated in 1945. There are also 'Sunshine' metal gates and fencing here. The military hut is the most intact example identified in the Study.*

*This building has local historical significance in demonstrating the effect of government action and international engagement in the Second World War. The fences and gates have contributory interest.*

The comparative analysis noted that the 1995 Heritage Study had identified seven army huts in the Shire that had originated from the Darley camp. This was assessed as the most intact example.

## Submissions and evidence

A submission from the owner of the property objected to the application of the HO because it would become an impediment on his title and the use to which he could put the land. The owner noted that his eventual intention was to demolish both the shed (hut) and the cottage on the same lot and to build a new house on the property. He stated that the shed had a corrugated asbestos roof and was not in good repair and the iron gate had been bought second-hand in the 1960s and erected at the property.

Ms Westbrooke's assessment, after inspecting the site, was that the building was clearly significant as an intact former military shed. She recommended that the citation should be revised and reference to the gate should be deleted. The revised citation (2012) includes more information on the Darley military camp and a photograph showing a hut very similar to the one at 89 Lerderderg Street. The revised statement of significance reads:

*The former Military Hut at 89 Lerderderg Street, Bacchus Marsh is of historical significance for its associations with, and as a remnant building from, the former Military Camp at Darley. This building has local significance in demonstrating the*



*effect of government action and international engagement in the Second World War.*

*The former Military Hut at 89 Lerderberg Street, Bacchus Marsh is of aesthetic significance as a particularly intact World War Two iron clad military hut, possibly an officers' mess from the Darley Military Camp, erected in 1940 and relocated in 1945. Key original features of the building include the overall form and scale, corrugated metal sheet cladding, front double timber doors, and evenly spaced timber framed awning windows to the side elevations.*

Council supports retaining HO96.

## **Discussion**

The submission did not present any information that challenged the heritage significance attributed to the former military hut. The Panel does not believe that the impact of heritage listing on future development opportunities is a matter that should be dealt with at the amendment stage, where the primary focus is on whether the heritage significance of a place has been substantiated. Economic impact is a matter that should be taken into account in future decisions.

Notwithstanding the lack of any history or provenance directly linking this building to the Darley camp, the Panel accepts that it is probable that it originated from that establishment. We note that Army huts from World War Two are becoming increasingly rare and those that remain are often considered to be of heritage significance to the areas in which they are located.

In the absence of any opposing evidence, the Panel accepts the assessment of Ms Westbrooke that the property at 89 Lerderberg Street, Bacchus Marsh is of local heritage significance and the HO should apply to the property. The intended application of the HO was clear from the statement of significance and understood by the submitter. However, on the basis of the aerial photography provided for the hearing, Council identified an error in the exhibited mapping. The front part of the significant building is excluded from the area shown as HO96.

## **Panel recommendation**

**Revise the mapping of HO96 to cover the whole of the former military hut.**

### **3.17 22 Candeloro Street, Bacchus Marsh (HO119) – Submission No 37**

22 Candeloro Street, Bacchus Marsh (HO119) contains a double-fronted timber Edwardian house, set in a garden surrounded by a hedge, with a woven crimp wire fence and a pedestrian gate. The original citation (1994) described the significance of the property (then listed as 22 Pearce Street) as follows:

*A particularly intact late Edwardian house built in 1914, with a simple cottage garden, hedge and other contextual elements.*

*It has local heritage significance as a representative embodiment of an historical period and its way of life. It has architectural significance as a representative example of the Edwardian domestic style.*

The citation recorded that the heritage study had identified 44 Edwardian houses in Bacchus Marsh. It did not make any comparisons about the heritage value of this property compared with the others (apart from the comment about its intactness, quoted above).

### **Submissions and evidence**

A submission from the owner stated that he did not wish his property to be on the latest list of heritage places.

Ms Westbrooke's response to the submission concluded that the site is worthy of protection as an excellent example of a weatherboard and stucco Edwardian style bungalow. She recommended revision of the citation to further develop the comparative analysis and place the building in the context of the development of Bacchus Marsh. The revised citation notes that there are 15 Edwardian dwellings in Bacchus Marsh recommended for inclusion in the HO as part of Amendment C6 Part 2. It states that this property is distinguished from others of the same style by being a particularly intact and representative example and retaining its original and distinctive wire boundary fence. The revised statement of significance reads:

*The Residence and its setting at 22 Candeloro Street, Bacchus Marsh is of historical significance for its demonstration of the prosperous period in the history of Bacchus Marsh stimulated by farming, industry and closer settlement. Due to the high level of intactness, the property is particularly demonstrative of the way of life in the early 20<sup>th</sup> Century.*

*The Residence and its setting at 22 Candeloro Street, Bacchus Marsh is of aesthetic significance as an excellent intact example of an Edwardian bungalow demonstrating key features of the period, including the overall form with projecting bay, high pitched gambrel roof form, roughcast stucco finish and timber framed double hung windows. The original wire fence at the front of the property, which uses an uncommon wire panel design, is also intact and contributes to the aesthetic significance of the place.*

Council supported retaining this property in Amendment C6 Part 2.

### **Discussion**

No heritage matters were raised in the submission.

The Panel accepts Ms Westbrooke's assessment that the property at 22 Candeloro Street, Bacchus Marsh (HO119) is of local historical and aesthetic significance. The HO should be applied to the property at 22 Candeloro Street, Bacchus Marsh (HO119) as proposed by Amendment C6 Part 2.



### 3.18 44 Paces Lane, Rowsley (HO202) – Submission No 39

44 Paces Lane, Rowsley (HO202), described as ‘Farmhouse - Willowbanks’ in the exhibited HO schedule in Amendment contains a brick bungalow style farmhouse. The original (1994) citation for this property describes its significance as follows:

*A large brick late Edwardian farmhouse, transitional to Bungalow study, built in 1929.*

*It is of local architectural significance as a developed example of this style.*

The citation recorded that the building was derelict, with no glass in the windows and the roof rusted and open to the weather.

#### Submissions and evidence

The submission concerning this property pointed out that it was no longer derelict. The façade of the old house had been retained but otherwise it had been extended and renovated and is very modern inside. The submission also pointed out that the name should be ‘Willowbank’. It requested that the Council’s records be amended to note the information in the submission.

Ms Westbrooke inspected the site and confirmed that the building had been renovated and extended. She noted that the alterations do not appear to affect the identified significance of the site and may even have enhanced the original appearance of the farmhouse. She recommended that the citation be amended to record the changes to the building and show the correct name of the house.

The revised citation, under ‘Why is it Significant?’ describes changes to stress the Bungalow style, rather than describing it as predominantly Edwardian. This section reads:

*The Farmhouse at 44 Paces Lane, Rowsley is of historical significance for its demonstration of the agricultural settlement of the Rowsley area into the 1920s. The substantial brick farmhouse demonstrates the prosperity experienced by farmers in the 1920s in the area.*

*The Farmhouse at 44 Paces Lane, Rowsley is of aesthetic significance as a substantial brick late Bungalow style farmhouse built in the Inter-War period. The residence exhibits key features of the Inter-War Bungalow style including the dominant gambrel roof form, front gable wing with half timbering to the gable end, tripartite timber framed windows, exposed rafters, front verandah with tapered brick pillars and brick balustrade, and tall chimneys with rendered corning.*

#### Discussion

The heritage significance of the property was not challenged in the submission. The HO should be applied to the property at 44 Paces Lane, Rowsley (HO202) as proposed by Amendment C6 Part 2.

The Panel notes that a comparison between the photograph supplied by Council from 2001, when the house was still derelict, and the one included in the revised citation indicates that the roof has been repaired or replaced, a dormer window and covered balcony have been inserted into the main roofline, and (possibly) the space between the brick verandah piers at the front has been filled in. The 2001 photo is taken from an angle that does not show the side of the house adjoining the driveway. It is possible that the wing on this side is also an addition. However, the original citation describes the house as *'triple fronted'* and the structure of the porch also indicates that there was a part of the original house that projected out from this side. In any case, the Panel agrees with Ms Westbrooke that the alterations have not diminished the heritage values of the place.

#### **Panel recommendation**

**Alter the schedule to the HO for 44 Paces Lane, Rowsley (HO202) to show the name of the property as *'Willowbank'*.**

**Council give consideration to further revision of the citation for 44 Paces Lane, Rowsley (HO202) to improve the consistency of its description of the style of the house.**

### **3.19 85-87 Main Street, Bacchus Marsh (HO100) – Submission No 40**

85-87 Main Street, Bacchus Marsh (HO100) contains a double fronted late Victorian brick house and garden. The original (1994) citation for the property – called *'Pentland'* – describes its significance as follows:

*A brick elevated Italian house with a stone fence and some garden remnants, designed and built by well-known Bacchus Marsh Shire Engineer and Secretary, D.A. Little in 1892.*

*It is of historical significance locally as a representative embodiment of a confident way of life in the early 1890s, just before the economic collapse. It is also significant for its association with Little, who was an important and influential figure in the town.*

*Pentland is also of architectural significance locally as a representative example of the late Italianate domestic style. It is also significant for its incorporation of a relative early cavity wall in the construction. The garden is also significant.*

A list of tree species represented is included in the citation.

The schedule to the HO, as exhibited as part of Amendment C6, propose to apply tree controls to this property.

#### **Submissions and evidence**

A submission from the owners of the property raised concerns about the accuracy and age of the study. It claimed that many of the items listed in the study were not even correct at the time it was done, but gave no details. It is not clear whether this comment applied specifically to this property or was intended as a general criticism of the study.

Ms Westbrooke, on the basis of her inspection, concluded that the property was clearly of local historical and architectural significance. She recommended that a revised citation

should be prepared, incorporating any corrections required by the owners. Ms Westbrooke's expert evidence notes that the revised citation (2012) for this property includes corrections provided by the owners and a strengthened statement of significance. This now reads:

*The Residence and gardens at 85-87 Main Street, Bacchus Marsh is of historical importance for its representation of the beginning of the boom period in Bacchus Marsh when the railway came to the town and industry was being established. The property is of historical significance for its associations with well-known Bacchus Marsh Shire Engineer and Secretary, D. A. Little who served at the Shire for 27 years between 1885 and 1913. Little designed and lived in the residence at 85-87 Main Street, which is a rare example of his architectural work.*

*The Residence and gardens at 85-87 Main Street, Bacchus Marsh is of aesthetic significance as a representative example of the late Italianate domestic style. It is also significant for its incorporation of a relatively early cavity wall in the construction. Its prominent location on the Main Street hill facing the township and the well-established garden setting contributes to the significance of the place.*

Council supports the retention of 85-87 Main Street, Bacchus Marsh (HO100) in Amendment C6 Part 2.

## **Discussion**

The submission did not raise specific matters challenging the assessed heritage significance of the residence and garden at 85-87 Main Street. The Panel therefore accepts:

- Ms Westbrooke's assessment that it is of historical and aesthetic significance at a local level.
- The HO should be applied to the property at 85-87 Main Street, Bacchus Marsh (HO100) – described as 'Dwelling' 'Pentland' and garden' as proposed in Amendment C6 Part 2.

### **3.20 97 Main Street, Bacchus Marsh (HO103) – Submission No 40**

The property at 97 Main Street contains a former motor garage constructed in 1921 and later used as tearooms.

The 1994 citation contains the following statement of significance:

*A bluestone stripped Classical former motor garage, built with stone from Landsberg House Academy at Mount Blackwood (1858), in 1921.*

*It is locally historically significant for its associations with developments in the (automotive) business in community life in Bacchus Marsh and for its use of bluestone.*

## **Submissions and evidence**

A submission the owners of the property raised concerns about the accuracy and age of the study. It claimed that many of the items listed in the study were not even correct at the

time it was done, but gave no details. It is not clear whether this comment applied specifically to this property or was intended as a general criticism of the study.

Ms Westbrooke's response to the submission stated that the site was clearly of local historical and architectural significance, but that the original citation did not sufficiently substantiate this significance. She recommended that a revised citation should be prepared, incorporating any corrections required by the owners. Ms Westbrooke's expert evidence that the revised citation (2012) for the property includes corrections provided by the owners and a strengthened statement of significance. This now reads:

*The former Garage at 97 Main Street, Bacchus Marsh is of historical importance for its ability to illustrate the emerging use of the motor car in Australia in the early 20<sup>th</sup> Century. The building was originally constructed as a motor garage in 1921 and operated by Messrs. Muir and Robb. The premises have housed a prominent business, having an ongoing and important role in motor car related commercial activities in the Bacchus Marsh area until the late 1980s. The building has also made an important and continuing contribution to the development of Bacchus Marsh as a commercial centre for the district.*

*The former Garage at 97 Main Street, Bacchus Marsh is of aesthetic significance as a locally rare example of a former motor garage. It is of aesthetic significance as an excellent intact example of a stripped classical inter war garage. Particular features demonstrating the stripped classical style are the division of the front elevation with simple arches and pilasters and the stepped parapet with a curved pediment. It is architecturally unusual for its construction of recycled bluestone from Landsberg House Academy at Mount Blackwood (1858).*

Council supports the retention of 97 Main Street, Bacchus Marsh (HO100) in Amendment C6 Part 2. Council advised the Panel at the hearing that there was an error in the Amendment mapping that resulted in only half the former garage building being included in the proposed extent of the overlay.

## **Discussion**

The submission did not raise specific matters challenging the assessed heritage significance of the former motor garage at 97 Main Street.

The Panel therefore accepts Ms Westbrooke's assessment that it is of historical and aesthetic significance at a local level. We conclude that the HO should be applied to the property at 97 Main Street, Bacchus Marsh (HO103) as proposed by Amendment C6 Part 2 but with corrected mapping.

## **Panel recommendation**

**Amend the mapping for 97 Main Street, Bacchus Marsh (HO103) to cover the whole of the former garage building, as proposed by Council.**

### 3.21 51 Main Street, Bacchus Marsh (HO98) – Submission No 45

51 Main Street, Bacchus Marsh (HO98) described in the schedule as ‘*Dwelling ‘Banool’* – contains a triple fronted California Bungalow dwelling, a driveway and rubble basalt fence. =The original (1994) statement of significance reads:

*A fine large roughcast brick California Bungalow, set well back and elevated in a large garden, built in 1929, intact and perhaps with original paint colour.*

*It is of local architectural significance as an important representative example of the Bungalow style, within an appropriate context.*

*It is of local historical significance as a representative embodiment of a comfortable way of life with its social values, of the late 1920s, before the world economic collapse. It also demonstrates and association with Dugdale, a well known local figure.*

The citation notes that this house is located on Stamford Hill, opposite the home of the rival property agent of the time. The comparative analysis records that 26 Bungalow houses from the 1920s had been recorded in the town of Bacchus Marsh and ‘*Of these, this is perhaps the finest*’.

#### Submissions and evidence

A submission from on behalf of the owners objected to the application of the HO to the property. The major grounds were:

- the dwelling is not architecturally significant, as there are many examples of similar buildings in Bacchus Marsh and in Melbourne suburbs;
- the dwelling is not historically significant just because it ‘*embodies a comfortable way of life*’ and is associated with Mr Dugdale;
- contrary to the assessment in the citation, the condition of the house is not ‘*excellent*’ but instead it needs significant repair (the effect of drought on the footings of the house and on the garden was noted); and
- it has been altered internally and externally, including alterations to the internal layout, modernisation of amenities and additions to the rear of the dwelling.

The submission went on to point out that the property is zoned residential and is a large site near the centre of Bacchus Marsh that should have the capacity to contribute to new housing supply. It also put the view that the Amendment did not meet the objectives of the State Planning Policy Framework and the HO. Application of heritage controls would unreasonably constrain the use and development of the land and disadvantage its owners.

Ms Westbrooke’s response to the submission, written before she had visited the site, concluded that on the basis of the original citation the place had clear local historical and architectural significance. She noted that – since internal alteration controls were not proposed – the internal alterations listed in the submission would not affect the significance of the place. It was also unlikely that the rear additions would substantially impact on the identified architectural significance. She suggested that the citation should be revised to update the description of the house and further substantiate its significance.

In the revised citation (2012), the statement of significance now reads:

*The House and its setting at 51 Main Street, Bacchus Marsh is of local historical significance as a representative embodiment of a comfortable way of life with its social values of the late 1920s, due to the expansion of orcharding in the area and before the world economic collapse. It is also significant for its associations with auctioneer Laurence Dugdale, a well-known local figure. The prominence of Mr Dugdale in the town is demonstrated by the grand setting of the residence on the hill, and this reflects the high prices for land being gained in the area during this period.*

*The House and its setting at 51 Main Street, Bacchus Marsh is of aesthetic significance as an excellent intact example of a fine large roughcast brick Californian Bungalow, set well back and elevated in a large garden. Features of particular note on the house include the half-hipped roof, entry porch with Doric columns and brick balustrade, bow windows, attic window, shingle cladding to gable ends, and clinker brick banding to the walls. The surrounding garden, and front rubble stone wall and wrought iron gates, contribute to the aesthetic significance of the property.*

## **Discussion**

The Panel notes that the alterations outlined in the submission are of the nature that one would expect to find in a house over 80 years old. We accept Ms Westbrooke's view that the changes are not of a nature that would substantially reduce the aesthetic/architectural values of the property. Nor would they affect the historical significance of the place.

On the basis of both the original and the revised submissions, the Panel accepts the property at 97 Main Street, Bacchus Marsh is of local heritage significance and the HO should apply.

The issue of the effect of the HO on the development potential of a site is not one that the Panel believes is the focus of concern at the amendment stage, when the key question is whether or not a property has heritage significance at the local level.

With regard to the revised citation, the Panel notes that the setting has been included as part of the description of the dwelling and the garden has been identified as contributing to the aesthetic significance of the place. We also note, however, that tree controls are not proposed for the property in the schedule to the HO exhibited as part of the Amendment. As already noted, in the interests of procedural fairness the Panel does not support the inclusion of tree controls as a post- exhibition process, other than by agreement with owners. However, we do suggest that Council might consider, as part of a future amendment, whether tree controls are desirable to help maintain the identified significance of the property at 51 Main Street, Bacchus Marsh (and others).



### **3.22 20–24 Fisken Street, Maddingley and 176 Werribee Vale Road, Maddingley (HO62 & HO173) – Submission No 48**

20-24 Fisken Street, Maddingley (HO62) contains a concrete irrigation channel and a Dethridge irrigation wheel and 176 Werribee Vale Road, Maddingley (HO173) contains an early Bungalow farmhouse, three outbuildings, a row of Cypress pines and a Dethridge irrigation wheel.

The original citation for HO62 – listed in the exhibited schedule to the HO as ‘*Dethridge Irrigation Wheel and Water Channel*’ – described its significance as:

*A characteristic irrigation wheel installed within the agricultural irrigation system over the Werribee and Lerderderg Rivers alluvial plain farmlands. They were invented by Charles Detheridge in c1923(?).*

*This wheel is an example. The surviving system of channels and wheels in general are of local significance, for their association with the development of agriculture and for the influence of the reticulation of water on agriculture and housing development in Bacchus Marsh.*

The original citation for HO173 – listed in the exhibited schedule to the HO as ‘*Farmhouse ‘Blinkbonnie’ and Dethridge Irrigation Wheel*’ - described its significance as follows:

*This property is still held by the family of the original Crown Grantee. It now has a fine large early Bungalow style farmhouse built in the 1880s but substantially remodelled about 1924 on a site occupied by a farmhouse since 1865.*

*It is historically significant as a locally representative embodiment of a way of life and settlement pattern, but also a changing sequence of their architectural expression. It is also architecturally significant locally as a fine example of an architectural style.*

#### **Submissions and evidence**

A submission was received from Southern Rural Water (SRW), objecting to the application of the HO to the Dethridge wheel and channel in Fisken Street (HO62) on the grounds that the channel and outlet infrastructure are considered to be operational and inclusion in the HO might jeopardize SRW operations and maintenance requirements. The submission also requested more information on the location and use of the other Dethridge wheel that formed part of HO173 in Werribee Vale Road. The submission stated that if the latter was not connected to SRW operations then the writer had no issue with its inclusion in the overlay.

Council advised the Panel at the Directions Hearing that, due to an oversight, the SRW submission had been mislaid. As a result, HO62 had been adopted as part of Amendment C6 Part 1 and had already been approved by the Minister. The Panel requested that SRW should be informed and given an opportunity to present or to make a further submission. Council advised the Panel at the hearing that they had given notice as directed, but no response had been received.



Ms Westbrooke, in her statement of evidence, noted that the heritage significance of the Dethridge wheel and channel at Fiskin Street (HO62) had not been challenged. She advised that the existing citation should be revised to strengthen the comparative analysis, description and statement of significance, to assist with the evaluation of any future permit applications for the site.

With regard to the other property, 176 Werribee Vale Road, Maddingley (HO173) she advised that inspection indicated that the Dethridge wheel and channel on that site were covered in vegetation and apparently no longer in use. This seemed to indicate that they were no longer owned by SRW. Ms Westbrooke noted that the Dethridge wheel was not mentioned in the original citation, so she had not included it in the revised citation prepared in 2012 as a result of her work on the significance threshold policy and peer review of residential places. Now that she was aware of the wheel, she considered that it contributed to the significance of the property at 176 Werribee Vale Road and should be included in the citation and statement of significance.

The supplementary submission from the National Trust supported the application of the HO to both places. It put the view that the citations for both places needed to be upgraded to specifically mention the Dethridge wheels, which might also be of scientific significance. Mr Roser, at the hearing, suggested that the significance of the channel in HO62 – as representative of concrete channels from the 1920s – has not been recognised sufficiently in the citation.

Council supported the retention of HO62 at Fiskin Street, Maddingley in the HO and the application of the overlay to HO173 at Werribee Vale Road, Maddingley. It tabled a copy of an article from The Age outlining the history, operation and significance of the Dethridge wheel.

## **Discussion**

At the Hearing the Panel queried the significance of the irrigation channel associated with the Dethridge wheel and whether the entire length of the channel in the HO62 was necessary to understand the irrigation system and the operation of the Dethridge wheel in particular.

However, as no submission was received challenging the heritage significance of HO62 or HO173, the Panel accepts Ms Westbrooke's evaluation that they are both places of local heritage significance. We support Ms Westbrooke's suggestions for the revision of the citations applying to both places.

It is unfortunate that Southern Rural Water's submission objecting to the heritage listing of the Dethridge wheel and channel in Fiskin Street was overlooked and that the place was therefore included in Amendment C6 Part 1. However, the Panel considers that it is highly likely, had the matter gone to a hearing, the site would have been found to be of local heritage significance.

## 4 Consideration of submissions – where Council proposes to change the Amendment

### 4.1 Introduction

This Chapter deals with those properties that were the subject of submissions and which Council now proposes to exclude from the Amendment. The effect will be that the HO will not be applied to these places at the present time, although some properties may be subject to re-evaluation in the future, as more information becomes available.

### 4.2 Properties in Gisborne Road, Bacchus Marsh – Potential ‘CSR houses’

The places in this category are:

- 38 Gisborne Road, Bacchus Marsh (HO65, Submitter 2);
- 40 Gisborne Road, Bacchus Marsh (HO66, Submitter 42);
- 42 Gisborne Road, Bacchus Marsh (HO67, Submitter 27);
- 48 Gisborne Road, Bacchus Marsh (HO68, Submitter 8);
- 52 Gisborne Road, Bacchus Marsh (HO69, Submitter 19); and
- 63 Gisborne Road, Bacchus Marsh (HO70, Submitter 24).

These properties are all dwellings constructed in the late 1950s or early 1960s that were identified in 1994 as a group of houses from the period located in Gisborne Road. They are brick and timber contemporary houses, some in semi-detached pairs. A number of them were identified in the original citations as having been built for the CSR company to house its executives from the nearby Timbrock mill.

Notwithstanding the fact that the citations clearly state that 38 and 40 Gisborne Road were built earlier, for identified clients and (in the case of 38, with a distinguished architect) they were all described in the HO schedule exhibited as part of Amendment C6 as being ‘*former CSR staff housing*’.

Objecting submissions were received in relation to all these places. The points made that were relevant to the potential heritage significance of the properties included:

- No 38 Gisborne Road was not a CSR staff house as the company did not start building homes in Bacchus Marsh until 1960. It had extensive additions in 1974 and was completely gutted and renovated in 1988.
- No 40 Gisborne Road was not a CSR staff house and was neither unique nor representative of the houses being built locally in the period. Three quarters of the façade was not original, with two major louvres added in the 1970s and all timber cladding replaced with Colorbond in the 1990s. Further alterations since the 1994 study include replacement of the roof with Colorbond, replacement of external doors and changes to the paint scheme, as well as internal alterations, and changes to the garden. It also commented on the other houses nominated as part of the group and put the view that they were no longer homogenous and had never been representative of housing in Bacchus Marsh.

- A planning permit had been granted for subdivision of the property at No 42 Gisborne Road, which allowed for two houses to be constructed on the lot. The existing house was to be demolished within the next six months.
- The house at No 48 Gisborne Street had already been demolished.
- The house at No 52 Gisborne Road was not of a design, condition or colour that could be regarded as warranting heritage listing and the fact that it might have been built for CSR was irrelevant.
- The reference to CSR in relation to No 63 Gisborne Road is not relevant as the company is no longer operating in Bacchus Marsh. The house is on the opposite side of the road from the rest of the identified cluster.

Ms Westbrooke, in her assessment of submissions, concluded that much of the identified significance of each property (or grouping of properties) appeared to be based on the fact that they were part of a larger group of seven 1950s and 1960s houses in Gisborne Road. She noted that the significance of the group had been severely diminished with the demolition of two houses (Nos 44 and 48) and the imminent demolition of another (No 42). Ms Westbrooke considered that the changes to No 38 – as described in the submission - meant that it was no longer an intact example of the work of the architect who designed it.

Ms Westbrooke's final assessment of 38 and 40 Gisborne Road was:

*The identified local significance of these two properties is not sufficiently substantiated by the existing citation and statement of significance. While the two properties may have significance as good examples of post World War II housing in the municipality, the substantial amount of work required to determine this significance is not considered appropriate as part of this planning scheme amendment process. As a result I recommend that the properties be removed from the current planning scheme amendment.*

With regard to the other properties, she noted that No 52 Gisborne Road was not identified as a former CSR staff house, Nos 44 and 48 had already been demolished and No 42 was about to be knocked down, so there were only two of the original five 'CSR staff houses' remaining. Her conclusions about these properties were:

*I also do not believe that there is sufficient historical research undertaken to confirm that these houses are former CSR houses. It appears from the references that only 63 Gisborne Road is confirmed as a CSR staff House. There is no evidence to suggest that 52 Gisborne Road is a CSR house. It does not resemble the other supposedly CSR houses.*

*While the two surviving properties may have significance (particularly No 63 as a former CSR house) determining this significance would involve a considerable amount of research and assessment. The eventual citations (if any) would be substantially different from that exhibited and the basis of significance would also be considerably different. As with the properties at 38 and 40 Gisborne Road, to determine and then substantiate the significance of the surviving properties at 52 and 63 Gisborne Road, a comparative study of other post war housing across the municipality would be required. The assessment and comparison would be a*

*substantial undertaking and is not considered appropriate as part of this planning scheme amendment process.*

Council supported the removal of these properties from Amendment C6 Part 2 and the National Trust indicated that it had no object to their exclusion.

The Panel accepts the advice of Ms Westbrooke that the properties at Nos 42 and 48 Gisborne Road should be deleted from the Amendment, as the relevant houses have been demolished. It also accepts her assessment that the heritage significance of 38, 40, 52 and 63 cannot be substantiated at present to the level required for addition to the HO.

#### **Panel recommendation**

**Remove 38, 40, 42, 48, 52 and 63 Gisborne Road, Bacchus Marsh (HO65-HO70) from Amendment C6 Part 2.**

### **4.3 Later 20<sup>th</sup> Century Places**

Later 20th Century places that were the subject of submissions are:

- 2 White Avenue, Bacchus Marsh (HO122, Submitter 20)
- 61 Moonah Drive, Long Forest (HO155, Submitter 21)

2 White Avenue, Bacchus Marsh is a modern brick dwelling built in 1979-82, which was described in the 1994 study as one of only two houses from the 1970s of '*architectural quality*' (though no architect was identified). No 61 Moonah Drive, Long Forest (identified as 10 Moonah Drive, Coimadai in 1994 citation) is a modern (contemporary) house built between 1982 and 1992, in a bushland setting. It was identified as being of architectural and aesthetic significance.

Submissions were received in relation to both properties. The points made that are relevant to heritage significance included:

- The house in White Avenue does not have any elements that contribute to the natural or cultural heritage of Bacchus Marsh, but instead the design of the house and the materials used are very typical and normal and not of any particular significance. There are numerous similar houses in Bacchus Marsh and elsewhere. The citation contains errors including: identification of the bricks, description of other elements of the house and the garden, and the date of construction of the garage.
- There is nothing about the house and in Moonah Drive that would warrant heritage listing. The citation was incorrect in describing it as a brick house, when it was actually red cedar. If the heritage study identified 11 contemporary style houses in Long Forest, why were only three being proposed for HO listing in Amendment C6?

Ms Westbrooke, in her assessment of submissions, concluded that the property at 2 White Avenue, Bacchus Marsh was not of sufficient significance to be included in the HO. She felt that the study had not identified all the comparable 1980s dwellings and that since the property had no particular historical associations and had been altered by the addition of a dominant front deck, it was difficult to justify its inclusion in the HO.

In regard to 61 Moonah Drive, Ms Westbrooke stated that she did not believe that the history, description and statement of significance supported the listing of the property on the HO. She noted that there was no comparative analysis that indicated why this property was selected for heritage protection. Although the setting was said to be significant, all the contemporary houses in the area had the same setting.

Ms Westbrooke concluded that both houses should be removed from the Amendment as they do not have sufficient local heritage significance to justify inclusion under the HO. She also suggested that there was a need for a specific study of post World War 2 heritage in the area, in order to assess the relative value of houses from this period.

Council supported the deletion of these properties from Amendment C6 Part 2 and the National Trust indicated that it had no object to their exclusion.

The Panel accepts the advice of Ms Westbrooke that the heritage significance of the properties at 2 White Avenue, Bacchus Marsh (HO122) and 61 Moonah Drive, Long Forest (HO155) are not of sufficient heritage significance to justify listing under the HO.

#### **Panel recommendation**

**Remove the properties at 2 White Avenue, Bacchus Marsh (HO122) and 61 Moonah Drive, Long Forest (HO155) from Amendment C6 Part 2.**

## Appendix A List of Submitters

No.	Submitter
1	Laurie Seery
2	K W & P H Claringbold
3	Graham & Jenny Hooper
5	Wayne Ross
6	Linda Howell
7	Sandra Culnane
8	Department of Human Services
9	Karissa Buttigieg
10	Department of Sustainability and Environment
11	J H White
12	Gary Johnston
13	VicRoads
14	W B Shanahan
16	Central Highlands Region Water Corporation
17	Martin Ball
18	Linda Greed
19	Heather & John Sevald
19	Mandy Moerenhout
20	Heinz & Partners Lawyers
21	Stan Franklin
22	W & S Durham
24	Pauline Madden Conveyancing & Legal
25 & 26	Conveyancing Quarters
27	Malcolm Boyer
29	Catherine Moore
30	David Wright
31	Peter Andrew Barrett, Architectural Conservation Consultant
32	CPG Australia Pty Ltd
33	R J & M Forte
33	E & E M Mazzei
35	Sam Provenzano
37	Gwen Wittick
39	Vera Killeen
40	Brian & Lesley Phelan
42	Igor van der Waerden
43	National Trust
44	SJB Planning
45	Planning and Property Partners Pty Ltd Duckboard House
46	Wendy Abey
47	R F & J P Michalski
48	Southern Rural Water

# Attachment - Item 11.2.1(c)





*Planning and Environment Act 1987*

## **Final Panel Report**

Moorabool Planning Scheme  
Amendment C6 Part 2

**13 May 2013**

*Planning and Environment Act 1987*

Panel Report pursuant to Sections 153 and 155 of the Act  
Amendment C6 Part 2 to the Moorabool Planning Scheme



Cathie McRobert, Chair



Helen Martin, Member



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## List of Abbreviations

DPCD	Department of Planning and Community Development
HO	Heritage Overlay
LPPF	Local Planning Policy Framework
MSS	Municipal Strategic Statement
SPPF	State Planning Policy Framework
The 1995 Heritage Study	<i>The Bacchus Marsh Heritage Study 1995</i>

# Summary, Overall Conclusions and Consolidated Recommendations

## Amendment Summary

<b>The Amendment</b>	Amendment C6 Part 2 to the Moorabool Planning Scheme (the Amendment). Council resolved to split the amendment into two parts and to refer submissions relating to the Amendment (Part 2) that remained unresolved for consideration by a Panel.
<b>Purpose of Amendment</b>	To implement the recommendations of the Bacchus Marsh Heritage Study 1995 (the 1995 Heritage Study) by including 81 additional places in the Heritage Overlay (HO).
<b>The proponent &amp; Planning Authority</b>	Moorabool Shire (the Council).
<b>Exhibition</b>	14 April - 25 June 2010.
<b>Submissions</b>	34 submissions relating to the Amendment objected or sought changes to the Amendment. They are listed in Appendix A of the Interim Panel Report.

## The Panel Process

<b>The Panel</b>	Cathie McRobert (Chair) Helen Martin
<b>Panel hearings</b>	<p>Directions Hearing: 1 February 2013</p> <p>Hearings: 4 - 5 March 2013 3 April 2013</p> <p>The Panel agreed to a request on behalf of Calleja Group of Companies (Calleja) to defer the part of the Hearing relating to their submission regarding the JBD Industrial Park at 25 Rowsley Station Road, Maddingley (HO166). The Panel also agreed to defer consideration of submissions relating to the following places to the reconvened Panel Hearing on 3 April 2013:</p> <ul style="list-style-type: none"> <li>• 33 Clarinda Street, Bacchus Marsh (HO59);</li> <li>• 91 Main Street, Bacchus Marsh (HO102); and</li> <li>• 'Woodlands', 229 Long Point Road, Myrniong (HO182).</li> </ul>
<b>Site inspections</b>	<p>The Panel made unaccompanied inspections on 4 and 5 March 2013 of the places that were the subject of objecting submissions that were heard on 4 and 5 March 2013, together with other places identified in the Heritage Study or the Amendment that were of interest to the Panel, such as a proposed heritage precinct not included in the Amendment.</p> <p>The Panel made the following inspections accompanied by Council officer(s) and the submitter(s):</p> <ul style="list-style-type: none"> <li>• 33 Clarinda Street, Bacchus Marsh on 3 April 2013; and</li> <li>• JBD Industrial Park at 25 Rowsley Station Road, Maddingley on 24 April 2013.</li> </ul>

<b>Appearances</b>	<p><b>4 - 5 March 2013</b></p> <ul style="list-style-type: none"> <li>▪ Moorabool Shire represented by Damien Drew and Lisa Gervasoni who called expert evidence from Samantha Westbrooke of Samantha Westbrooke Pty Ltd on heritage.</li> <li>▪ National Trust of Australia (Vic) (the National Trust) represented by Paul Roser.</li> <li>▪ Devine Communities represented by Cathy Pearl of SJB Planning who called expert evidence from Peter Lovell of Lovell Chen on heritage.</li> <li>▪ J H White.</li> </ul> <p>(Heather and John Sevald and Mandy Moerenhout originally requested to be heard but withdrew the request after receiving advice of Council support for removal of their property from the HO).</p> <p><b>3 April 2013</b></p> <p>Moorabool Shire Council represented by Damien Drew and Lisa Gervasoni who called expert evidence from Samantha Westbrooke of Samantha Westbrooke Pty Ltd on heritage.</p> <ul style="list-style-type: none"> <li>▪ Calleja Group of Companies represented by Chris Wren, SC instructed by Joanne Merrylees of Merrylees Legal who called the following expert witnesses: <ul style="list-style-type: none"> <li>- Bryce Raworth of Bryce Raworth Pty Ltd on heritage; and</li> <li>- Robert Milner of 10 Consulting Group on planning.</li> </ul> </li> <li>▪ R F &amp; J P Michalski represented by Julie Mundy.</li> <li>▪ Glenda Lidgett.</li> <li>▪ Julie Del Papa.</li> </ul>
<b>The interim report</b>	<p>The interim report (dated 10 April 2013) was provided to avoid delay in the implementation of elements of the Amendment (Part 2) relating to submissions heard on Days 1 and 2 of the Hearing and where a request had not been made to be heard.</p>
<b>The final report</b>	<p>The final report deals with the submissions heard on Day 3 relating to HO166, HO59, HO102 and HO182. It also contains the Panel's conclusions on HO95, a site where amended mapping is proposed, omitted inadvertently from the interim report. The conclusions and recommendations of the interim report are not altered by the final report.</p>
<b>Date of report</b>	<p>Interim Report 10 April 2013. Final Report 13 May 2013.</p>

## Overall Conclusions

As stated in the interim report, the Panel acknowledges that criteria and practice in the assessment of heritage places has evolved since the 1995 Heritage Study that underpins Amendment C6 was undertaken. However, we are satisfied that the methodology adopted in the 1995 Heritage Study is sound and the extensive review undertaken leading up to and through the Amendment/Panel processes have provided a significant level of scrutiny of the 1995 assessments. Overall the basis provided by the study has been verified and revisions have been identified where necessary.

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We have recommended that Council consider undertaking further work to address a number of ‘gaps’ that remain. This work should not delay the approval of Amendment C6 which is important to establish a framework to protect the places of identified heritage significance. Expert evidence has also suggested that the citations for places to which the HO was applied under Part 1 of Amendment C6 should be reviewed and updated if necessary. Further, it is best practice to include statements of significance in an incorporated document to provide certainty for the decision making process. Council should consider undertaking these further pieces of work.

## **Consolidated Recommendations**

Based on the reasons set out in this Report, the Panel recommends that Amendment C6 Part 2 to the Moorabool Planning Scheme be adopted subject to the following recommendations:

### **Final Report**

- 1. Reduce the extent of HO166 (JBD Industrial Park, Maddingley) on the west, north and east of the site to:**
  - **Exclude the new buildings on the west of the site;**
  - **Exclude the chipper house (building 5 shown on Figure 2 of this report); and**
  - **Encompass only the other elements identified in the statement of significance as contributing to the heritage significance of the complex, plus a distance of five metres from the contributory around the perimeter of each contributory building (where these do not directly abut more recent buildings).**
- 2. Council consider implementing HO166 as a separate part of the Amendment to enable the addition of an incorporated plan that is agreed between Council and the owner within three months of advice to the owner of Council’s response to this recommendation (if agreement cannot be reached on a management plan within the nominated timeframe, the application of HO166 should proceed without a management plan).**
- 3. Remove the following properties from Amendment C6 Part 2:**
  - **33 Clarinda Street (HO59); and**
  - **91 Main Street (HO102).**
- 4. Alter the address in the schedule entry for HO182 – Farmhouse ‘Woodlands’, windmills and landscape – to 229 Long Point Road, Myrniong and amend the HO mapping to identify the correct property (excluding the row of pines to the south of the homestead complex, which are located on the adjoining property).**
- 5. If the draft incorporated plan for the property at 229 Long Point Road, Myrniong can be finalised to the satisfaction of the owner and Council within the timeframe for adoption and approval of Amendment C6 Part 2, include it as part of the amendment.**
- 6. Alter the description in the HO schedule for HO95 to ‘Riverton’ and amend the mapping to identify the correct location on the property (as proposed by Council).**
- 7. Council consider preparing a document that compiles the revised statements of significance provided to the Panel (with the further revisions identified during the Hearing process) for incorporation in the planning scheme as part of Amendment C6.**



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## Interim Report

8. Alter the description of the following places in the schedule to the HO:
  - 18 Crook Street, Bacchus Marsh (HO60) to *'Carisbrook'*;
  - Refer to *'Nerowie Outbuildings'* (HO195) and the mapping for the site should be altered as proposed by Council;
  - 80 Lerderderg Street, Bacchus Marsh (HO94) to delete reference to the orchard complex;
  - 44 Paces Lane, Rowsley (HO202) to *'Willowbank'*; and
  - Combine 48 and 48A Grant Street, Bacchus Marsh (HO80 and HO204) into a single listing.
9. Remove the following properties from Amendment C6 Part 2:
  - 2 White Avenue, Bacchus Marsh (HO122);
  - 61 Moonah Drive, Long Forest (HO155);
  - Drystone Wall at McCormacks Road, Maddingley (HO165);
  - 18 Red Box Court, Long Forest (HO156);
  - 33 Wattle Court, Long Forest (HO157); and
  - 38, 40, 42, 48, 52 and 63 Gisborne Road, Bacchus Marsh (HO65-HO70).
10. Revise the HO mapping for:
  - 289 Werribee Vale Road, Maddingley (HO174) to reduce the area (as recommended in Mr Peter Lovell's statement of evidence dated 22 February 2013);
  - 48 and 48A Grant Street, Bacchus Marsh (HO80 and HO204) to combine the HO into a single site;
  - 89 Lerderderg Street, Bacchus Marsh (HO96) to cover the whole of the former military hut; and
  - 97 Main Street, Bacchus Marsh (HO103) to cover the whole of the former garage building, as proposed by Council.
11. Council review the tree control provisions for consistency with citations and delete tree controls from the schedule to the HO where trees are not identified as significant in the citation for the place.
12. Defer action relating to the following properties pending the submission of this Panel's final report:
  - *'Woodlands'*, 229 Long Point Road, Myrning (HO182);
  - 33 Clarinda Street, Bacchus Marsh (HO59);
  - 91 Main Street, Bacchus Marsh (HO102); and
  - 25 Rowsley Station Road, Maddingley (HO166) (the former CSR Wood Panels Bacchus Marsh Mill, also known as JBD Industrial Park).

## Other Recommendations

13. Amend the *'What is significant?'* section of the statement of significance for 55 Main Street, Myrning (HO188) to record that the rear hip-roofed section of the building is not significant.

- 
14. Council give consideration to further revision of the citation for 44 Paces Lane, Rowsley (HO202) to improve the consistency of its description of the style of the house.
  15. Council consider undertaking the following further work:
    - Evaluate precincts, such as in Lerderderg Street and Grant Street;
    - An examination of drystone walls of the Shire to determine whether or not Clause 52.37 should be invoked;
    - Review of places from the Post World War 2 era to determine the relative value of houses from this period, including houses that have been deleted during the process leading up to the Amendment and this report;
    - Prepare up to date statements of significance for those properties already included in the Heritage Overlay through Part 1 of Amendment C6 that are currently still relying on the statements of significance provided in the Bacchus Marsh Heritage Study, 1995; and
    - Advance the introduction of protection for potential heritage precincts, such as in Lerderderg and Grant Streets.
  16. Council consider introducing tree controls through a separate Amendment where trees are identified as important to the significance of the place.
  17. Establish a potential heritage place list which includes the places identified in the Bacchus Marsh Heritage Study 1995 as being of Interest.

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# 1 Consideration of Day 3 Submissions

## 1.1 Introduction

This final report only deals with the places where consideration of submissions was deferred to Day 3 of the Hearing, namely:

- JBD Industrial Park at 25 Rowsley Station Road, Maddingley (HO166);
- 33 Clarinda Street, Bacchus Marsh (HO59);
- 91 Main Street, Bacchus Marsh (HO102); and
- 'Woodlands', 229 Long Point Road, Myrniong (HO182).

Council supports making the change requested in one submission - to delete HO102 from the Amendment. In the other cases, Council proposes to retain the places in the Amendment but make changes to the mapping or supporting documentation (the citation for the place) to address issues raised by submitters or to correct inaccuracies.

The interim panel report (dated 10 April 2013) sets out the background and scope of the Amendment. The conclusions and recommendations in the interim report are not varied by this final report of the Panel.

## 1.2 JBD Industrial Park at 25 Rowsley Station Road, Maddingley (HO166)

The exhibited heritage overlay (HO166) covers the southern title of the JBD Industrial Park (the former CSR 'Timbrock' hardboard mill) (Figure 1).

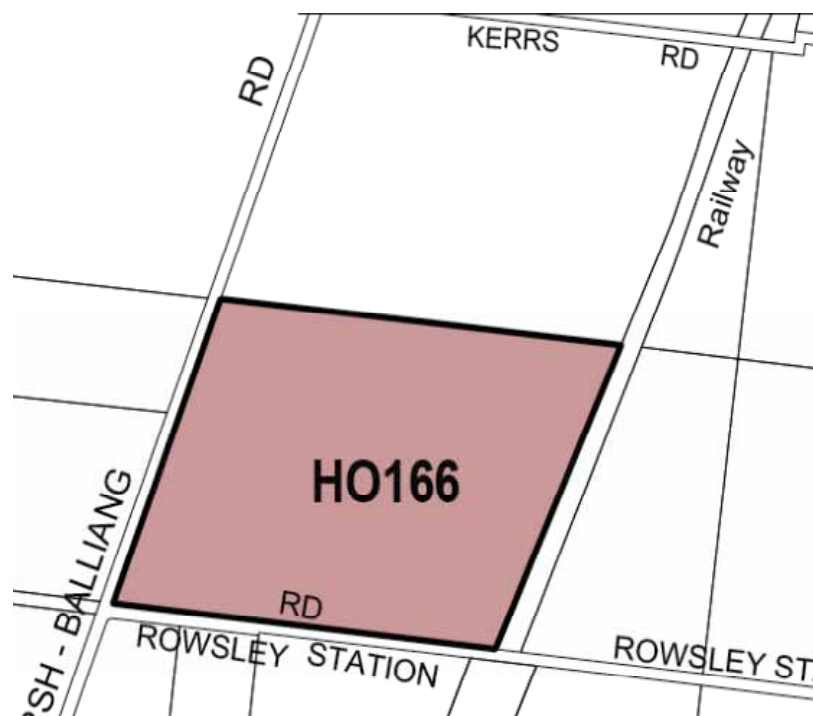


Figure 1 Exhibited HO166

The complex of factory buildings at the south of the site along Rowsley Station Road (see Figure 2) have been identified as significant but a series of large industrial ponds and vacant, grassed open space have not.



**Figure 2 JBD Industrial Park aerial photograph**

The citation prepared by Samantha Westbrooke Pty Ltd describes the factory complex as follows:

*A manufacturing plant complex built in the International Modern style, consisting of rectangular blocks with flat steel deck roofs, salmon and red brick, steel framed windows and cement sheet cladding. There are entire curtain walls of concrete breeze blocks. There are lighting standards with conical luminaries with dish caps. Signage is supported on a rolled hollow section steel frame. The buildings are set within lawns with native planting at the entrance, a rock garden, pool, and possible sculpture remnant.*

*The factory is centred on a 250-metre long main processing building flanked by various storage and administration buildings. The whole complex demonstrates a unity of design in its use of a low brick wall surmounted by corrugated cement sheeting or steel framed glazing. Most south facing walls are completely glazed from the brick dado to the roof, while the north facing walls and some south facing ones have a single strip of glazing along the top of the wall. The brick dado is evidently designed to prevent damage to the fragile cement sheeting and so is used only at the lower level. However, as a stylistic feature, this has also been employed in the administrative buildings.*

*The production line is expressed by the long low main production building, with the tall milling and mixing structure at the eastern end, where raw materials are prepared for processing, a small tower housing the steam accumulator a short distance along, and the large storage and dispatch buildings extending across the western end.*

*The administration block lies between the production building and Rowsley Station Road, with a gatehouse and openwork, concrete block wing walls identifying the main entrance.*

*The brown coal and wood waste fired boiler is a prominent feature at the eastern end of the site. This fully glazed wall to the north and south broken by strips of louvered venting and with a probably accidental random checker pattern created*

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*by different coloured glass panes. The steel chimney stands just south of the boiler house.*

The statement of significance reads:

*What is significant?*

*The CSR Mill designed by T. H. McConnell, which opened in 1960, located at 25 Rowsley Station Road, Maddingley. The following elements contribute to the significance of the place:*

- *Gatehouse & Administration Block;*
- *Amenities Block;*
- *Boiler House;*
- *Bicycle Shed and Factory sign;*
- *Chipper House;*
- *Main Factory Building;*
- *Warehouse;*
- *Workshop and Store;*
- *Factory Supervision; and*
- *The setting of the place, including the boundary trees and rock garden at the front of the site.*

*How is it significant?*

*The former CSR Mill, 25 Rowsley Station Road, Maddingley is of local historical and aesthetic significance to the Shire of Moorabool.*

*Why is it significant?*

*The former CSR Mill, 25 Rowsley Station Road, Maddingley is of historical significance as the embodiment of an industrial process and capital investment in a semi rural location.*

*The factory officially opened in 1961 by State Premier at the time Mr H E Bolte demonstrates the decentralisation policies of the Liberal Government during the 1950s and 60s. The complex is of historical significance for its associations with the development of employment and industry in the former Bacchus Marsh Shire, which demonstrates the utilisation of valuable resources in the area.*

*The former CSR Mill, 25 Rowsley Station Road, Maddingley is of aesthetic significance as an early glass curtain wall Modern factory complex demonstrating a unity of design, in an intact condition. The manufacturing plant complex was designed in the International Style Modern by T H McConnell of Hassell & McConnell architects and built 1960- 61 for the manufacture of hardboard panels known as 'Timbrock'. The original complex of buildings still survives intact demonstrating the layout and building forms required for the hardboard production process. The boiler house and main factory building are rare surviving examples of their building types and even rarer due to their intact glass curtain walls. Features of note demonstrating the International Style, include the flat roof forms, brick walls with under eaves ribbons of windows, openwork concrete block wall to the amenities block, and glazed curtain walls. The setting of the place, including the factory sign and bike shelter, boundary native trees and rock garden at the front of the site contribute to its aesthetic significance.*

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### 1.2.1 Submissions

The original submission on behalf of Calleja opposed the application of the HO to the site at 25 Rowsley Station Road, now known as the JBD Industrial Park, for the following reasons:

- The development on the site is highly modified from its original form;
- The heritage significance and merit is greatly overstated;
- The buildings on the site perform an ongoing industrial role and an HO would unreasonably and excessively constrain the adaptation and extension of uses; and
- The area mapped as HO166 vastly exceeds the land that was historically developed for the CSR wood panels Bacchus Marsh mill.

After consideration of the submission and an inspection of the site with Council officers, Ms Westbrooke concluded:

*The CSR Wood Panels Bacchus Marsh mill has clear local historical and architectural significance and should be included in the current planning scheme amendment with a revised comprehensive citation prepared as a result of further site survey work and a clear definition of the extent of contributory elements.*

The citation was subsequently revised to provide, amongst other things, a list of the elements that contribute to the significance of the site (as shown in the version quoted above).

### 1.2.2 Hearing submissions

At the Hearing, Council maintained the adopted position which identified the following elements as contributing to the significance of the place, namely: gatehouse and administration block; amenities block; boiler house; bicycle shed and factory sign; chipper house; main factory building; warehouse; and workshop and store.

Calleja's primary position at the reconvened Hearing still opposed any listing of the site within the HO.

Calleja argued that Planning Authorities may take economic effects into account when preparing an amendment to a planning scheme (s12(2) of the Act) and should do so when directly relevant<sup>1</sup> and this section will be strengthened when the *Planning and Environment Amendment (General) Act 2012*<sup>2</sup> replaces the word 'may' with the word 'must'. Calleja emphasised the dilapidated state of the site, the safety hazard it poses and the importance of adopting a realistic and practical approach that will facilitate *'the continued future use and economic viability of this disused, obsolete, single-purpose factory site'*. The Panel was advised that the buildings contain significant quantities of asbestos and other hazardous materials and are the subject of a Building Notice (26 January 2012) that requires significant upgrades of the building to satisfy current fire safety requirements.

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<sup>1</sup> Mr Wren noted the judicial consideration of the word 'may' by Justice Osborn J. in *Rozen v Macedon Ranges Shire Council & Anor* where he observed:

*'61 As I previously observed with respect to the interim Guidelines although s.60(1A) provides that the responsible authority 'may' consider such a Guideline, it is its duty to do so when it is plainly relevant to the subject matter of the permit application.'*

<sup>2</sup> The *Planning and Environment Amendment (General) Act 2012* has been gazetted and will be proclaimed no later than October 2013.



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Mr Wren posed the question:

*Is the level of significance so great as to outweigh the opportunities for that site to have continued future use and economic viability in a way that will enable it to be capable of providing investment and employment within the Shire whilst at the same time preserving those aspects of the site that best demonstrate what occurred in the past to inform future residents of its history. ... it is submitted those elements identified by Mr Raworth are the ones that best achieve this outcome and are hence more significant than those less capable of being seen from the public realm and that are not adaptable to reuse because of the inherent constraints that they face.*

### **1.2.3 Heritage Evidence**

#### **Pre-Hearing statement of matters on which experts agree and disagree**

In accordance with directions of the Panel, a pre-Hearing consultation<sup>3</sup> occurred between Mr Raworth and Ms Westbrooke. Mr Raworth proposed:

1. Contraction of the HO to apply to the gatehouse and administration block; the amenities block, bicycle shed, the factory sign, and the front setting (including the rock garden).
2. Calleja would pay for an archive quality photographic survey and an architectural and historical assessment that provided a description and analysis and a range of historic photographs such as can be found.

There were different understandings between the experts on the level of agreement reached during this consultative process. Mr Raworth communicated to Calleja to the effect that agreement, as set out above, had been reached with Ms Westbrook. However, Ms Westbrooke understood the consultative process as identifying the potential to reduce the extent of the HO subject to more specific justification and canvassing of the issues at the Panel Hearing.

Mr Wren told the Hearing that Calleja preferred that the HO not be applied to any part of the site, but accepted what was understood to be the position agreed by the heritage experts at the pre-Hearing consultation. He expressed strong concern that the views subsequently expressed by Ms Westbrook meant they were not sure what case they were to meet until her evidence was presented.

While a consensus between experts cannot necessarily be achieved through the pre-Hearing consultation process, the Panel considers it is unfortunate that the process did not produce a clearer understanding between the experts of their respective opinions. This has meant that the Panel's consideration of the evidence is on the basis of the expert statements, together with their presentations and responses to questions at the Hearing.

#### **Heritage expert views at the Hearing**

It is the Panel's understanding that there was agreement between Mr Raworth and Westbrooke on the following matters:

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<sup>3</sup> 15 March 2013 via a telephone conference.



- 
- The subject site is of sufficient significance at a local level to warrant a heritage control;
  - Jack Hobbs McConnell (J H McConnell, not T H McConnell as shown in the citation) was a leading architect, whose firm was responsible for a number of other significant industrial projects;
  - It is important that industrial buildings are managed in a way that will enable ongoing use and does not leave the site abandoned and/or derelict; and
  - Substantial contamination, dilapidation and ongoing use issues apply to the site.

Mr Raworth's recommendations are set out in the position put at the pre-Hearing consultation. He considered it appropriate to apply the HO to the smaller group of elements at the front of the site and provided two alternatives for mapping (shown in Figures 3 and 4).



**Figure 3 One option for mapping significant elements to be included in the HO (Raworth)**



**Figure 4 Another option for mapping significant elements to be included in the HO (Raworth)**

Mr Raworth gave his reasons for proposing this smaller area for HO protection as:

*... these are the most architecturally distinctive parts of the complex and the most prominent, and provide the visual associations with the group for the majority of*

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*the public due to their location on the nearest thoroughfare. The balance of the site is of lesser public accessibility and lower visibility from the public realm, and includes large structures that are affected by contamination and other issues that I am instructed render their adaptive reuse not feasible.*

*This extent of listing would enable the site to retain its public realm appearance and would celebrate the architectural and historical interest of the place while still enabling substantial change and development on the balance of this large industrial site.*

Mr Raworth referred to other examples<sup>4</sup> where selective application of the HO to elements of industrial heritage places maintained the view from the public realm while enabling substantial change and development on the balance of the site. Mr Raworth acknowledged that, consistent with the DPCD practice note '*Applying the Heritage Overlay*', some planning Panels<sup>5</sup> have recommended the HO apply to whole of an industrial heritage site, with an incorporated plan (as provided for in Clause 43.01-2, to be listed in the schedule to the HO) to identify contributory elements and provide permit exemptions for works to non-contributory elements. However, he considered this approach to be unnecessary in this case where a relatively straightforward delineation can be made between items that should be retained under the HO and those '*that are not worthy of retention in the face of appropriate redevelopment*'.

In response to questions from the Panel, Mr Raworth conceded that the main factory building, at least, was of heritage significance but said that he did not see how it could be retained in a redevelopment of the site.

Given the contamination, dilapidation and ongoing use issues, Ms Westbrooke was of the view that the application of the HO to an area sufficient to allow the context of significant elements to be addressed in decision making, together with an incorporated plan provides the most appropriate framework for this site. She did not agree that public accessibility and visibility should be a primary consideration in the delineation of the HO.

Ms Westbrooke noted that it is not proposed to apply internal controls under the HO but she was not aware of the extent to which redundant equipment in the complex formed part of the structural fabric, the nature of contamination or the owners' plans for the site. At the Hearing Ms Westbrooke acknowledged that some reduction in the extent of the HO identified in presentations to the Panel may be reasonable (for example, exclusion of the timber yard). She considered the preparation of an incorporated plan (with permit exemptions and agreed areas of development) would assist with retention of the identified significance of the place while allowing for ongoing use of the site. The process of formulating an incorporated plan would allow appropriate consideration of issues such as the nature of contamination, constraints on reuse of existing buildings and the owner's plans for the site. Ms Westbrooke acknowledged that this further assessment may determine that the retention of some elements of the complex may not be justified or feasible.

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<sup>4</sup> The former Nestle site in Wellington Road, Mulgrave (HO86); the Richmond Terminal Station (HO276); and the former Melbourne Woollen Mills, Yarraville (HO81).

<sup>5</sup> For example, in relation to the former Australian Glass Bottle Works (later ACI) in Spotswood.

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Mr Wren, for Calleja, submitted that an Incorporated Plan is an unacceptable requirement as the contents are unresolved, the constraints imposed by it are unknown and it would be an impediment to investment decisions about the future use of this site.

#### 1.2.4 Planning Evidence

Mr Milner identified the strong strategic planning<sup>6</sup> and policy support and benefit to the broader community from development of this large, underutilised, Industrial 2 zoned land with excellent services<sup>7</sup> for employment purposes. He emphasised economic development considerations, highlighting the potential synergies from access to proximate brown coal resource and industrial land upon which that resource might be processed, both of which are owned by the Calleja Group.

Mr Milner's evidence referred to current proposals that illustrate the appeal of the site for industrial development and the potential economic benefit to the Bacchus Marsh economy, including:

- Development of a six hectare site to the north east of the JBD Industrial Park by a company involved in the calcification of limestone;
- An Energy Systems Australia<sup>8</sup> proposal to install 5 Cummins gas fired engines (10 megawatts generating capacity) on land to the immediate east of the boiler house as stage 1, with a second stage utilising the land the boiler house is on doubling the capacity. The project is set to commence works within the next 6 months; and
- Subdivision of two 2-hectare lots along the eastern boundary of JBD Industrial Park is being contemplated.

It was Mr Milner's opinion that:

*Wide ranging heritage provisions applying across this building stock would present serious constraints upon the land being able to serve its intended purpose. From an economic development perspective it would be preferable that any heritage provisions that are applied to the site are selective and confined to portions of the site in a manner that does not compromise its primary land use.*

#### 1.2.5 Discussion

##### The Site Inspection

The accompanied inspection of the site, including inside the key factory buildings, confirmed the high level of intactness of the elements of complex that have been identified as significant. It was also clear that very substantial pieces of redundant machinery are integrated within the complex and that this poses significant challenges for reuse of some

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<sup>6</sup> Including specific reference to the significant capacity of the site in the *Moorabool Industrial Areas Strategy 2001*.

<sup>7</sup> The site is served by a septic tank system that can support up to 380 persons; it is connected to town water and has its own high voltage transmission capacity with approximately 5 megawatts available (which could be enhanced if required), access by main roads to Bacchus Marsh and the freeway network. Mr Milner advised final discussions are taking place to provide JBD Industrial Park with access to the reticulated gas network.

<sup>8</sup> Mr Milner advised that Energy Systems Australia has been given the contract to generate power during peak periods, as Bacchus Marsh and the surrounding towns.

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buildings, particularly the boiler house but also the main factory building. The inspection confirmed that asbestos was widely used in the buildings.

### **Heritage Significance**

The Panel accepts the consensus expert view that the complex is of local heritage significance but we do not agree with the Proponent and Mr Raworth that the lack of public accessibility and visibility from the public realm justifies excluding from the HO elements that have been identified as contributing to the heritage significance. The exception to this judgement relates to the chipper house (building 5 on Figure 3).

The Panel considers the exclusion of the chipper house from the HO is appropriate, as:

- It is a relatively minor component of the original factory complex and has been substantially altered. The new fabric in the structure reduces its intactness;
- It is located at a considerable distance from the rest of the contributory buildings and would be an incursion into the vacant land; and
- This building could be excluded from the revised HO mapping without detriment to the significance of the site as a whole. It makes a limited contribution to the significance of the complex and the retention of this structure is not critical to the appreciation of the heritage place.

### **Other Considerations**

The Panel agrees with all parties and the experts' view that facilitating the reuse of heritage places is important and particularly challenging for industrial heritage places.

We do not dismiss the implications of either the contamination issues or the integration of very substantial factory infrastructure and machinery on the reuse of the complex. However, the Panel is not in a position to:

- Confirm the specific nature of the use of asbestos (for example whether it is within the window putty) or the risk it poses in either an undisturbed state or if it is removed/replaced. The management of this safety issue will need to be addressed irrespective of whether the HO applies but we recognise there will be costs associated with appropriate remediation; and
- Evaluate the potential to incorporate contributory buildings within development of the site. The Panel agrees with Ms Westbrooke that the information before us has not established that there is **no** potential for reuse of the buildings that contribute to the significance of the place.

The Panel recognises that Industrial 2 zoned land is a scarce resource and that the JBD Industrial Park land has been identified in planning strategies as an important asset for the Bacchus Marsh economy. We acknowledge advice that proposals are afoot for significant development of the broader site and these plans directly affecting the boiler house, which is one of the buildings identified as contributing to the heritage significance of the complex.

The Panel has not formed a view that there is **no** potential to conserve the contributory buildings at the JBD Industrial Park. Although the further evaluation associated with either an application for permit or the formulation of a management plan may establish that some buildings cannot be retained, we do not consider it is appropriate to remove the HO from contributory buildings as part of this Amendment.

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The application of the HO ensures that objectives to protect places of identified heritage significance, such as the former CSR Timbrock hardboard mill, are taken into account in planning decisions and that these objectives are balanced with the range of other planning considerations<sup>9</sup>. The range of relevant matters can be evaluated through permit and/or incorporated plan processes.

### **The Appropriate Planning Framework**

The first issue for consideration is the extent of the HO that should apply to the JBD Industrial Park.

The Panel has already commented that it considers all contributory buildings except the chipper house should be included in the HO. Council and Ms Westbrooke supported a post-exhibition contraction of the HO that incorporated all of the contributory components plus an extended area to enable the context of the heritage buildings to be considered and protected.

The Panel has a strong preference for the reduced area of HO166 to be mapped as a single polygon, rather than the 'serial' listing model proposed by Mr Raworth.

While a capacity to consider development in the vicinity of elements that contribute to that significance is important, the particular circumstances need to be taken into account. In this case, we note that newer buildings to the west of the complex already compromise the setting in that area. These should be excluded from the reduced area of HO166. Further, the Panel does not consider that control of development of land to the east of the boiler house or north of the main factory building is necessary beyond an area that would enable consideration of interface treatments. We suggest that a distance of five metres from contributory structures would serve that purpose. The boundary on the western side of the site should exclude the newer buildings (those not highlighted in pink in Figure 2).

While the merits of proposals for development of the site, including the demolition of buildings, can be evaluated through permit processes, the Panel sees merit in the development of an incorporated plan to provide certainty and appropriate exemptions from permit requirements.

As others are unlikely to be directly affected by the content of an incorporated plan (heritage management plan) for the site, the Panel considers it would be acceptable for such a plan to be incorporated as part of this Amendment if agreement is reached between Council and the property owner. Otherwise, a separate Amendment process would be required to apply the incorporated plan, or decisions would be made through the permit process alone. The development of an incorporated plan should not delay the remainder of the Amendment or cause a significant delay in the application of the HO to the JBD Industrial Park. Council could consider creating a third part to the amendment to enable the preparation and incorporation of a heritage management plan to be incorporated in the schedule to the HO. This course of action should be subject to a time limit, say 3 months, with the application of the HO proceeding without an incorporated plan if an agreement cannot be reached within that time. The Panel also notes that the timeframe for dealing

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<sup>9</sup> Clause 10.03 of the State Planning Policy Framework states *'Planning and responsible authorities must take account of and give effect to the policies applicable to issues before them to ensure integrated decision making.'*



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with the JBD Industrial Park may also be influenced by the length of the extension of the authorisation of the Amendment.

### **Panel recommendations**

**Reduce the extent of HO166 (JBD Industrial Park, Maddingley) on the west, north and east of the site to:**

- **Exclude the new buildings on the west of the site;**
- **Exclude the chipper house (building 5 shown on Figure 2 of this report); and**
- **Encompass the other elements identified in the statement of significance as contributing to the heritage significance of the complex, plus a distance of five metres around the perimeter of each contributory building (where these do not directly abut more recent buildings).**

**Consider implementing HO166 as a separate part of the Amendment to enable the addition of an incorporated plan that is agreed between Council and the owner within three months of advice to the owner of Council's response to this recommendation (if agreement cannot be reached on a heritage management plan within the nominated timeframe, the application of HO166 should proceed without an incorporated plan).**

### **1.3 91 Main Street, Bacchus Marsh (HO102) – Submissions Nos 25 & 26**

This property is a triple-gabled Victorian weatherboard cottage, with two brick chimneys.

The 1994 citation notes that the cottage and its neighbour at 93 Main Street (since demolished) may have been erected around 1890, when the Millbank Estate opened for subdivision. However, visual inspection suggested to the consultants that these houses could be much earlier, from around the 1860s.

The statement of significance reads:

*An early timber cottage built in the 1860s, or later, surviving intact near to the centre of the town.*

*It is of local historical significance as a representative embodiment of a way of life, 130 years ago. It is also significant as early to this locality.*

*The building is of architectural significance as a representative intact early cottage, a rare intact survival here.*

#### **1.3.1 Submissions and evidence**

Two submissions were received concerning this property, both opposing the application of the HO. As the property was vacant at the time, the owners had not received notification of exhibition of the amendment from Council, but only become aware of it from others. The house was in the process of being sold and they feared that the purchaser would have grounds to withdraw.

The submission recorded a number of changes that had been made to the cottage since the original citation was prepared, including:

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- The verandah had been replaced so that it now merged with the side verandah, and the enclosed section and its windows removed, with the result that the façade was completely changed;
  - All the windows had been replaced;
  - The rear chimney had been absorbed within the structure;
  - The weatherboards had been renewed and the paint colour altered; and
  - The wire fence had been replaced with palings.

One submitter stated that, according to documents in her possession, the cottage was built in 1906, not the 1860s. This submission also pointed out that the cottage occupies a relatively large lot, close to the centre of Bacchus Marsh and has redevelopment potential. The submitters believed that the HO would constrain the use of the land unfairly.

Ms Westbrooke, after reviewing the submissions, concluded:

*I have inspected the site and confirm that as identified by the submissions, this residence has been substantially altered. Of particular note is the replacement of the original windows to the front facade of the building and the construction of a new verandah surrounding two sides of the building. While the roof form appears to be intact, this is not considered to be sufficient original fabric to justify a level of intactness upon which the significance of this property is primarily based. In addition, without a firm construction date, the significance of the property cannot be based on its early construction. The history indicates a late 1880s construction date and there are other buildings of greater intactness dating from this period recommended for the Heritage Overlay. The matters raised in the submissions with regard to sale of the property and the unknown potential overlay listing relate to the amendment process and will be addressed by the planning department.*

*The significance of this property as identified in the citation is primarily based on the intactness of this building. I believe that the building is no longer sufficiently intact to justify this significance. As a result I recommend that this property be removed from the current planning scheme amendment.*

Ms Westbrook's statement of evidence concerning this dwelling reiterated her recommendation that the property should be removed from the current planning scheme amendment.

Council indicated that it had accepted Ms Westbrooke's advice and intended to delete the property from Amendment C6.

The Panel questioned Ms Westbrooke about the degree of alteration that was acceptable for a very old building and the extent to which the changes to the cottage could be regarded as routine maintenance and renewals. She responded that it depended to some extent on the heritage criteria against which the building had been assessed as meeting the threshold for listing. In this case, the significance attributed to it was partly architectural, where the issue of intactness was important, and partly historical. Ms Westbrooke pointed out that the potential 1860s date for the building had not been confirmed and she believed that there were some details, such as the chimneys, which indicated a later period of construction. If the house dated from the 1860s, she thought it would be worthy of HO listing despite the changes to the fabric, but if it was from the 1880s or later, there were a number of more intact houses from that period in Bacchus Marsh.



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The National Trust of Australia (Victoria) originally indicated it did not oppose the exclusion of a number of properties, including this one, from the amendment. However, after questions from the Panel, Mr Roser and his Trust colleagues inspected the cottage from the street, and subsequently advised that they considered that it was still sufficiently intact to warrant application of the HO. Mr Roser pointed out that the form of the building was still evident in the three gables and the two brick chimneys were still intact.

Ms Del Papa, the new owner, appeared on Day 3 of the Hearing to oppose application of the HO to the property. She advised the Panel that the land title for the allotment is dated 1903.

### **1.3.2 Discussion**

The Panel has found this a difficult property to assess, in terms of whether it meets the threshold for listing under the HO.

Some features of the design, such as the steep pitch of the gables, reflect the 1860s but others, such as the chimneys, point to a later construction date. It is possible that the cottage was moved to this site from elsewhere, and the external chimneys were added at that time.

We agree with Mr Roser that the form of the building is still clearly evident and that the chimneys are intact. Although the windows have been replaced, the original window openings appear to have been retained. The verandahs, though not of the same design as the original, are not inappropriate and their decoration is restrained. The removal of the enclosed section of verandah has probably returned the façade to something more like its original appearance than was the case in 1994. The replacement of the weatherboards could be seen as consistent with the renewals of fabric that are required to maintain a very old timber building.

However, no documentary evidence has been found to support the speculation about the early origin of the cottage. The original study noted that this area of Bacchus Marsh was subdivided around 1890 and, as Ms Del Papa told us, the land title is dated somewhat later again.

If this building were located in a heritage precinct, it would undoubtedly qualify as contributory. However, for an individual listing, the threshold has to be set higher.

The Panel has, therefore, accepted Ms Westbrooke's advice that the potential 1860s date of the property cannot be confirmed and that there are better examples of houses from the 1890s to the early 1900s, the era in which it was most likely to have been constructed.

### **Panel Recommendation**

**Remove the property at 91 Main Street (proposed HO102) from Amendment C6 Part 2.**

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## 1.4 'Woodlands', 229 Long Point Road, Myrniong (HO182) - Submission No 46

'Woodlands', the property at 229 Long Point Road, Myrniong (HO182) contains an early farmhouse, several windmills and a number of pine windbreaks.

The original statement of significance in the 1994 citation concentrated on the significance of the three windmills, as the residence – '*possibly built in 1865 of freestone*' – was barely visible and not able to be described or assessed.

The citation did not give a street number for the property, but it was identified for the purposes of the Amendment as 231 Long Point Road, Myrniong. This property was mapped and notification was sent to its owner.

### 1.4.1 Submissions and evidence

The submission from the owner of 231 Long Point Road, Myrniong, advised that his property was '*Braeside*' and '*Woodlands*' was next door.

This submission was received after Ms Westbrooke had prepared her response to submissions. After the correct address was determined, the Shire planning officers visited '*Woodlands*' and confirmed that it was the property described in the original citation. Council supplied to the Panel a number of photographs taken on this occasion. These show the rubble stone homestead and a number of other elements of the complex.

On the basis of the information supplied by Council officers, Ms Westbrooke revised the comparative analysis and statement of significance, but did not produce a completely new citation. The '*Why is it Significant?*' statement now reads:

*The Farm Complex at 231 Long Point Road, Myrniong is of local historical significance for its demonstration of the early settlement of the Myrniong area for agricultural purposes. With the retention of a number of outbuildings and structures dating from the 1860s, the property is of historical significance for demonstrating the workings of a farm in the 19<sup>th</sup> century.*

*The Farm Complex at 231 Long Point Road, Myrniong is of aesthetic significance for its 1860s rubble stone farmhouse, which is a rare surviving example of the building type in the area. The Farm Complex is also of aesthetic significance as a substantially intact complex of early farm structures, including the 1860s farmhouse with later additions and timber outbuildings. The surviving windmills also contribute to the significant farm landscape.*

*The Farm Complex at 231 Long Point Road, Myrniong is of scientific significance for the intact windmills contained on the property.*

Ms Westbrooke inspected '*Woodlands*' in January 2013. Her statement of evidence to the Hearing said that the inspection strengthened her view that the place was of local historical and aesthetic significance. She recommended that a full revised citation should be prepared for the property using the new comparative analysis and incorporating changes to the statement of significance (as shown above).

Council's submission to the Hearing described discussions with the owner concerning potential changes to the property, particularly regarding replacement of senescent trees.

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The officers proposed an incorporated plan under Clause 43.01-2 of the Planning Scheme (which would be listed in the schedule to the HO), to provide greater certainty to the owner. An incorporated plan was drafted by Council officers and reviewed by Ms Westbrooke. Her statement of evidence stated that she supported the use of such a document to clarify the extent of the HO and assist with assessment of any future permit applications for the site. However, she pointed out that care would need to be taken to ensure that the description and statement of significance in the incorporated plan were the same as in the proposed revised citation. In addition, Council indicated that it would seek arboriculture advice regarding tree management and propagation, for inclusion in the final version of the incorporated plan.

Council advised that the draft incorporated plan had been sent to the owner, along with formal notification of the Amendment (as it affected this property), following the Directions Hearing. The owner requested additional time to consider the matter and respond. The Panel agreed to hear a submission on this property on Day 3 of the Hearing or to receive a written submission.

Ms Lidgett presented to the Panel on 3 April 2013. She tabled a series of photographs and described the various components of the property. While she recognised its heritage values and did not oppose listing under the HO, she was keen to ensure that the resulting controls did not interfere with the operation of her farm business.

In particular, she explained the difficulties of obtaining original parts for the one working windmill, which is essential for watering stock. She also had concerns about the provisions of the draft incorporated plan as they relate to the windbreak plantings, shown as Tree Plantations (TP1 to TP5) on the aerial photo that forms part of the plan. She pointed out that the row of trees numbered TP4 is located on the neighbouring property, not on 'Woodlands'. In addition, she described the difficulties of establishing new trees to replace the senescent pines, which no longer provide good shelter. The trees in a row of Golden Cypress planted some years ago parallel to TP1 have not grown well due to drought conditions and competition from the established pines. Ms Lidgett referred to the dot point in the draft incorporated plan that provides that no permit is needed for '*Replacement of senescent trees in TP1, TP2, TP3, TP4, TP5 with a suitable species. Replacement trees of the same species are planted as soon as possible.*' In her view, this was not realistic, as replacing an individual tree would involve removal of the stump (which would be very expensive) and a new tree was unlikely to thrive under the shadow of its fully-grown neighbours.

#### **1.4.2 Discussion**

The Panel accepts Ms Westbrooke's assessment that the farm complex at 229 Long Point Road, Myrniong (HO182) is of local heritage significance and supports her suggestion that a revised statement of significance should be prepared to reflect all elements of the significance of the site. We also agree with the benefits of applying an incorporated plan to assist with management of the heritage values of the place. The Panel recognises the very significant challenges associated with both maintaining and replacing senescent windbreaks as raised by Ms Lidgett. We endorse, in general terms, the provisions proposed in the draft incorporated plan, but agree that arboricultural advice on the provisions relating to tree management, particularly for the windbreaks, is highly desirable before the plan is finalised. This advice should include whether it is realistic to require the maintenance of the windbreaks.

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The Panel is, on principle, wary about applying incorporated plans as a post exhibition process, particularly where they have the potential to disadvantage neighbours by allowing permit exemptions under the HO in manner that is not transparent. In this case, however, it seems that neighbours are unlikely to be affected in any way by the exemptions proposed in the draft incorporated plan. The Panel is therefore comfortable with the idea of the draft being refined – in conjunction with preparation of a consolidated citation for the place and in consultation with the owner and the Heritage Advisor – and included as part of Amendment C6 Part 2 when it is put up for adoption and approval. If the incorporated document cannot be finalised in the timeframe of the amendment, an approach could be made to the Minister to prepare an amendment to incorporate it at a later date.

In passing, the Panel notes from the aerial photographs that 'Braeside', at 231 Long Point Road, Myrniong (the property originally mapped in mistake for 'Woodlands') also appears to be an interesting complex of farmhouse, outbuildings and windbreaks. It should be considered for investigation as part of ongoing heritage studies for Moorabool Shire.

The panel concludes that the HO should be applied to the farm complex, 'Woodlands', at 229 Long Point Road, Myrniong (HO182) and an incorporated plan should be agreed with the owner.

#### **Panel recommendations**

**Alter the address in the schedule entry for HO182 – Farmhouse 'Woodlands', windmills and landscape – to 229 Long Point Road, Myrniong and amend the HO mapping to identify the correct property (excluding the row of pines to the south of the homestead complex, which are located on the adjoining property).**

**If the draft incorporated plan for the property at 229 Long Point Road, Myrniong can be finalised to the satisfaction of the owner and Council within the timeframe for adoption and approval of Amendment C6 Part 2, include it as part of the Amendment.**

### **1.5 33 Clarinda Street, Bacchus Marsh (HO59) – Submission No 47**

This property is a 1960s contemporary-style dwelling, built as a residence for the manager of the Bacchus Marsh hospital. The 1994 statement of significance read:

*A fine Modern brick house, set in an interesting garden contemporary with the house. It was built in 1965, designed by the architects for the hospital as a residence for the hospital's manager.*

*It is of local architectural significance as representative of an architectural and landscape design style. As a purpose-built staff residence, it is also significant as a relatively rare example of this building type.*

The citation noted that the building's intactness was excellent externally and the garden layout had not been altered. The description included a list of some of the plant species represented in the garden.

The HO59 schedule entry for this property, exhibited as part of Amendment C6, proposes to apply tree controls but no controls on internal alterations.

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## Submissions and evidence

A late submission was received concerning this property, enclosing a letter written to Council in 2002 when heritage controls were first mooted. The owners objected to the application of the HO on the grounds that it would be an imposition to have to seek permits for changes to the house or maintenance of the garden, and that heritage listing would make the property more difficult to sell and might reduce its value. The 2002 letter catalogued a number of changes to the plants identified as significant in the original (1994) citation and to the fishponds in the garden. It also noted that the back portion of the lot had potential for subdivision.

The 2010 submission pointed out that a new house was nearing completion on what had been the rear of the property. It also noted that the timber fence had been replaced in colorbond. The letter continued:

*We firmly believe that having the home Heritage listed serves no purpose for a much altered property which, due to its age and design, is now requiring continual maintenance, repair and yes, alterations.*

The submission stated that the local hospital building, originally designed and built in a similar style to the house, had also undergone many transformations to make it more in tune with current needs.

Council's submission to the Hearing pointed out that, due to the late receipt of the submission, this property was not included in those reviewed by the Heritage Advisor. However, it was considered in the peer review of residential properties and Ms Westbrooke had prepared a revised comparative analysis. This noted that there were only a few architect designed mid-20<sup>th</sup> century residences in the former Bacchus Marsh Shire. With the proposed deletion from the amendment of the former CSR houses in Gisborne Road, this property was the only architect-designed 1960s building recommended for inclusion in the HO through this amendment. It concluded:

*The building is substantially intact and is distinguished by its architectural design and historical associations with the hospital of the same period across the road designed by the same architect.*

### *Discussion of Significance*

*This building is a particularly good example of a 1960s architect designed dwelling and is therefore of architectural significance. The building is also of historical significance for its construction as the Hospital Manager's residence. It has historical significance for its associations with the hospital of which there is still a visual association in proximity (across the road) and style.*

Ms Westbrooke believed that the significance of the property met the threshold policy and it should be retained in the amendment.

The revised statement of significance reads:

*What is significant?*

*The Residence and its setting at 33 Clarinda Street, Bacchus Marsh.*

*How is it significant?*



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*The Residence and its setting at 33 Clarinda Street, Bacchus Marsh is of local historical and architectural significance to the Shire of Moorabool.*

*Why is it significant?*

*The Residence and its setting at 33 Clarinda Street, Bacchus Marsh is of local historical significance for its associations with the development of health care facilities in Bacchus Marsh. The residence was built in c. 1965 for the manager of the newly completed [hospital]. It is also of significance for its associations with John Gray Wells, a local contractor who built a number of buildings in the township including St. Andrew's Church in Gisborne Road. The bricks for the house were also from Wells' own brickyard situated behind the house.*

*The Residence and its setting at 33 Clarinda Street, Bacchus Marsh is of aesthetic significance as an excellent intact and representative example of an architect designed 1960s residence. Constructed in circa 1965 the building was designed by the same architect who designed the hospital located directly opposite the property.*

*Particular features of note that demonstrate the 1960s style of architecture are the large glazed wall areas, low pitched roof with broad eaves, eaves extending to form a pergola, integral garage, broad oblong chimney and the pale grey brick walls and steel deck roof cladding.*

Ms Westbrooke's statement of evidence for Day 1 of the Hearing included the following comments on this property:

*The property at 33 Clarinda Street, Bacchus Marsh is of local historical and aesthetic significance based solely on the substantially intact 1960s architect designed residence at the site. Given the changed nature of the original garden, the property is therefore recommended for inclusion in the Heritage Overlay without reference to its garden setting. A revised citation should be prepared for the site that removes reference to the garden setting.*

Ms Westbrooke summarised her views on the heritage significance of the property in her expert witness statement:

*As identified by the owners and confirmed by site inspection, it is determined that the original garden setting of the house at 33 Clarinda Street, Bacchus Marsh is no longer intact and a good example of a 1960s garden contemporary with the house on the site. The site however still contains an excellent intact example of a c. 1960 architect designed residence originally built for the Manager of the Bacchus Marsh and District War Memorial Hospital. It is therefore recommended that the property at 33 Clarinda Street, Bacchus Marsh be included in the Heritage Overlay based on the local significance of the residence only.*

She went on to respond to the matters raised by the owners in their submissions. She concluded that:

- Construction of the new house has impacted on the intactness of the original garden but has not affected the original residence or its appearance as viewed from Clarinda Street;

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- Internal alterations have not impacted on the external appearance of the building or its identified significance; and
  - The garden has been considerably altered since the original assessment and the new colorbond fence detracts from its potential significance.

In response to a question from the Panel, Ms Westbrooke advised that she was reasonably confident that the various heritage studies and reviews had identified the 1960s houses in the former Shire of Bacchus Marsh and that the revised comparative analysis was a fair assessment of the relative significance of 33 Clarinda Street. She also advised that she had been unable to identify the architect for the hospital or the house.

Council supported the recommendation that the property should be retained in the amendment and sought the advice of the Panel regarding the application of tree controls.

Ms Mundy, in a supplementary submission on behalf of the owners presented on Day 3 of the Hearing, raised concerns about the process undertaken by Moorabool Shire Council in regard to the application of heritage controls on this property. These related to an initial lack of consultation, failure to respond to letters including written requests, potential trespass on the property and the lapse of time between the 2002 informal consultation about potential heritage controls and the 2010 notification of the exhibition of Amendment C6. The owners believed that their original objection would be taken into account, so did not make a formal submission on the amendment. They subsequently wrote to Council in December 2010, after the exhibition period, reiterating their opposition to an HO and enclosing the earlier letter. According to an email from a Council officer, this correspondence was not brought to the notice of the Strategic Planning Unit until a further follow-up letter was received in August 2011. This was after the post-exhibition meetings between officers, the heritage consultant and affected landowners, so the owners of 33 Clarinda Street were not included in these consultations. However, Council considered the submission at its meeting in September 2012. The owners received correspondence concerning the scheduling of the Panel Hearing but did not feel that they had sufficient time or resources to respond. Ms Mundy put the view that there had been an absolute failure of due process and that this was extremely unjust and inequitable.

In addition to process matters, Ms Mundy's submission to the Hearing pointed out a number of factual errors in the original citation or significant changes since that time, including:

- The date on which the present owners bought the house from the hospital was incorrect;
- The garden described in the citation was not original but had been planted by the current owners. Since that time, many of the trees listed had been removed for safety reasons and the fishponds filled in;
- The block was subdivided in 2004 and a new house was built on a lot to the rear;
- The large glazed wall areas were not Stegbar modular windows, as suggested, but were constructed on site. The original sliding door units had been replaced and some opening windows were in need of replacement as they were no longer functional;
- There had never been an external pergola on the front or sides of the house;
- The exterior of the house had been altered by the addition of a new carport adjoining the double garage, the back door had been relocated and the back porch removed, the original rear paving had been replaced and the external guttering had been modified and drain pipes replaced with plastic pipes to try to rectify a design fault (related to the



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flat roof) that caused water to run back under the eaves into the roof cavity during heavy rain;

- The chimney had been altered by means of a pipe extension to make it draw properly; and
- The timber fence had been replaced by a colorbond fence located much closer to the street, thus reducing the visibility of the property.

Ms Mundy also confirmed the comments in the citation about extensive internal alterations that had been made to the house, from the time when it was occupied by the hospital manager and his family.

The supplementary submission also drew attention to errors in the excerpt relating to 33 Clarinda Street from Ms Westbrooke's peer review of residential places dated July 2012. These included:

- The house is not constructed of bricks made locally by John Grey Wells, but common commercial Besser Ranger bricks;
- Mr Wells' brickworks was not located at the rear of the house, but off Crook Street, on the other side of the town; and
- Mr Wells is listed as the builder of St Andrew's Presbyterian Church (1856) and as a Shire Councillor in 1910, so it is most unlikely that he could have been involved with producing the bricks for the Clarinda Street house.

Ms Mundy also noted that the 2012 peer review report asserts that the property and its setting is significant because of its '*visual association in proximity and style*' to the Bacchus Marsh Hospital across the road. She pointed out that the hospital had undergone very extensive renovations and alterations and that there are now virtually no similarities of style or visual connection with the house at 33 Clarinda Street. A new hospital emergency department has been built on the Clarinda Street frontage, a large sign obscures the roof and the brickwork has been painted a different colour from the house.

Ms Mundy also took issue with the claim that the house is one of the very few remaining intact 1960s or mid-20<sup>th</sup> century residential buildings in Bacchus Marsh. She noted that Council proposed to remove the former CSR houses from the amendment due to 'major flaws in the assessment of these buildings and alterations undertaken since the study occurred'. She argued that the same reservations should apply to 33 Clarinda Street.

In addition, Ms Mundy identified a number of other intact '*mid-century*' buildings in Bacchus Marsh and Moorabool Shire, which have not been considered for heritage listing. These included:

- 32 Malcolm Street, a modernist brick building, also architect designed and similar to 33 Clarinda Street, in the modernist style with flat roof, wide eaves and large panels of glazing, built by Merchant Builders for the Myers Family;
- A house in Malcolm Street that was built in the late 1960s;
- 5 McFarland Street, built in the late 1950s; and
- 12 Millbank Street, the first cement-based building in Bacchus Marsh, which pre-dates 33 Clarinda Street.

The supplementary submission also noted that records showed that the house was built in 1964, seven years after the hospital was opened, and that no evidence had been produced to indicate that it was built or designed by the same firm.

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Whilst acknowledging the aesthetic qualities of the design, Ms Mundy pointed out that a number of major building faults were inherent in the design and changes to the structure would be needed to overcome these. She stated that the owners feared that heritage controls would mean that they would be required to maintain the façade as it is and to retain the faulty windows.

### **Discussion**

With regard to Ms Mundy's comments concerning the process involved in application of heritage controls in Bacchus Marsh, the Panel understands the confusion and frustration experienced by some residents during this protracted period. However, it is clear that the owners of 33 Clarinda Street received appropriate notice of the exhibition of Amendment C6 but did not, for various reasons, make a submission during the specified period. It is unfortunate that their subsequent letter was not identified immediately as a late submission on the amendment. However, it was eventually taken into account in the assessment of the heritage significance of the property and was considered by Council. The owners had the opportunity to present a supplementary submission to the Panel and, due to the scheduling of the Hearings, were given additional time in which to prepare. The Panel therefore concludes that there has not been a significant failure of process in this case.

In relation to the potential heritage significance of the property at 33 Clarinda Street, Bacchus Marsh, the Panel considers this has not been established sufficiently to justify listing under the HO at this stage, even though we acknowledge that it an interesting design and substantially intact.

We accept that the house was built as a residence for the manager of the hospital and was occupied by the holder of that position for approximately 15 years. However, no details have been provided of the individual(s) concerned or their contributions to the town that might give support to the historical significance claimed for the building.

The Panel also accepts that there were certain stylistic similarities between the design of the hospital and the house. However, as Ms Mundy has pointed out, attributing them both to the same architect is supposition and may not be correct, given the lapse of time between the construction date of the hospital and that of the house.

Furthermore, it appears to the Panel that the identification of 1950s and 1960s houses in the former Shire of Bacchus Marsh is incomplete and has been somewhat haphazard, rather than resulting from a systematic assessment. Until such an assessment is carried out, it is difficult to judge the relative significance or architectural value of the property at 33 Clarinda Street compared with others from the same period. As a result, the Panel considers that this property should be deleted from Amendment C6 Part 2.

### **Panel Recommendation**

**Remove the property at 33 Clarinda Street (proposed HO59) from Amendment C6 Part 2.**

## 2 Consideration of 86 – 92 Lerderderg Street, Bacchus Marsh (HO95)

The original 1994 citation for this 86-92 Lerderderg Street, Bacchus Marsh (HO95) referred to two nineteenth-century brick cottages, one (Hobler’s Cottage) erected in 1846-48 and the other (‘Riverton’) in 1873. It included photographs of one of the cottages, identified as ‘Riverton’, but noted that the other was not visible from the road.

At the Directions Hearing on 1 February 2013, Council advised the Panel that a recent review had shown that the site(s) of ‘Riverton’ and ‘Hobler’s Cottage’ – listed together as HO95 – had been incorrectly mapped in the exhibited Amendment C6. Officers now believed that the cottages in question were located on the same property, but to the north near the Lerderderg River, off the end of Masons Lane (Figure 5).

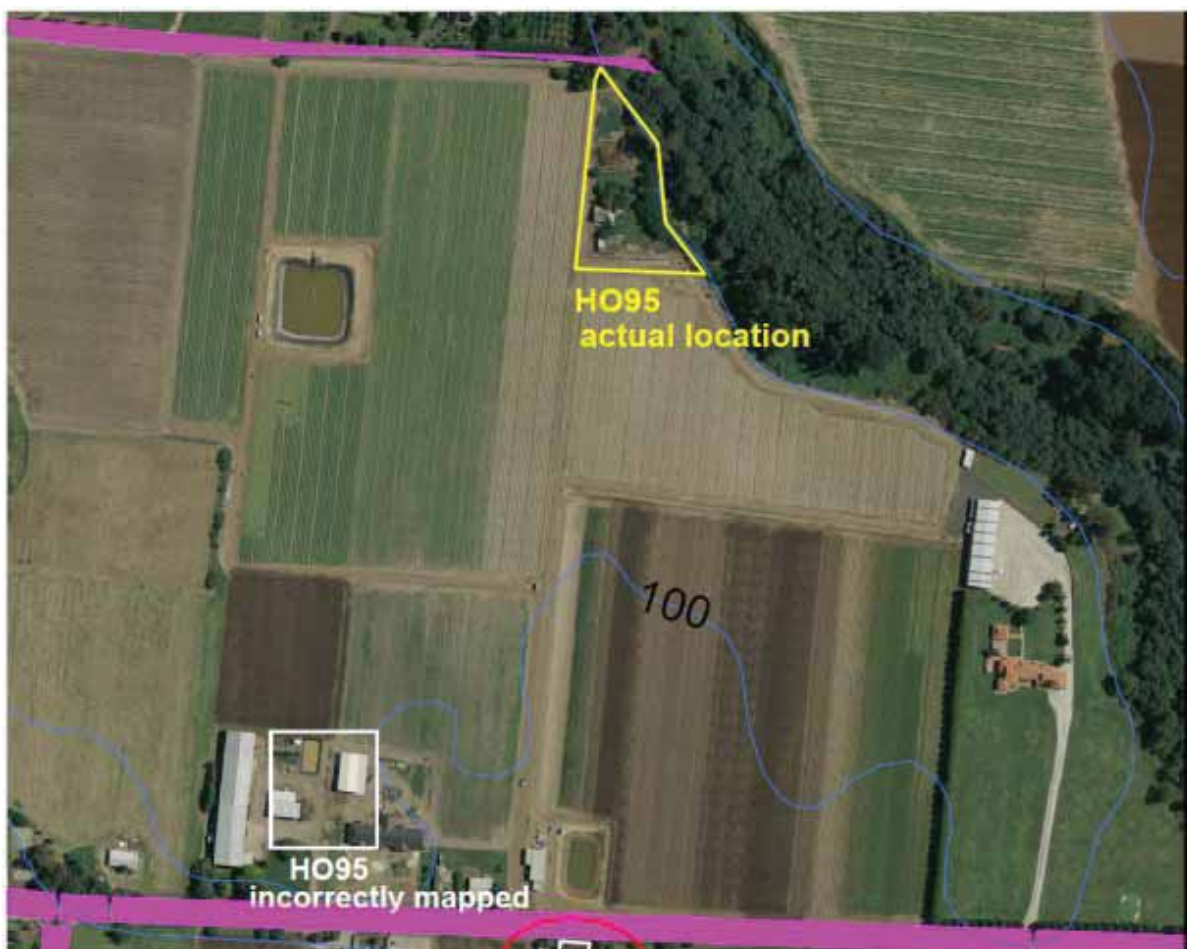


Figure 5 Mapping for HO95 – ‘Riverton’ and ‘Hobler’s Cottage’, Lerderderg Road, Bacchus Marsh

No submission had been received concerning this property. Council proposed to send a further notification to the owner, calling attention the error and advising that the polygon for HO95 was to be moved to the northern site. The Panel agreed to this course of action.

At the Hearing on 4 March 2013, Council advised that no response had been received to the further notification. Council submitted that the property had met the test of local significance and that the maps should be adjusted accordingly.

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Ms Westbrooke, in her expert witness statement, explained the source of the error:

*As I understand it, the proposed extent of this property as exhibited in 2010 was thought to have covered one of the buildings identified in the original citation (in the Bacchus Marsh Heritage Study 1995) as indicated by the diagram in that citation. What appears to have occurred is that the buildings associated with the early property were not properly located for the purposes of the 1995 Study and the incorrect location has been perpetuated in subsequent reviews (including my review as part of the Significance Threshold Policy & Peer Review of Residential Places, July 2012). The historic brick building located within the exhibited proposed extent may well have been one of the buildings in question but it has since been demolished.*

*Further investigation by Moorabool Shire planning officers has located a complex of early buildings at the end of Masons Lane on the edge of the Lerderderg River and at the northern end of the same property. Initial investigations suggest that at least one of the buildings on this site matches the description of one of those contained in the original citation for the proposed HO95.*

She recommended:

*Further investigation should be undertaken to confirm the history and description of the complex of buildings located at the end of Masons Lane. If it is confirmed that this complex of buildings is associated with the Lardedark Run (cited in the original citation), an up to date citation should be prepared and used as justification for inclusion of HO95 in the Heritage Overlay.*

The Panel has considered the material supplied by Council, including the original 1994 citation and photographs taken in 2001 and 2009. These indicate that the brick building viewed by Peterson and Catrice in 1994, identified by them as 'Riverton', was located close to Lerderderg Street, within the HO95 polygon in the exhibited mapping. Images on Google Maps 'street view' (dated November 2009) and on Google Earth both show the building still in existence. However, the later image supplied by Council (used in the Figure above) indicates that this cottage has been demolished and a new shed built in its place, apparently in association with a large new house also built recently, closer to Lerderderg Road.

The 1994 and 2001 images both show a brick building with a single gable roof and an external brick chimney. The building in the 2009 image has no chimney and most of the end wall has collapsed or been demolished. At first, we could not determine if this was the same building as in the 2001 photograph, as it was taken from a different vantage point. However, the Google 'street view' images from November 2009 confirm that it is the same cottage.

The 1994 citation contains historic photographs obtained from the National Trust file on the property. One, labeled 'Original Hobbler [sic] cottage', shows a brick building with a relatively steeply pitched roof and a single gable. The end shown in the photo has neither chimney nor windows. Two other photos, one labeled 'Second part Hobbler cottage' and the other simply 'Hobbler cottage' show a hip roofed building with small, almost square windows and a chimney. This may be an addition to the 'Original' cottage, as there appears to be a gap in the roofline that corresponds with the location of the chimney; it is not possible to determine whether the other end of the building has a hipped or gabled roof.



The fourth photo is labeled 'Later Hobbler cottage' and shows a brick cottage with a single gable and a lean-to section at the back, an internal chimney and tall 12-paned windows at the front. There are also windows in the end wall, one of which appears to be the same size and shape as the front windows and the other to be smaller. This building corresponds with a 2013 photograph of the main surviving building on the northern site near the Lerderderg River and with another historic photograph of 'Riverton' (taken from the Bacchus Marsh Heritage Guide 2003) – which was also included in Council's submission (shown in Figure 6 below).



The image in the Bacchus Marsh Heritage Guide of 'Riverton' has many matches in detail to the structure at the location identified in 2013



**Figure 6** Photographs of 'Riverton' (historic) and the building on the site south of Masons Lane

The Panel believes that the brick building near Lerderderg Street was identified in error as 'Riverton' in the 1994 fieldwork. It may or may not have been 'Hobler's Cottage' (or a part of it) but that is now academic, as the property has been demolished. On the other hand, the remnants of 'Hobler's Cottage' may yet be found adjacent to 'Riverton' on the northern site. If so, it would add greatly to the heritage significance of the place, as pre-Gold Rush buildings are rare throughout Victoria.

Notwithstanding the doubt about the location and/or continued existence of 'Hobler's Cottage' the Panel considers that 'Riverton', dating from 1873, is of sufficient local heritage significance to justify the application of the HO to the northern site, as proposed by Council.

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Further investigation should be undertaken to document the complex of buildings located on this site and the citation should be amended accordingly.

**Panel recommendations**

**Alter the description in the HO schedule for HO95 to 'Riverton' and amend the mapping to identify the correct location on the property (as proposed by Council).**

### **11.3 COMMUNITY SERVICES**

*No reports for this meeting.*



## 11.4 INFRASTRUCTURE SERVICES

### 11.4.1 Draft Asset Management Plan: Part A – General Information

#### Introduction

File No.: 08/01/002  
Author: Keith Linard  
General Manager: Phil Jeffrey

#### Background

Council is responsible for some \$365 million worth of infrastructure assets that include the roads and street network, underground drains, buildings and facilities and parks and recreational facilities. Council seeks to ensure that these infrastructure assets are effectively managed so as to meet current and future service delivery goals.

To assist this, an Asset Management Plan is being prepared which addresses all major asset groups, sectioned in separate parts as follows:

- Part A - General Information: Background or information common to all assets
- Part B – Road Asset Management Plan
- Part C – Buildings & Structures Asset Management Plan
- Part D – Drainage Asset Management Plan
- Part E – Recreation and Open Space Asset Management Plan

Part A, this document, contains supporting information common to each of the subsequent parts of the overall asset management plan, in particular the demographic, economic, business and commercial factors which drive the demand for Council services. It sets out the general principles of life cycle asset management and summarises the asset management practices being implemented in Council.

#### Proposal

That Council adopt the Asset Management Plan: Part A - General Information.

#### Policy Implications

The 2009–2013 Council Plan provides as follows:

<b>Key Result Area</b>	Key Result Area 3 – Enhanced Natural and Built Environment
<b>Objective</b>	Long term asset management

**Strategy** Develop long term Strategic Asset Management Plans for all Council assets to manage current and future assets needs.

The proposal is consistent with the 2009-2013 Council Plan.

### **Financial Implications**

There are no financial implications associated with the recommendation within this report.

### **Risk & Occupational Health & Safety Issues**

There are no risk or OH&S implications associated with the recommendation within this report.

### **Communications and Consultation Strategy**

There has been no direct community consultation in the preparation of this plan required. However, all parts of this plan identify and take into account data on community aspirations and feedback from diverse sources including surveys, customer requests and representations to Council.

This plan will be available on Council's website and at Council offices.

### **Victorian Charter of Human Rights and Responsibilities Act 2006**

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

### **Officer's Declaration of Conflict of Interests**

Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

*General Manager – Phil Jeffrey*

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

*Author – Keith Linard*

In providing this advice to Council as the Author, I have no interests to disclose in this report.

## Conclusion

Although not a legislated requirement, Asset Management Plans are considered best practice and is a criterion under the National Asset Management Assessment Framework (NAMAF) and the MAV STEP Asset Management Program. Given the content of the plans, endorsement by Council is considered warranted and is being recommended.

## Recommendation:

### That Council:

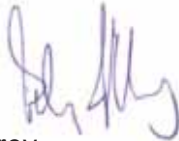
1. **Endorses the Asset Management Plan: Part A – General Information (Version 1.0 dated May 2013).**
2. **Makes the document publically available by placing a copy on Council's website.**
3. **Requests Officers to undertake a review of the document within 24 months of endorsement.**

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## Report Authorisation

### Authorised by:

**Name:** Phil Jeffrey  
**Title:** General Manager Infrastructure  
**Date:** Wednesday 5 June 2013



# Attachment - Item 11.4.1

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# Moorabool Shire Council

## May 2013

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## ASSET MANAGEMENT PLAN

### PART A - GENERAL INFORMATION



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# ASSET MANAGEMENT PLAN

## PART A - GENERAL INFORMATION

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### Amendment Register

Issue	Date	Details	By
Ver. 1.0	23 May 2013	Final draft for Council approval	KTL

NB: 1. Primary number changes to Versions (e.g. V1.01 to V2.00) will be made when the document undergoes its regular review or when significant changes are made to standards and guidelines for inspections, intervention levels or work

2. Secondary number changes (V1.00 to V1.01) will apply to minor amendments that do not materially impact the document and are intended only to clarify or update issues.



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Asset Management Plan – Part A General Information

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## 1 EXECUTIVE SUMMARY

Council asset management is about being a custodian for the heritage bequeathed to the community by previous generations, using it wisely for the current generation and passing it on in an enhanced condition to our successors.

This heritage includes roads, bridges, footpaths, drainage structures, parks and reserves and buildings. In fact, Moorabool Shire Council manages physical assets with a value of approximately \$365 million. These provide the foundation for Council to work towards its vision for Moorabool, “viable and vibrant communities with strong identities forming an integrated Shire.”

The 2009-2013 Council Plan identifies the objectives which provide the context for effective asset management. (This Plan is current under review.)

Sound asset management requires the planning and acquisition of the most appropriate assets to meet current and future service delivery demands. This requires informed decisions about which assets are needed, in what condition, where and in what numbers. Asset planning is made with careful consideration of the needs and costs of maintaining and operating the assets over their life cycle, including their renewal, upgrade, replacement or disposal.

The framework for development of Council’s AMP is the Institute of Public Works Engineering Australia’s (IPWEA) *International Infrastructure Management Manual* (IIMM) which sets out how a Council’s assets should be managed from a strategic, tactical and operational perspective.

The plan is sectioned into separate parts based on Asset Groups:

- Part A – General Information: Background or information common to all assets.
- Part B – Road Asset Management Plan
- Part C – Buildings & Structures Asset Management Plan
- Part D – Drainage Asset Management Plan
- Part E – Recreation and Open Space Asset Management Plan

Part A contains supporting information common to each of the subsequent documents, in particular the demographic, economic, business and commercial factors which drive the demand for Council services.

The remaining parts provide strategic information for Council and the community on each specific asset group, including the asset holdings, asset condition, the cost of ownership including maintenance and renewal, levels of service, future demand. In particular, each Part will provide details of the long-term funding requirements for asset sustainability and any forecast funding gap.

---

## 2 INTRODUCTION

### 2.1 Background

#### 2.1.1 Plan format

The framework for development of Council's AMP is the Institute of Public Works Engineering Australia's (IPWEA) *International Infrastructure Management Manual* (IIMM) which specifies the content and format of such plans. The MAV, through the National Asset Management Assessment Framework has endorsed and added to the AMP framework. The plan is sectioned into separate parts based on Asset Groups:

- Part A – General Information: Background or information common to all assets.
- Part B – Transport Assets Management Plan
- Part C – Buildings & Structures Assets Management Plan
- Part D – Drainage Assets Management Plan
- Part E – Recreation and Open Space Assets Management Plan

Table 1 lists the respective AMP parts and the associated value and percentage of all Council fixed assets covered by those parts. Plant, equipment, furniture and fittings, which comprise 1.8% of fixed assets, and land assets, will be addressed in subsequent updating of the AMPs.

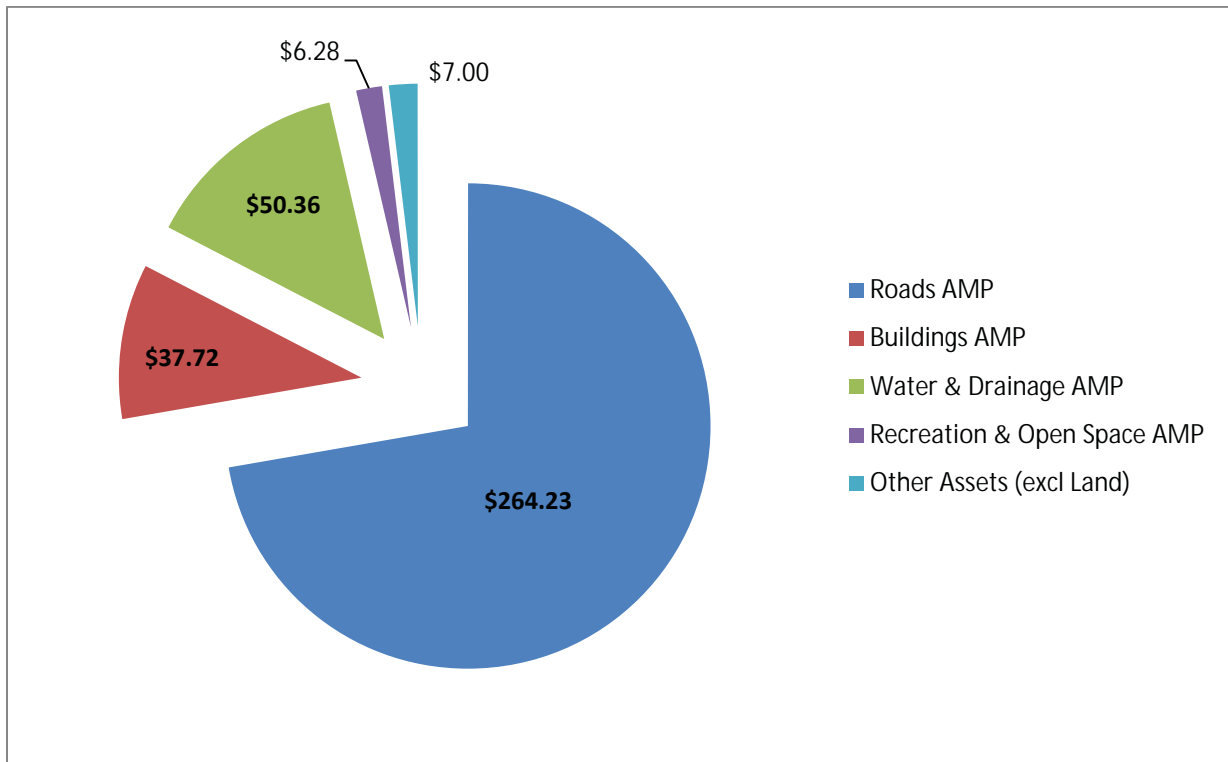
**Table 1: Coverage of Asset Management Plans - Version 1**

Asset Management Plan
Plan B: Transport AMP <ul style="list-style-type: none"> <li>▪ Roads (shoulders, seals, pavements) &amp; Car Parks</li> <li>▪ Bridges</li> <li>▪ Footpaths</li> <li>▪ Kerb &amp; Channel</li> </ul>
Plan C: Buildings & Structures AMP
Plan D: Water & Drainage (Incl. culverts, kerb & channel) AMP <ul style="list-style-type: none"> <li>▪ Pits, Pipes &amp; Culverts</li> <li>▪ Bores, Standpipes, Tanks, Reserve Irrigation</li> <li>▪ Council owned Water Treatment Plants &amp; Septic Tanks</li> </ul>
Plan E: Recreation & Open Space AMP <ul style="list-style-type: none"> <li>▪ Sports fields &amp; courts and other active open space</li> <li>▪ Passive open space, streetscape</li> <li>▪ Playgrounds</li> </ul>

**Table 2: Replacement Values of Assets Addressed in Plans (excludes land values)**

Plan B: Road (Incl. bridges & pathways)	Plan C: Buildings & Structures	Plan D: Water & Drainage	Plan E: Recreation & Open Space	Assets Not Yet Addressed incl. Plant, Equipment, Furniture & Fittings, Artwork	TOTAL
(\$ million)	(\$ million)	(\$ million)	(\$ million)	(\$ million)	(\$ million)
\$264.2	\$37.7	\$50.4	\$6.3	\$7.0	\$365.6
72%	10%	14%	2%	2%	

Note: These figures are subject to continual change as rehabilitation, upgrade or new works are undertaken or as assets are revalued.



**Figure 1: Chart Showing Asset Replacement Values in AMPs**

The AMPs will remain ‘works in progress’. They are living documents that will be updated as condition audits are undertaken or as circumstances relating to assets change to a significant degree.

**2.1.2 Purpose of the plan**

The Plan outlines key elements for managing Council assets. It combines management, financial, engineering, environmental and other technical practices to match budgetary realities with levels of service desired by customers so as to provide affordable levels of service in an economical manner.

The specific purpose of the Plan is to:

- Demonstrate responsible stewardship by the Council;

- Define and articulate how infrastructure will be managed to achieve Council objectives;
- Provide a basis for customer consultation to determine the appropriate levels of service;
- Manage risk of asset failure;
- Identify asset management improvement opportunities;
- Achieve savings by optimising whole of life costs; and
- Support long term financial planning.

### 2.1.3 Relationship with other strategic and operational documents

Asset Management Plans are a key component of Council’s business excellence process. This Plan draws on or feeds into diverse Council policies, strategies and actions. Figure 2 (from the MAV STEP Program) illustrates the relationship between AMPs and key strategic and operational documents of Council.

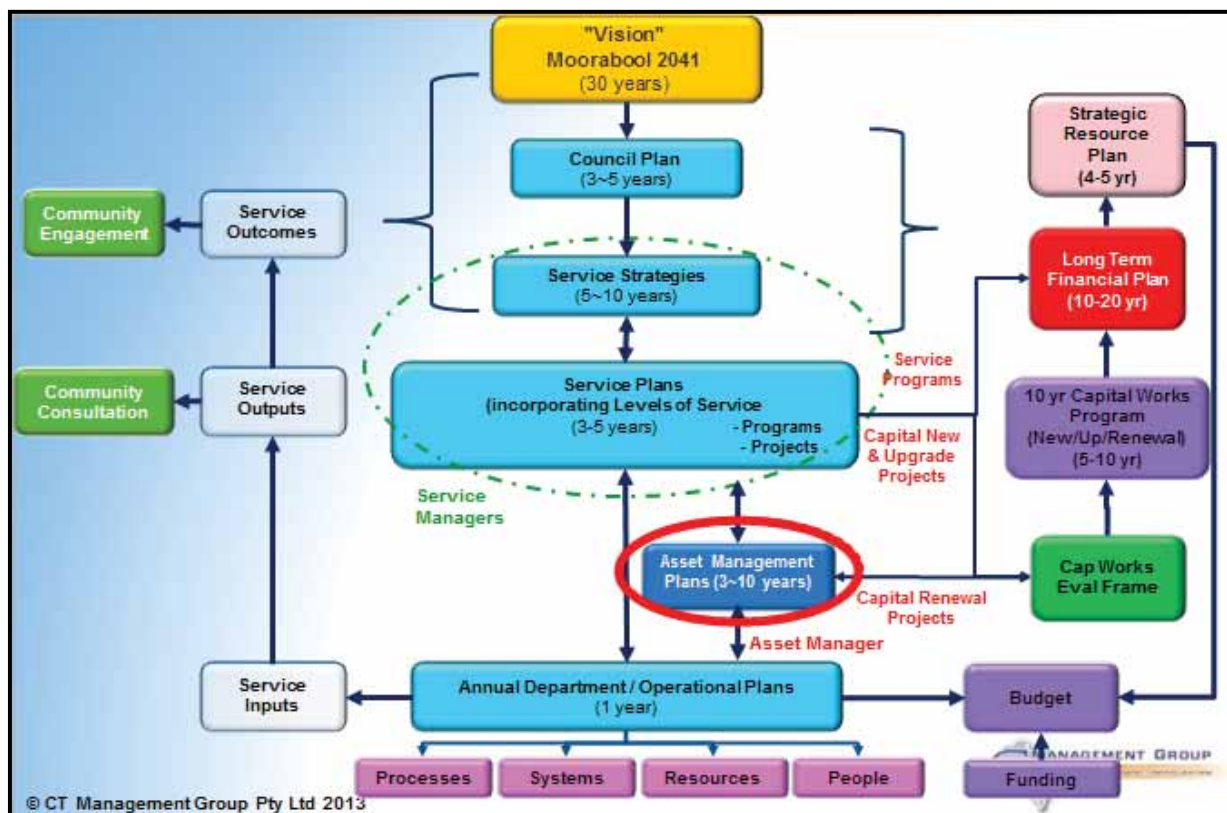


Figure 2: Relation between Asset Management Plans and other Corporate Plans

### 2.1.4 Asset management policies

#### 2.1.4.1 Asset management policy and strategy

Council has an Asset Management Policy which defines the relation between asset management and other aspects of Council management, defines the roles and responsibilities within Council for asset management and identifies key strategic outputs, including:

- development of an ongoing asset management improvement program;
- development of supporting policies including policies on the capitalisation and valuation of assets, life-cycle costing, levels of service, investment evaluation and asset disposal;

- development of Asset Management Plans which are informed by community consultation and local government financial reporting requirements;
- use of Asset Management Plans as one of the core inputs to the Council's Long Term Financial Plan;
- development of staff capacity to manage assets sustainably in the longer term; and
- participation and contribution by the Shire to regional asset management improvement.

#### **2.1.5 Asset registers**

Council's Asset Register is the adopted corporate system for recording all assets. This system is considered the 'single source of truth' regarding Council's asset holdings. An Asset Register typically records details such as a description of the asset, asset location, asset condition and age, asset performance information and works history. The Asset Register also records financial valuation information such as useful lives, replacement costs, salvage values, depreciation method, accumulated depreciation, annual depreciation and fair value (i.e. written down value).

#### **2.1.6 Assets not included in the AMP**

The respective AMP Parts will list assets or asset categories, paid for by Council, which are specifically excluded from the plan. These include:

- Assets which are not controlled by Council, for example community buildings and playgrounds within the Shire which are the responsibility of the Department of Sustainability and the Environment (DSE) or of a Committee of Management (other than Council) appointed under s.14 of the Crown Lands (Reserves) Act or s.50 of the Forests Act 1958.
- Assets which Council's Asset Capitalisation Policy specifies as 'Not Capitalised' – typically assets (which are not part of a network) with a replacement value under \$5000.
- In addition land, equipment, furniture and fittings are not addressed in the current Plan, but may warrant inclusion in the future.

#### **2.1.7 Asset lifecycle management**

The life cycle of an asset is the time interval that commences with the identification of need for the asset and terminates with the decommissioning of the asset or any liabilities thereafter. Lifecycle asset management encompasses all practices associated every part of the asset life, from planning to disposal. The objective is to seek the lowest long-term cost when making decisions. Figure 3 illustrates the key phases of asset management.



**Figure 3: Asset Lifecycle Activities**

**2.1.8 Stakeholders**

Assets are provided to support the services which Council delivers to the community. The intrinsic worth of any asset must be judged according to the degree it supports the provision of such services. Community consultation is, therefore, an important dimension in the long term strategic planning of assets, especially regarding the levels of service provided.

2.1.8.1 External stakeholders

Residents and ratepayers, community groups, organisations, businesses and Government agencies which have a strong interest in or involvement with specific asset groups are listed in the respective AMPs, together with details of consultation mechanisms.

2.1.8.2 Internal stakeholders

Within the Council, asset management concerns cut across a number of areas, including those responsible for asset planning, construction or maintenance, those involved in using the assets for service delivery to external clients and those involved in overall budget management.

Council has established an Asset Management Steering Committee (AMSC), with cross-organisational membership, to ensure, among other matters, appropriate internal communication and decision making regarding Council assets.

### 2.1.8.3 Asset management responsibility matrix

A draft Asset Management Responsibility Assignment Matrix has been developed which details the organisational relationships and lines of responsibility within Council with regard to asset management over the asset lifecycle. This is still under review by the Asset Management Steering Committee and will be included in future iterations of the asset management plan.

Asset management responsibilities vary according to both the specific phase of an asset's lifecycle and Council's budget processes. In addition, management responsibilities at a specific lifecycle stage may be split according to the specific assets involved or the way the work is done.

## 2.2 Goals & Objectives of Asset Ownership

The *Local Government Act 1989* prescribes the objectives and functions of a municipal council. Section 3C(1) of the Act states:

“The primary objective of a Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions.”

Section 3C(2) of the Act then adds more substance to the primary objective by specifying a number of facilitating objectives such as:

- To promote the social, economic and environmental viability and sustainability of the municipal district;
- To ensure that resources are used efficiently and effectively and services are provided in accordance with the best value principles to meet the needs of the community;
- To improve the overall quality of life of people in the community;
- To ensure that services and facilities provided by Council are accessible and equitable.

Section 3E(1) of the Act prescribes a number of Council functions, the ones particularly relevant to asset management being:

- Planning for and providing services and facilities for the local community; and
- Providing and maintaining community infrastructure in the municipal district.

The objectives and functions set out in the Local Government Act 1989 also closely accord with the overall goals and principles of asset management. This plan will therefore seek to establish a balance between meeting the level of service required by the community with the level of funding available to operate and maintain the infrastructure.

## 2.3 Plan Framework

### 2.3.1 Key elements to the plan

The *International Infrastructure Management Manual*, developed jointly by the NZ National Asset Management Steering Group and the Institute of Public Works Engineering of Australia, identifies key elements of an asset management Plan.

The key elements of the AMP are:

- Levels of service
- Future demand



- Lifecycle management
- Financial summary
- Asset management practices
- Plan monitoring and improvement

### **2.3.2 “Core” asset management framework**

This Asset Management Plan has been prepared as a ‘core’ Asset Management Plan in accordance with the *International Infrastructure Management Manual*. Its preparation meets minimum legislative and organisational requirements for sustainable service delivery and long term financial planning and reporting.

Core asset management:

- takes a lifecycle approach
- utilises best available current information and random condition sampling
- utilises simple risk assessment to identify critical assets
- utilises existing levels of service
- prioritises capital works using simple ranking criteria
- presents a provisional long-term (10-20 year) cash-flow predictions
- provides financial and critical service performance measures against which trends and AM Plan implementation and improvement can be monitored.

### 3 LEVELS OF SERVICE

#### 3.1 Defining Levels of Service

##### 3.1.1 Relationship between assets and services

Assets have instrumental value only. Council holds and maintains assets solely for the purposes of providing services to the community. At the end of the day, a decision on whether a particular asset should be maintained, upgraded, replaced or disposed of depends on the services provided from it to the community, the cost of providing that service and the priority the community places on that service. This is illustrated in Figures 4 and 5.

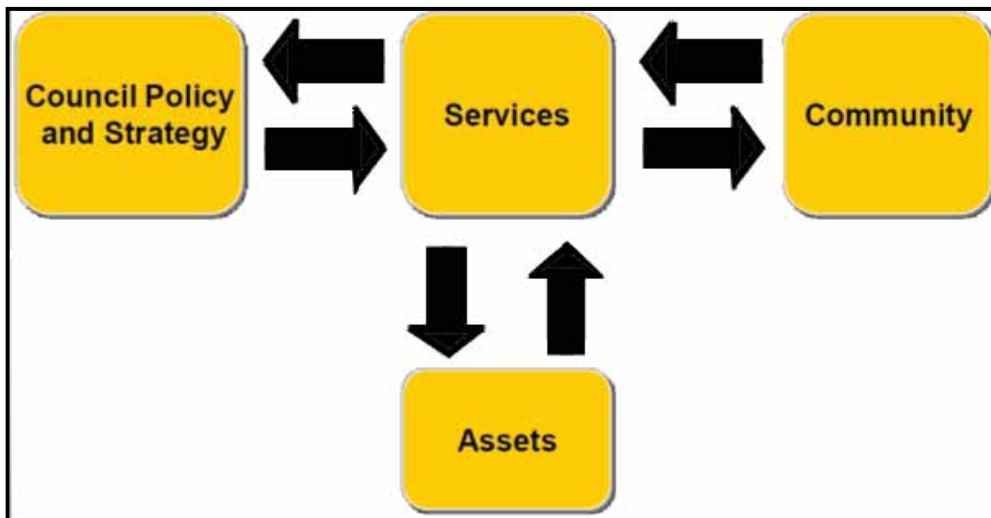


Figure 4: Relationship between Assets and Services

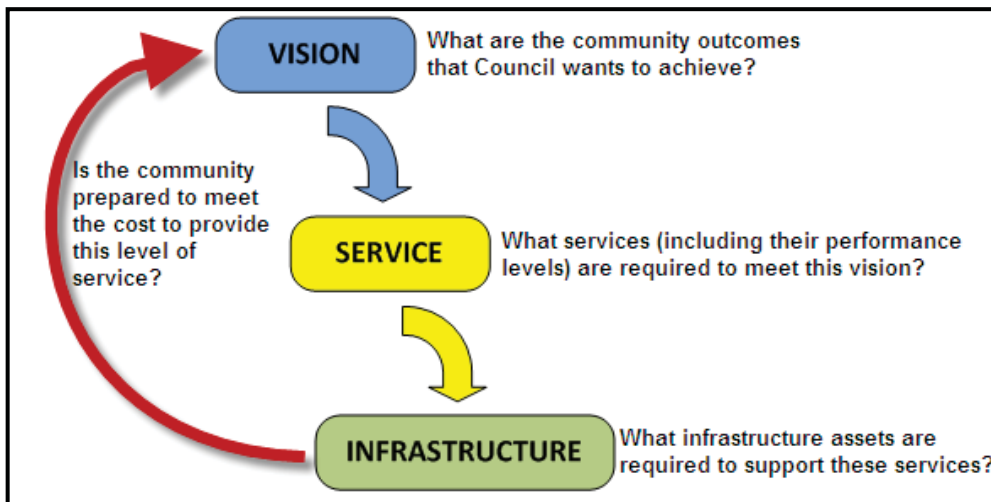


Figure 5: Level of Service Concept

### 3.1.2 Levels of service (LoS)

The *International Infrastructure Management Manual* describes 'Levels of Service' as the 'defined service quality for an activity or service area against which service performance may be measured'.

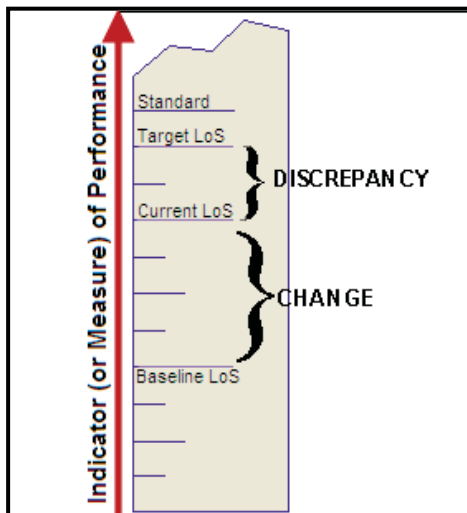
There are many factors which go into the overall level of service provided to the community by Council programs, including the number and quality of the council staff and community volunteers involved, the financial and other resources available to support the service and the Council assets. The AMPs only address the contribution assets provide to the levels of service. In this context, a level of service is the defined quality of service which is provided by an asset. For a road asset, the level of service might relate to the safety, convenience and smoothness of the ride. For a pre-school asset, it might relate to the building facilities including suitability for task, child safety, location etc. Understanding the service dimensions important to the community and the quality or level of service desired is vital for lifecycle management, as this largely determines an asset's development, operation, maintenance, replacement and ultimate disposal.

Levels of service are pivotal in asset management as they have a direct financial impact due to their importance in both operational and risk-based prioritisation.

## 3.2 Describing Levels of Service

### 3.2.1 Levels of service

Levels of service (LoS) are defined by:



- The **criterion** - the performance to be measured, depicted here as the vertical scale of a ruler.
- The performance standard - the desired (or 'acceptable') level of the criterion towards which the service is aiming in the longer term.
- The target level - the performance level currently aimed at, consistent with budget constraints.
- The current measure - the level of achievement of the criterion at the current time.
- The baseline measure - the performance level when the current service was initiated. This is the level from which future performance should be measured.

Figure 6: Levels of Service Measures

The difference between the 'baseline' and 'current LoS' (Current LoS minus Baseline) is a measure of the *change* as operationally defined against this criterion. This is the measure of achievement and is the basis for determining value for money (Change / Cost of Achieving Change). The performance *discrepancy* is shown as the difference between the 'Target LoS' and the 'Current LoS'.

*Levels of service* reflect the strategic objectives of Council and are based on:

- Council's mission and objectives;
- Customer expectations for quality of service and willingness to pay;
- Legislative requirements and environmental standards;

- Technical design standards and codes of practice; and
- Available resources, particularly financial constraints.

### 3.2.2 **Community and technical levels of service**

The IIMM and MAV asset management guidelines emphasise the importance of linking asset provision and standards back to Council agreed ‘community levels of service’. Moorabool Shire is still some years away from achieving this. However, the asset management plan sets out the conceptual framework for addressing this.

Through a variety of community engagement activities, Council identifies what its customer’s ‘wants’ or ‘needs’ are in the various Council service areas. For example, a review of playgrounds might identify that customers want “*safe and interesting toddlers’ playgrounds*”. This is the ‘customer expectation’.

The relevant service provider within Council, in the process of developing service plans, “unpacks” this want or need in order to understand the meaning behind the words. This is the “Community Level of Service”.

The service provider and the assets staff then liaise to translate these *community* levels of service into one or more *technical measures* which are relevant for describing the level of service provided by the infrastructure asset. This is illustrated in Table 3, where ‘safe’ and ‘interesting’ are converted to ‘technical measures of performance’.

This process enables the scoping of asset provision and estimation of the costs of meeting the desired performance target(s). This information in turn permits review of the performance targets in the light of budgetary realities.

**Table 3: Example of translating Community Measures of Performance to Technical Measures**

Customer “wants” or “Needs”	Community Levels of Service for Toddlers Playground	Technical Levels of Service
“A safe and interesting toddlers playground”	Safe – personal safety for self and children Safe – physical safety of environment Safe – equipment Accessible for disabled children	Location criteria (open observed and well frequented area, no entrapment) are implemented Fencing to prevent toddler access to roads etc Equipment complies with Australian Standards & is well maintained Design meets DDA accessibility requirements
	Interesting for toddlers Interesting for accompanying carers	Range of equipment suitable for different ages Seats for accompanying carers to chat

### 3.2.3 **Service plans and their relationship to AMPs**

The MAV defines a Service Plan as a plan that defines programs and projects which need to be undertaken to deliver a service and include service levels (Community & Technical), service cost, service targets, who provides the service, KPI’s and the reporting framework.

The MAV has established four benchmark criteria within the National Asset Management Assessment Framework (NAMAF) relating to Service Plans

- Council has Service Plans for each of its services which have been developed in consultation with the community.
- Council has undertaken the process of defining, quantifying and documenting current community levels of service and technical levels of service, and costs of providing the current levels of service.
- Current and target levels of service (for both community levels of service and associated technical levels of service) are clearly defined in each Asset Management Plan.
- Technical levels of service are incorporated into service agreements and/or maintenance, operational and capital renewal procedures.
- As illustrated in Figure 2, the Service Plan is intended to be a pre-requisite for the Asset Management Plan, reflecting the fact that service policies and strategies should drive asset management, not vice versa. However, Moorabool Shire, along with most other rural shires, has barely started on the development of Service Plans. In their absence, some of the material that would normally be in a Service Plan is included in this first iteration of the Asset Management Plans.

The Asset Management Plans are primarily interested in the *technical levels of service* which relate technical aspects of the asset to what service the customer receives from the asset. Figure 7, Developing Levels of Service, illustrates the process for relating community levels of service to asset based indicators, where the performance of the physical asset only is considered and measured.

Hitherto, this process has been largely ad hoc, not only in Moorabool but in all Councils. It is expected to take some years before the process illustrated is in place across all asset groups.

### 3.3 Community Levels of Service & Community Engagement

The levels of service outlined in the first iteration of Council's AMP in the relation to the various asset groups take account of:

- Annual 'customer satisfaction surveys';
- Review of resident concerns and feedback documented in Council's 'Customer Request Management System'; and
- Formal and informal community engagement especially public meetings associated with the annual budget process.

#### 3.3.1 Annual community satisfaction survey

Each year, the Victorian Department of Planning and Community Development commissions a Local Government Community Satisfaction Survey, undertaken by an independent market research firm. The survey is conducted across most Victorian Local Government areas, including Moorabool. Using a sample size of 350 per council area, some 27,000 interviews are conducted across the State. The questionnaire is kept similar from year to year. This enables a comparison in responses between different Councils and over time.

The survey examines both overall performance as well as performance in specific areas relevant to the levels of service provided by the various asset groups, including:

- Roads and footpaths
- Health and human services
- Recreation facilities
- Public open space

Figure 7 shows the overall community satisfaction for Moorabool Shire in comparison with other similar rural shires and with all Victorian Councils. It also shows how overall performance has varied over time. The survey results relevant to specific asset groups are presented in the respective asset group documents.

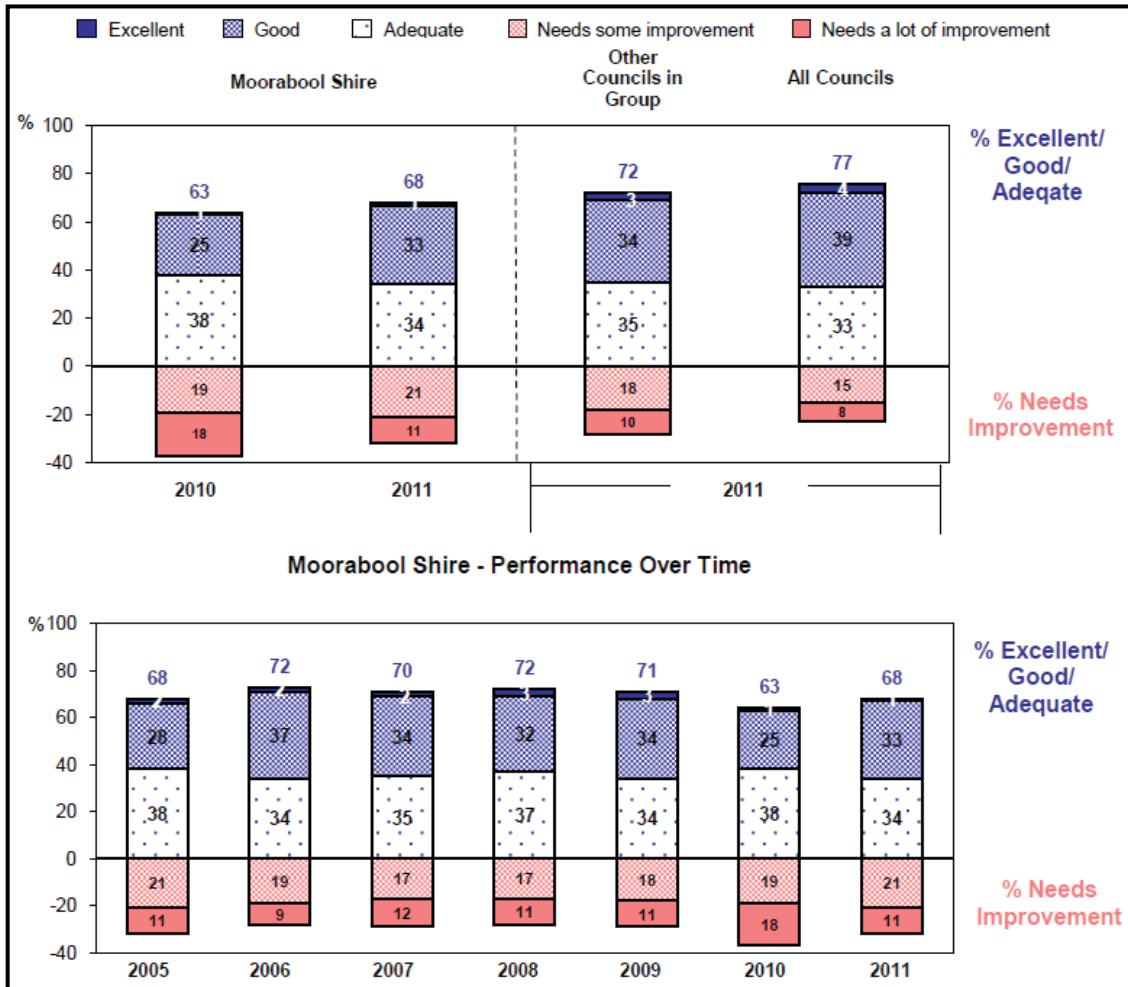


Figure 7: Moorabool Shire 2011- Community Satisfaction Overall

### 3.3.2 Customer request management system (CRMS)

Every customer concern raised by letter, telephone, email or direct representation is logged into Council's customer request system. Many of these requests relate to the condition of Council assets. Analysis of the CRMS provides a valuable insight into the issues of direct concern to residents and into customer perceptions regarding levels of service.

### 3.3.3 Formal and informal meetings

Councillors and Council officers have regular formal and informal meetings with individuals and groups across the Shire. These provide valuable feedback regarding community perceptions relating to asset levels of service.

### 3.3.4 Proposed AMP community engagement

The development of Council's Asset Management Plan will provide a further means of elucidating community desires regarding service standards. The specific Asset Plans will provide background information on:

- Current asset holdings;
- Asset conditions;
- Costs associated with sustaining assets over their lifecycle;
- Current service levels and costs associated with raising service standards; and



- Proposed levels of service, timetable for achieving them and budgetary implications.

Following Council adoption of the Asset Management Plan, each of the Parts will be made readily available to the Moorabool community to enable feedback.

As the respective service managers develop Service Plans, these will inform future iterations of the Asset Management Plan.

### **3.3.5 Legislative requirements**

Background legislation or regulations which impact on asset operation and performance or which specify a certain level of service are listed in the respective AMP Parts, including an explanation of the requirement.

## 4 INFRASTRUCTURE DEMAND DRIVERS

### 4.1 Infrastructure Demand Forecasts & Demand Management

Demand for public infrastructure services is an important factor in planning and prioritising for the allocation of resources to construct physical assets. However, simply focusing on meeting demand is not sustainable in the long term, as:

- demand always outstrips supply, especially where there services are provided “free” by the public sector, and increased supply (if not priced at cost) typically generates further demand;
- the capital, operating and maintenance cost of additional assets must be considered in the light of the limited resources available to Council and the community’s willingness to accept higher taxation; and
- meeting demand will cause the overall stock of assets to grow, not only increasing operating and maintenance costs, but impacting future renewal requirements as infrastructure deteriorates over time and through use.

Accordingly, Council applies principles of demand management in a structured and systematic manner that suits the nature, scale and complexity of their particular programs. Demand management measures are outlined in each of the specific asset group reports.

In the coming decades, demand for increased infrastructure spending across the Shire will be driven by seven key factors:

- Population growth and distribution
- Demographic changes
- Industrial, agricultural and commercial developments
- Major institutional developments, especially schools
- Technological change
- Environmental issues
- Infrastructure renewal

These factors are summarised below.

#### 4.1.1 Population Growth and Distribution

Moorabool Shire is a semi-rural municipality in the Central Highlands region of Victoria. It is strategically positioned between Melbourne and Ballarat. The main towns are Bacchus Marsh (45 km west of the Melbourne CBD and 60 km east of Ballarat) and Ballan (70 km west of the Melbourne CBD and 35 km east of Ballarat). About 40% of residents work in Melbourne. A significant number also work in Ballarat.

The Moorabool Growth Strategy 2041 aims to provide a vision for the type of community Moorabool Shire will be in 2041. Associated with this, two key policy documents guide development:

- Council Urban Growth Policy Statement; and
- Council Rural Growth Policy Statement.

In addition, the 'Forecast.id' web site ([www.forecast.id.com.au](http://www.forecast.id.com.au)) contains detailed demographic data and forecasts for Moorabool Shire.

These sources inform the asset demand projections in the Asset Management Plans and, where appropriate, summary data from those sources are presented in the Plans.

In 2011, Moorabool Shire had a population of approximately 28,600. 55% of the population (around 15,800 people) lives in and around Bacchus Marsh. The Shire's second largest town is Ballan with a population of around 2,800. The remaining population is scattered throughout the 30 small townships and farming areas. Actual population results (2006 and 2011) and population predictions for the 20 years to 2031 for Moorabool Shire are shown in Table 4.

**Table 4: Moorabool Shire - Population Projection by Locality**

AREA	YEAR				CHANGE IN POPULATION (2011-2031)	AVERAGE ANNUAL % CHANGE
	2006	2011	2021	2031		
Bacchus Marsh and Surrounds	14,306	15,800	22,113	25,081	9,281	2.3%
Ballan	2,371	2,779	3,248	3,679	900	1.4%
Rural East	4,158	4,532	5,442	6,469	1,937	1.8%
Rural West	5,616	5,507	5,931	6,433	926	0.8%
<b>MOORABOOL</b>	<b>26,451</b>	<b>28,618</b>	<b>36,734</b>	<b>41,662</b>	<b>13,044</b>	<b>1.9%</b>

Source: Forecast.id (23/4/2013)

Apart from Bacchus Marsh and Ballan, only seven of the 30 townships have more than 200 population. Table 5 shows the population of these townships at the 2006 and 2011 Censuses.

**Table 5: Moorabool Shire - Larger Townships at 2001 and 2006 Census**

TOWNSHIP	2001 Census	2006 Census	2011 Census	2031*
Gordon	407	453	379	600 to 900
Greendale	--	408	536	550 to 600
Dales Creek	--	346	410	400 to 450
Hopetoun Park	--	328	565	500 to 700
Blackwood	300	234	298	300 to 400
Mount Egerton	198	215	226	250 to 300
Myrningong	--	210	222	250 to 300

\* Estimates based on rural growth rates and available undeveloped blocks or (in case of Blackwood and Gordon) sewered lot capacity.

The growth of most of the smaller townships is limited by the fact that they are unsewered and are located in water supply catchment areas. Future development is limited to those blocks large enough to contain a septic tank or aerated waste treatment system. Only Gordon is currently sewered whilst the sewerage of Blackwood is still under review. The available subdivision land in Gordon and Blackwood is constrained by the coverage or planned coverage of the sewerage system. The size of the sewerage schemes will permit Gordon's population to double over the next 20 years. Assuming the Blackwood sewerage scheme proceeds, Blackwood has the potential to increase in population.

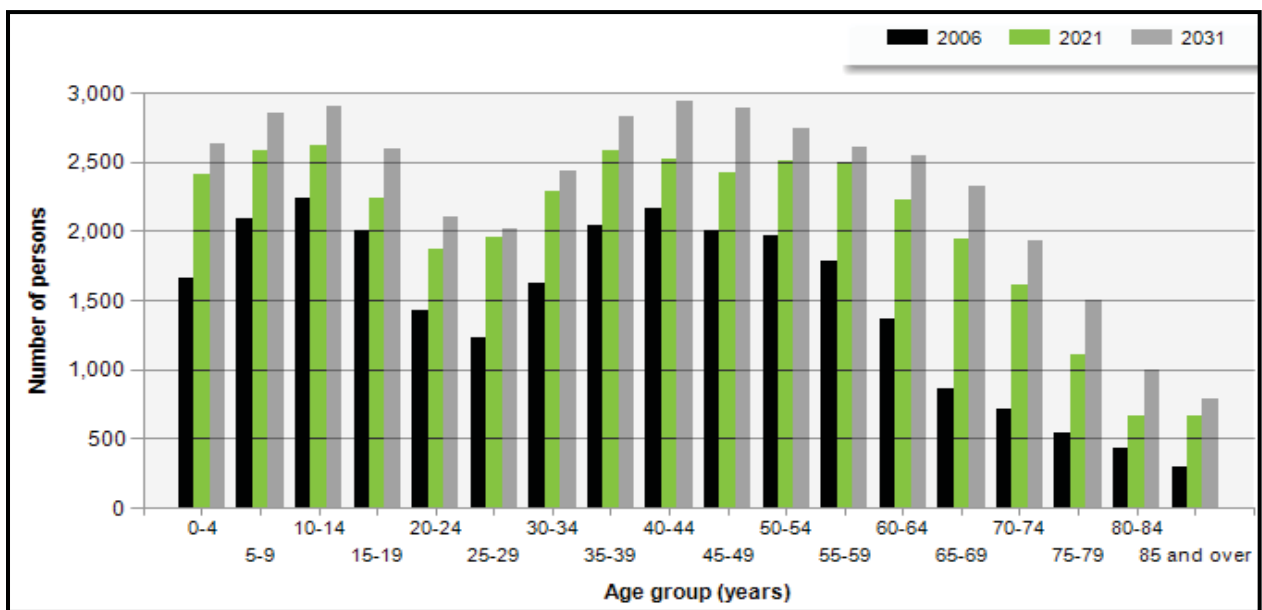
Studies are proposed which will look at options for a future sewerage scheme to service the Bungaree-Dunnstown region of the Shire. If such a scheme proceeds, the proximity of this area to Ballarat is likely to see significant population growth over the period to 2031.

**4.1.2 Demographic Changes**

Changes in the age structure impact on service provision. Council provides maternal health, pre-school and playground services for young children; active recreation facilities for youth; recreation services for all ages; and services for the elderly including senior citizen’s centres. As the numbers in the relevant age groups change, so the infrastructure assets required to deliver services change.

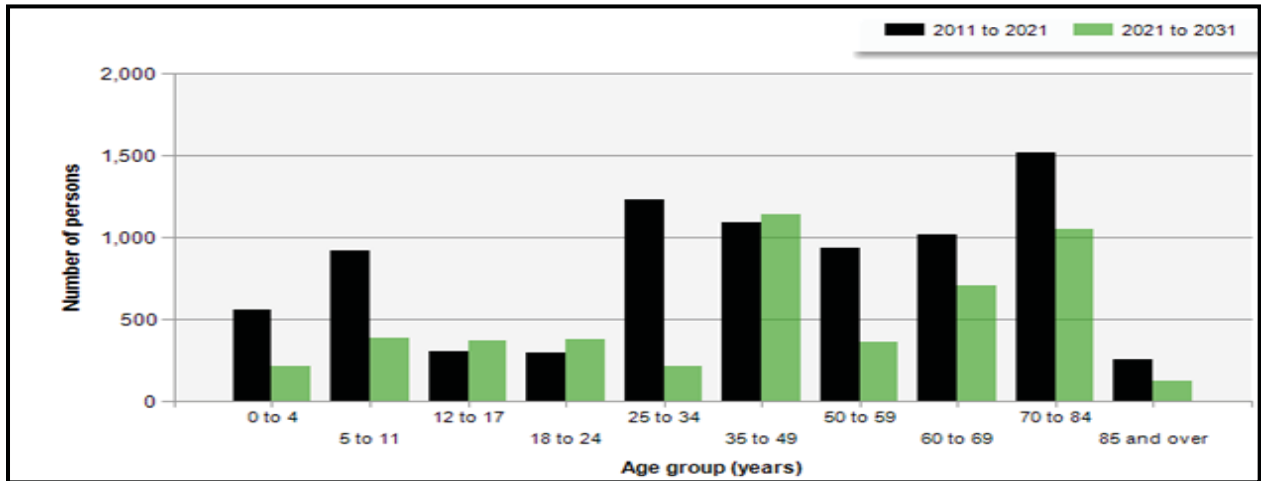
**4.1.2.1 Forecast changes in age structure**

Figure 8 shows the forecast change in numbers for different service age groups (age groups which generate demands for different Council services) through to 2031. Despite aging of the existing population, numbers across all service age groups will increase because of in-migration of younger families. Thus, age related infrastructure demands will increase in respect of all age groups.



**Figure 8: Moorabool Shire Forecast Service Age Grouping Structure – 2006-2021-2031**

In terms of absolute population numbers, the main increase in demand for services for early childhood and youth services, general recreation services (active recreation especially) and for senior citizens will occur over the next decade rather than later in the planning horizon. This is illustrated in Figure 9.



**Figure 9: Moorabool Shire - Forecast Change in Cohort Numbers - 2006-2016 & 2016-2031**

The projected changes in age structure will have different geographic impacts across the Shire.

### **4.1.3 Residential Land Development Projections**

#### **4.1.3.1 Overview**

An understanding of the likely location of residential dwelling development is important because such development adds to the demand for infrastructure services, such as roads and stormwater drains, and social facilities such as recreation reserves, and indicates the quantity and location of new assets which will become Council responsibility following subdivision completion. In addition, developer contributions are required to pay for augmentation of trunk services outside the subdivision which are impacted by the population increase, including road, bridge and intersection upgrades, upgrades to stormwater drainage as well as upgrades to community facilities such as recreation reserves.

#### **4.1.3.2 Bacchus Marsh subdivision development**

Most of the forecast population growth will occur in new subdivisions or infill development in Bacchus Marsh, including neighbouring low density residential and rural living zones. The actual location and timing of development and precise dwelling numbers will depend on investment decisions by landowners and developers and decisions by Council on planning permits.

The major impact of the forecast development on existing infrastructure will be increased traffic congestion on roads and at intersections. This is addressed in the Road Asset Management Plan. In addition, Council has allocated funds for a strategic transport study of Bacchus Marsh.

#### **4.1.3.3 Ballan subdivision development**

Residential development in Ballan is currently proceeding at around 20-30 new dwellings each year. Development planning for Ballan is currently under review. For the purposes of asset planning, the forecast population increases in Table 4 have been applied.

This development will increase pressure on a small number of intersections and roads. In addition, much of Ballan lacks underground drainage. With urban development, pressure is likely to increase for upgrade of the stormwater drainage system. These issues are addressed in the respective Asset Management Plans.

#### **4.1.3.4 Gordon subdivision development**

Whilst current residential dwelling development at Gordon is only around 4 to 5 dwellings per year, this is expected to increase now that the town sewerage system has been implemented. There are

approximately 160 potential lots within the sewerage district and around 50 lots just outside the current sewerage district.

Underground stormwater draining in Gordon is minimal. Most streets are only partly paved or have gravel surfaces and kerb and channel is virtually non-existent. The sewerage and associated residential development of Gordon is likely to increase public pressure for upgrading the existing infrastructure. This is addressed in the respective asset management plans.

#### 4.1.3.5 Other townships and rural areas

Residential dwelling development in the other townships of the Shire, and in the rural areas, is likely to be sufficiently low as not to impact significantly on local infrastructure.

In some areas, new residential development will require upgrade of currently unformed tracks to gravel road status. This is done at cost to the developer as part of the planning permit process. Following upgrade to Council design standards, such roads are included on the Register of Public Roads and from then on are maintained by Council.

The changing demographic profiles of the smaller townships, for example aging population and reduction in the number of young children, may require changing emphases in asset types. For example, underused playgrounds may not be renewed as they come to the end of their service life, while community halls may need to be refashioned to better cater for older clientele.

### **4.1.4 Agricultural Forestry Mining Industrial and Commercial Developments**

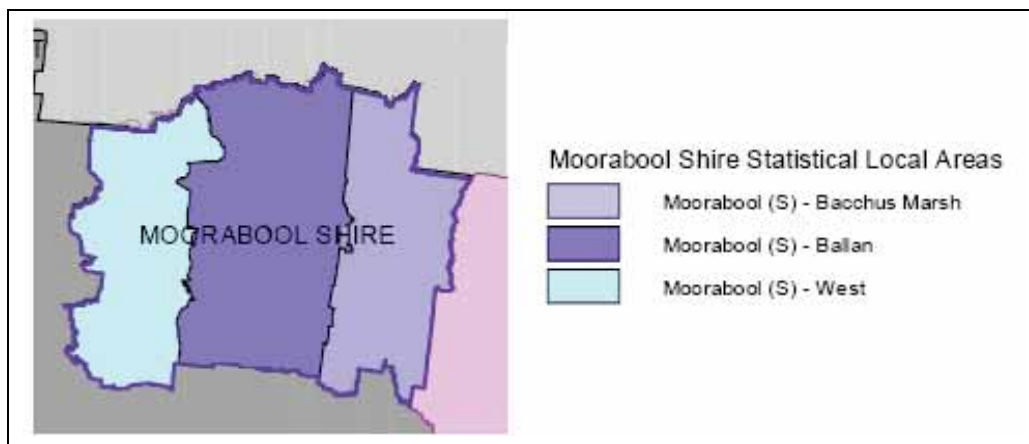
#### 4.1.4.1 Introduction

Agricultural mining and industry statistics generally are available in detail only for the statistical local areas (SLAs) of the Shire and not on a Ward basis. Figure 10 shows the SLA breakdown of the Shire.

The economic viability of primary and secondary industry is critically affected by transportation costs. Increasingly, industry is moving to consolidation of loads and delivery by larger vehicles to reduce transportation costs. Heavier loads, however, can impact the life of road and bridge infrastructure. Conversely, poor quality roads, load limited roads and bridges and congestion on major freight routes serve to increase transportation costs and threaten the economic viability of local industry.

Also, the intrusion of freight traffic on local roads, due to congestion, diminishes the amenity of properties serviced by these roads

From each of these perspectives it is important to understand the freight demand generated by the Shire's primary and secondary industries and the implications this has for infrastructure development or renewal.



**Figure 10: Moorabool Shire Statistical Areas**

4.1.4.2 Agricultural production

The agricultural sector employs 12% of the Shires workforce, as many as those employed in the retail trade, and equal highest of the 20 categories of employment reported by the Australian Bureau of Statistics.

There are 105,000 ha of agricultural land in Moorabool Shire: 28,000 ha in the Bacchus Marsh region, 43,000 ha in the Ballan region and 34,000 ha in the West region. The annual value of agricultural production in 2008 was approximately \$80 million.

Agricultural production has a number of infrastructure implications for the Shire:

- Demand for roads which permit all-weather farm gate to market freight movement;
- Demand for roads and bridges capable of handling larger mass limit vehicles;
- Centralisation of trans-shipment depots and manufacturing / packing facilities (such as abattoirs and rendering facilities) leading to concentrations of heavy vehicle traffic;
- Demand for weighbridge services.

Tables 6 and 7 present the quantity of this agricultural production across the Shire.

**Table 6: Quantity of Fruit Vegetable & Crop production in Moorabool - 2008**

PRODUCT	TONNES per Year			
	Bacchus Marsh Statistical Local Area	Ballan Statistical Local Area	Moorabool West Statistical Local Area	TOTAL MOORABOOL
Total Fruit (incl. grapes)	5,849	13	31	5,893
Total Vegetables (excluding potatoes)	4,765	1	464	5,229
Total potatoes	49	-	30,549	30,598
<b>TOTAL FRUIT &amp; VEGETABLES</b>	<b>10,663</b>	<b>14</b>	<b>31,043</b>	<b>41,720</b>
Oilseed	535	316	-	851
Legumes for grain	56	26	18	100
Hay (sold)	636	291	2,824	3,751
Cereal crops for grain	11,864	7,221	5,505	24,590
<b>TOTAL CROPS</b>	<b>13,091</b>	<b>7,854</b>	<b>8,347</b>	<b>29,292</b>
<b>TOTAL CROPS, FRUIT &amp; VEGETABLES</b>	<b>23,754</b>	<b>7,868</b>	<b>39,390</b>	<b>71,012</b>

Source: Australian Bureau of Statistics



**Table 7: Quantity of Livestock Production in Moorabool - 2008**

PRODUCT	GROSS QUANTITY (Nos per Year)			
	Bacchus Marsh Statistical Local Area	Ballan Statistical Local Area	Moorabool West Statistical Local Area	TOTAL MOORABOOL
Sheep & lambs	35,603	92,568	112,220	240,391
Milk cattle	727	-	2,470	3,197
Meat cattle	3,236	19,732	12,653	35,621
Pigs	4,701	36	-	4,737
<b>TOTAL LIVESTOCK</b>	<b>44,267</b>	<b>112,336</b>	<b>127,343</b>	<b>283,946</b>

Source: Australian Bureau of Statistics

The associated heavy vehicle traffic and implications for road assets is addressed in the Road Asset Management Plan.

4.1.4.3 Forestry, mining and waste product freight

Moorabool has substantial industrial freight movements. As illustrated in Table 8, water, timber, mining and industrial waste freight exceeds 3.5 million tonnes per year. A significant portion of this freight is carried on large articulated vehicles or B-Doubles, average tonnage on the outward journey typically lies in the range 20 to 30 tonnes. The associated heavy vehicle traffic and implications for road assets is addressed in the Road Asset Management Plan.

**Table 8: Industrial Freight in Moorabool - 2010**

PRODUCT	TONNES per Year			
	Bacchus Marsh Statistical Local Area	Ballan Statistical Local Area	Moorabool West Statistical Local Area	TOTAL MOORABOOL
Water				
Local Cartage (Jul 2010-Jun2011)	60,000 <sup>1</sup>			60,000
Commercial bottling	-	-	100,000 <sup>2</sup>	100,000
Mining				
Sand & Gravel	2,210,000	85,000	630,000	2,925,000
Soils (outbound from Maddingley Coal)	60,000	-	-	60,000
Kaolin	60,000	-	-	60,000
Forestry	-	-	35,000	35,000
Waste (to landfill & recycling)				
Industrial waste	400,000	-	-	400,000
Low level contaminated soil	80,000	-	-	80,000
Domestic waste	4,600	1,600	800	7,000

Transfer stations	1,800	1,000	-	2,800
<b>TOTAL</b>	<b>2,876,400</b>	<b>87,600</b>	<b>765,800</b>	<b>3,729,800</b>

Notes:

1. Based on metered standpipes in Bacchus Marsh. Prior to the end of the recent drought, local water cartage across the Shire was several times higher.
2. 3 major water suppliers in West Moorabool hold licences to extract over 300ML of water per year. Current total extraction is of the order of 100ML per year.

Sources: Australian Bureau of Statistics; Australian Bureau of Agricultural and Research Economics; Victorian Department of Primary Industry; Geological Survey of Victoria; Southern Rural Water; Council standpipe accounts; Company web sites; Personal communications with company managers.

**4.1.5 Major Institutional Development (Especially Schools & Colleges)**

The major institutions in Moorabool generating a demand for infrastructure are:

- Bacchus Marsh Town Centre
- Hospitals in Bacchus Marsh and Ballan
- Secondary schools in Bacchus Marsh
- Large primary schools in Bacchus Marsh

As Bacchus Marsh population expands, retail and commercial development in the Town Centre is likely to expand, generating demand for improved infrastructure.

The health precinct in the vicinity of the Bacchus Marsh hospital already generates significant car parking demand which is putting pressure on local streets. Health related facilities are likely to expand in this area.

The larger primary and secondary schools are of major significance in relation to infrastructure demand. Schools generate concentrations of pedestrian, bicycle, car and bus movements at the start and end of the school day. This generates a demand for footpaths, bicycle lanes, school crossings, traffic signage, car parking (for staff and visitors), drop /pick up zones for parents and bus stops. The infrastructure to ensure a safe pedestrian environment for school children extends well beyond the immediate area of the school, including pedestrian and bicycles paths to the residential areas, safe crossing points at major roads, advisory signage etc.

**4.1.6 Technological Change**

Technological change impacts Council infrastructure in a number of significant areas.

Improvements in truck axle and shock absorber designs are permitting heavier loads per vehicle with reduced overall damage impact on road pavements. This in turn generates a demand for improved geometric design (especially alignment, pavement width and intersection improvements) for roads serving farms and industrial centres. The State Government has foreshadowed major changes in heavy vehicle limits on roads which will impact the Shire.

Developments in energy efficient technologies are changing the economics, for example, of LED street lighting, with significant potential to reduce street light operating costs as well as reducing carbon footprint. However, there may be up-front capital costs to Council.

The roll-out of the national broadband network and improvements in E-Health, E-Shopping and so forth have the potential to change consumer and freight distribution patterns. For example, E-Health changes may permit the frail aged to remain longer in their homes, with corresponding increases in service-to-home access. E-Shopping changes may result in fewer personal trips to shops, but result in more low level freight deliveries to homes.

Changes in personal computing and telecommunications technology, including smartphones, tablet PCs and specialised customer service 'apps', have the potential to change how residents and other users of Council assets interact with Council.

At this stage, the implications of such changes are unclear and will be left to future iterations of the asset management plans.

#### **4.1.7 Environmental Issues**

Asset management, and the costs associated with asset lifecycle management, is impacted by a variety of social and physical environmental constraints. Buildings or precincts may be subject to heritage provisions. Many sites throughout the Shire come within the requirements of aboriginal cultural heritage legislative controls. Rural road and footpath development may be constrained by native vegetation controls. These legislative controls affect what may be done as well as affecting the cost of construction or maintenance.

A report "*Infrastructure and Climate Change Risk Assessment for Victoria*" was prepared by the CSIRO for the Victorian Government in 2007. The report raises issues relating to infrastructure that may be at risk due to climate change. Increased frequency and intensity of extreme rainfall, wind and lightning events is likely to cause significant damage to infrastructure, including roads, bridges, drains, buildings and other urban facilities. Moorabool's flood damaged roads and bridges of 2010-11 may be a harbinger of things to come.

An associated environmental concern is the carbon footprint within the Shire that can be impacted by Council infrastructure decisions. The major areas identified in the respective Asset Management Plans for potential greenhouse gas savings are:

- reduction in rate of gravel loss on unsealed roads;
- reduction in premature loss of seal on the sealed road network;
- use of recycled materials in pavement construction;
- replacement of current street lighting with energy efficient lighting;
- upgrading rural farm access roads to permit higher mass limit vehicles;
- attention to the energy efficiency of Council buildings.

The respective Asset Management Plans assess the feasibility and costs and benefits of such measures.

#### **4.1.8 Infrastructure Renewal**

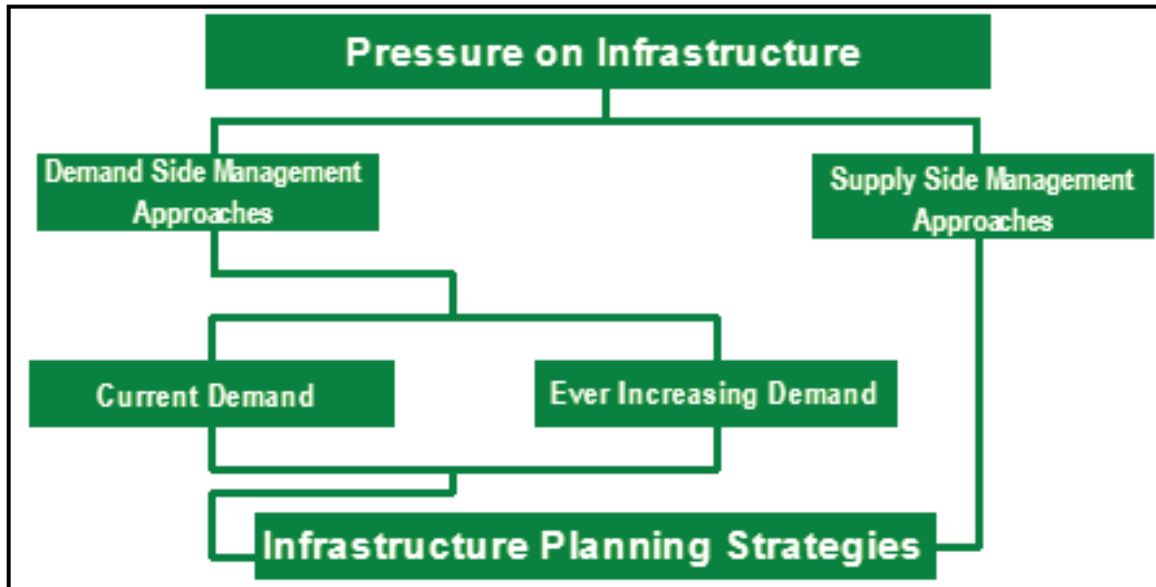
A major constraint on provision of new infrastructure is the requirement for the renewal of existing infrastructure. Every new asset carries with it a future liability. Every asset has a 'useful life' which represents the period over which it is economically viable to maintain it rather than to replace it. The annual infrastructure depreciation expense is an indicator of the annual amount by which the asset is being "used up" over the course of its useful life.

## **4.2 Infrastructure Supply - Demand Management**

Traditional approaches to infrastructure management embody a tendency to "predict and provide" service provision. Forecasts of increasing demand have been met through supply oriented options such as budget bids for the construction of new roads, new buildings etc.

The reality is that the demand for public infrastructure outstrips the ability of Local Government to meet the supply. Already, Councils throughout Victoria face a significant gap between the identified

demand for infrastructure and their ability to provide the resources to supply that infrastructure. This calls for infrastructure planning strategies which address the infrastructure funding gap. This will require innovative approaches on both the demand side (demand management) and supply side (infrastructure supply management), as illustrated in Figure 11.



**Figure 11: Infrastructure Strategies to Address the Supply-Demand Gap**

#### **4.2.1 Infrastructure demand management strategies**

Demand management strategies provide alternatives to the creation of new assets to meet demand. They address marketing, administrative and pricing mechanisms to change user behaviour in the direction of reduced demand as well as seeking direct ways to modify customer expectations on levels of service. The objectives of such strategies are to:

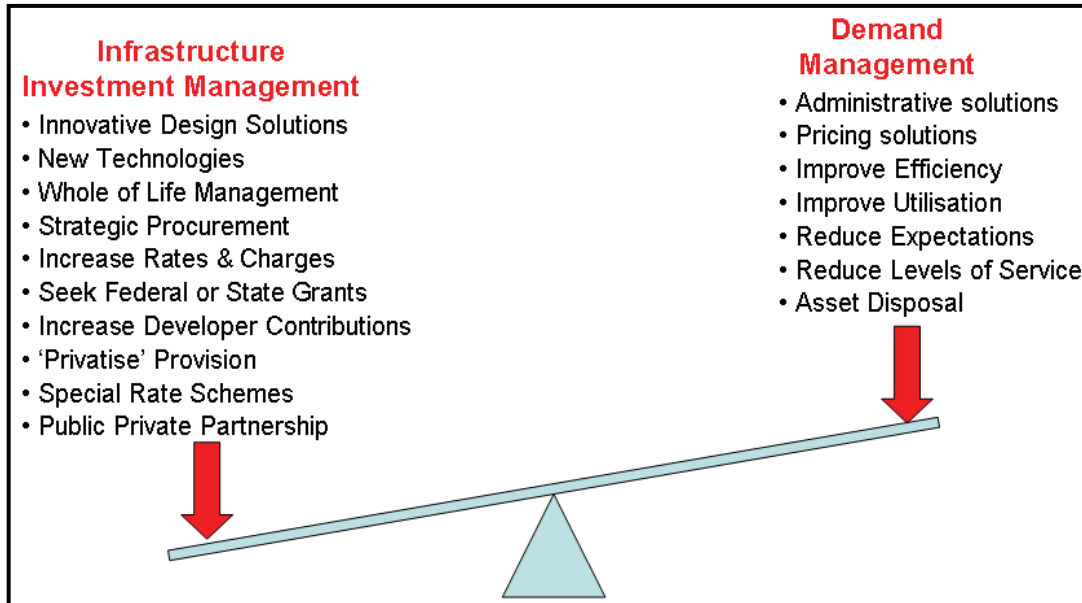
- Balance customer demands against the budget realities of infrastructure provision;
- Optimise utilisation/performance of existing assets;
- Reduce or defer the need for new assets; and
- Deliver a more sustainable service.

For example, customer demand for additional car parking in a town centre can be met through the construction of a multi-million dollar multi-storey car park. However, demand side management could be used to reduce demand for parking so that it equates with the current supply:

- Time limited parking can encourage retail employees to park on the periphery of the retail centre, freeing nearby spaces for shoppers;
- Paid parking metres can encourage higher parking space turnover;
- Computerised signage can be used to advise drivers where there are vacant parking spaces, enhancing the usage of existing parking spaces;
- Marketing and support schemes can encourage shared work or shopping trips, reducing the total number of car trips to the centre; and
- Marketing can inform residents of the periods when parking demand is low, encouraging a shift in the timing of shopping trips.

#### 4.2.2 Infrastructure supply management strategies

At the same time, it is necessary to determine whether there are alternative means of financing necessary infrastructure development, whether efficiencies can be gained in the provision of infrastructure, or whether there are avenues for increasing the life of existing infrastructure.



**Figure 12: Balancing Infrastructure Supply and Demand**

##### 4.2.2.1 Alternative Financing Mechanisms

Council can seek to reduce the impact on rates and charges by an increasing focus on the 'user pays principle', through developer contributions or special rates schemes, or by privatising the provision of selected services (and the associated assets). Where such mechanisms are deemed appropriate, options are identified in the respective Asset Management Plans.

##### 4.2.2.2 Infrastructure Provision Efficiencies

Opportunities may exist for Council to get better value for the infrastructure dollar through greater use of strategic procurement options, maintenance service contracts and improved contract management practices. Such approaches are appropriate to the respective operational plans and are not addressed further in the Asset Management Plans.

##### 4.2.2.3 Innovative Design, New Technologies and Whole of Life Management

Opportunities exist for achieving extended service lives of assets through attention to whole of life management (especially protective maintenance), innovative design solutions and new technologies. An example of the latter is LED street lighting, which has the potential to cut operating costs and greenhouse gases significantly.

In each Asset Management Plan, both demand and supply management issues are addressed so that the resultant infrastructure financing impact on the Shire is within the taxable capacity of the rate payers. Inevitably, this will mean some reduction in service levels will be required.

## 5 RISK MANAGEMENT

### 5.1 Introduction

Risk management refers to coordinating activities to direct and control an organisation with regard to risk, where risk relates to the effect of uncertainties on the achievement of organisational objectives. Risk management activities, therefore, are those actions, frameworks or activities designed to better understand, react to and manage the effect of risk on the business objectives of Moorabool Shire.

Council is subject to risks at corporate, strategic, program and operational levels as illustrated in Figure 13. This section outlines Moorabool Shire’s risk management framework, as it applies to the strategic levels of Asset Management Plans. The risk management framework of the Asset Management Plans aligns with AS/NZS ISO 31000:2009, Risk Management - Principles and Guidelines.

Risk at the program level is addressed in the budget development framework. Risk at the project and operational level is addressed in the project management process or in Council’s operational and maintenance plans.



Figure 13: Risk Categorisation

Table 9 provides a word picture of the consequences of strategic asset risk, ranging from insignificant to catastrophic. At present, Council falls into the ‘Insignificant’ or ‘Low’ risk area on all these criteria.

**Table 9: Qualitative Measures of Consequence for Strategic Asset Management**

Risk Consequence	Example Descriptors of Strategic Asset Risk			
	All Assets Financial Sustainability (Budget as % of required)	NAMAF <sup>1</sup> Assessment	Audit Reports	Effective Community Engagement
Insignificant	85%+	Core Maturity Status	Internal Audit identifies shortcomings	Minor verbal complaints. Minor press criticism.
Low	75% - 85%	Advanced Maturity Status	External auditors identify shortcomings	Formal written complaints. Local media coverage.
Moderate	60% - 75%	Low AM maturity on 10%-40% criteria	VAGO report identifies shortcomings	Active protest groups. Sustained local media campaign. Councillor intervention
Major	40% - 60%	Low AM maturity on 40% - 80% criteria	Highly critical VAGO Report	Coalition of protest groups. Ministerial, Ombudsman involvement.
Catastrophic	<40%	Low AM maturity on 80%+ criteria	Scathing VAGO Report recommends appointment of Commissioner	Sustained public campaign. State media coverage. Public Inquiry.

## 5.2 Related Asset Risk Management Documents

### 5.2.1 Moorabool Shire Risk Management Policy

Council's Risk Management Policy sets the overall framework for addressing risk within the framework of ISO 31000-2009.

### 5.2.2 Municipal Emergency Management Plan

The Moorabool Shire Council Municipal Emergency Management Plan has been produced pursuant to Section 20(1) of the Emergency Management Act 1986. This plan addresses the prevention of, response to and recovery from emergencies within the Moorabool Shire Council. The broad goals of this Plan are to: -

- Implement measures to prevent or reduce the causes or effects of emergencies

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<sup>1</sup> NAMAF is the National Asset Management Assessment Framework, overseen in Victoria by the Municipal Association of Victoria (MAV)



- Manage arrangements for the utilisation and implementation of municipal resources in response to emergencies.
- Manage support that may be provided to or from adjoining municipalities.
- Assist the affected community to recover following an emergency.
- Complement other local, regional and state planning arrangements.

### **5.2.3 Asset Group Operational and Maintenance Plans**

Associated with the Asset Management Plan for each asset group will eventually be an Operational and Maintenance Plan. These will detail the risks at the operational level for each asset group, the scheduled asset inspection regime, the planned intervention levels and the nature of the intervention and the response times. At May 2013, only the operational and maintenance plan for roads (the Road Management Plan) had been completed.

### **5.2.4 Essential Services Inspections**

All habitable buildings owned or managed by Council are formally managed in conformity with the essential services requirements of the Building Regulations 1994. This includes regular inspections, defined interventions and reporting.

## **5.3 Asset Condition Inspections**

### **5.3.1 Risk management and asset inspections**

An essential dimension of risk management is pro-active assessment of asset condition. Each asset group has its own specific inspection requirements and these are outlined in the respective plans. This covers audit requirements and frequencies of inspection types. In general, a four-tier inspection regime has been implemented:

**Reactive Inspections** – These inspections of reported defects are undertaken following notification by members of the community or Council employees.

**Programmed Audits** – These inspections are to identify if the asset complies with the specified levels of service.

**Incident Inspections** – These inspections are in response to an accident or other incident involving injury to persons or property where asset condition is claimed to be a contributing factor.

**Programmed Condition Inspections** – These are proactive inspections, typically on a three to five year cycle, designed to identify deficiencies in the structural integrity of the infrastructure assets, which if untreated, are likely to reduce useful life. Such inspections provide the basis for long term financial planning and prioritisation of asset renewal.

### **5.3.2 Inspection reporting & recording**

To facilitate the inspection process, recording and data transfer procedures aim to ensure that the Asset Information System is populated with data that reflects as far as practicable the true situation of condition of the asset arising from inspections.

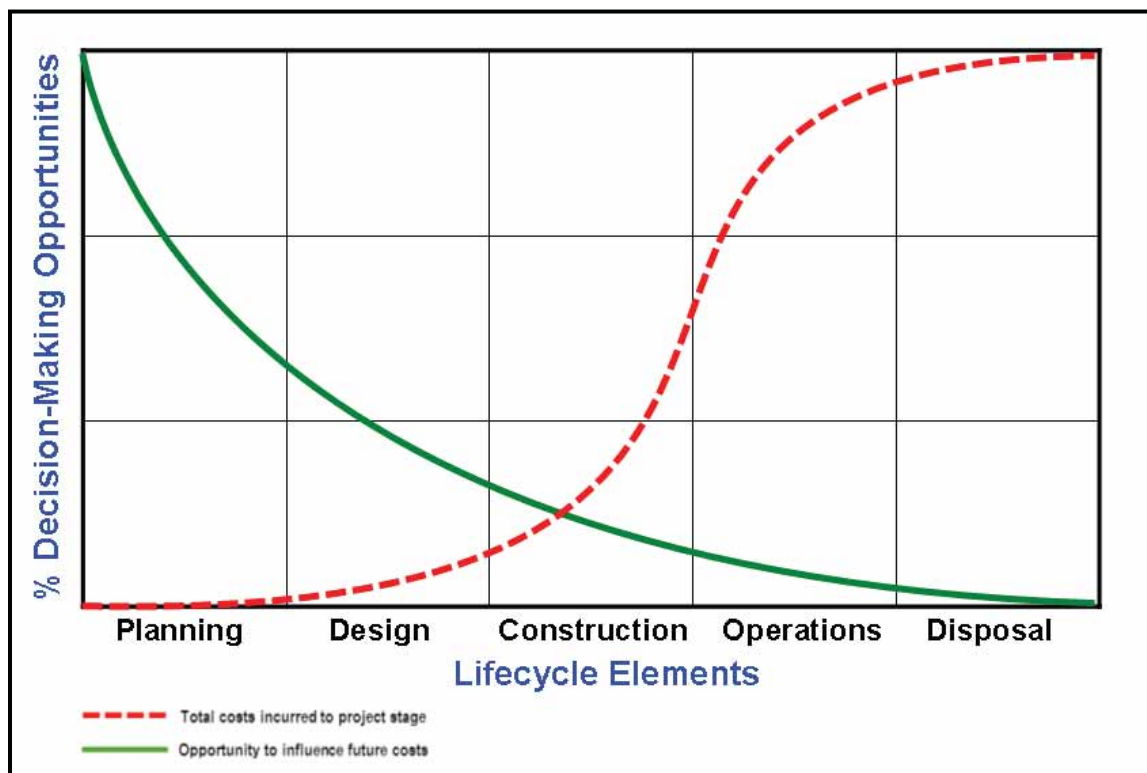
## 6 LIFECYCLE MANAGEMENT PLANS

### 6.1 Life-Cycle Costing

#### 6.1.1 Significance of life-cycle costs and life-cycle management

Life-cycle cost (LCC) is the total cost of ownership of any asset, the “cradle to grave” cost, including its cost of acquisition, cost of operation, lifetime maintenance costs, periodic renewal costs and ultimate decommissioning or disposal costs. The objective of LCC analysis is to choose the most cost effective approach to achieve the lowest overall long-term cost of ownership.

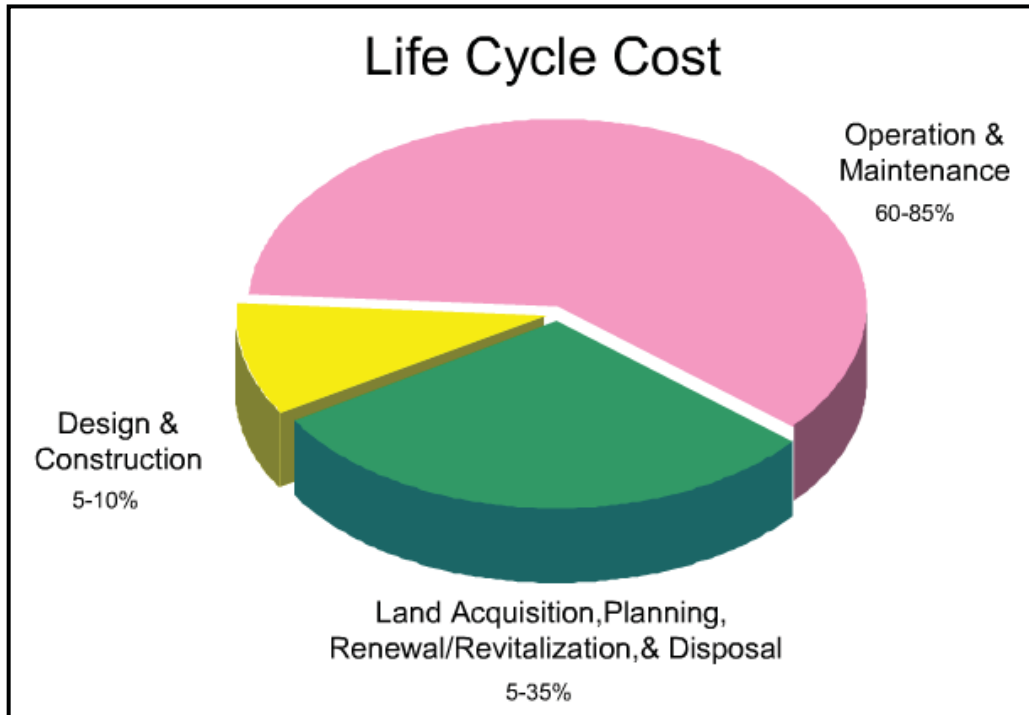
Figure 14 illustrates the critical importance of life cycle management. The diagram suggests that asset decisions at the initial project conception, planning and design stages (during which minimal life cycle costs have been incurred) serve to lock in future costs. Some 80% of all possible lifecycle economies are gained or lost at the planning and design stages.



Source: Australian National Audit Office, *Life-Cycle Costing in the Department of Defence*, ANAO 1998.

**Figure 14: Asset Life Cycle - Flexibility for Economies at Different Stages of Lifecycle**

‘Cheap solutions’ or poor decisions in the planning or design stages may lock in very costly future operating and maintenance cost solutions. Figure 15, from the UK Treasury, shows the typical order of magnitude of the up-front capital cost to ongoing operating costs and end of life costs. For example, a decision to use cheap, but low quality road base material (for example scoria) will reduce the construction cost of a road, but will significantly reduce the useful life of the road, increase ongoing maintenance costs and significantly increase the renewal costs.



**Figure 15: Relative Costs at Different Life Cycle Stages**

Lifecycle management plans are provided for each asset group in the respective Asset Management Plans. These address:

- Asset inventory and replacement cost
- Asset useful lives and intervention points
- Relationship between useful life and maintenance standard
- Asset condition assessment and condition rating
- Deterioration curves, asset performance targets and asset renewal

### **6.1.2 Asset condition**

Asset Condition is a key parameter in determining remaining useful life, and can be used to predict how long it will be before an asset needs to be repaired, renewed or replaced. Asset condition is also an indicator of how well it is able to perform its function. Measuring, recording and understanding asset condition is a key to successful asset management. Factors that affect an asset's condition include:

- age;
- environment;
- maintenance history;
- how well it is treated by the community (vandalism etc);
- usage.

Knowledge of the asset condition and performance can avoid unforeseen failure, assist in the development of maintenance programs and renewal or rehabilitation priorities and provide a comparison to the agreed levels of service. An assessment of the current condition of Council's assets is included in each plan.

### 6.1.3 **Condition monitoring – asset condition survey frequency**

Condition monitoring is the continuous or periodic inspection, assessment, measurement and interpretation of the resultant data, to indicate the condition of a specific asset so as to determine the need for some preventive or remedial action. The purpose of condition surveys of the assets is to evaluate the condition and performance of the asset. Each AMP will specify for each asset category:

- Condition assessment survey frequency;
- The criteria to be evaluated and scored, and
- Basis of condition forecasting and deterioration assumptions.

### 6.1.4 **Condition rating**

There are diverse asset condition rating frameworks. Table 10 illustrates a 5 point framework proposed to be used by Moorabool Shire where asset condition is rated on a 1 (good) to 5 (failed)

**Table 10: Asset Condition Rating Scale**

Rating	Condition	Description
1	Excellent	New asset or an asset recently rehabilitated back to new condition.
2	Good	Some superficial deterioration evident. Serviceability may be impaired slightly.
3	Fair	Obvious condition deterioration. Asset serviceability is now affected and maintenance costs are rising.
4	Poor	Serviceability is heavily affected by asset deterioration. Maintenance cost is very high and the asset is at a point where it requires major reconstruction or refurbishment
5	Failed	Level of deterioration is such to render the asset unserviceable

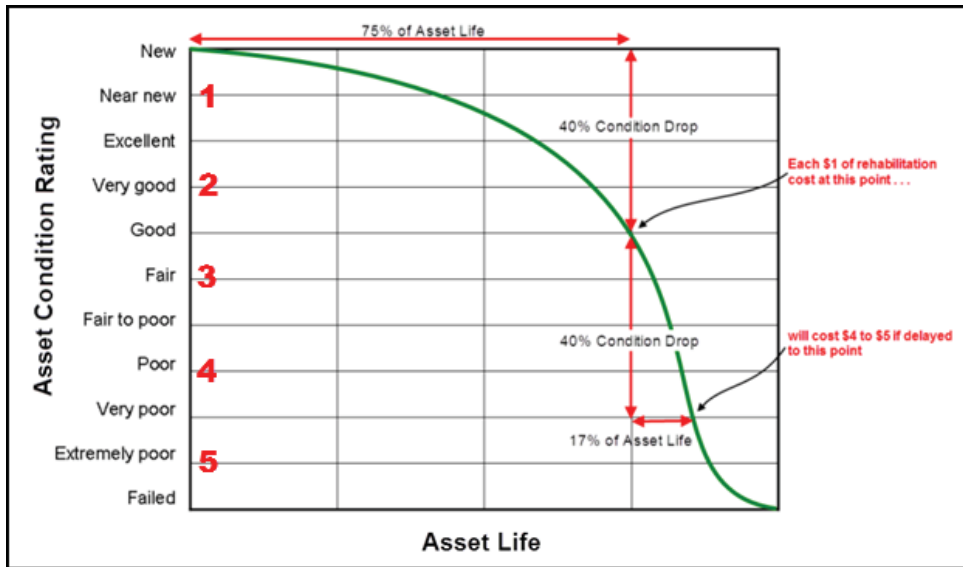
The detailed criteria for determining the condition rating for specific assets categories and the methodology to determine the asset condition rating is included in the respective AMP.

### 6.1.5 **Deterioration curves**

Deterioration curves provide a plot of the condition of the asset against the age of the asset and are developed from the results of the asset condition survey. The curve demonstrates the assets performance as it ages. Such curves vary according to asset type and especially the life cycle maintenance regime. Figure 16 illustrates the typical way asset condition changes over its expected useful life, assuming a normal maintenance regime.

Such curves are approximations. Deterioration is affected by many factors. However, the following generalisations are possible:

- As the asset condition deteriorates, the probability of complete asset failure increases;
- As assets approach the end of their expected life, the rate of deterioration increases;
- Postponing asset rehabilitation until asset condition is very poor increases the cost of rehabilitation disproportionately.



**Figure 16: Typical Form of Asset Deterioration Curve**

The respective AMPs detail the deterioration curves for assets included in the plan and the basis on which they were developed.

**6.1.6 Asset service lives and intervention levels**

The ‘service life’ or ‘useful life’ of an asset is the period over which the asset is expected to be safe for its intended public usage. Council has identified the service lives of all assets in its *Asset Revaluation Standard Procedure*, based on past condition audits, review of data from Councils and State Government agencies from technical research by university and other expert bodies.

The ‘intervention level’ is that point in time when the asset is at the end of its service life, that is, when the condition of the asset no longer meets the agreed level of service and requires renewal or replacement, and renewal or replacement is required. The AMPs for each asset group detail intervention levels and service life and the basis by which each has been adopted. As a ‘rule of thumb’, the following table relates asset condition, remaining service life and intervention levels.

**Table 11: Asset Condition Rating and Service Lives**

Rating	Condition	Age as % of Service Life	Intervention
1	Excellent	<20%	Routine maintenance
2	Good	20% to 40%	Routine maintenance
3	Fair	40% to 75%	Routine maintenance plus ad hoc repairs
4	Poor	75% to 95%	Heightened maintenance, extensive rehabilitation
5	Failed	95%+	Very high maintenance, reconstruction

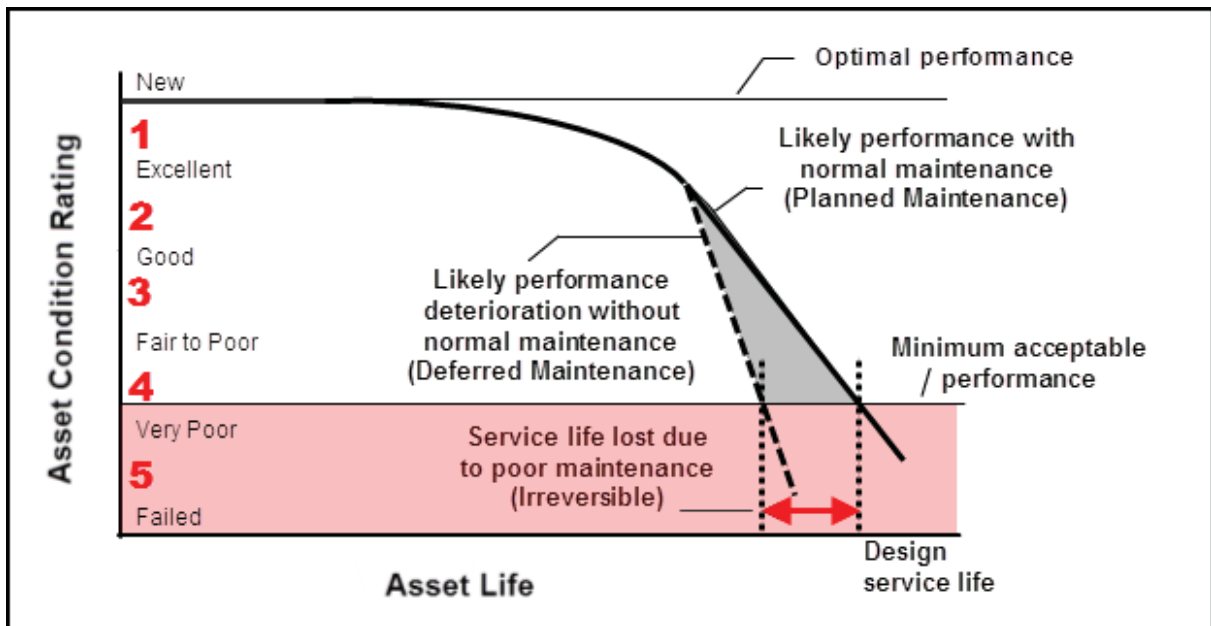
## 6.2 Life-Cycle Costing and Operations & Maintenance Planning

### 6.2.1 Impact of maintenance on asset service life

Maintenance is an essential part of life-cycle management and life-cycle maintenance costs should be considered and budgeted for when decisions are made on procurement or construction. Maintenance includes both reactive work to address unexpected failures, such as isolated pot-holes in a road or a leaking roof in a building, and planned or routine maintenance. Planned or routine maintenance of an asset is maintenance necessary to redress or slow the predictable decline in the serviceability of the asset with age or usage. Examples of planned or routine maintenance include:

- Servicing of plant or motor vehicles in accord with manufacturer’s recommendations;
- Cleaning of spouting or the painting of external timbers on buildings;
- Annual spraying of weeds on gravel shoulders or sealed pathways; and
- Sealing cracking on roads.

Service life is dependent on the maintenance regime. The design service life presumes that routine maintenance takes place at an appropriate rate. When planned maintenance is repeatedly deferred for budgetary reasons, the service life will be less than expected, as illustrated in Figure 17. Maintenance regimes for the various asset groups are addressed in the respective Asset Operational and Maintenance Plans.



Source: US National Research Council, Stewardship of Federal Facilities: A Proactive Strategy for Managing the Nation's Public Assets, NAP, 1998.

**Figure 17: Effect of Adequate Planned Maintenance on Building Service Life**

### 6.2.2 Asset 'Operations and Maintenance Plans'

Operations and Management Plans will be developed for each asset group. These supplement the strategic Asset Management Plans, identifying for the respective asset group:

- Key stakeholders and customer expectations
- Agreed levels of service and costs of achieving these

- Risk assessment associated with the agreed service levels
- Ongoing risk audits and response times for responding to risks

Operational and maintenance costs associated with service delivery (staffing, programs etc) will be detailed within the Plans.

At this time (May 2013) Council has only one formally adopted Asset Operations and Management Plan, the 'Road Management Plan'. Operations and Maintenance Plans for all other asset groups will be developed progressively over coming years.

### **6.2.3 Operations and maintenance cost planning process**

Future operations and maintenance costs may change in real terms (i.e., above and beyond inflation) due to:

- Price increases above CPI,
- Increases or decreases in the asset portfolio

Table 12 shows the basic steps in developing operations and maintenance cost projections. Future operating costs identified in this plan are summarised in the AMP Financial Summary.

**Table 12: Basis for Projections of Future Operations and Maintenance Costs**

Step	Description
1	Historic operations and maintenance costs are allocated to broad functions and unit rates identified (for example, maintenance cost per KM of sealed road, per KM gravel road, per playground, per building)
2	Projected changes in the quantity of assets operated and/or maintained are identified, based on the projected changed in new and upgraded assets.
3	Potential real (i.e., above inflation rate) changes in operating and/or maintenance costs are identified (for example, taking into account carbon pricing)
4	The Long Term Asset Operational Costs are referred to the Long Term Financial Plan for inclusion as a financial projection.

## **6.3 Life-Cycle Costing and Renewal/Replacement Planning**

### **6.3.1 Asset renewal and life-cycle costing**

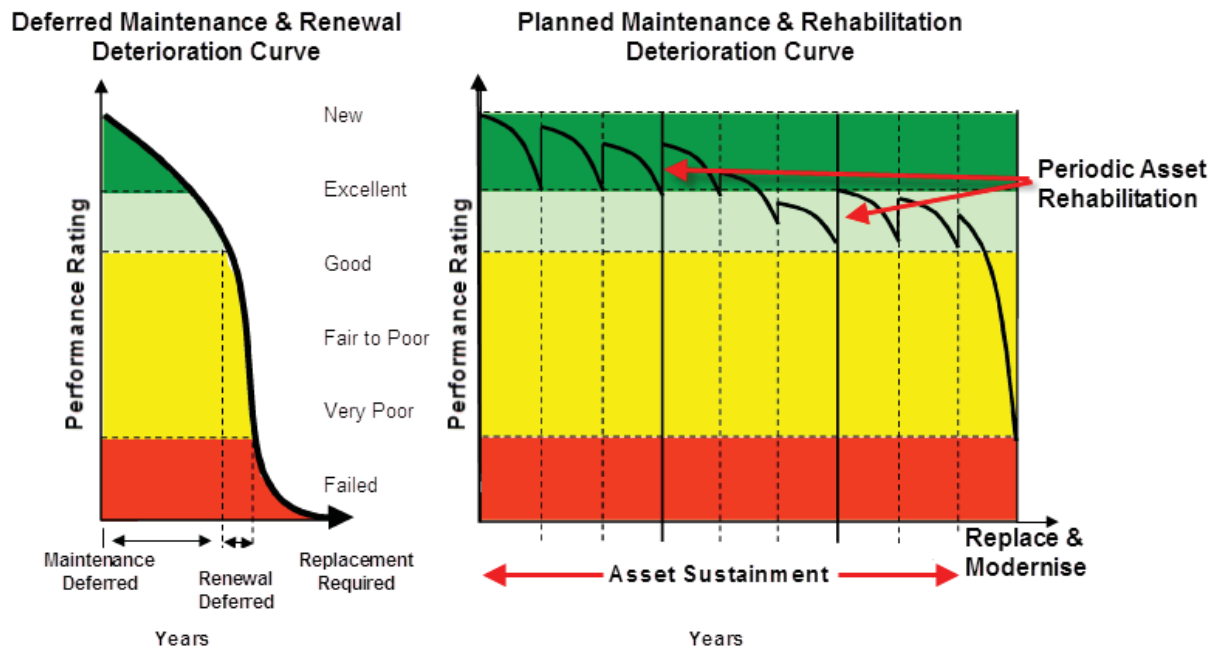
Asset rehabilitation or renewal differs from planned maintenance. Renewal is major work which does not increase the assets design capacity but restores, rehabilitates, replaces or renews an existing asset to its original capacity. Work over and above restoring an asset to original capacity is new works expenditure. Examples of asset renewal are:

- Replacement of the seal on a road pavement;
- Replacement of the roof or timber decking of a building.

The service life of a composite asset such as a road or building is dependent on renewal of shorter life components. For example, a road pavement should have a life of 80 to 100 years, while the life of a bituminous seal will typically be 12 to 15 years. Repeated deferral of seal renewal for budgetary reasons will eventually lead to moisture penetration of the pavement and potentially its early failure.



The impact on asset service life of periodic timely rehabilitation compared with indefinite deferral of rehabilitation is illustrated in Figure 18.



**Figure 18: Impact of Rehabilitation on Service Life**

This section addresses:

- How renewal projects are identified and planned for;
- The standards which apply; and
- The basis for determining future renewal costs.

### **6.3.2 Renewal planning process**

Council's process for identifying and undertaking renewal works is shown in Table 13.

**Table 13: Asset Renewal Process**

Step	Description
1	Potential renewal projects are identified from: <ul style="list-style-type: none"> <li>• Condition rating and remaining life based on periodic asset condition surveys;</li> <li>• Evolving risk situations identified in programmed or ad hoc safety audits;</li> <li>• Asset failures identified consequent on customer service requests.</li> </ul>
2	Potential projects are inspected to verify the current condition rating and technical renewal treatments are identified and costed.
3	Projects are prioritised into a Long Term Renewal Works Program according to the weighting system detailed in the relevant AMP.
4	The Long Term Renewal Works Program is referred to the Long Term Financial Plan for inclusion as projected cash-flow expenditure.
5	As part of the Annual Budget process, projects on the Long Term Renewal Works Program are re-prioritised into a Draft Capital Improvement Program (CIP), taking into account: <ul style="list-style-type: none"> <li>• Available budget;</li> <li>• Council priorities;</li> <li>• Technical and economic optimisation criteria;</li> <li>• Social, environmental and equity criteria;</li> <li>• Availability of specific purpose grants and related matching funding requirements.</li> </ul>
6	A cross-departmental CIP Committee reviews the business cases for proposals in the draft CIP and recommends a final CIP to Council.
7	Following the completion of works in accordance with the Asset Handover process details of the change in assets is reported to the Asset Manager for inclusion in the Asset Register.

**6.3.3 Renewal priority ranking**

The respective AMPs present the framework and criteria used to prioritise renewal works programs for the various asset categories Renewal Standards.

Renewal works are carried out in accordance with adopted standards and guidelines, including Council’s Standard Drawings. The AMPs detail these standards.

**6.3.4 Basis for determining future renewal costs**

Council utilises asset modelling software to estimate future renewal expenditure. The models typically require the input data shown in Table 14.

**Table 14: Determination of Renewal Costs**

Input Data	Source
Intervention level	AMP
Useful life	AMP
Condition rating distribution	Asset Register (based on condition audits)
Annual renewal expenditure	Annual budget (current and forecast)
Annual maintenance expenditure	Annual budget (current and forecast)
Asset quantity	Asset register
Renewal unit rates	AMP (based on historic costs)
Deterioration graph profile	AMP (based on condition audits)

The AMPs documents the asset sets that are modelled and the basis for the renewal rate used. Typically the renewal unit rates are derived from actual costs incurred by Council.

## 6.4 Life-Cycle Costing and New / Upgrade Planning

### 6.4.1 New and upgraded asset planning process

New works are works that create a new asset that did not previously exist. Upgrade works are works which improve an existing asset beyond its original capacity. The demand for new or upgrade works may result from projections of growth in population, economic activity or tourism or from projected social or environmental changes. New or upgraded assets may result from Council investment or be acquired at no cost to the organisation, for example from subdivision development.

The addition of any asset to Council's capital portfolio increases the life-cycle costs incurred by Council, including ongoing operating and maintenance costs and future rehabilitation and/or disposal costs. Accordingly, any new or upgrade works must be justified against the nominated service standards and the benefit to the community. Table 15 summarises the process for decision making on the procurement of new or upgrading of existing assets.

### 6.4.2 Capital evaluation framework

Moorabool Shire is refining its capital evaluation framework. Council follows the principles outlined in the 2006 Department of Victorian Communities guidelines, Local Government Asset Investment.

### 6.4.3 Demand for new and upgraded assets

Demand for new and upgraded assets are identified within a service strategy or within the respective AMP as a measure against the established levels of service. New and upgrade works identified in the AMP will be cross-referenced against the respective service plan, where these have been developed, in order to avoid duplication. All significant new and upgrade asset projects are listed within the respective AMPs. These lists are reviewed each year within the budget context.

**Table 15: New or Upgraded Asset Process**

Step	Description
1	Potential new and upgrade works may be identified from a number of sources, including: <ul style="list-style-type: none"> <li>• Corporate or strategic planning studies, including AMPs</li> <li>• Community consultations</li> <li>• Assessment of future demand based on demographic or economic I projections.</li> </ul>
2	Projects are evaluated against the Capital Evaluation Framework
3	Projects are prioritised into a single Long Term New and Upgrade Works program according to the assessment system in the Capital Evaluation Framework.
4	The New and Upgrade Works Program is referred to the Long Term Financial Plan for inclusion as projected cash-flow expenditure.
5	As part of the Annual Budget process the Long Term New and Upgrade Works Program is rationalised to match the available budget expenditure and new priorities.
6	Following completion of works, details of changes in assets are reported to the Asset Manager for updating the Asset Register in accordance with the Asset Handover process.

## 6.5 Life-Cycle Costs and Asset Disposal Planning

### 6.5.1 Overview

The planning and implementation of asset disposal is a key element of good life-cycle management. Council has not yet developed policy or procedures for addressing asset disposal practices. To date, any such process has been addressed as a one off issue. The balance of this section identifies principles which might be considered in the development of such a policy and procedure.

### 6.5.2 Asset disposal planning process

As with acquisition decisions, asset disposals should be undertaken within an integrated planning framework that takes account of Council policy and priorities, service delivery needs, financial and budgetary constraints and the Council's overall resource allocation objectives.

Assets may become surplus to requirements for a variety of reasons, including:

- Under-utilisation, for example due to demographic changes;
- Under-performance of the asset in serving community need;
- Obsolescence due to changed community attitudes or technological change;
- Failure to meet changed legal, technical or safety requirements;
- Excessive increases in operating or maintenance costs;
- Council policy changes; or
- Service provided by more economical means.

Based on such factors, any Council asset may be considered for disposal.

- A road may be wholly or partly closed to traffic, with the residual land reverting to open space, leased to adjoining landowners or sold;

- Council owned land may be sold;
- A Council building may be demolished or sold;
- A playground may be removed and not replaced, or replaced with a smaller unit;
- Drainage pipes may be abandoned and replaced with alternative draining management.

Asset disposal can be a contentious issue within the community and must be handled sensitively and with appropriate consultation, both internally and with external stakeholders. Typically, such proposals would be referred to Council for decision, with opportunities for representation by the local community.

Table 16 summarises the normal planning process for recommending disposal or rationalisation of surplus assets.

**Table 16: Process for Planning Asset Rationalisation / Disposal**

Step	Description
1	Potential asset disposal may be identified from a number of sources, including: <ul style="list-style-type: none"> <li>• During the budget planning process;</li> <li>• During reviews of operating and maintenance costs;</li> <li>• During the planning for a new or replacement asset;</li> <li>• Within the Service Plan Strategy;</li> <li>• From an assessment of future demand in the AMP.</li> </ul>
2	Disposal projects are justified against the criteria below and placed in a Long Term Rationalisation/Disposal Works Program.
3	Disposal projects are reviewed by a cross-department committee including infrastructure, planning and community development staff.
4	Potential disposal projects are reported to Council for consideration.
5	The Long Term Disposal Works Program is referred to the Long Term Financial Plan for inclusion as projected cash-flow expenditure.
6	As part of the Annual Budget process the Long Term Disposal Works Program is adjusted to match the available budget expenditure and new priorities.
7	Following the completion of disposal works in accordance with the Asset Handover process details of the change in assets is reported to the Asset Manager for modification to the Asset Register.

### **6.5.3 Criteria for asset disposal – general case**

Specific checklists for reviewing asset disposal are contained in the respective AMPs. These checklists address the following issues.

- Revenue from asset disposal:
- Potential net revenue from asset sale;
- Feasibility of rezoning to maximise returns;
- Development potential and related strategic planning considerations;
- Cost of asset demolition and removal, cleaning contamination etc

Costs of continued ownership:

- Remaining service life to renewal;
- Asset condition and cost to upgrade to meet current community performance criteria;
- Cost to upgrade for continued use in accordance with current DDA, OH&S, Essential Services and other legislative or safety requirements;
- Cost to modify asset to alternative community use in accordance with current DDA, OH&S, Essential Services and other legislative or safety requirements;
- Annual operating and maintenance cost trends.
- Community impact of asset disposal
- Who are the main users of the asset (local residents, schools, tourists, clubs, private sector businesses);
- Usage by numbers of users by time of year;
- Planning or other standards for asset service provision generally and in the locality in question;
- Relationship to service requirements and relevant strategic drivers;
- Change in accessibility (distance or time) for current users to use similar assets elsewhere;
- Potential future use to adjacent properties.
- Political and cultural implications
- Level of community ownership;
- How the property was acquired (e.g., fundraising towards establishing the asset);
- Cultural or historical significance;
- Environmental or ecological significance;
- Alternate future community uses;
- Anti-social behaviour in relation to the asset (vandalism, graffiti etc).
- Legal implications
- Covenants on the asset;
- Legal restrictions on disposal.

#### **6.5.4 Criteria for considering disposal of a replaced facility**

Where a facility is replaced, for example when a new hall or office is built on a new site, a common community reaction is that the old facility should be kept and used for some new purpose. This reaction occurs because the old facility is seen as 'free'. By keeping the old facility, the community gains a 'free' venue for other worthy activities. Unfortunately, this can prove very costly, especially when the original rationale for the new facility was that the old facility no longer met current health and safety standards. When an existing facility is replaced, the pre-existing facility should be 'disposed of' /demolished unless there is a compelling existing service demand for the building use that cannot be met in other preferred locations by a more financially or economically appropriate solution. This decision should be made at the time of the decision making on the replacement facility.

When evaluating any alternative use for the replaced asset, the full life-cycle opportunity cost should be considered. That is, the true cost (the 'opportunity cost') of assigning the old asset to a new use is:

- the potential revenue from disposal (i.e., the money foregone by not selling the asset);

- The potential alternative development benefits foregone by not disposing of the asset (for example, loss of new commercial or retail facilities);
- the cost of conversion to the new use including meeting all changes in OH&S, DDA and other legislative requirements;
- the ongoing operations and maintenance costs of maintaining the asset for the new use; and
- the periodic cost of rehabilitation to a standard appropriate to the new use.



## 7 FINANCIAL PLAN

### 7.1 Assets Valuations

Asset valuation, or asset replacement cost, is accounting information provided to the Finance area of Council for their financial reporting requirements. Such valuations are governed by Australian Accounting Standards Board rules and State Government guidelines.

The asset replacement cost used in valuing existing assets for financial purposes and in identifying the depreciation expense of Council assets may differ from the renewal rates, listed on Section 6 of the AMP, used to prepare the long term financial plan.

In particular, State Government guidelines mandate that the replacement cost, in Council accounting, of the service potential of a new asset includes only the costs that would be included on *initial* acquisition of the asset. This is called *greenfield* cost:

- The gross replacement cost of an asset must be determined for each component of the asset, notwithstanding that certain components may not actually need to be replaced (such as road formation earthworks);
- The gross replacement cost assumes replacement with the current modern best practice equivalent of the asset being replaced;
- The unit rates (labour and materials) and quantities applied to determine the replacement cost of a component must be based the assumption of construction on a virgin site;
  - Must ignore possibility of reuse of materials;
  - Must ignore cost of demolition and removal of old asset.

The use of greenfield costs in the account valuations thus requires:

- Including sunk costs that will not be incurred again; and
- Excluding costs associated with the removal of existing infrastructure.
- The valuations in Section 6, however, relate to estimates of the projected construction cost of an upgraded or replacement asset, which includes the cost of demolition and removal of the old asset (for example, removal of old kerb and channel), construction of the new/upgraded asset, and rehabilitation of the surrounds. This is called the *brownfield* cost.

The AMP summarises by asset component:

- Replacement cost (*greenfield* rate), and
- Basis or assumptions used in determining the replacement cost.

### 7.2 Asset Depreciation

#### 7.2.1 Depreciation methods

Depreciation is a “non cash” measure of the use of or consumption of assets in providing services each year. As such, it is part of the cost of providing those services, which is expensed, along with other annual charges such as maintenance, insurance, etc., through a change to the Statement of

Financial Performance (operating statement). This enables Council to calculate the annual cost of providing the services to the community.

Depreciation also affects the Statement of Financial Position. Depreciation is defined as the allocation of the cost of an asset over the years of its useful life. The following aspects of Australian Accounting Board standard AASB 116 must be adhered to:

- The depreciation method must “match pattern of consumption”
- Where the asset has a number of different components with varying patterns of consumption, each component is to be depreciated separately
- Depreciation is to be calculated on a systematic basis over its useful life
- A “Residual Value” needs to be determined and must not be depreciated
- As a minimum, the pattern of consumption, Useful Life and Residual Value need to be reassessed at year end and the depreciation method adjusted if there are any material changes.

In addition, the depreciation method must ensure:

- Depreciation is calculated by reference to the “depreciable amount”
- Appropriate consideration is given to technical and commercial obsolescence
- Maintenance and Capital expenditure are separably identified and accounted for in accordance with AASB 116.

AASB 116 requires that the entity selects the method that most closely reflects the expected pattern of consumption of the future economic benefits embodied in the asset. That method is applied consistently from period to period unless there is a change in the expected pattern of consumption of those future economic benefits.

### **7.2.2 Key factors affecting level of depreciation**

The four factors which determine the level of depreciation are:

- Accuracy of asset data;
- The replacement cost of the asset (which also determines the depreciated replacement cost or written down value);
- The ‘useful life’ or ‘service life’ of the asset, or the remaining useful life; and
- The residual or salvage value of the asset on retirement.

If the levels of depreciation are considered too high, this can only be due to one of these factors: the computed replacement costs are too high, the assumed useful lives (or assessed remaining useful lives) are too short or residual values are too low.

#### **7.2.2.1 Accuracy of asset data**

An extensive quality assurance review has been undertaken of all Council asset data holdings over the past 3 years. Asset data is considered to be very accurate in respect of all road and building assets (about 82% of all asset value). Drainage asset data is problematic and a contract has been let to identify and locate all underground drainage assets. Sport and recreation asset data is known to be incomplete. A full survey of all such assets will be conducted in the 2013-14 financial year.

Replacement cost determination

The replacement cost of any given asset is either the actual construction /procurement cost (for newly acquired assets) or the revaluation cost. The former is a matter of fact. The latter will be based on assumed unit rates at the time of the most recent revaluation. At Moorabool, the unit rates used to revalue assets (other than land, bridges and buildings) are typically derived from five sources:

- Schedules of rates and quantities supplied by subdivision developers on handover of assets for the past financial year;
- Schedules of rates and quantities provided by tenderers for capital works during the past financial year;
- Actual costs (including overheads) for projects undertaken by Works;
- Unit rates in Cordell's Building Cost Guide; and
- Current year data on unit rates from Internet searches.

Typically, unit rates from 3 or more sources would be used to arrive at a figure to be applied in a revaluation.

The replacement costs for land, buildings and bridges are provided by expert external valuers.

#### 7.2.2.2 Service life (also referred to as 'useful life' or 'expected life') of the asset

The service life of an asset or part of an asset is the period over which an asset is expected to be available for use by the local government.

The service life of an identical asset may be different in the hands of individual local governments because of different maintenance regimes, different environmental conditions or different intensities of usage. A definitive service life must be selected for each individual asset in each class to arrive at a percentage rate to be used to depreciate that asset. When setting the service life used of an asset, it may not exceed that of the asset's physical or economic life.

Service life may be measured either by its duration (the period over which an asset or component will be used), which is the most common method, or usage (the expected capacity or outputs it will produce). As noted earlier, Council has completed a review of the service lives of all asset components based on published research, experience of other Victorian councils and condition surveys undertaken by Moorabool Shire.

The Accounting Standards require the service life of an asset to be assessed at least annually, and, if expectations differ from previous service life estimates, the change is to be accounted for as a change in an accounting estimate.

#### 7.2.2.3 Residual value (also referred to as salvage value)

The residual value of an asset is the estimated amount that would be obtained today from disposal of the asset, after deducting the estimated costs of disposal.

The Accounting Standards require the residual value of an asset to be assessed at least annually. In practice, the residual value of most Shire assets is insignificant and therefore immaterial in the calculation of the depreciable amount. However, it is significant in relation to sealed road pavement and road seals. Salvage values have been applied to these two assets since July 2011.

## 7.3 Financial Statements and Projections

20 years projections based on the practices listed in the Lifecycle Management section for maintenance, renewal, new and upgrade, operations and disposal costs are included in this section

of each AMP. When all of the subordinate AMPs have been completed, this Top Level Asset Management Plan will be updated with a consolidated 20 year asset financial plan.

## 7.4 Accuracy of Financial Forecasts

All forecasts are wrong. Some forecasts are useful.

The financial projections are based on numerous assumptions, including:

- Population growth, family size and spacing and location of that growth
- Expectations of the changing community for services and service standards
- Acceptability of levels of rates and charges
- Acceptability of special rates programs for asset development
- Amount of State and Federal funding support
- Asset service lives
- Asset replacement costs
- Council decisions in each annual budget.

The forecasts and projections in the Asset Management Plans are reasonably accurate for the first 3 to 5 years. Thereafter, they are a guide to future possibilities. The asset management plans are living documents and all forecasts will be revisited every few years so that they remain 'useful' for Council decision making.

## 8 ASSET MANAGEMENT PRACTICES

This section outlines the information systems and processes used by Council in managing its assets.

The Assets and Finance Managers of Council are collaborating in the implementation of management reforms under the aegis of the National Asset Management and Financial Management Assessment Framework (NAMAF). In relation to financial management practices, NAMAF highlights the importance of:

- Revision of the Long Term Financial Plan (LTFP) on the basis of the Asset Management Plan projections of asset financial needs;
- Corporate wide business process to be developed to drive linkages between AMPs , LTFP & Budget
- Improve linkages between Budget Documents and Council Plan Strategies
- Review Chart of Accounts for alignment with physical asset structure hierarchy

Work is ongoing in addressing each of these. However, each is critically dependent on completion of the Asset Management Plans.

### 8.1 Accounting/Financial Systems

#### 8.1.1 Current accounting/financial system

Council currently uses *Finance One* as its primary finance system. *Finance One* is provided by Technology One. Council also utilises *Lynx* (provided by Ibis) as its rating, debtor and infringements system. Information is imported from *Lynx* into *Finance One*. All financial reporting, including monthly management reports, quarterly Council reports and annual accounts, are produced from data contained within *Finance One*.

#### 8.1.2 Accounting standards to be complied with

There are many Accounting Standards that Council must comply with. However, the most relevant in relation to asset management are:

AASB 101: Presentation of Financial Accounts

AASB 108: Accounting Policies, Changes in Accounting Estimates & Errors

AASB 116: property, Plant & Equipment

AASB 136: Impairment of assets

AASB 1051: Land Under Roads.

#### 8.1.3 Changes to the accounting / financial policies & procedures

In 2012, following review by Council's audit Committee, Council adopted policies and procedures relating to:

- Asset capitalisation
- Asset valuation and revaluation

In addition, other procedures and practices are being reviewed.

- Asset register management procedures
- Asset condition audit standard procedures

- Road Condition Audit procedures completed
- Other asset group condition audit procedures to be developed over 2013-15 as part of the implementation of the new asset management system.
- Asset data standards
  - Council plans to adopt the A-Spec data specification system currently used by 50 Councils and State agencies.
- Asset Handover procedures
  - Standard procedures to be developed over 2013-14.

## 8.2 Asset Management Systems

In its 2011-12 budget, Council provided funding over 3 years for the implementation of a fully integrated asset management system. The key capabilities required for the new system have been identified to be:

In Dec 2012, Council purchased an integrated asset management system. Asset data will be transferred to the new system progressively over the period 2013-2014.

The new asset management system:

- Can incorporate a comprehensive register of all infrastructure assets based on Council's asset hierarchy;
- Interfaces with other relevant corporate systems such as the Geographical Information System (GIS) and the Finance Management Information System;
- Maintains a costing and valuation history for all infrastructure assets and can incorporate an appropriate unit cost framework to enable the development of asset renewal profiles;
- Manages scheduled and unplanned maintenance regimes and associated budgets so that assets are maintained in a condition suitable for their intended use;
- Manages performance or prescriptive based asset inspection and maintenance contracts with suitably qualified providers;
- Can forecast asset deterioration and evaluate renewal options; and
- Manages long-term asset renewal programs based on risk exposure, condition and level of service requirements.

## 8.3 Information Flow Requirements and Processes

### 8.3.1 Data standards and the asset handover process

Standard procedures are being developed relating to the handover of new assets, whether from the annual Capital Improvement Program of Council or gifted (for example, from subdivision works).

An important aspect of the handover process is management of data integrity. Especially with the expected increase in subdivision development in the Shire, it is important to ensure standardised requirements for data on all assets handed over to the Shire (subdivision roads, footpaths, drainage etc).

The A-Spec consortium has developed common specification for the supply of digital data to achieve efficiency and cost savings in the process of maintaining their corporate geographic information

systems (GIS) and asset management systems (AMS). This common specification shared between Councils also provides efficiencies to the land development Industry by removing the need to maintain separate processes, standards and software tools for numerous Councils. Moorabool Shire joined the A-Spec consortium in 2012.

### **8.3.2 Information flows to and from the AMP**

The respective AMPs require information from council documents which in turn, is then developed for other documents. Figure 19 illustrates the future development of key information flows as the asset management system is fully implemented.

**Figure 19: Information Flows to & from the Asset Management System**

## **8.4 Standards and Guidelines**

### **8.4.1 Key standards and guidelines which influence AM effectiveness**

Council lacks formalised standard operating procedures across many areas of asset management. This was not a problem in the past when there was significant stability in staffing. With staff turnover, there is loss of corporate knowledge and formal documentation of procedures is important. Formal documentation of procedures is also important so that ratepayers are aware of decision rules and are treated equally. Some 30 procedures, listed in Table 18, have been identified as priority and will be developed progressively over coming years. As part of this process, ways of making procedures readily available to customers will be investigated.



**Table 17: Outstanding Policies and Procedures for Asset Management**

Policy or Standard Procedure	Current Status	Comment
Asset protection policy	Budget bid 2013-4	Basic business rules exist
Building keys & electronic access policy	Ver. 1.0	Business rules exist
Drainage - Investigating client flooding complaints	Draft	Business rules exist
Drainage - Legal point of discharge	Ver. 1.0	
Standpipes & bores - operational management	Draft	Basic business rules exist
Easements - Build over	Ver. 1.0	
Easements - Requests to expunge	Source material	Basic business rules exist
Fencing - Half-cost	Ver. 1.0	Policy under review
Fencing - Height at intersections	Ver. 1.0	
Fire hydrants	Source material	Currently ad hoc responses
Footpath - Hoardings and advertising	Source material	Basic business rules exist
Footpath - Obstructions	Draft	Currently ad hoc responses
Graffiti	Draft	Currently ad hoc responses
Playground – planning and management	Ver. 1.0	
Public toilets – planning and management	Ver. 1.0	
Roads - Crossovers / vehicle crossings	Ver. 1.0	
Roads - Higher mass vehicles	Source material	Basic business rules exist
Roads – “Paper roads” – Land Act s.400 disposal	Draft	Basic business rules exist
Roads - Placement of letter boxes in rural areas	Draft	Currently ad hoc responses
Roads - Traffic count procedures	Ver. 1.0	
Roads – Opening permit / Occupy part etc	Ver. 1.0	
Roads- Load limits	Ver. 1.0	
School Buses - Bus routes	Ver. 1.0	
School Buses - Bus stops & bus shelters	Ver. 1.0	
Street light warrants - existing residential areas	Draft	Basic business rules exist
Traffic - Safety: ad hoc audits addressing client concerns	Draft	Business rules exist

## 8.5 Asset Management Skills & Training

An asset management skills matrix, Table 19, has been developed to assist identification of training needs across Council in the various facets of asset management. Over the next 3 years, staff skill requirements will be assessed and training needs will be addressed.

**Table 18: Asset Management Skills Matrix (Extract for Transport and Bridges Asset Groups Only)**

Asset Class		Transport (excl. Bridges)			Bridges and Major Culverts		
Organisational Assessment		Skill Reqd. (Yes / No)	Available (Yes / No)	Source	Skill Reqd. (Yes / No)	Available (Yes / No)	Source
Strategic Asset Management	Policy / Strategy Development						
	Service Plans						
	Levels of Service						
	Demand Forecasting						
	Risk Assessment						
	Renewal Modelling						
	Asset Management Plans						
	Capital Works Evaluation						
GIS	Capital Works Programming						
	Software and Tools						
	Cartography / Mapping						
Data and Information Management	Spatial Analysis / Reporting						
	Data Collection / Data Acquisition						
	Data Entry / Data Update						
	Analytical Tools and Technologies						
Condition Assessment	Data Management and Quality Control						
	Condition Assessment Manuals / Methodology						
	Electronic Field Data Capture Tool Setup						
	Defect / Hazard Inspections						
	Condition Survey / Performance Assessment						

Condition Analysis	Degradation / Deterioration Modelling						
	Useful Life Assessment						
	Treatment Cost Assessment						
	Whole of Life Cost Assessment						
Financial	Current Replacement Cost Assessment						
	Asset Revaluation						
	Asset Accounting / Reporting						
	Asset Handover Management						

## 9 PLAN IMPROVEMENTS AND MONITORING

### 9.1 Improvement Program

Through the development of the AMPs, improvement actions are identified and documented. The actions and the timetable and resources required are presented in Council's Asset Management Strategy.

### 9.2 Monitoring and Review Procedures

#### 9.2.1 Asset improvement action - reporting and monitoring process

From 2013-14, Asset Group audit reports detailing the status of the identified improvement actions will be prepared on annual basis and reported to the Asset Management Steering Committee and (where appropriate) the Leadership Team. 21 illustrates the proposed format for audit report proforma.

**Table 19: Asset Management Improvement Audit**

AMP IMPROVEMENT ACTIONS AUDIT REPORT PROFORMA				
Asset Group		(Transport etc)		
Current Status of Identified Improvement Actions				
Action	Task	Responsibility	Time Frame	Status
1.				
2.				
Date Considered by Asset Management Steering Committee				
Date Considered by Leadership Team				
Prepared by:				

#### 9.2.2 AMP review procedure

The format and content of the AMP will be reviewed on a four year basis. Dates of each review will be identified in the Amendment Register.

## 11.4.2 Draft Asset Management Plan: Part B –Transport Assets

### Introduction

File No.: 08/01/002  
Author: Keith Linard  
General Manager: Phil Jeffrey

### Background

Council is responsible for some \$264 million worth of transport related assets including roads (pavement, seal, shoulder, kerb & channel), pathways, car parks and, bridges. Council seeks to ensure that these infrastructure assets are effectively management so as to meet current and future service delivery goals.

Part B – Transport Asset Management Plan addresses:

- Ownership and control of transport assets within the Shire
- The quantity and value of Council's asset portfolio
- Expected future demand for new or upgraded transport assets
- The expected service life of these assets
- Life cycle management of these assets
- The current condition of Council transport assets and the associated renewal budget requirements
- The "renewal gap" between renewal needs and budget available.

The report also notes areas for improvement in Council's transport asset management. These will form part of an ongoing asset management improvement program.

The data in this document will inform the ongoing review of Council's long term financial plan.

### Proposal

That Council adopt the Asset Management Plan: Part B – Transport Assets.

### Policy Implications

The 2009–2013 Council Plan provides as follows:

<b>Key Result Area</b>	Key Result Area 3 – Enhanced Natural and Built Environment
<b>Objective</b>	Long term asset management
<b>Strategy</b>	Develop long term Strategic Asset Management Plans for all Council assets to manage current and future assets needs.

The proposal is consistent with the 2009-2013 Council Plan.

### **Financial Implications**

There are no financial implications associated with the recommendation within this report.

### **Risk & Occupational Health & Safety Issues**

There are no risk or OH&S implications associated with the recommendation within this report.

### **Communications and Consultation Strategy**

There has been no direct community consultation in the preparation of this plan required. However, all parts of this plan identify and take into account data on community aspirations and feedback from diverse sources including surveys, customer requests and representations to Council.

This plan will be available on Council's internet site and at Council offices.

### **Victorian Charter of Human Rights and Responsibilities Act 2006**

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

### **Officer's Declaration of Conflict of Interests**

Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

*General Manager – Phil Jeffrey*

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

*Author – Keith Linard*

In providing this advice to Council as the Author, I have no interests to disclose in this report.

### **Conclusion**

Although not a legislated requirement, Asset Management Plans are considered best practice and is a criterion under the National Asset Management Assessment Framework (NAMAF) and the MAV STEP Asset Management Program. Given the content of the plans, endorsement by Council is considered warranted and is being recommended.

**Recommendation:**

**That Council:**

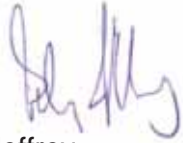
1. **Endorses the Asset Management Plan: Part B – Transport Assets (Version 2.1 dated May 2013).**
2. **Makes the document publically available by placing a copy on Council's website.**
3. **Requests Officers to undertake a review of the document within 24 months of endorsement.**

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**Report Authorisation**

**Authorised by:**

**Name:** Phil Jeffrey  
**Title:** General Manager Infrastructure  
**Date:** Wednesday 5 June 2013





# Attachment - Item 11.4.2

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# Moorabool Shire Council

May 2013

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## ASSET MANAGEMENT PLAN

### PART B – Transport Assets



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## ASSET MANAGEMENT PLAN

### PART B – Roads, Bridges, Pathways & Car Parks

#### Amendment Register

Issue	Date	Details	By
Ver. 2.0	Mar 2013	Rewritten to conform closer to MAV / NAMA Guide. & to incorporate results of sealed roads, shoulders & kerb & channel condition audits.	KTL
Ver. 2.1	10/5/2013	Revision to renewal funding & gap modelling, Chapter 9. Minor corrections and clarifications throughout.	KTL

NB: 1. Primary number changes to Versions (e.g. V1.01 to V2.00) will be made when the document undergoes its regular review or when significant changes are made to standards and guidelines for inspections, intervention levels or work

2. Secondary number changes (V1.00 to V1.01) will apply to minor amendments that do not materially impact the document and are intended only to clarify or update issues.

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# 1 EXECUTIVE SUMMARY

## 1.1 Purpose of Plan

The aim of the Transport Asset Management Plan is to provide a framework to describe and review existing management practices relating to Council transport assets and to form the basis of an improvement program to meet progressively identified deficiencies.

## 1.2 Qualification to Study Results and Conclusions

Transport demand is strongly influenced by patterns of urban development whilst the ability to supply new or expanded transport facilities is strongly influenced by external funding, including State and Federal Government and developer contributions. These points highlight uncertainties that affect this Plan:

- Subdivision development in Bacchus Marsh, Ballan and the various townships depends is affected by Council planning approvals, private sector decision making and private demand for accommodation in Moorabool Shire compared with other possible residential locations.

State Government funding of some major infrastructure developments (for example the re-opening of the Gordon railway station) will impact the priority of related road development needs and associated Council funding priorities.

## 1.3 Assets Addressed in Plan

### 1.3.1 Road assets included in this Plan

Table 1 lists the assets addressed in this plan and the number of such assets.

**Table 1: Assets addressed in this Asset Management Plan**

Asset Group	Asset Category	Asset Component	Asset Quantity
TRANSPORT ASSETS	Roads (Sealed)	Seal (Pavement)	858.8 KM
		Seal (Shoulder)	-
		Pavement	858.8 KM
		Shoulders (sealed & unsealed)	1,500 KM
		Earthworks & Formation	858.8 KM
	Roads (Unsealed)	Wearing Course (Gravel)	541.2 KM
		Earthworks & Formation	541.2 KM
	Pathways (Sealed)	Sealed Pathways (incl. Earthworks & Formation)	102.2 KM
		Miscellaneous Paved Areas (Incl. Earthworks & Formation)	(Not yet measured)
	Pathways (Unsealed)	Pavement, Earthworks & Formation	29.8 KM
Car Parks (Sealed)	Wearing Course Pavement Earthworks & Formation	20,460 Sq M	



Car Parks (Unsealed)	Wearing Course Earthworks & Formation	3,640 Sq M
Kerb and Channel		233.8 KM
Traffic Control & Ancillary Devices (Currently not capitalised and not on asset register)	Traffic Calming Devices	(Not yet surveyed)
	Traffic Islands / roundabouts	(Not yet surveyed)
	Street Lights	~ 2,600 No.
	Street name signs	~ 3,000 No.
	Traffic control & advisory signs	~ 3,000 No.
	Guardrails	~ 8,500 M
	Guide posts	~ 16,000 No.
Bridges	Bus shelters (town bus)	~ 26 No.
	Bus shelters (school)	~ 120 No
	Deck (Superstructure) Sub-Structure Abutments Foundations	91No.
	Major Culverts	13No.

The Transport & Bridges Asset Groups together comprise approximately 67% of the value of Council's assets. Table 2 provides a breakdown of replacement costs, accumulated depreciation and written down value (book value) of the Transport Asset Group as recorded in Council's Asset Register.

In addition, Council has significant investment in traffic control and ancillary assets which are not currently capitalized. Estimates of the replacement values of traffic control assets (signs, guardrails, guideposts etc.) have been included. These assets, however, have finite lives and many of them are approaching the end of their service life. To permit an understanding of the budget implications, estimates of the replacement and book values of these are listed in Table 3, and estimates of maintenance, renewal, upgrade and new costs are included in this Plan.

**Table 2: Value of Transport Assets in Asset Register**

Asset Category	Asset Component	2012 Replacement Cost	Accumulated Depreciation	Written Down Value
Road Pavement	Road Formation	25,629,000	-	-
	Sealed Road Pavement	105,401,000	31,595,000	73,806,000
	Unsealed Road Pavement	18,138,000	9,036,000	9,102,000
	Road Seals (asphalt & seal)	44,666,000	14,518,000	30,148,000
	Road Shoulders	20,361,000	14,408,000	5,953,000

Paths	Pathways	11,457,000	3,011,000	8,446,000
Car Parks	Car Parking	2,028,000	679,000	1,349,000
Drainage	Kerb and Channel	17,650,000	5654,000	11,996,000
Bridges & Major Culverts	Bridges & Major Culverts	18,908,000	9,323,000	9,585,000
Total		\$m 264.238	\$m 88.244	\$m 176.014

**Table 3: Estimated value of assets not currently capitalised**

Asset Category	Asset Component	2012 Replacement Cost	Accumulated Depreciation	Written Down Value
Traffic Control & Ancillary Devices	Traffic Calming Devices	(no estimate)		
	Traffic Islands / roundabouts	(no estimate)		
	Street Lights	Not owned by MSC	-	-
	Street name signs	~ \$1,000,000		~ \$500,000
	Traffic control & advisory signs	~ \$1,000,000		~ \$900,000
	Guardrails	~ \$1,000,000		~ \$500,000
	Guide posts	~ \$100,000		~\$20,000
	Bus shelters (town bus)	~ \$250,000		~ \$230,000
	Bus shelters (school)	~ \$360,000		~ \$250,000
Street Trees		(no estimate)		
Total		\$m 3.71		~ \$m 2.40

The pie chart, Figure 1, illustrates the proportion of each asset type by replacement value, including the traffic control and ancillary assets which are not currently capitalised. Sealed roads (pavement plus sealed surface, shoulders and formation) constitute nearly 70% of the total replacement value of the Transport Assets group.

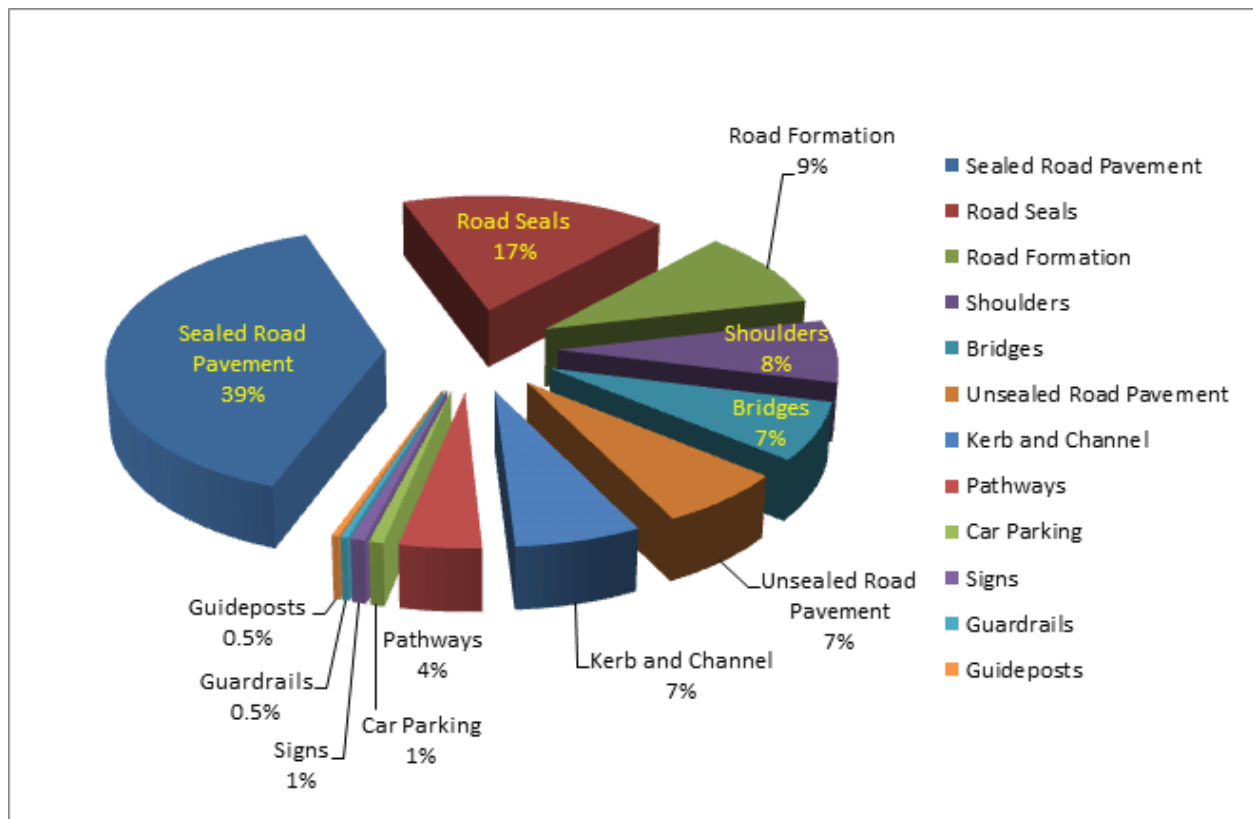


Figure 1: Proportion of Asset Type by Replacement Value

## 1.4 Levels of Service

This Asset Management Plan has been developed largely from a technical engineering perspective. The development of performance measures and targets for the transport asset *service* is required, and should consider the trade-off between community/customer expectations, technical standards and Council's ability to find the resources to meet these expectations.

This plan highlights the needs for engagement with the Moorabool community to identify community expectations and to set service targets in respect of transport assets.

## 1.5 Future Demand

Some critical State and Federal Government road funding decisions are pending and will have a major impact on the Shire's transport services. Until these are resolved, associated transport strategic planning studies are in abeyance. This Plan will need review once these decisions, and the findings of the strategic studies, are known.

## 1.6 20 Year Expenditure Demand Forecast

The Plan estimates the annual expenditure demand based on

- ongoing operations and maintenance of the assets
- renewal of assets due to age or operational depreciation
- upgrade of existing assets to meet current best practice standards
- simple projections of new assets to meet expanding population and industry growth

## 1.7 Renewal Forecasts & Renewal Gap

Chapter 6 analyses in detail the asset renewal demand based on detailed condition audits. The results are summarised in Figure 2 below. To illustrate the fundamentals of asset renewal requirements, however, Table 4 re-presents the asset values in Tables 2 and 3 and, based on the respective asset service lives, presents a simple analysis of renewal requirements, exclusive of addressing any backlog.

**Table 4: 'Back of Envelope' Calculation of Renewal Expenditure Demand**

Asset Category	Asset Component	2012 Replacement Cost	Asset Service Lives	Expected Annual Renewal Cost
Road Pavement	Sealed Road Pavement	105,401,000	60	\$1,760,000
	Unsealed Road Pavement	18,138,000	20	\$907,000
	Road Seals (asphalt & seal)	44,666,000	25 (asphalt) 15 (seal)	\$2,500,000
	Road Shoulders (gravel)	20,361,000	20	\$1,020,000
Paths	Pathways	11,457,000	50	\$230,000
Car Parks	Car Parking	2,028,000	40	\$50,000
Drainage	Kerb and Channel	17,650,000	70	\$250,000
Bridges & Major Culverts	Bridges & Major Culverts	18,908,000	80	\$240,000
Traffic Control & Ancillary Assets	Street name signs	~ \$1,000,000	40	\$25,000
	Traffic control & advisory signs	~ \$1,000,000	10	\$100,000
	Guardrails	~ \$1,000,000	30	\$33,000
	Guide posts	~ \$100,000	10	\$10,000
	Bus shelters (town bus)	~ \$250,000	50	\$5,000
	Bus shelters (school)	~ \$360,000	30	\$12,000
<b>Total</b>				<b>\$m 7.14</b>

This Table suggests that, in a steady state situation, Council should be spending around \$7.14million on asset rehabilitation each year. In fact, taking into account the age profile of the assets, the ideal rehabilitation figure varies from \$7m to \$6.5m over the coming decade, not taking into account the renewal backlog.

As demonstrated in Chapter 6, the condition audits show a backlog of renewal work (assets which should have been replaced up to 5 years ago) amounting to just over \$15 million.

Council long term funding policy sees the renewal budget (approximately \$2.65m per year for road assets) increasing at 10% per year. Analyses in this report assume also that the federal 'Roads to Recovery' funding of \$908,000 continues, but that the special State roads and bridges funding of \$1million per year is not extended beyond the current program. On this basis, the funding backlog (the "Renewal Gap") will continue to increase each year, for about 8 years, until renewal outlays exceed the annual asset deterioration.

Figure 2 shows the annual renewal expenditure demand, based on the condition surveys, and plots this against the indicative renewal budgets in the long term financial plan. Even though the Long Term Financial Plan suggests significant budget increases, the backlog

continues to increase for some year years so long as the renewal demand exceeds the annual budget. To eliminate the backlog will take:

- 16 years if there is a 10% increase in roads renewal budget every year.
- 21 years if there is a 7% increase in roads renewal budget every year.

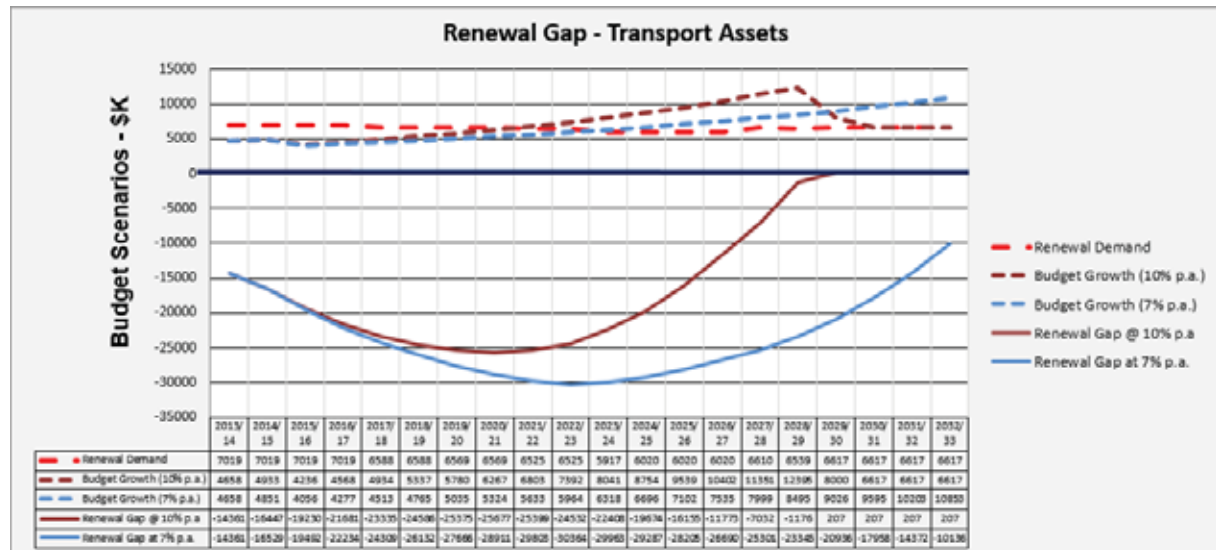


Figure 2: Renewal Demand vs. Indicative Renewal Budget & Consequent Renewal Gap

### 1.8 Monitoring and Improvement Plan

The following improvement actions have been identified in the Plan. The target dates are indicative only. This list of actions will constitute part of a multi-year asset management improvement program and will be on-going agenda items for Asset Management Steering Committee oversight.

Table 5: Improvement Actions

Improvement Action	Details	Action Manager	Indicative Target
1	Undertake an asset condition survey of road signs, guard rails and bus shelters and bring them onto the Asset Register.	Manager Assets	2014/15
2	Record and capitalise all Council owned non-standard street lighting assets.	Manager Assets	2014/15
3	Draft a street light policy for Council consideration requiring developers to install only standard street lighting.	Manager Assets	2014/15
4	Review boundary road and bridge agreements with all neighbouring Shires.	Manager Operations	2014/15
5	Review all lease agreements affecting road and related assets and include details regarding responsibility in the asset register.	Manager Assets / Property & Governance Officer	2014/15
6	Draft policy on criteria for Land Act s.400 declarations for Council consideration and progressively review paper roads for such declarations.	Manager Assets / Property & Governance Officer	2014/15

7	Draft policy formalising practices relating to Council assuming ownership and responsibility for private roads.	Infrastructure Managers	In draft Road Mgt Plan
8	Draft policy on agreements with shopping centre owners on Council control of shopping centre car parks.	Manager Assets	TBA
9	Finalise Transport Asset Group Service Plan and develop cost equations to enable simple estimation of the cost of upgrading service levels.	Manager Assets	TBA
10	Develop relationships that link operating and maintenance costs to quantities of new transport assets.	Manager Operations	TBA
11	Undertake condition survey of miscellaneous paved areas (as defined in the Capitalisation Procedures).	Manager Assets	2014/15
12	Develop condition rating guide for traffic control and ancillary assets.	Manager Assets	TBA
13	Review existing condition rating guides for other asset categories within the transport asset group in the context of implementing this asset group in the Assetic asset management system.	Manager Assets	TBA
14	Review maintenance practices regarding weed infested shoulders, considering an annual spraying program or an annual grading program.	Manager Assets/ Manager Operations	TBA
15	Develop a formal prioritisation procedure for gravel shoulder resheet program.	Manager Assets/ Manager Operations	TBA
16	Introduce an asset protection program with a major focus on prevention of footpath damage.	GM Infrastructure	In current budget bids
17	Complete audit of all gravel footpaths and tracks and trails and bring on to asset register.	Manager Assets	2014/15
18	Develop formal prioritisation criteria for footpath renewal.	Manager Assets	TBA
19	Formulate policy on replacement of gravel cross-overs in areas where there is underground drainage.	Manager Assets	TBA
20	Formulate policy regarding progressive removal of all plated kerb ramps.	Manager Assets	TBA
21	Develop formal prioritisation criteria for kerb & channel renewal.	Manager Assets	TBA
22	Complete program to componentise bridge data in asset register	Manager Assets	2014/15
23	Review the operational budget for the Operations Department so that adequate funds are available to undertake essential bridge maintenance identified in Level 2 audits.	GM Infrastructure/ Manager Operations	TBA
24	Undertake a shire wide road freight study, with particular reference to the emerging requirements of agricultural industries for higher mass limit vehicle access.	Budget new Initiative 2014/15	Subject to budget funding

25	Develop policy for Council consideration on special rate schemes to contribute towards asset upgrade and infill.	GM Infrastructure	TBA
26	Review economics of GATT seals for low usage high maintenance gravel roads.	Manager Assets/ Manager Engineering Services/ Manager Operations	TBA
27	Review economics of sealing gravel shoulders.	Manager Assets	TBA
28	Develop prioritisation criteria for new kerb & channel projects, including procedures for associated special rate schemes.	Manager Assets	TBA
29	Following completion of the planned strategic transport study in Bacchus Marsh, undertake Local Area Traffic Management Studies in Maddingley, Bacchus Marsh and Darley.	Budgets 2014/15 2015/16 2016/17 New Initiatives	Subject to budget funding
30	Develop policy and procedures on traffic calming measures, including criteria for prioritisation.	Manager Assets	TBA
31	Develop prioritisation criteria for new traffic control and ancillary items.	Manager Assets	TBA
32	Develop prioritisation criteria for new street lights.	Manager Assets	TBA
33	Develop policy on asset disposal.	Manager Assets	TBA



## 2 Background

### 2.1 Plan Format

This document is part of Council's overall Asset Management Plan as described below:

- Part A – General Information: Background or information common to all assets.
- Part B – Transport Asset Management Plan
- Part C – Buildings & Structures Asset Management Plan
- Part D – Drainage Asset Management Plan
- Part E – Recreation and Open Space Asset Management Plan

Part A contains supporting information common to the subsequent documents, in particular the demographic, economic, business and commercial factors which drive demand for Council services and which underpins the asset demand identified in this Plan.

Part B, this document, provides the strategic information for Council and the community on the Traffic Assets Group, including the asset holdings, asset condition, the cost of ownership, levels of service, future demand. It also provides details of the long-term funding requirements for asset sustainability and for meeting the forecast funding gap.

### 2.2 Plan Context

Asset Management Plans are strategically focussed, as illustrated in Figure 3. The Transport Asset Management Plan is focussed on the longer term (10 to 20 year time horizon) sustainment planning of the road and related assets addressed by the Plan. It is concerned with:

- Long term sustainability of assets (i.e., the ability to maintain all assets at an appropriate level of service over their useful life and then replace or rehabilitate them when their condition deteriorates below the acceptable level of service);
- Long term meeting of demand for services associated with the assets.



Figure 3: Strategic Focus of Asset Management Plans

### 2.3 Relationship with Other Planning Documents

In addition to general strategic documents detailed in Part A, the Plan draws on a wide range of planning, transport, traffic engineering and other technical documents, including:

- Central Highlands Regional Transport Strategy, AECOM Aust, May 2011.



- Bacchus Marsh Structure Plan – Transport and Parking Strategy, GTA Consultants, Jan 2010 (prepared for Activity Centre Structure Plan).
- Timber Industry Road Evaluation Study Road Needs Study: 2011-2015, May 2011.
- Ballarat Road Transport Strategy, Ratio Consultants, Mar 2007.
- Stonehill at Bacchus Marsh: Proposed Residential Subdivision Transport Impact Assessment, GTA Consultants, May 2011.
- West Maddingley Residential Subdivision – Traffic Engineering Assessment, Cardno Grogan Richards, May 2011.

## 2.4 Key Stakeholders in the Plan

This plan is intended to demonstrate to stakeholders that Council is managing the road assets responsibly. Key stakeholders and their interests and/or expectations regarding the assets are listed in Table 6.

**Table 6: Key Stakeholders**

STAKEHOLDER	INTERESTS or EXPECTATIONS
Federal & State Government Funding Bodies	Accurate data in submissions, program delivery in accordance with commitments, timely and accurate reporting, good governance: <ul style="list-style-type: none"> <li>• Investment is secure and economic returns are being maximised.</li> <li>• Operational capability of the asset is being maintained.</li> <li>• Business risks are being managed responsibly.</li> <li>• Sound processes have been implemented to anticipate and manage future demand to ensure ongoing business viability.</li> </ul>
Councillors	Stewards of Council's infrastructure assets for current and future generations. They expect sound professional advice regarding resource allocation priorities, strategic direction, budgeting allocation.
Ratepayers, Residents, Individual Road Users, Public Transport Users	Value for money, safety standards, levels of service. Expect efficient, reliable and safe services that meet appropriate levels of service.
Freight Industry	Safe non-congested routes linking local businesses with their suppliers or product destination.
Utilities, Developers	Permits and advice delivered in a timely and accurate manner.
Public Transport Operators	Safe, efficient bus routes and stops for reliable time-tabling. Safe efficient access to railway stations. Minimisation of service disruption due to road works.
Council Service Managers	Professional strategic planning, infrastructure information, best practice procedures, design standards, project management, good governance.
Environmental Planners	Effective network design and environmentally sensitive design and construction practices which optimise public transport, bicycle and pedestrian opportunities and minimise greenhouse gas emissions.
Contractors, Suppliers	Quality materials, OH&S observance, professional practice.
Insurers	Good governance, risk management and best practice procedures

## 2.5 Transport Assets Included in the Plan

The plan covers transport assets owned or controlled by Council. Assets included in this plan comprise the following asset categories:

**Table 7: Assets addressed in Transport Asset Management Plan**

Asset Group	Asset Category	Asset Component	Asset Class	Included in AMP
TRANSPORT	Roads (Sealed)	Seal (Pavement)	Roads	Y
		Seal (Shoulder)		Y
		Pavement		Y
		Shoulders		Y
		Earthworks & Formation		Y
	Roads (Unsealed)	Wearing Course (Gravel)	Roads	Y
		Earthworks & Formation		Y
	Pathways (Sealed)	Sealed Pathways (incl. Earthworks & Formation)	Footpaths	Y
		Miscellaneous Paved Areas (Incl. Earthworks & Formation)		Y
Pathways (Unsealed)	Pavement, Earthworks & Formation	Footpaths	Y	
Car Parks (Sealed)	Wearing Course	Roads	Y	
	Pavement		Y	
	Earthworks & Formation		Y	
Car Parks (Unsealed)	Wearing Course Earthworks & Formation	Roads	Y	
Kerb and Channel	Kerb & Channel	Drainage	Y	
Traffic Control & Ancillary Assets	Traffic Calming Devices	Roads	Y	
	Traffic Islands / Roundabouts		Y	
	Etc.		Y	
BRIDGES	Bridges	Deck (Superstructure)	Bridges	Y
		Sub-Structure		
		Abutments		
		Foundations		
	Major Culverts			Y

## 2.6 Transport assets not included in the Plan

Assets specifically excluded from this plan are:

- Driveways providing access from private property to an adjacent road (the responsibility of the land owner)
- Pipes under driveways (the responsibility of the land owner)
- Nature strips (the responsibility of the land owner)

- Streetscape (addressed in Recreation and Open Space Asset Management Plan)
- Street furniture such as seats, rubbish bins (addressed in Recreation and Open Space Asset Management Plan)
- Street trees including Avenues of Honour (addressed in Recreation and Open Space Asset Management Plan)

## 2.7 Capitalisation Policy & Procedures

### 2.7.1 Review of Asset Registers

In 2012, following review by Council's Audit and Risk Committee, Council adopted a formal policy on asset capitalisation, based on Australian Accounting Standards Board guidelines. This policy was a precursor to a rigorous review and quality assurance of Council's asset registers. The quality of Council's road asset data is now very high

### 2.7.2 Road assets addressed in this Plan but not Capitalised

#### 2.7.2.1 To capitalise traffic control items or not?

Typically, assets valued under \$5000 are expensed in the year of acquisition. However, Australian accounting standards provide that, where expenditure on assets forms part of a network (e.g. office furniture or street signs), the individual components may be aggregated when applying the capitalisation threshold. Recording of multiple small value components as a single networked asset is about materiality (the total cost implications for Council) and the trade-off between asset knowledge and resources to collect and manage the information. With traffic control devices there are also considerations of road safety, legal liability and budget planning and prioritisation.

#### 2.7.2.2 Traffic Control Devices and Road Safety

All assets age, and their effectiveness in providing their intended service may deteriorate. In some cases deterioration will have minimal impact on the service provided. For road safety assets, such deterioration may contribute to an increased risk of accident and even death. For example, the retro-reflectivity of traffic signs at night (the ability of a sign to reflect light in the direction of the vehicle headlight) deteriorates over around 10 years to the point that it too low to be effective. Roughly 50% of such signs in Moorabool are over 20 years old. Table 8 indicates the effect on service provision of the aging of traffic control and auxiliary assets.

#### 2.7.2.1 Legal Liability

An asset inventory is essential to help respond to claims for tort liability cases. In the case of traffic control or advisory signs, for example, it can provide evidence of the existence of a particular sign at a particular location and document the inspection or maintenance activity associated with the sign.

#### 2.7.2.2 Budget Planning and Prioritisation

Taking traffic sign and guardrail assets as an example, based on the effective service lives suggested by AustRoads and applied by various State Government agencies, Moorabool should have a renewal budget of around \$150,000 for these assets alone, leaving aside the backlog of the order of \$600,000 to \$1,000,000. In the absence of an asset register, such renewal needs go unnoticed until a death occurs.

Bus shelters are not safety critical, but the data on these assets is good so there is nothing preventing their capitalisation. Also, Council has entered into a formal agreement with the State transport department regarding maintenance of public bus shelters.

**Improvement Action 1: Undertake an asset condition survey of road signs, guard rails and bus shelters and bring them onto the Asset Register.**

Street lighting assets are somewhat different. New lights are procured within Council's capital program but then become assets of the power company. Council then pays an annual operating and maintenance fee to the power company. Similarly, all standard street lighting in new subdivisions become assets of the power company. However, the power companies refuse to accept non-standard street lighting (for example decorative designs). These remain Council assets and Council is responsible for their maintenance and renewal. Council has inherited several hundred of these non-standard lights from developers. Council has no record of the number of such assets we own.

**Improvement Action 2: Record and capitalise all Council owned non-standard street lighting assets.**

**Improvement Action 3: Draft a street light policy requiring developers to install only standard street lighting.**

**Table 8: Non-capitalised transport assets - Impact of aging on service levels**

Asset Component	Main Service Provided	Impact of Asset Aging on Service Provision	Service Life <sup>1</sup>
Traffic Calming Devices	Reduce vehicle speeds	Minimal	30
Traffic Islands / roundabouts	Reduce vehicle-vehicle and/or vehicle-pedestrian conflict points	Minimal	30
Street Lights	Assist pedestrian and driver navigation at night. Provide advance warning of hazardous isolated intersections.	Minimal	20
Street name signs	Assist navigation	Reduced convenience for road users	40
Traffic control & advisory signs	Provide advance warning of potential road hazards	Increased risk of both property damage and casualty accidents (arising from loss of reflectivity of signs)	10
Guardrails	Assist recovery from loss of vehicle control	Increased risk of casualty accidents (arising from failure of rusted barrier or unsecured posts)	30
Guide posts	Provide guidance to drivers on changing road alignment.	Minor	10
Bus shelters (town bus)	Provide protection from sun and rain	Minimal - but MoU exists with State Government regarding their maintenance	50
Bus shelters (school)	Provide protection from sun and rain	Minimal	30

<sup>1</sup> Austroads, AP-T149, 2010. Road Safety Engineering Risk Assessment Part 4: Treatment Life for Road Safety Measures.

## 2.8 Goals & Objectives of Asset Ownership

### 2.8.1 Links to organisation vision, mission, goals and objectives

The AM plan and associated tactics align with the strategic direction identified by Council. This assists in the delivery of effective services and efficient expenditure on the assets supporting service delivery.

Council adopted the Council Plan 2009/2013 which sets out Council's direction over the 5 year time horizon. This Plan sets out Council's Strategic and Corporate Goals in terms of four key result areas supported by objectives, strategies and actions. The Council Plan stated the Council mission and vision to be:

Council's Mission	Viable and vibrant communities with strong identities forming an integrated Shire.
Council's Vision	Leading and serving our communities by listening to, planning for and providing quality services and advocacy.

From these derive the specific strategic objectives relevant to the management of Council's transport assets.

**Table 9: Council Plan 2009-2013 – Strategic Objectives of Transport Asset Management**

Document	Section	Strategic Objective
<b>Council Plan 2009-13</b>	Effective and safe transport networks	Develop transport and pedestrian networks, services and connectivity between and within communities.
	Long term asset management	Develop long term Strategic Asset Management Plans for all Council assets to manage current and future assets needs.

### 2.8.2 Strategic and Corporate Documents related to Transport Infrastructure

In addition to the Council Plan, the strategic goals and key performance measures that are relevant to the management of the road portfolio are included in the following documents:

- Annual Report 2007/08;
- Asset Management Policy;
- Asset Management Strategy;
- Road Safety Strategic Plan;
- Moorabool Strategic Bicycle Plan;
- Road Management Plan (Revised 2009);
- Moorabool Roadside Management Plan.

#### 2.8.2.1 Annual Report

The Annual Report 2010/11 presents a set of principles and values to foster the delivery of high quality services and the building of strong, positive relationships. These principles and values are a reminder that customers are our number one priority and that we need to continue to review and improve our practices.

#### 2.8.2.2 Asset Management Policy

The Policy presents a management framework for the sustainable management of Council's infrastructure assets now and into the future.

### 2.8.2.3 Asset Management Strategy

The Strategy provides direction and courses of action for asset management at the Shire, including an ongoing asset management improvement plan.

### 2.8.2.4 Road Safety Strategic Plan

The Moorabool Shire Road Safety Strategic Plan includes six detailed strategy actions, developed in consultation with key stakeholders within the local community:

- Coordination and leadership of road safety planning and action;
- School road safety promotion and school transport safety;
- Reducing pedestrian, cyclist and motorised scooter casualties;
- Young children 0 to 5 years and their families;
- Driver and passenger safety; and
- Planning and managing a safe road network.

### 2.8.2.5 Moorabool Strategic Bicycle Plan

The aim of the bicycle plan is to produce a bicycle network and strategy for implementing bicycle facilities as well as to promote and encourage cycling in the Shire of Moorabool. This Plan is now dated in the light of significant residential development in Bacchus Marsh, and is currently under review.

### 2.8.2.6 Road Management Plan

The purpose of this document is to meet the requirements, defined by the Road Management Act 2004, and in doing so to provide the community with an overview of road management practices undertaken within the municipality to meet defined levels of service. The Road Management Plan (RMP) is an operational and maintenance management plan. Its focus is on the day-to-day levels of service and standard of maintenance. The revised (2013) RMP is currently before Council.

### 2.8.2.7 Moorabool Roadside Management Plan

The Plan identifies a conservation rating of all rural roadsides, location of utilities and services, historic monuments, features or markers, location of rare plants or animals, material stockpiles, erosion and salinity problems. It presents guidelines for day to day roadside management and associated monitoring. This is also an operational and maintenance management level plan.

## **2.8.3 Planned Supporting Document**

### 2.8.3.1 Service Plans

Council assets exist only to provide services. The services and the associated performance standards should define what assets are held by Council and in what condition. Hitherto, 'asset management' has been seen as primarily an engineering function. An understanding of assets as a key element in service provision sees the Asset Manager at the service of the Service Unit Manager.

The next step in the Shire's asset management improvement program will see collaboration with Service Unit Managers in the development of Service Plans which will focus on identified community expectations and the trade-offs between 'levels of service' and available budget.



## 2.9 Ownership and Control of Transport Assets in the Shire

### 2.9.1 Demarcation of Responsibility

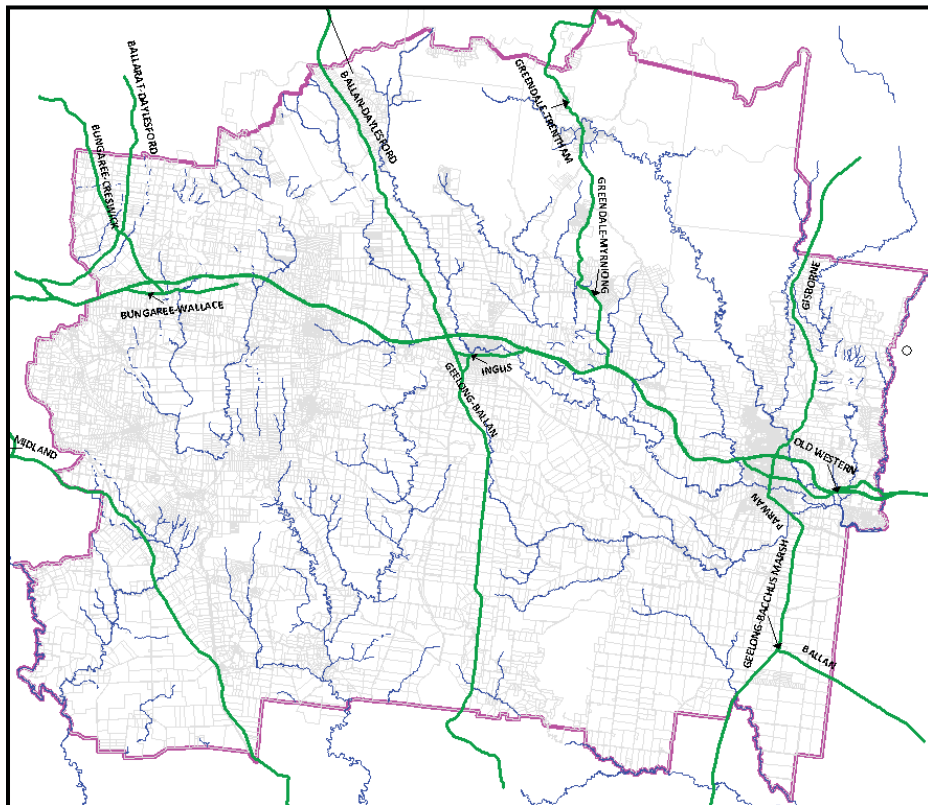
The *Code of Practice – Operational Responsibility for Public Roads*, a statutory document under the Road Management Act 2004, sets out the demarcation of responsibilities for roads, bridges and road related assets between Council and public bodies such as VicRoads, Department of Sustainability and the Environment (DSE) and Parks Victoria.

### 2.9.2 Roads under the jurisdiction of Moorabool Shire

Moorabool Shire is the responsible authority for all roads and road related assets listed on its *Register of Public Roads*, established under section 19 of the Road Management Act. The *Register of Public Roads* is available on Council's web site.

### 2.9.3 Roads under the jurisdiction of VicRoads

Declared freeways and arterial roads are managed by Vic Roads. Moorabool Shire has responsibility for footpaths, service lanes and median strips adjacent to arterial roads. Figure 4 shows roads within Moorabool shire for which VicRoads is the Responsible Road Authority under the Road Management Act.



Western Freeway / Highway  
Midland Highway  
Geelong-Bacchus Marsh Road  
Bacchus Marsh-Gisborne Road  
Geelong-Ballan Road  
Ballan-Daylesford Road  
Bungaree-Wallace Road  
Bungaree-Creswick Road  
Old Melbourne Road (part only)  
Myrning-Trentham Road  
Ballan Road  
Bacchus Marsh Road  
Ballarat-Daylesford Road  
Diggers Rest Road

Figure 4: Roads for which VicRoads is Road Authority

### 2.9.4 Roads under the jurisdiction of the DSE

Most roads and tracks located on Crown Reserves in Moorabool Shire are the responsibility of the DSE. A small number of roads on Crown Reserves which serve local communities or are through roads are designated as Council roads in the Register of Public Roads.

Altogether there are approximately 1,000KM of DSE roads, primarily unformed tracks, in Moorabool Shire.



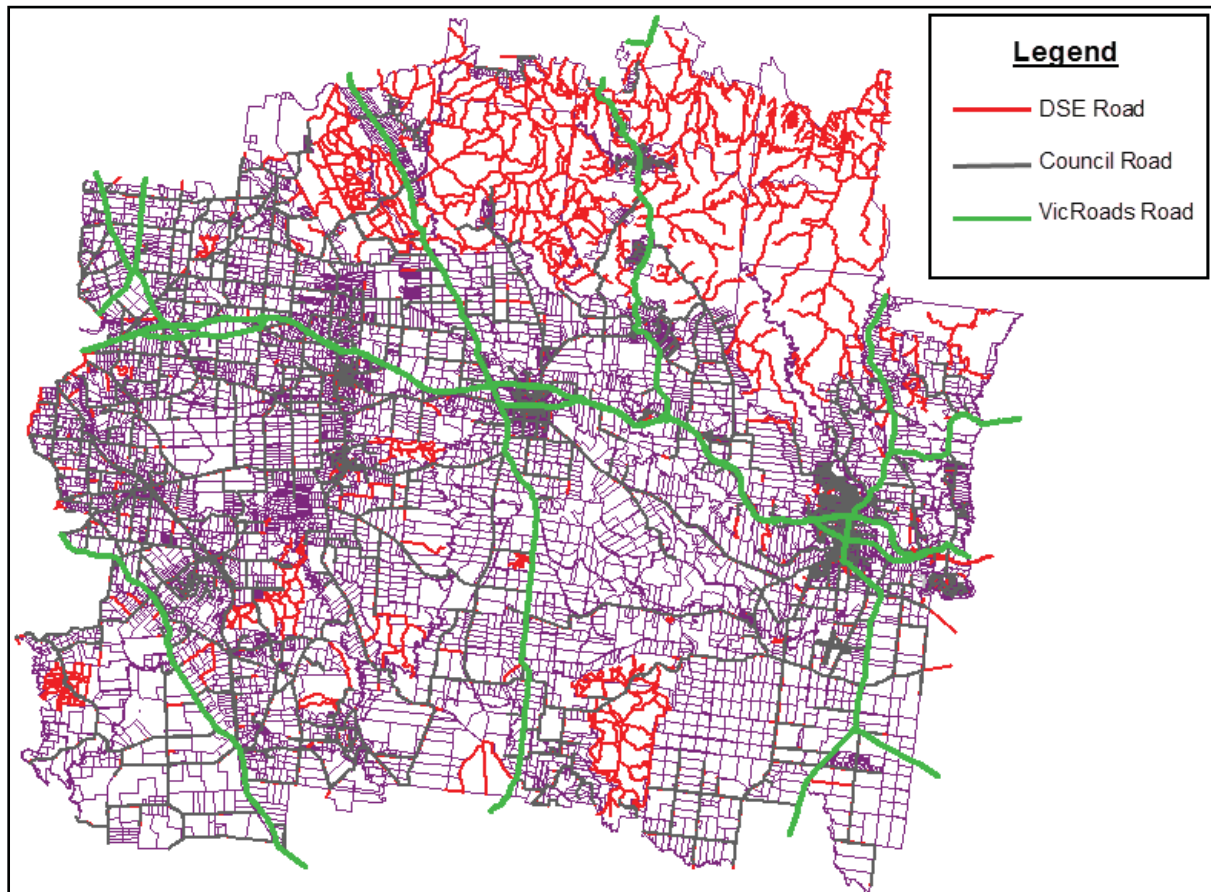


Figure 5: Roads where the DSE is the responsible authority

### 2.9.5 Railway crossings

Council has signed a Safety Interface Agreement (SIA) with VicTrack as required under the Rail Safety Act 2009. The SIA specifies the respective responsibilities for roads, bridges and road related assets in the vicinity of any level crossing. There are 32 level crossings and 15 railway bridges in the Shire which are covered by these safety agreements. These are depicted in Figure 6

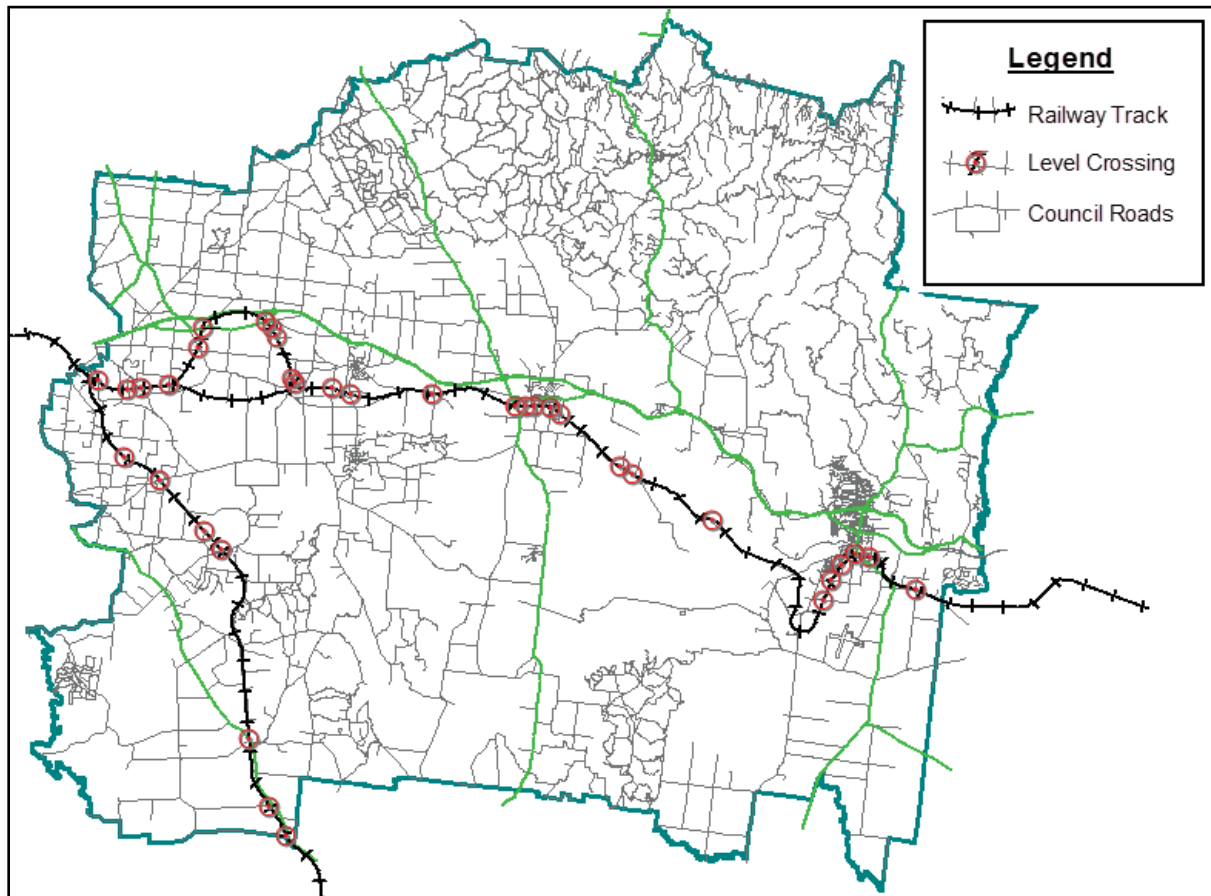


Figure 6: Location of all level crossings & railway bridges

### 2.9.6 Boundary roads under the jurisdiction of neighbouring Shires

The Council has agreements with neighbouring Shires regarding operational and maintenance responsibility where a road or bridge straddles the Shire boundary. The neighbouring Councils are:

- Golden Plains Shire
- City of Ballarat
- Shire of Hepburn
- Shire of Melton
- City of Greater Geelong
- Macedon Ranges Shire
- City of Wyndham.

Of the 52km of boundary roads, Moorabool is responsible for maintaining approximately 50%, whilst the other Councils share the responsibility for the remainder. It is noted that these agreements have not been reviewed for over a decade.

**Improvement Action 4: Review boundary road and bridge agreements with all neighbouring Shires.**

### **2.9.7 Roads on leased Council property**

The responsibility for roads and car parks associated with Council owned but leased facilities (such as Bacchus Marsh airport) is determined from the terms of the lease. In some cases Council is responsible. In others, the lessee is responsible. However, such data is currently only accessible from the lease agreement itself and is not readily available to asset managers.

**Improvement Action 5: Review all lease agreements affecting road and related assets and include details regarding responsibility in the asset register.**

### **2.9.8 “Paper Roads”**

“Paper road” is a term commonly used for a road that is legally established and recorded in survey plans, but has never been formally constructed. They may comprise dirt tracks cleared by local farm vehicles but typically cannot be distinguished from adjoining natural landscape. Such a road exists only on paper. Within Moorabool Shire, there are several hundred kilometres of ‘paper roads’. None of these roads are included on the Register of Public Roads. Based on legal advice, Council considers that these ‘paper roads’ are the responsibility of the DSE. This view, however, is not necessarily accepted by the DSE. Because of the uncertain legal situation regarding paper roads, where such roads are unlikely ever to be required for public highway purposes, Council has the option of declaring them ‘unused roads’ under section 400 of the Land Act 1958. This will enable the DSE to offer the land for sale or lease to neighbouring property owners.

**Improvement Action 6: Draft policy on criteria for Land Act s.400 declarations for Council consideration and progressively review paper roads for such declarations.**

### **2.9.9 Private access roads**

A number of road types fall into this category.

#### **2.9.9.1 Access tracks on public land to private residences**

There are diverse access tracks, which may or may not lie within a road reserve, which give access from a public road to one or two properties. Such access tracks have the characteristic of a private driveway and are regarded as such by Council. Such access tracks are not on the Register of Public Roads and Council does not undertake maintenance of them.

Provided that the property owners construct such access tracks to Council’s local rural road standard, Council will incorporate the road onto the Register of Public Roads and will assume responsibility for ongoing operation and maintenance.

The 2013 Road Management Plan, currently before Council, formalises criteria relating to whether such roads are to be included on the Register of Public Roads.

#### **2.9.9.2 Private roads legally owned by a body corporate**

A small number of constructed roads within the Shire are private roads owned and managed by the body corporate of a subdivision. Council is not responsible for these roads and they are not included in the Register of Public Roads. On an ad hoc basis, Council offers to take over ownership and maintenance of such roads provided that they are upgraded to basic Council standards.

**Improvement Action 7: Draft policy formalising practices relating to Council assuming ownership and responsibility for private roads.**

### 2.9.9.3 Roads within private property

A much larger group of roads within this category of private roads are the internal access roads and car parking associated with hostels, hospitals, shopping centres, apartments and flats. Council is not responsible for these roads and they are not included in the Register of Public Roads. It is noted that many Victorian Councils have entered into agreements with shopping centres to take over responsibility for parking control within shopping centre car parks. Typically, these arrangements are self-funding through parking fines accruing to Council. This results in the more effective operation of shopping centre car parks.

**Improvement Action 8: Draft policy on agreements with shopping centre owners on Council control of shopping centre car parks.**

### 2.9.9.4 Right of Carriage Way Easements

A small subset of private access are 'right of carriage way' easements. These are easements on private land which give right of access to an adjoining (typically land-locked) property. Council has no responsibility for such easements or the access paths constructed thereon.

### 2.9.9.5 Other assets in the road reserve

A number of public utilities make use of the road reserve for the installation of infrastructure associated with their services. These include water and sewerage utilities, power and telecommunications utilities. The Council does not maintain these assets. The respective authorities have a responsibility under the Road Management Act and specifically under the *Code of Practice for Management of Infrastructure in Road Reserves* to maintain their infrastructure in a satisfactory state of repair.

## 2.10 Asset Management Responsibility Within Council

Council's Asset and Service Responsibility Matrix defines the role of asset manager and those services which use particular assets. The managers responsible for the services delivered by the transport assets and the associated services used are summarised in Table 10.

**Table 10: Service manager for transport assets**

Asset Category	Asset Component	Service Manager	Services Utilising the Asset Class	
Roads (Sealed)	Seal (Pavement)	Manager Assets	Resident vehicular access to employment, education, shopping, recreation etc. Tourist vehicular access to the full range of tourism services	
	Seal (Shoulder)			
	Pavement			
	Shoulders			
	Earthworks & Formation			
Roads (Unsealed)	Wearing Course (Gravel)	Manager Assets	Commercial vehicular access for distribution & exchange of good and services	
	Earthworks & Formation	Manager Assets		
Pathways (Sealed)	Sealed Pathways (incl. Earthworks & Formation)	Manager Assets	Pedestrian, bicyclist wheelchair, mobility scooter & equestrian access to and between local facilities (whether urban or rural)	
	Miscellaneous Paved Areas (Incl. Earthworks & Formation)			
Pathways (Unsealed)	Pavement, Earthworks & Formation	Manager Assets		
Car Parks (Sealed)	Wearing Course	Manager Assets		Vehicle parking for clients

	Pavement		and employees of local commercial, retail and service providers
	Earthworks & Formation		
Car Parks (Unsealed)	Wearing Course	Manager Assets	
	Earthworks & Formation		
Kerb and Channel		Manager Assets	Control of overland stormwater flows on sealed roads
Traffic Control & Ancillary Devices	Various	Manager Assets	Directional, advisory and road safety services to road users
Bridges		Manager Assets	As for roads and footpaths
Major Culverts)			

## 3 LEVELS OF SERVICE

### 3.1 Introduction

This Plan aims to match the level of service (LOS) provided by assets with customer expectations, subject to budget constraints. Where there is a clear mismatch between achievable standards (based on budget) and customer expectations, management of expectations is important. The levels of service defined in this Section will be used to assist community dialogue on levels of service, as a basis for developing management strategies to deliver an agreed level of service and to assist in the refinement level of service indicators in the operational and maintenance management plans.

### 3.2 Community Engagement and Customer Needs

#### 3.2.1 Background and Customer Engagement Undertaken

Community engagement within Moorabool Shire over the past five years has included a variety of mechanisms for seeking to understand community aspirations, concerns and priorities, as indicated in Table 11.

**Table 11: Engagement in Relation to Transport Assets**

Engagement Mechanism	Engagement in Relation to Transport Assets				
	Roads & Bridges	Footpaths	Car Parks	Kerb & Channel	Traffic Control
Customer request analysis	✓	✓	✓	✓	✓
Community Satisfaction Survey	✓	x	✓	x	✓
Council Surveys	x	x	x	x	x
Local Area Traffic Study consultation	✓	✓	✓	x	✓
Moorabool Communities in Action Program	✓	✓	✓	x	✓
Community Petitions / Presentations to Council	✓	✓	✓	x	✓
Direct Representation to Councillors	✓	✓	✓	✓	✓

#### 3.2.1.1 Resident feedback from Council's 'Customer Request Management System'

Most road asset related customer requests are related to gravel roads. An analysis of Moorabool's customer request system since 2003 reveals over 600 issues per year were raised concerning gravel roads. This is shown in Table 12. The major areas of concern related to pot-holes and roughness/corrugations, with dust problems a close third.

**Table 12: Analysis of Resident Concerns Re Gravel Roads in Shire: Mar 2003- Jan 2010**

<b>Issue Source</b>	<b>Needs grading</b>	<b>Pot Holes</b>	<b>Dust</b>	<b>Corrugations</b>	<b>Please Seal Road</b>	<b>All issues re Gravel Roads</b>
'BluePoint'	321	586	608	515	455	2080
CRMS	555	869	238	684	82	1851
TOTAL	876	1455	841	1199	537	3931

Note: These figures contain dual concerns as well as multiple requests in relation to the same issue.

In addition, approximately 300 customer requests are received per year relating to sealed roads, traffic issues, school bus issues or footpaths. The main issues are:

- Rough roads and pot holes on rural roads
- Traffic congestion in Bacchus Marsh
- Congestion and parking problems around schools
- Requests for resident permit parking and restrictions on public parking around schools and shopping or commercial centres
- Vehicle speeds in local residential streets and requests for 'speed humps'
- Vehicle speeds on roads leading into and through the various townships and request for 80KPH speed limits
- Requests for more traffic control ('STOP' & 'GIVE WAY') and advisory signs (especially 'CONCEALED ENTRANCE' and 'CREST' signs)
- Requests for more pedestrian crossings on higher volume roads
- Requests for footpaths on streets currently with no footpath
- Concerns regarding trip hazards with cracked or displaced footpath slabs
- Concerns for the safety of school children walking to school bus stops on busy roads
- Requests for school bus stops so children don't have to wait in sun or rain.

### 3.2.1.2 Annual Customer Satisfaction Survey

Each year, the Victorian Department of Planning and Community Development commissions a Local Government Community Satisfaction Survey, undertaken by an independent market research firm. The survey is conducted across most Victorian Local Government areas, including Moorabool. The questionnaire is kept similar from year to year. This enables a comparison in responses between different Councils and over time.

Figure 7 summarises the overall community satisfaction with Moorabool Shire in 2012 in respect of local roads and footpaths in comparison with similar rural shires and with all Victorian Councils. The survey indicates that about one third of residents are dissatisfied with Council performance in this regard. This is slightly higher than the state average but comparable with other large rural Shires.

Detailed analysis of the Community Satisfaction Survey results for Moorabool over the past 7 years highlights dissatisfaction with:

- traffic congestion in Bacchus Marsh
- the legacy of aging footpaths
- management of gravel roads (loose gravel, dust &/or corrugations)



- management of the roadside verge (slashing of weeds & saplings on gravel roads)
- road safety, especially in relation to vehicles speeds and lack of pedestrian crossings
- edges & shoulders (especially ‘drop offs’ on gravel shoulders)

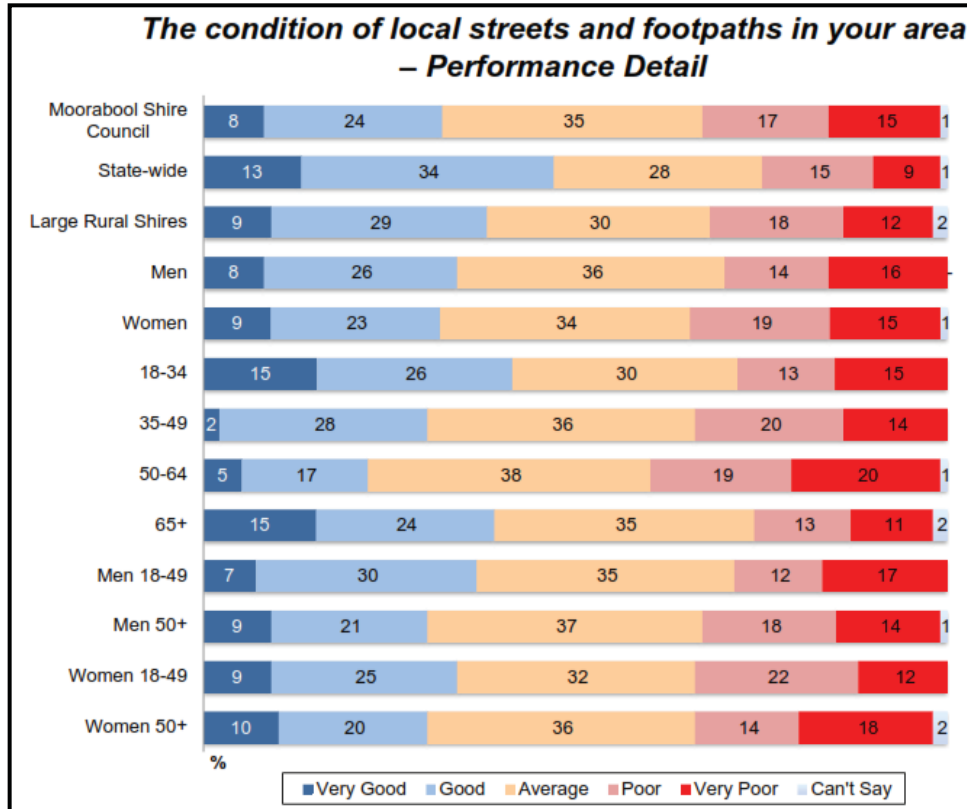


Figure 7: Community Satisfaction Survey 2012 - Roads & Footpaths in Moorabool

Source: DPCD: 2012 Local Government Community Satisfaction Survey – Moorabool Shire Results

3.2.1.3 Local Area Traffic Study Consultation

The Darley Local Area Traffic Management Study included extensive local consultation under the aegis of a community based steering committee which included representatives from local schools and pre-schools, police, emergency services, bus operators and local residents. Key issues identified in the consultation included:

- Need to have strategic bike-pedestrian paths linking to schools, shops and major recreation venues.
- Need for improved traffic management around shops, schools and bus terminals.
- Improved pedestrian crossing points at major roads.
- Concern about high speeds on local roads.
- Need to address traffic congestion in peak periods.

3.2.1.4 Feedback from Moorabool Communities in Action (MCIA) program

The MCIA program focussed on issues in the smaller Townships. Key road related issued arising from MCIA included:

- Need for street lights at high volume isolated rural intersections and at entries to townships.
- Need to reduce speed on roads through / near rural townships.

3.2.1.5 Feedback from Community Petitions and Councillor Contacts

Key road related feedback from these mechanisms includes:

- Need for reduced speed on roads through / near rural townships.
- Desire for sealing of gravel roads
- Desire for footpaths on urban roads without footpaths
- Desire for footpaths linking rural townships with local recreation reserves, schools or school bus stops.

3.2.1.6 General research into customer expectations relating to Road Assets

There have been diverse studies comparing community (dis)satisfaction regarding road condition with objective engineering measures of pavement quality. These show remarkable consistency. In other words, the non-technical road user is a very good judge of the quality of the road.

Figure 8 from an ARRB study of Council Roads in the Tamworth NSW, illustrates the relative importance the community places on different aspects of road condition. It can be seen that ride quality or roughness was considered the most important factor, closely followed by potholes and obvious safety issues. Figure 8 also shows that technical engineering measures related to safety (road geometry) or to pavement strength, and hence remaining life (rutting) have a relatively low impact on community perception of the state of the road.

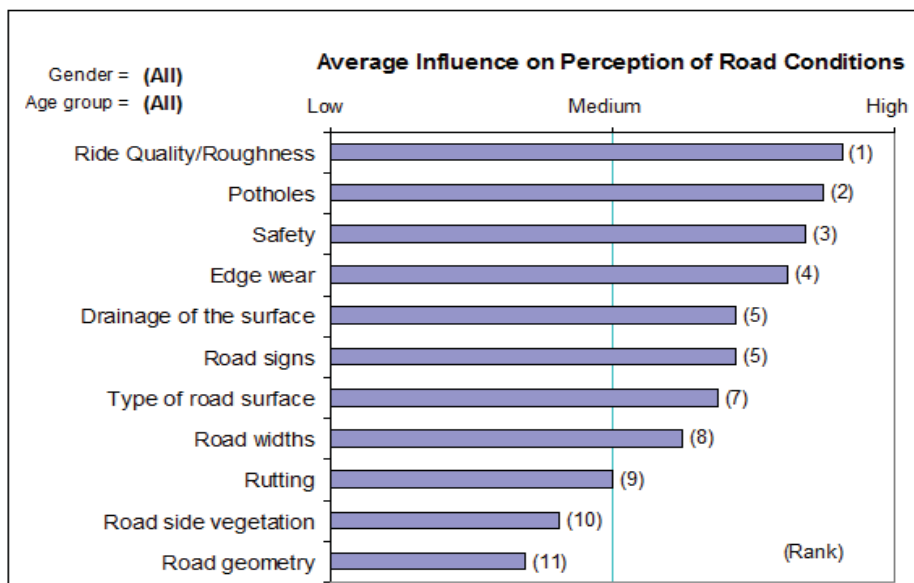


Figure 8: Community Perceptions of Factors Affecting Road Condition

3.2.1.7 Summary of community expectations relating to transport services

Table 13 summarises the community needs/wants identified through the various community outreach approaches.

**Table 13: Summary of Community Expectations / 'Wants' from Transport Assets**

Asset Component	Community Expectation (want/need)	Community Service Measure
Sealed Roads	Fix rough roads & pot-holes	Road Driveability
	Fix traffic congestion in Bacchus Marsh	Network accessibility
	Fix dangerous intersections	Road safety
	Fix blind curves & crests	
Unsealed Roads	Seal gravel roads	Road driveability
	Grade corrugations on gravel roads	
	Fix dust problems on gravel roads	Environmental Impact
	Trim vegetation on edges of narrow winding rural roads	Road Safety
Footpaths	Complete footpath linkages to schools, shops & parks	Convenience
	Construct footpaths on streets currently with no footpath	Safety
	Fix trip hazards on cracked or displaced footpath slabs	
	Clear nature strip obstructions where there are no footpaths	
	Clear overhanging branches adjacent to footpaths	Accessibility
	Construct accessible wheelchair ramp at footpath crossings	
Car Parks	Fix congestion and parking problems around schools	Safety & Convenience
	Provide more parking facilities near shops and businesses	
	Provide 'Residents Only' permit parking on residential streets near schools and shopping centres	
	Provide more disabled parking spaces near schools and shops.	Accessibility
Kerb & Channel	Fix displaced kerb & channel	Safety
	Get rid of illegal driveway ramps	
Traffic Control	More speed inhibitors (speed humps) in residential areas	Traffic Safety
	Cut speed limit to 80KPH on rural roads near rural townships	
	Improve intersection safety (more 'STOP' or 'GIVE WAY' signs)	
	Improve safety near my driveway with advisory signs (especially 'CONCEALED ENTRANCE' and 'CREST' signs)	
	More pedestrian crossings on busy streets in Bacchus Marsh & Ballan	

### 3.3 Legislative Requirements

#### 3.3.1 Legislative Requirements and Council Local Laws

Council stewardship over road infrastructure is governed by a range of Federal and State legislation. Key legislation is set out in Table 14. Statutory requirements form the general minimum levels of service for Council's infrastructure assets.

**Table 14: Key Legislation relevant to Road Assets**

Legislation	Requirement
Local Government Act 1989	Sets out roles, responsibilities and powers of local governments including sound financial management, the management and maintenance of assets, the management of roads, footpaths and traffic management (including car parking).
Road Management Act 2004 and associated Codes of Practice	Sets out the roles and responsibilities of Council as a road authority for local roads. It includes requirements for development of a Road Management Plan and maintenance of a Register of Public Roads.
Road Safety Act 1986 and associated Regulations	Sets out the roles and responsibilities relating to the control of traffic on public roads, including powers which may be exercised directly by Local Government and powers may be exercised by Local Government subject to VicRoads delegation and control.
Planning and Environment Act 1987	Establishes the statutory framework for planning the use, development and protection of land in Victoria.
Environment Protection Act 1970	Creates the legislative framework for the protection of the environment in Victoria having regard to the principles of environment protection.
Flora and Fauna Guarantee Act	State legislation for the conservation of threatened species and communities and for the management of potentially threatening processes.
Environment Protection and Biodiversity Conversation Act 1999	Federal legislation which seeks to conserve Australian biodiversity and protect locations of national environmental significance. This legislation has particular implications for the maintenance of road reserves often are the main remaining areas of scarce native vegetation.
Disability Discrimination Act 1992	Federal legislation which sets out responsibilities of Council in dealing with access and use of public infrastructure, including 'accessible pathways of travel', access to transport infrastructure (such as bus stops) and provision of disabled parking.

### **3.3.2 Other relevant references include:**

In managing its assets, Council also seeks to apply best practice through adherence to various State, National and International Standards, including:

- International Infrastructure Management Manual;
- National Asset Management and Financial Management Assessment Framework;
- Australian Standards and Technical Codes of Practice;
- Australian Accounting Board Standards;
- 'Best Practice' guides developed by various professional bodies; and
- VicRoads Standards.

## **3.4 Current Levels of Service**

### **3.4.1 Asset Functional Hierarchy**

The asset hierarchy is critical to the setting of technical levels of service. Typically a higher hierarchy level asset has more usage and is constructed and maintained to a higher standard. The hierarchy is used in the operational and maintenance plans (the Road Management Plan) to determine standards, intervention levels and response times.

### 3.4.1.1 Road and Bridge Hierarchy

The hierarchy assigned to each road segment is used to determine the inspection frequencies, maintenance regimes and standards for new construction. It is also used as the basis for assessing route suitability for higher mass limit vehicles. Bridges do not have a separate hierarchy from a road use perspective, but are classified along with the road.

Tables 15 and 16 detail the criteria used to define the hierarchy of any given road or section of road. Council will apply these rules when classifying all new roads within the Shire. The primary decision criterion for determining hierarchy is the statement of purpose listed in Table 15. In general, five out of the seven criteria in Table 16 should be met to justify a higher hierarchy level than indicated by Table 15.

**Table 15: Moorabool Shire Council Road Hierarchy**

Hierarchy	Urban	Rural
<b>Link</b>	These roads provide a link between major roads, communities, industrial centres, and are designed to cater for high traffic volumes and heavy vehicles.	These roads provide a link between major roads, townships, or industrial centres, and are designed to cater for high traffic volumes and heavy vehicles.
<b>Collector</b>	These roads connect to districts, minor tourist or industrial centres or between major roads, and are designed to cater for high traffic volumes and heavy vehicles.	These roads connect to districts, minor tourist or industrial centres or between major roads, and are designed to cater for high traffic volumes and heavy vehicles.
<b>Access 1</b>	These roads are designed to give access to residences or secondary commercial access. They are designed for low volume commercial vehicle traffic generated by adjoining farms. They are not designed to cater for regular heavy vehicle through traffic.	These roads are designed to give access to farms and residences. They are designed for low volume commercial vehicle traffic generated by adjoining farms. They are not designed to cater for regular heavy vehicle through traffic.
<b>Access 2</b>	These roads are designed for low volume car access to properties. They are not designed to cater for regular through traffic or regular commercial vehicle usage.	These roads are designed for low volume car access to properties. They are not designed to cater for regular heavy through vehicular traffic.
<b>Access 3</b>	Seldom used lanes or right of way providing secondary access to one or two properties. These are not maintained by Council.	These are not constructed roads and typically have a natural surface or minor upgrades provided by adjoining property owners. They serve agricultural properties or up to two houses which typically have an alternative road frontage. They are intended to cater for 4-WD vehicles or agricultural machinery. These are not maintained by Council.
<b>Fire Access Track</b>	Not Applicable	These are formed or unformed tracks which have been identified specifically to provide emergency access for CFA vehicles or to provide for an emergency escape route in the event of bush fires

**Table 16: Criteria for Determining Road Hierarchy**

	<b>Link</b>	<b>Collector</b>	<b>Access One</b>	<b>Access Two</b>	<b>Access Three</b>	<b>Fire Access Track</b>
<b>Typical Daily Traffic Volumes</b>	500 to 5,000	250 to 2,500	300 to 1,000	10 to 300	>10	<10
<b>% Commercial Vehicles</b>	>10%	>5%	1% - 5%	<1%	Local agricultural vehicles only	Fire trucks only
<b>Through Traffic</b>	Always	Usually	Sometimes	Rarely	Never	Never
<b>Bus Route</b>	Usually	Usually	Possible	Never	Never	Never
<b>Intersecting Roads</b>	Many	Many	4 < 8	<4	Rare	Rare
<b>Main link between residential, retail, commercial or industrial precincts, tourist venues etc.</b>	Always	Usually	Sometimes	Rarely	Never	Never
<b>B-Double Route</b>	Yes if road condition permits	Possible, from commercial origin to nearest Link	Farm gate to nearest Link only.	Farm gate to nearest Link only.	Never	Never

### 3.4.1.2 Footpath Hierarchy

Table 17 shows the footpath and tracks and trails hierarchies

**Table 17: Moorabool Shire Council Footpath Hierarchy**

Hierarchy	Description
P1: High Use & Commercial Areas	<p>These are footpaths serving the retail and commercial areas of town centres, e.g. Main St. Bacchus Marsh and Inglis St. Ballan.</p> <p>Also, footpaths service other medium density pedestrian attractors, such as:</p> <ul style="list-style-type: none"> <li>• First block away from the major commercial areas;</li> <li>• Close proximity to school, railway station or other pedestrian generator</li> </ul>
P2: Strategic & Intermediate Use Areas	<p>Footpaths and shared bicycle paths which link to railway station, bus stops, local shops, churches, schools, senior citizens centres and hostels or other pedestrian generators. Typically they will be along Link and Collector Roads.</p> <p>This category also includes footpaths around or serving Council corporate buildings (offices, works depots, child care centres, se.</p>
P3: Infrequently Use	<p>Footpath constructed as access within residential areas and link to higher level paths. Typically, these will be along Access Level 1 and Level 2 roads.</p> <p>This category also includes all sealed (asphalt, bitumen seal or concrete) rural footpaths in rural areas and in townships other than Ballan and Bacchus Marsh.</p>
P4: Urban Recreational Trails	<p>These are recreation or exercise walking tracks, typically linking the residential areas with recreation reserves, river banks or other scenic areas. They include paths through and within recreation reserves. They may have unsealed (gravel) surfaces, which can degrade quickly in adverse weather conditions. Typically frequent usage in warmer weather.</p>
P5: Rural Recreational Trails	<p>Typically unformed tracks for use by hikers or equestrians. Opportunity for visitors to explore and discover relatively undisturbed natural environments along defined and distinct tracks with minimal (if any) facilities. Generally distinct without major modification to the ground. Encounters with fallen debris and other obstacles are likely.</p>

### 3.4.1.1 Car Park Hierarchy

At this stage, with the very small number of car parks, no separate car park hierarchy has been developed. Car parks are currently assigned the hierarchy of their major adjacent road.

### **3.4.2 Community and Technical Service Levels**

The 'level of service' is the defined service quality for a particular activity or service area against which service performance can be measured. They provide the basis for the life cycle management strategies and works program identified within the Asset Management Plan. Levels of service support Council's strategic goals and are based on customer expectations and statutory requirements.



Levels of service can be broken down into three basic aspects:

- Function – its purpose for the community
- Design Parameters – what is required of and from the asset itself
- Performance & Presentation - the effectiveness of delivery of the service

A draft service plan, drawing on these community and technical levels of service, is being developed for roads pathways and bridges and is scheduled for completion during 2013

Table 18 illustrates the prototype development of technical service levels for Council's Transport Assets. These levels of service will be refined over time, once this initial Asset Management Plan enters the public domain.

**Improvement Action 9: Finalise Transport Asset Group Service Plan and develop cost equations to enable simple estimation of the cost of upgrading service levels.**

**Table 18: Prototype Level of Service Framework for Road Assets**

Service Criteria (Customer Expectation)	Community Service Levels		Technical Service Levels	
	Community Measure	Community Target	Technical Measure	Council Target
What the community expects	How Council can measure community's satisfaction.	The community's target measure – the level at which Council recognises there is a community issue and needs to act	The agreed target measure, translated into measurable and specifiable technical terms, and meeting relevant technical standards and legal requirements	Levels achievable within current and planned budget allocations
Customer Satisfaction	Annual Community Satisfaction Survey:	<ul style="list-style-type: none"> <li>&gt;60% customer satisfaction on Local Roads &amp; Footpaths Survey</li> <li>&gt;60% customer satisfaction on Traffic Management &amp; Parking Survey</li> </ul>	<ul style="list-style-type: none"> <li>Asset condition ratings</li> </ul>	<ul style="list-style-type: none"> <li>80% of Road Group assets be in condition 3 (out of 5) or better by 2016.</li> </ul>
Safe roads	Minimise casualty accidents Minimise trip hazards Cut speeding on local roads Reduce speed limit on local rural roads	<ul style="list-style-type: none"> <li>Zero school bus, pedestrian and bicyclist casualty accidents</li> <li>Casualty accidents on Shire roads at or below average for large rural shires</li> <li>Av. speed on local roads &lt; 50KPH</li> <li>Av. Speed on narrow windy roads to be less than 80KPH</li> </ul>	<ul style="list-style-type: none"> <li>No. of casualty accidents by type</li> <li>No. of casualty accidents by region</li> <li>Av. Speeds on local roads</li> </ul>	<ul style="list-style-type: none"> <li>&lt;2 pedestrian/bicyclist casualty accidents / year</li> <li>Casualty accidents MSC &lt; avg. casualty accidents LRS</li> <li>Av. Speeds on &lt;50KPH</li> <li>Av speeds on rural roads to be consistent with environmental speed.</li> </ul>

Reliable roads	Road assets open 24 hours a day, seven days a week.	Roads open except in emergency situations such as floods, bushfires or casualty accidents	To be developed:	To be developed:
Network	Customer requests for: <ul style="list-style-type: none"> <li>• Footpath</li> <li>• Sealed road</li> </ul>	To be developed:	To be developed:	Introduction of special rate schemes for asset upgrading.
DDA accessibility	Requests for DDA access	To be developed:	No. of crossings not DDA compliant Disabled car parking spaces compared with Aust Standard	To be developed:
Environmental Citizenship	Cut greenhouse gas emissions	To be developed:	Reduced emission of CO <sup>2</sup> equivalent (Tonnes)	To be developed:

## 4 FUTURE DEMAND

### 4.1 Recent Road Transport Studies of Bacchus Marsh Region

There are a number of recent transport studies which inform the strategic asset deliberations. Below are some of the more significant findings.

#### 4.1.1 Western Freeway Re-alignment Traffic Analysis Bacchus Marsh-Melton Section

The traffic analysis undertaken for VicRoads in 2009 reviewed projected regional and Bacchus Marsh land use developments over the coming 12 years and evaluated their impact on the three interchanges with the Western Freeway in Bacchus Marsh in the light of the Anthony's Cutting realignment.

#### 4.1.2 Bacchus Marsh Structure Plan

This plan sets out the urban development options and framework, and is a primary source for identifying future transport needs.

#### 4.1.3 Bacchus Marsh Structure Plan (Activity Centre Study) - Transport and Parking Strategy

A 2010 report by GTA Consultants aimed to identify, within the confines of the draft Bacchus Marsh Structure Plan:

- the existing operating conditions of the Bacchus Marsh township in respect of traffic movements, pedestrian and cycle movements, public transport and car parking
- a strategy to manage the operation of the wider road network within Bacchus Marsh
- an assessment of the impacts of structure plan proposals on the surrounding road network, and
- a parking strategy for the management of existing and future parking demands within the town centre.

The GTA study highlighted:

The north – south road network through the town of Bacchus Marsh provides limited opportunities to cross the Western Freeway. As a consequence of this throttle, traffic is concentrated on this route causing a high level of traffic congestion at the intersection of Main Street and Grant Street in the town centre which has limited, if any, capacity to be upgraded given the narrowness of the carriageway and road reserve.

The Report highlights the problem that this route provides the only full connection between the developing residential areas north of the Western Freeway with the main retail centre, the Railway Station and the Secondary schools at the southern end of Bacchus Marsh. The Report notes that, north of Main Street, traffic volumes on Gisborne Road are approaching capacity and that, given the existing road reserve boundary constraints, no real opportunity exists to increase the capacity of Gisborne Road / Grant Street to cater for expected demand increases.

The Report also highlighted:

- need for additional North-South capacity
- Albert Street – Lerderberg Park Road (major upgrade)
- Griffith Street – Bacchus Marsh Geelong Road
- Extension of Taverner Street and/or Station Street to Woolpack Road

#### **4.1.4 Central Highlands Regional Transport Plan**

This study highlighted the need for an eastern by-pass of Bacchus Marsh to alleviate the traffic congestion on the Avenue of Honour and Grant Street-Gisborne Road. It also highlighted the need for a western by-pass, extending Halletts Way over the Werribee River to Griffith Street. This study also noted the need to upgrade commuter bus services in Bacchus Marsh to better cater for the developing areas and to link them to the major shopping centre and the railway station. Other major transport needs, proposed for State funding, included:

- Reopening of Gordon Station
- Extending suburban rail services to Bacchus Marsh.
- Establishing a dedicated fund that supports urban growth area roads.
- Investigating a long-term Eastern Corridor bypass of Ballarat (nominating Yankee Flat Road)
- Improving town and settlement footpaths and DDA access to activity centres and public transport.

#### **4.1.5 Heritage Victoria Determination Regarding Woolpack Road Extension**

Council studies in relation to the Heritage Victoria hearing highlighted the significant and increasing congestion on the main north-south and east-west arteries of Bacchus Marsh and in particular the high and increasing volume of heavy vehicle traffic using the Avenue of Honour. It argued that provision of an eastern by-pass of Bacchus Marsh was essential, and that the best option for this was via the proposed Woolpack Road extension.

Industrial and agricultural freight in the Bacchus Marsh area amounts to some 3.5 million Tonnes per year, generating some 405,000 one way truck trips per year. A significant percentage of this has travel desire lines oriented North South. Appendix 1 shows the current semi-trailer and B-Double traffic on Bacchus Marsh roads and Shire roads generally.

With the Heritage Victoria determination rejecting the Woolpack Road extension, the matter of alternative North-South route options now rests with the State Government.

#### **4.1.6 Department of Transport – Geelong-Ballararat-Bendigo Rail Revival Study**

This State Government study is reviewing the economic and social feasibility of upgrading the Geelong-Ballararat line (through Lal Lal). If this project proceeds, it will have major development implications for the West of the Shire. At this stage, it is too early to assess the asset implications of such development.

#### **4.1.7 Joint Moorabool Shire-VicRoads Bacchus Marsh Strategic Transport Study**

In addition, a joint Council-VicRoads study of the longer term strategic transport needs and options is planned for 2013-2014 but is in abeyance pending final Government decision on the eastern interchange. This study will inform future iterations of this Plan.

## **4.2 Factors Affecting Influencing Demand**

The fundamental factors driving demand for new or upgraded transport assets are population growth, tourism growth and agricultural and industrial development.

Population growth forecasts are addressed in the Asset Management Plan - Part A General Information. Whilst the key local and nearby trunk infrastructure associated with population

growth are met by developers, and hence paid for by new residents, any large increase in population inevitably put a strain on trunk infrastructure well away from the development.

A variety of associated factors serve to put pressure on trunk services including:

- Higher service aspirations of new residents moving from Metropolitan Melbourne;
- Higher demand for public transport services;
- Increase in per household traffic (vehicular, bicycle and pedestrian) due to increasing shopping, educational and recreational opportunities as the Shire develops;
- Increase in commercial traffic to cater for population increase;
- Increase in traffic outside of immediate subdivision development by residents – internal subdivision roads cater for some of the traffic generated by the new households, however many subdivision trips are oriented to secondary schools, major retail facilities, recreation facilities and work places outside of the subdivision;
- Regional increase in industrial traffic.

#### **4.2.1 Traffic Generated by Residential Development**

##### **4.2.1.1 Traffic Generated per Household in Bacchus Marsh**

Based on actual traffic counts on a range of street in Bacchus Marsh where through traffic can be discounted, on average each dwelling generates 10 (one-way) vehicle trips per day. Older areas, where there are fewer households with children, typically generate 7 to 8 vehicle trips per day. Newer subdivisions with young families may generate up to 12 trips per day.

##### **4.2.1.2 Peak Hour Traffic as a % of Daily Traffic in Bacchus Marsh**

Table 19 shows the pattern of traffic in morning and evening peak periods. The extended (4 hr) evening peak is characteristic of all Main, Collector & Link Roads in Bacchus Marsh. For Access 1 roads, the evening peak tends to be from 3PM to 5PM, with an average of 10% of daily traffic.

**Table 19: Peak Hour Traffic as % of Average Daily Traffic**

7 to 8AM	8 to 9AM	2 to 3PM	3 to 4PM	4 to 5PM	5 to 6PM	6 to 7PM
6.5%	9.5%	6.5%	9.5%	9.5%	10%	9%

##### **4.2.1.3 Traffic Patterns in Ballan, Rural Townships & Farming Zones**

Ballan households generate around 8 vehicle one-way trips per day, whilst in the rural townships and farming zones, traffic generation averages around 6 one-way vehicle trips per property per day.

##### **4.2.1.4 Impact of Residential Development on Existing Road Infrastructure in the Bacchus Marsh Region**

The main north-south and east-west arteries of Bacchus Marsh already suffer significant congestion. Table 20 shows the additional traffic likely to be generated on Bacchus Marsh roads by the projected population growth. This is additional to commercial traffic volumes. This suggests an extra 26,500 vehicle trips per day are likely to be generated in the Bacchus Marsh region over the coming decade and a further 15,000 vehicles per day over the period

2020 to 2030. Most of these vehicle trips would be seeking North-South arterial road access to the Melbourne or Ballarat freeway interchanges, to the railway station or the schools.

**Table 20: Additional Vehicle Trips Generated by Anticipated Population Growth**

BACCHUS MARSH & SURROUNDS	YEAR		
	2011	2021	2031
Population Projection	15,800	22,113	25,081
Number of Households	5,400	8,000	9500
Additional Daily Traffic Generated (over 2011 levels) (veh / day)	-	26,500	41,400
Additional Peak Hour Traffic Generated (over 2011 levels) (veh / hr)	-	2,650	4,140

Source: Forecast ID: Population and Household Forecasts – Moorabool Shire

#### 4.2.1.5 Impact of Development on Existing Road Infrastructure in the Ballan Region

Ballan is expected to grow by around 900 people, or 310 residences, over the next 2 decades. Improvements to link roads in and around Ballan are likely to be largely addressed as part of subdivision development. However, development north of the Werribee River will increase traffic on the two access roads, Berry St and Spencer Rd to an extent where either major upgrades will be required to those roads and associated intersections or a new access will become necessary.

#### 4.2.1.6 Impact of Residential Development on Existing Road Infrastructure in the Gordon Region

As a result of the sewerage of Gordon, population growth of the order on 600 to 900 is expected over the next two decades. Because of its flat topography, Gordon already has ongoing drainage problems. The development of Gordon will generate a demand to install underground drainage throughout the Township, or at least the sewerage area of the Township. This in turn will require the sealing of local roads and construction of kerb and channel. It is also likely to generate a demand for footpaths.

It is presumed that this work would either be undertaken as part of subdivision development or, for existing urban areas, as part of a special rate scheme. Council could consider levying a contribution on current subdivision development towards this requirement.

Should the State Government decide to reopen the Gordon railway station, road access to the station would need to be upgraded.

Given the fluid state of development planning, no estimates of Gordon infrastructure demand are made at this stage.

#### 4.2.1.7 Impact of Residential Development on Existing Road Infrastructure in Other Areas

Growth in the other townships is inhibited by the lack of sewerage land and the lack of available residential blocks suitable for development. The key impact of residential development for on demand for transport infrastructure investment in the rural areas of the Shire relates to the sealing of gravel roads. As new people move into the areas around the



smaller townships, the traffic volumes on gravel roads will increase and the economic case for sealing becomes higher. This is addressed in Chapter 6.

#### **4.2.2 Demand for Public Transport Services In Moorabool**

Public Transport services available to Moorabool residents include:

- School bus services
- Regular passenger bus services
- Rail services
- Taxis & limousines
- Community bus services

##### 4.2.2.1 School bus services

School bus services provide a public transport service covering virtually the entire Shire, with 41 bus routes focussed on Melton, Bacchus Marsh and Ballarat, using 400 route kilometre of Council road and some 770 bus stops, most of which are located on 100KPH rural roads. Recent safety audits of the school bus routes highlighted over 600 safety concerns. Many related to inadequate signage or line marking, and are being addressed, but there remain a large number of identified road safety hazards which need to be addressed in the Capital Improvement program.

In particular areas of Bacchus Marsh, school buses can be an important contributor to urban congestion. For example, 14 buses arrive at the Bacchus Marsh College every morning and evening within a space of 30 minutes, via the most congested roads in the town.

##### 4.2.2.2 Regular passenger bus services

There are a number of regular local and long haul passenger bus services operating within the Shire.

Bacchus Marsh Coaches: The Bacchus Marsh town bus provides peak and off-peak services to Darley, Bacchus Marsh and Maddingley. This service provides integrated connections with the Melbourne-Ballarat rail service and connections to long haul coach services. The effectiveness of this service is impacted by the congestion on Main Street and Grant Street in particular.

Ballarat Coachlines - Airport Shuttle Bus: Provides regular services between Ballarat and Melbourne Airport, stopping at Ballan and Bacchus Marsh. Stops in Moorabool Shire are the bus stop in Gisborne Rd, near Main St roundabout and outside the Ballan Post Office. The bus also stops on demand at locations along the route such as the Wallace, Gordon and Greendale freeway entrances.

Department of Transport: 2 services per day. Ballan Railway Station - Bunding - Spargo Creek - Korweinguboora - Daylesford - Hepburn Springs.

Department of Transport: 2 services per day. Ballan railway Station - Gordon - Mt Egerton.

VLine: Geelong-Ballarat-Bendigo. 2 services per day. Stops at Elaine and Clarendon.

Melbourne-to-Adelaide Firefly Express: 2 services per day, stopping in Bacchus Marsh on request. Bus stop Gisborne Rd, near Main St roundabout.

Community bus services supporting HACC and Senior Citizens programs.

In addition a variety of tourist coaches regularly visit Bacchus Marsh and, less regularly, other centres in the Shire.

The bus operators are an important part of the Shire's transport system. Council liaises with bus operators in relation to aspects of the road system which give rise to safety concerns. The State Department of Transport has been reviewing the adequacy of Bacchus Marsh town bus services and has proposed significant upgrading both to route coverage and to timetabling. The timing of such upgrades is a matter for State Government prioritising.

#### 4.2.2.3 Rail Passenger Services

Ballan and Bacchus Marsh are serviced by the fast train link between Ballarat and Melbourne. Bacchus Marsh and Ballan are included as part of the metropolitan public transport ticketing system. As a consequence of improved rail services, fare reduction and increasing petrol prices, rail usage has increased at close to 40% per year for the past 2 years. Whilst this has reduced the total car travel on the Western Highway, it has led to an increased concentration of car trips to the Bacchus Marsh railway station along the Grant St route which is already heavily congested.

The State Government has invested heavily in improving the car parking infrastructure at both Bacchus Marsh and Ballan railway stations. However, the parking at both Bacchus Marsh and Ballan railway stations are close to capacity and there are regular complaints from local residents regarding all day commuter parking in local streets. This has been raised with the relevant State authorities.

The State Government has significantly subsidised the public bus services to provide an integrated bus-rail system in Bacchus Marsh. With planned improvements to this town bus service, there is the possibility of weaning more commuters away from car travel.

#### 4.2.2.4 Taxi & Limousine Services

There are currently 12 taxis, including 2 'maxi-cabs' designed for transport of disabled persons, which service Bacchus Marsh and, to a lesser extent, Ballan. A significant portion of day-time pick-ups occur in and around Main Street Bacchus Marsh, mainly from elderly patrons. A significant percentage of evening patronage is from the four Bacchus Marsh hotels. In general, Council's main involvement with taxi operators relates to the provision of suitable taxi parking in the Bacchus Marsh town centre. Council liaises closely with the local police and publicans regarding safe taxi transport from hotels at night.

#### 4.2.2.5 Public Transport Servicing of Townships and Shire Hinterland

Access to public transport proves difficult for many of Moorabool's smaller communities, isolating residents from major services. For commuters from these communities, car transport is essential to get them to the nearest railway station. The failure of the Blackwood – Greendale - Bacchus Marsh once a week bus service suggests that more than tokenistic public transport is required. Council is working with Hepburn and Melton Shires to implement a Transport Connections Program that will identify and employ practical solutions to relieve transport issues across the region.

#### 4.2.2.6 Impact on Car and Truck Travel of Increasing Fuel Prices

It is too early to identify the long term impacts of recent increases in fuel prices on population growth or road usage in the Shire. However, the fuel price increases appear to have been at least partly responsible for the significant shift to rail travel for commuters to Melbourne and Ballarat.

If fuel continues to increase in price, it is expected there will be pressure to improve the standards of road network to serve agricultural requirements. This is due to the shift towards industry using larger vehicles instead of smaller vehicles, for example the numbers of B-

doubles are increasing transport to and from the farm gate. As a result of this, work will be required to upgrade Access 1 roads to Collector roads and/or Collector roads to Link roads.

#### 4.2.2.7 Road-Rail Crossings and Rail Interface Agreements

An amendment to the Rail Safety Act 2006 required rail operators and road managers to identify and assess safety risks arising from rail interfaces (level crossings as well as road-over-rail and rail-over-road crossings). The provisions relating to SIAs became operational on 1 July 2010. The SIAs are contractually binding agreements relating to the safety management of rail interfaces in the Shire and to the maintenance of aspects of the associated infrastructure. Council and VicTrack have signed an SIA relating to all road-rail crossings in Moorabool Shire for which Council is the road authority.

There are three rail lines in the Moorabool Shire:

- Sunshine – Ballarat commuter service (the Regional Fast Rail)
- Gordon – Warrenheip track alignment (the Wallace Loop)
- Gheringap – Warrenheip freight service (Ballarat Geelong line)

There are 59 rail interfaces in the Shire, of which 49 are ones where Council is a party to the SIA. The main impact on Council relates to improved maintenance of signage, line-marking and road surface in the vicinity of interfaces. No additional capital costs relating to this area have been identified.

#### 4.2.3 Traffic Generated by Agricultural Development within the Shire

The Asset Management Plan Part A – General Information detailed the agricultural production generated within the Shire. Table 21 translates this into the approximate number of truck trips based on an average load per heavy freight vehicle in Australia is 11.2 tonnes, and applying best practice guidelines for livestock freight.

**Table 21: Number of Truck Trips Generated by Agriculture**

PRODUCT	Number of One-Way Truck Trips (Nos per Year)			
	Bacchus Marsh Statistical Local Area	Ballan Statistical Local Area	Moorabool West Statistical Local Area	TOTAL MOORABOOL
Agricultural truck trip generation	7,000	5,000	12,000	24,000

Most of this agricultural traffic seeks the shortest route from the farm-gate to the nearest (VicRoads) main road or freeway. The Shire undertakes an extensive traffic count program to identify the preferred routes for agricultural traffic.

In addition, there are substantial volumes of agricultural product which originate outside the Shire and are shipped to transshipment depots within the Shire. An example is the Agripak grain packing facility in Ballan which has the capacity to pack 250,000 tonnes of grain per year. Most such freight, however, remains on VicRoads main roads, rather than traversing Council roads. Finally, substantial agricultural product is transported, both from within the Shire and from external sources, to retail outlets, especially in Bacchus Marsh and Ballan. This results in short distance heavy vehicles trips on Shire roads through the town centres.

A constraint on heavy trucks serving agri-businesses is that many local rural roads were not designed or constructed with such loads in mind. Accordingly, if this traffic grows significantly it is likely that such roads will fail much earlier than anticipated.

#### **4.2.4 Traffic Generated by Forestry Mining and Waste Developments**

Moorabool has substantial industrial freight movements, with timber, mining and industrial waste freight exceeding 4.5 million tonnes per year.

This is equivalent to some 600,000 one way truck trips per year, as illustrated in Table 22. A substantial volume of this freight traffic is concentrated along or close to VicRoads main roads, typically with short distances on Shire roads at the start or end of the journey. Particularly in Bacchus Marsh, however, the freight traffic adds significantly to congestion on the freeway approaches and in the town centre.

**Table 22: Number of Truck Trips Generated by Agriculture**

PRODUCT	Number of One-Way Truck Trips (Nos per Year)			
	Bacchus Marsh Statistical Local Area	Ballan Statistical Local Area	Moorabool West Statistical Local Area	TOTAL MOORABOOL
All industrial freight	395,000	10,000	195,000	600,000

#### **4.2.5 Infrastructure Demand Driven by Environmental Considerations**

##### **4.2.5.1 Wind Farm Developments**

Wind farm development results in significant heavy vehicle traffic over the construction period, especially for the delivery of concrete. The Lal Lal wind farm development, for example, is estimated to generate over 1,000 heavy trucks over a 7 months period. However, the permits for these developments provide that the developers will rehabilitate any roads impacted by the development.

##### **4.2.5.2 Changes in Climatic Conditions**

Global warming is expected to impact the road system through an increase in both the number and intensity of extreme climate events. The implication of this for road asset management is still unclear. This will be addressed in future revisions to this Plan.

##### **4.2.5.3 Greenhouse Gas Abatement**

Council can expect increasing pressures over time to achieve reductions in emissions of greenhouse gases. Considerable research is underway by diverse engineering bodies to find cost effective ways to make significant emission reductions. In relation to road assets, these include:

- Replace street light luminaries with low emission new technology lights;
- Reduction in gravel loss on gravel roads through better material control and effective drainage cross fall;
- Reduction in footpath replacement through asset protection
- Extension of pavement seal life.

##### **4.2.5.4 Street Lighting – Energy Efficient Luminaires**

Replacing all 2500 mercury vapour and high pressure sodium lights with equivalent luminosity LED luminaries would cut Carbon Dioxide equivalent emissions by around 1,500 Tonnes per year. The initial capital cost would be of the order of \$600,000. Savings due to reduced power consumption and reduced programmed and unprogrammed maintenance

would enable break-even in 7 to 9 years. It is likely that substantial State or Federal funding will eventually be offered to facilitate such a changeover. Because of the funding uncertainties, no allowance for this changeover is made in this report.

#### 4.2.5.5 Reduce Gravel Loss

The 2008 gravel road study suggested that the gravel loss from the Shire's roads was around 52,000 Tonnes per year. The total Carbon Dioxide equivalent expended in producing and placing this volume of gravel is of the order of 165 Tonnes per year. New practices put in place since the study should result in cutting the gravel loss by 30%, or 50 Tonnes of Carbon Dioxide equivalent per year.

#### 4.2.5.6 Concrete Footpath Protection

Approximately 500 metres of footpath is damaged each year by construction contractors. Eliminating this by means of a rigorous asset protection policy will save both the cost of replacement and approximately 20 Tonnes of CO<sup>2</sup> equivalent per year. An asset protection policy is under consideration for the 2013-14 budget.

#### 4.2.5.7 Extending Seal Life

A 2007 VicRoads study showed that extending seal life, for example through better pavement preparation and quality control and through use of larger aggregate (10mm or 14mm), could reduce the greenhouse gas emissions associated with road sealing by 20% or more. Potentially, this could see reductions of 30 Tonnes of CO<sup>2</sup> equivalent per year.

### 4.2.6 Demand Management Strategies

In the event that population growth occurs in line with the assumptions underlying this report, Council has a number of options:

- Meet the budget requirements for the new or upgrade works
- Allow current backlogs to continue (i.e., accept a lower standard of service)
- Retire old assets or reduce service levels (e.g., close low volume roads where alternative access exists or deliberately revert low use sealed roads to gravel road status).
- Institute demand management strategies to reduce need for new infrastructure
- Transfer responsibility for paying for part of the works, for example through increased developer contributions or special rate schemes.
- Ensure subdivision proposals address consequent congestion problems through developer contributions
- Accept reduced level of road safety and increased risk of accidents.

Demand management strategies provide alternatives to the creation of new assets and examine ways of modifying customer demands such that the asset utilisation is maximised and the need for new assets is deferred or reduced. These strategies include:

Transportation strategies: Promote alternative forms of transport and reallocated funding priorities to foster reduced car usage. This could include car-pooling, demand responsive bus services, priority lanes for buses to improve their attractiveness over private cars, improved on and off road bicycle lanes and upgrading main roads to allow B-Doubles to replace multiple freight vehicles.

Traffic controls: Traffic control strategies include the installation of signals, roundabouts and other traffic calming measures that help to control traffic flows within urban areas and at

intersections. These could be used to give enhanced performance to buses and bicyclists to encourage reduced car usage.

Traffic by-laws: The introduction of bylaws to increase road capacity for example through controls of on-street parking and introduction of clearways.

Community Strategies/Public Education: Instituting public education programs which reduce peak hour traffic congestion, especially programs which discourage parents driving their children to school, such as 'walking school bus', 'safe routes to school', 'road safety around schools', 'bicycle education' and 'learner driver practice routes'.

Reduced level of service: In the absence of any explicit pricing mechanism for rationing demand for roads, and in the absence of a competitive local public transport system, failure to upgrade roads to match demand will result in significant increases in congestion. Congestion becomes a surrogate road pricing mechanism. This in turn will lessen the desirability of Moorabool as a place to live, redirecting residential growth elsewhere. This could also include explicit policy decisions to give priority to some localities over others, such as selective closure of roads to through traffic.

It is emphasised that effect demand management strategies require investment in research and in administration

## 5 RISK MANAGEMENT

### 5.1.1 Risk Management Framework

Council's Risk Management Framework, as it applies to asset management, is discussed in detail in Asset Management Plan - Part A General Information.

It is emphasised that this Plan addresses only the *strategic risks* relevant to the road assets group. Operational risks relating to particular roads, intersections, bridges or footpaths are, or will be, addressed in the respective Operational and Maintenance Management Plans.

Such operational risks are identified through network surveys, for example a safety audit of all 400KM of school bus routes, through ad hoc safety audits as a result of accidents or concerns raised by residents and scheduled asset inspections as provided for under Council's Road Management Plan.

In addition to such operational risks, this report provides a high level risk review of the road infrastructure to identify strategic outcomes with the view to establishing mitigation strategies. This identifies a series of actions to be undertaken in the future to reduce risks to an acceptable level. The main strategic risks associated with the Road Assets Group in this plan and the associated controls proposed are listed in the Infrastructure Risk Register below (Table 23).

Strategic risk are identified through strategic transport planning and urban and regional strategic development planning, analysis of road infrastructure asset condition surveys and network level assessments of accident risk.

### 5.1.2 Capital Works & Risk Prioritisation Framework

The available resources for capital improvement or maintenance are not sufficient to address all, or even most, of the identified safety hazards identified in the various inspections and audits. This Plan focuses on strategic level risk management to allow the council to prioritise capital projects to minimise risks subject to available resources.

At a program level for the various sub categories of the roads budget, risk ratios are used for the prioritisation of infrastructure capital works for inclusion in the capital improvement program.

At the operational level, the Road Management Plan identifies asset inspection frequencies, intervention levels and program responses to address operational risk



**Table 23: Strategic Risk Table**

Risk	Impacts	Cause	Objective(s)	Mitigation Strategies
Bacchus Marsh Road Network: Lack of North – South permeability (lack of north-south truck by-pass)	Extreme congestion on main roads and diversion of through traffic to local roads. Increased accident rate. Reduced residential & business attractiveness of Bacchus Marsh.	Lack of road capacity in a north- south direction including limited number of crossings over the freeway and rivers. Lack of heavy vehicle by-pass route around town centre. Origin and destination of heavy vehicle traffic	Provide additional capacity for traffic to move in a north-south direction. Preserve options for arterial road development through road reservation in the planning scheme.	Extend Halletts Way south to Bacchus Marsh, Balliang Road, via a bridge over the Werribee River. Press State and Federal Governments to fund an eastern by-pass for Bacchus Marsh. Upgrade Holts Lane (western end) to improve access to Bacchus Marsh Road Freeway interchange. Upgrade Halletts Way – freeway bridge to half diamond interchange. Lobby for State & federal funding, plan for developer contributions and budget for lumpy outlays.
Bacchus Marsh Road Network: Declining Level of Service on roads	Deteriorating condition of assets and reduced service delivery Increased vehicle operating costs to users Increased travel time for users Increased air pollution	Inadequate funding of replacement and augmentation.	Identify road system constraints and identify priorities for remediation. Identify opportunities to reduce reliance on private car transport. Identify opportunities to reduce or spread peak traffic loads. Increase real level of funding for capital works.	Undertake origin destination and route assignment studies. Lobby State Government for improvement to local bus services. Plan and develop trunk bicycle paths. Ramp up renewal funding. Targeting new or modified treatments to make better use of available funding. Selected and coordinated rationalising of the road network to have an agreed lower level of service within selected hierarchy categories. Increase maintenance expenditure to ensure roads achieve their defined asset lives. Implement a system to ensure the efficient and effective use of maintenance funds.

Risk	Impacts	Cause	Objective(s)	Mitigation Strategies
<p>Death and serious injury on the road network</p>	<p>Increased road trauma Reduced confidence in Council's ability to manage the road network</p>	<p>Existing unsafe road locations. Deteriorating guard railing. Backlog on upgrading driveable end walls Congestion and delay prompting risk taking behaviour. Declining condition of road network.</p>	<p>Reduce road accidents through engineering works that enhance safety and behavioural programs that enhance driver practice. Lift the level of service to improve safety as an aspiration towards addressing the community's expectations</p>	<p>Undertake Shire wide road network safety audit so that hazards can be identified and prioritised Agree specified road safety budget to mitigate risks over a 20 year period Source government funding to supplement Council road safety capital improvement funding. Introduce strict requirements for driveable end walls. Source government funding to address road user behaviour as a means to improving road safety. Continue collaboration with local and regional road safety organizations.</p>
<p>Death and serious injury to pedestrians</p>	<p>Pedestrians forced onto the road pavement &amp; into path of traffic by nature strip obstructions. Pedestrian falls due to nature strip obstructions Legal action against Council for negligence in event of accident Prosecution under Federal under Disability Discrimination Act (DDA)</p>	<p>Illegal obstructions on the nature strips Failure to provide an accessible pathway of travel as required under DDA legislation.</p>	<p>Improve pedestrian safety through improvement of the off-road environment.  Provision of a safe continuous pathway of travel on nature strips. Stop future construction of unauthorized nature strip obstructions</p>	<p>Council policy on nature strip obstructions. Council guidelines on permitted nature strip landscaping. Prioritising new footpaths and associated removing of obstructions. Selective removal of nature strip obstructions where a proximate danger exists.</p>

Risk	Impacts	Cause	Objective(s)	Mitigation Strategies
Unsustainable farms	Farms cannot get products to market economically	Lack of start of journey/end of journey facilities to support heavy vehicles (including B-Doubles and B-Triples) on our road network	Identify, facilitate & advocate appropriate locations for transport trans-shipment facilities. Identify priorities for upgrading farm access roads.	Attract private firms to establish trans-shipment facilities along the Western Highway for farm access to B doubles and B triples Upgrade farm gate to market roads to B double standard
Accidents at rail Level Crossings	Deaths and economic impacts	Increased traffic volumes and congestion on roads with level crossings	Support the government in achieving its strategic rail safety endeavours.	Meet Council responsibilities under the Rail Safety Interface agreements (RSIA)
Unsustainable private car usage throughout shire	Unsustainable fossil fuel usage Excessive greenhouse gas emissions Increasing road congestion	Inadequate bus route coverage and bus timetabling. Inadequate trunk bicycle network Increasing multi-purpose trips	Encourage modal shift to public transport. Develop shared (bicycle) paths focusing on "end of journey" and access to public transport. Fostering home office activity to reduce home/work trips	Advocacy to state authorities for public transport improvement Source state government funding to promote behavioural change re public transport, bicycle usage and walking. Support implementation Shire wide of fast broadband services. Support development of home-office workplace options across Shire.

## 6 LIFECYCLE MANAGEMENT - Part A: RENEWAL

### 6.1 Physical Parameters

#### 6.1.1 Current Issues

Current issues influencing the assets included in this plan are:

Issue	Comment
Lack of strong connection between new capital budgets and associated operating and maintenance costs.	Refer improvement action 10.
Lack of data on miscellaneous paved areas	Refer to Capitalisation procedures. Improvement action 11.
Lack of data on Traffic Control and ancillary assets	Refer improvement action 112.
Lack of componentised data on bridges	Refer to Capitalisation procedures. Improvement action 22.

**Improvement Action 10: Develop relationships that link operating and maintenance costs to quantities of new transport assets.**

**Improvement Action 11: Undertake condition survey of miscellaneous paved areas (as defined in the Capitalisation Procedures).**

#### 6.1.2 Asset Quantities

The current quantity of Roads assets is listed in Table 24:

**Table 24: Transport Asset Quantities**

Asset Group	Asset Category	Asset Component	Asset Quantity
TRANSPORT ASSETS	Roads (Sealed)	Seal (Pavement)	858.8 KM
		Seal (Shoulder)	11.2KM
		Pavement	858.8 KM
		Shoulders (sealed)	10.6 KM
		Shoulders (unsealed)	1,490.6 KM
		Earthworks & Formation	858.8 KM
	Roads (Unsealed)	Wearing Course (Gravel)	541.2 KM
		Earthworks & Formation	541.2 KM
	Pathways (Sealed)	Sealed Pathways (incl. Earthworks & Formation)	102.2 KM
		Miscellaneous Paved Areas (Incl. Earthworks & Formation)	(Not yet measured)
Pathways (Unsealed)	Pavement, Earthworks & Formation	29.8 KM	

	Car Parks (Sealed)	Wearing Course Pavement Earthworks & Formation	20,460 Sq M
	Car Parks (Unsealed)	Wearing Course Earthworks & Formation	3,640 Sq M
	Kerb and Channel		233.8 KM
	Traffic Control & Ancillary Devices (Currently not capitalised and not on asset register)	Traffic Calming Devices	(Not yet surveyed)
		Traffic Islands / roundabouts	(Not yet surveyed)
		Street Lights	~ 2,600 No.
		Street name signs	~ 3,000 No.
		Traffic control & advisory signs	~ 3,000 No.
Guardrails		~ 7,500 M	
Bridges	Deck (Superstructure)	91 No.	
	Sub-Structure		
	Abutments		
	Foundations		
Major Culverts		13 No.	
Recreation & Open Space	Landscaping (including Streetscape) (Currently not capitalised and not on asset register)	Street trees (2009)	~ 15,000 No
		Avenue of Honour trees (Bacchus Marsh)	370 No
		Other Memorial Avenue trees	(Not yet surveyed)

Note: The quantities listed are correct only at the time of the development of this plan. Up to date information is obtained from the asset register.

## 6.2 Asset Capacity/Performance

### 6.2.1 Assets Under-Capacity

Levels of Service have not yet been identified. Assets which are not achieving a specified level of service will be identified in the initial Transport Assets Service Plan.

## 6.3 Asset Valuations

Council has an Asset Revaluation Policy and Procedures. These guide the periodic revaluation of Council transport assets. Capital assets are valued based on the replacement value divided by the remaining service life. Where there is good condition data, this identifies the expected remaining service life. In the absence of such data, straight line depreciation is assumed based on the actual life as a percentage of service life.

### 6.3.1 Inspecting the condition of Councils transport assets

Condition monitoring is crucial to understand future renewal expenditure demand. It is also necessary for compliance with State audit requirements. From 2012-13 Council has provided resources to undertake reviews of all assets on a 3 yearly cycle. Because many assets had not been audited over many year, it is expected to take until 2014-5 before the 3 year cycle is fully implemented.

- Sealed road assets were audited in 2012.
- Shoulders on sealed roads were audited in 2013.
- Bridges were audited over 2011 and 2012.
- Gravel roads, last audited in 2008, have been dramatically upgraded through the State Government's emergency flood funding over 2011-13. Those gravel roads not recently reconstructed will be audited in 4<sup>th</sup> quarter 2013.
- A kerb and channel audit has been completed.
- Footpaths were last audited over 2009 and 2010. A footpath audit is currently planned for 2014-5 financial year.
- Traffic control and ancillary assets have not previously been audited. An audit has yet to be scheduled.

### 6.3.2 Expected Useful Life of Road Assets

Table 25 shows the expected service lives of Council's road assets assuming best practice design, construction and maintenance practices into the future,

**Table 25: Expected Service Lives of Road Assets**

Asset Category	Asset Component	Sub Component	"Expert" Assessment Service Life Range (Years)	Range of Service Lives Used by Vic Rural Councils (Years)	MSC Assumed Service Life for Budget Planning & Asset Accounting (Years)
Sealed Roads (includes on-road parking & sealed shoulders)	Wearing Course	Seal (Urban)	12.0 < 7mm seal 13.3 < 10mm seal 16.3 < 14mm seal	M = 14 L = 10 H = 18	15
		Seal (Rural)	12.0 < 7mm seal 13.3 < 10mm seal 16.3 < 14mm seal	M = 15 L = 10 H = 26	15
		Asphalt (Urban)	21-25 < 40mm thickness	M = 25 L = 20 H = 30	30
	Sealed shoulder		25	M = 57 L = 15 H = 100	25
	Pavement (Urban)		30 40	M = 96 L = 50 H = 160	80 > post 1995 50 > pre 1995
	Pavement (Rural)		30 40	M = 85 L = 50 H = 160	80 > post 1995 50 > pre 1995

	Earthworks & Formation		∞		∞
Unsealed Roads	Wearing Course		10 12	M = 20 L = 7 H = 40	20 > post 2010 10 > pre 2010
	Gravel shoulder				15
	Earthworks & Formation		∞		∞
Sealed Pathways	Concrete		50	M = 63 L = 40 H = 100	50
	Asphalt			M = 20 L = 5 H = 50	30
Unsealed Pathways	Wearing Course		30	M = 20 L = 5 H = 50	10
Sealed Car Parks				M = 27 L = 15 H = 80	40
Kerb and Channel			70	M = 66 L = 50 H = 80	40 < 1995 70 > 1995
Traffic Control and Ancillary Devices	Traffic Calming Devices		30		30
	Traffic Islands		30		30
	Street Lights		20		20
	Street name signs		10		10
	Traffic signs		10		10
	Guardrails		20		30
	Guide posts		10		10
	Bus shelters (town bus)		20		20
	Bus shelters (school)		20		20
Bridges	Bridges		80	M = 75 L = 50 H = 120	80
	Major Culverts		60 Concrete Pre 1985 75 Concrete Post 1985		60 Concrete Pre 1985 75 Concrete Post 1985



## 6.4 Asset Condition

### 6.4.1 Condition Monitoring - Asset Condition Survey Frequency

Condition surveys are to be conducted on a rolling 3 year basis.

### 6.4.2 Condition rating

There are diverse asset condition rating frameworks. Table 26 illustrates a 5 point framework used by Moorabool Shire, where asset condition is rated on a 1 (good) to 5 (failed).

**Table 26: Asset Condition Rating Scale**

Rating	Condition	Description
1	Excellent	New asset or an asset recently rehabilitated back to new condition.
2	Good	Some superficial deterioration evident. Serviceability may be impaired slightly.
3	Fair	Obvious condition deterioration. Asset serviceability is now affected and maintenance costs are rising.
4	Poor	Serviceability is heavily affected by asset deterioration. Maintenance cost is very high and the asset is at a point where it requires major reconstruction or refurbishment
5	Failed	Level of deterioration is such to render the asset unserviceable

The detailed criteria for determining the condition rating for specific assets categories and the methodology to determine the asset condition rating is outlined below in relation to each of the asset categories within the transport asset group.

### 6.4.3 Deterioration curves

Deterioration curves provide a plot of the condition of the asset against the age of the asset and are developed from the results of the asset condition survey. The curve illustrates the assets performance as it ages. Such curves vary according to asset category and especially the life cycle maintenance regime. Figure 9 illustrates the typical way asset condition changes over its expected useful life, assuming a normal maintenance regime.

Such curves are approximations. Deterioration is affected by many factors. However, the following generalisations are possible:

- As the asset condition deteriorates, the probability of complete asset failure increases disproportionately;
- As assets approach the end of their expected life, the rate of deterioration increases disproportionately;
- Postponing asset rehabilitation until asset condition is very poor increases the cost of rehabilitation disproportionately.

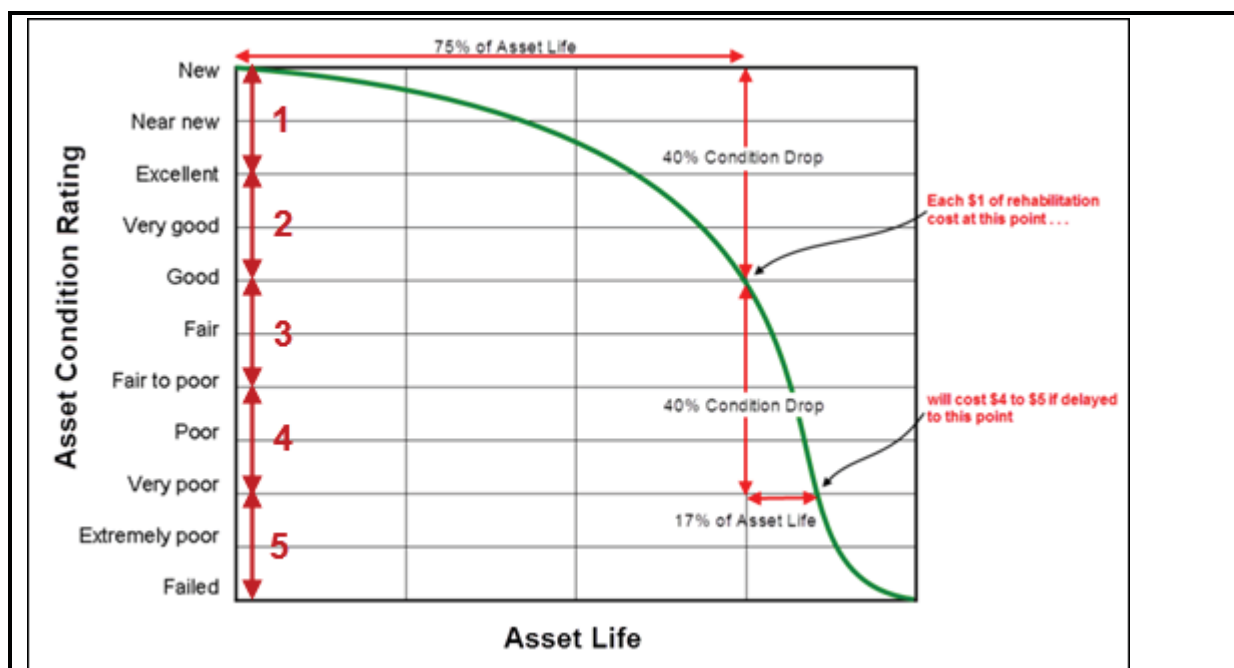


Figure 9: Typical Form of Asset Deterioration Curve

The respective AMPs detail the deterioration curves for assets included in the plan and the basis on which they were developed.

**6.4.4 Asset service lives and intervention levels**

The ‘service life’ or ‘useful life’ of an asset is the period over which the asset is expected to be safe for its intended public usage. Table 27 shows the expected service lives of transport assets.

The ‘intervention level’ is that point in time when the asset is close to the end of its service life and requires renewal or replacement. Typically, the economic optimum is to renew when the rating reaches level 4. If the asset is not renewed at level 4, and is left to deteriorate until failure, typically full reconstruction is then required. As a ‘rule of thumb’, the following table relates asset condition, remaining service life and intervention levels.

Table 27: Asset Condition Rating and Service Lives

Rating	Condition	Age as % of Service Life	Intervention
1	Near New	<20%	Routine maintenance
2	Very Good	20% to 40%	Routine maintenance
3	Fair	40% to 75%	Routine maintenance plus ad hoc repairs
4	Poor	75% to 95%	Heightened maintenance Extensive rehabilitation Renewal required.
5	Extremely Poor	95%+	Very high maintenance Reconstruction required.

### 6.4.5 Condition Rating Procedures

Council is collaborating with other regional Councils in a full review of condition rating procedures.

Council has developed condition rating manuals for sealed and gravel roads, footpaths and kerb and channel. The rating methods are described below. For bridges and major culverts, Council applies the procedures specified in the VicRoads condition audit manual. No condition rating guides have yet been developed for traffic control and auxiliary items.

**Improvement Action 12: Develop condition rating guide for traffic control and ancillary assets.**

**Improvement Action 13: Review existing condition rating guides for other asset categories within the transport asset group in the context of implementing this asset group in the Assetic asset management system.**

#### 6.4.5.1 Sealed road condition rating

A condition audit of councils sealed road network was undertaken in 2012. This involved the visual assessment and measurement of the road condition (cracking, rutting, deformation), testing of bitumen hardening and roughness measurement. Condition was assessed in terms of the following distresses.

- Cracking visible on the road surface (recorded as either crocodile or linear cracking).
- Pavement defects i.e., surface deformation identifiable areas where the “normal” shape is visibly distorted (dips, depressions, rutting etc.)
- Road roughness based on the ARRB roughometer tests.
- Oxidisation which is a measure of the age of the bitumen binder in Spray seals.

Measured condition other than oxidisation was combined into ratings that indicate the extent (how much) and severity (how bad) of the distress in each segments.

**Table 28: Measuring the condition of sealed pavements**

Pavement Defect Severity Rating	Size or Extent of Defects per Segment
<ul style="list-style-type: none"> <li>• 0 (none)</li> <li>• S (slight)</li> <li>• M (moderate)</li> <li>• X (severe)</li> </ul>	<ul style="list-style-type: none"> <li>• 0 little or none</li> <li>• 1 a small amount (&lt;5%)</li> <li>• 2 medium (between 5% &amp; 15%)</li> <li>• 3 significant (&gt;15%)</li> </ul>

When combined, these give an overall condition rating to the segment of pavement from 0 (Near New) to 5 (Extremely Poor).

Roughness was measured according to the International Roughness Index scale, where IRI < 2 corresponds to ‘Near New’, IRI 2 to 5 is Very Good, IRI 5 to 7 is Fair, IRI 7 to 10 is Poor and greater than 10 is Extremely Poor.

Oxidation was measured on a scale of 0 to 3, where 0 is newly sealed, 1 broadly corresponds to 4 to 8 years age, 2 corresponds to 9 to 12 year age and 3 corresponds to seal age greater than 12 years, or oxidised / hardened seal.

The distribution of these criteria for Moorabool sealed roads is discussed in later in this chapter.



**Figure 10: Examples of severe (X) & significant (#3) Cracking and Rutting**

#### 6.4.5.2 Gravel Road Condition rating

Gravel road condition rating is based on three measures: average remaining gravel depth; pavement shape loss; and roadside drainage condition. The rating for a given segment of road is based on worst single measure of these three criteria, not on a combination of measures.

**Table 29: Measuring the condition of Gravel Roads**

Rating	Pavement Depth	Road Shape Loss	Roadside Drainage
1. As New	150mm +	6% to 7% cross fall	0% to 10% inadequate
2. Very Good	100mm to 150mm	5% to 6%	10% to 20% inadequate
3. Fair	70mm to 100mm	4% to 5%	20% to 30% inadequate
4. Poor	30mm to 70mm	2% to 4%	30% to 50% inadequate
5. Extremely Poor	Less than 30mm	Less than 2% or greater than 7%	50% inadequate

#### 6.4.5.3 Shoulder Condition Rating

The condition rating for shoulders focusses on 'drop offs' (due to loss of gravel adjacent to the road) and 'build up' (increase in height of shoulder edge above adjacent pavement). Rating is based on worst single measure, not on a combination of measures.

**Table 30: Measuring the condition of Gravel Shoulders**

Rating	Drop Off	Build Up	Grass	Basis of recording
1. As New	0mm	0mm	Nil	% of shoulder segment length affected
2. Very Good	Minimal (<5mm)	Minimal (< 5mm)	Minimal	
3. Fair	5mm to 20mm	5mm to 20mm	< 20%	
4. Poor	20mm to 40mm	20mm to 30mm	20% to 50%	
5. Extremely Poor	More than 40mm	More than 30 mm	> 50%	



Figure 11: Examples of Shoulder Condition 'Failed'

#### 6.4.5.4 Footpath condition rating

Each footpath bay is assessed for tripping hazard, uplift, cracking and damage (spalling, extended cracking).

Table 31: Measuring the condition of Footpath

	Trip		Cracking		Deviation/Uplift		Damage x2
	Vert Difference	Length	Width	Length	Vert Difference	Length	Area
Minor	<10mm	<20% of slab	hairline	<25% of slab	<10mm	<25% of slab	<20% of slab
Moderate	10mm - 20mm	20% - 50% of slab	<2mm	25% - 75% of slab	10mm - 20mm	25% - 75% of slab	20% - 50% of slab
Major	>20mm	>50% of slab	>2mm	>75% of slab	>20mm	>75% of slab	>50% of slab

#### 6.4.5.5 Kerb & Channel condition rating

Each length of kerb and channel is assessed for the characteristics of cracking, shape loss, loss of structure and layback. (Figure 13) If any of these characteristics occur, the bay will be deemed as a defective bay as follows:

Rating 1: No defect; channel has uninterrupted flow.

Rating 2: Minor localised defects, less than 5% of length, little interruption to flow.



Rating 3: Repetitive defects up to 20% length; isolated ponding.

Rating 4: Major evidence of failure, up to 50% length, multiple ponding locations.

Rating 5: More than 50% defective, significant ponding.

Rating 1: no evidence of defect, kerb has uninterrupted flow



Rating 3: evidence of repetitive defects, up to 20% of length. Some evidence of isolated ponding.



Rating 5: more than 50% kerb is defective, lost shape, rolled back and structurally unsound significant ponding.



Figure 12: Examples of Kerb & Channel distress

## 6.5 Transport Asset Renewal Demand – Backlog & Aging Assets

### 6.5.1 Estimation of Transport Asset Rehabilitation Costs

Estimation of transport asset renewal costs involves a three stage process:

- Audit of the existing condition of assets, as summarised in section 6.4;
- Modelling the progression of asset degradation over time; and
- Setting an intervention level for renewal.

### 6.5.2 Asset Design and Construction Standards

Design standards in the Shire prior to the mid-1990's were lower than would be accepted today. In part this was due to the fact that there was no expectation of the growth in population and traffic volumes that have occurred, or in the size and weight of commercial vehicles that have occurred. Further, there was less understanding of the science of materials used in engineering construction, and materials with limited strength, such as scoria, were widely used in road construction. As a result, many roads were constructed which are not adequate for the traffic volumes or loads experienced today. Consequently, pavements which were designed for a notional 60 year life are failing after 30 or fewer years.

Over the past decade Council has instituted more rigorous design standards and stronger quality control over construction to protect Council assets. As a consequence, significantly extended asset service lives are expected for future infrastructure development.

### 6.5.3 Condition of bituminous seal surfaces & estimated renewal demand

Road seals constitute \$44.6m or 17% of the replacement value of Council's transport assets. Approximately 90% of the surface area of the sealed roads Shire comprise a sprayed seal consisting of a thin bituminous binder with a nominal size stone (typically 7mm or 10mm) embedded in it to form the wearing surface. Their replacement value is \$40m. The remaining 10% comprise asphalt or bituminous concrete layer between 20mm and 40mm thick, with a replacement value of \$4.6m.

#### 6.5.3.1 Condition survey of bituminous (sprayed) seal surfaces

The purpose of a bituminous seal is to provide a waterproof, dust free wearing surface over the structural layers of the road, the pavement. The seal has not strength in itself, but protects the underlying pavement from water infiltration.

The service life of a bituminous seal is related to the time when the seal no longer provides a continuous waterproof surface and allows water to enter the road base, resulting in deformation or collapse of the pavement.

The bituminous seals have a low expected service life, averaging around 11 to 13 years given the traffic volumes and climatic conditions in Moorabool.<sup>2</sup> Council has adopted a seal year life of 15 years for accounting purposes, recognising the reality of limited resources to replace seals at the theoretical optimum point.

The main cause of failure of bituminous seals is hardening due to the oxidation of the binder. The bituminous surfacing stiffens, with time, to such an extent that it becomes sensitive to even slight deflections under the weight of passing vehicles. Fatigue cracking and crocodile

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<sup>2</sup> Austroads Technical Report, AP-T160/10 Asphalt and Seal Life Prediction Models based on Bitumen Hardening, Austroads, Sydney, 2010.



cracking result. As cracking progresses, water infiltrates the sub-base, leading eventually to pavement deformation. Figure 14 illustrates the life-cycle of bituminous seals. The failure mechanisms for asphalt are similar, but take place over roughly double the timespan.

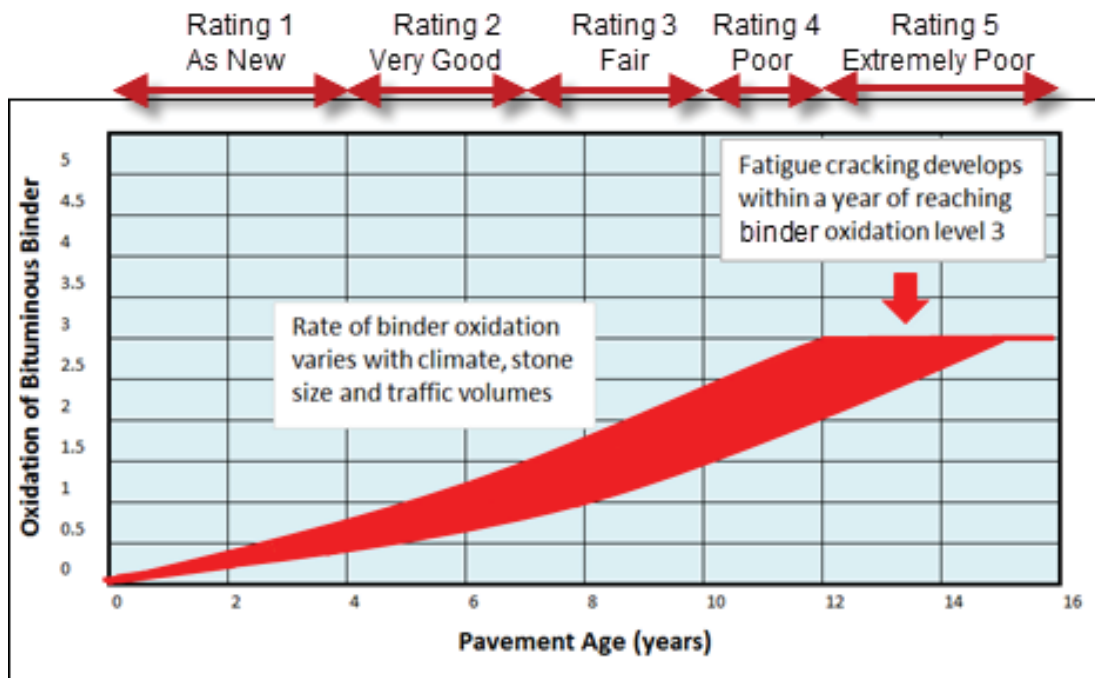


Figure 13: Deterioration of Spray Seal with age

6.5.3.2 Cracking of Sprayed Sealed Surfaces

Figure 15 is a distribution of combined cracking of the sealed pavement (longitudinal cracks or crocodile cracking). It shows that 34% of the sealed road network is in excellent or good condition in this respect, 52% is in fair condition and 14% is in poor condition.

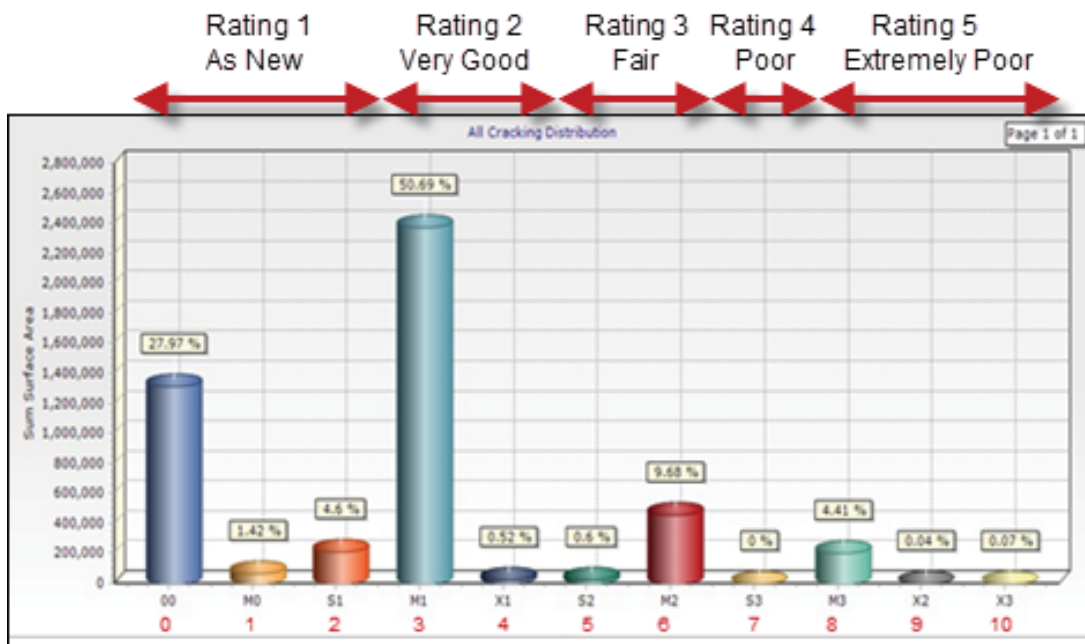


Figure 14: Distribution of combined cracking

6.5.3.3 Sprayed Sealed Surface Defects

Figure 16 is a distribution of pavement defects, that is, areas of identified pavement failure (dips, depressions, rutting etc.). This showed that some 68% of the sealed road network was in good condition in this regard, 30% in fair condition and 2% in poor condition.

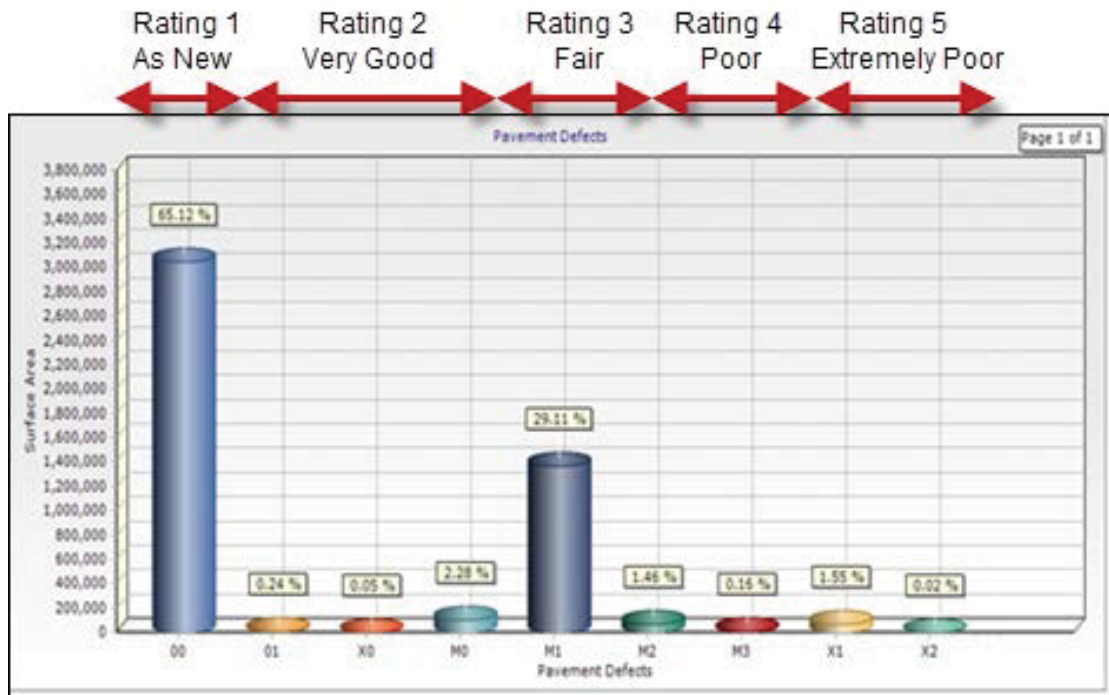


Figure 15: Distribution of pavement defects (severity ratings of 'M' & 'X' only are used)

6.5.3.4 Sprayed Seal Road Roughness

Pavement roughness readings were collected for the network using an ARRB roughometer. This measures average roughness over each 100 metres of road traversed. Roughness measurements were averaged over the road segments and converted to a 1 to 5 scale with 1 being the best & 5 being the worst.

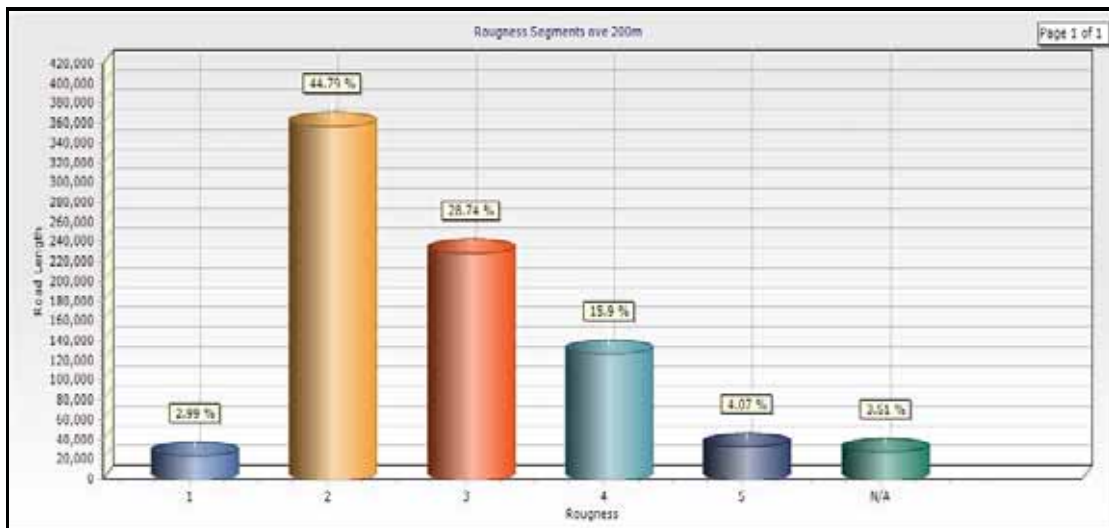
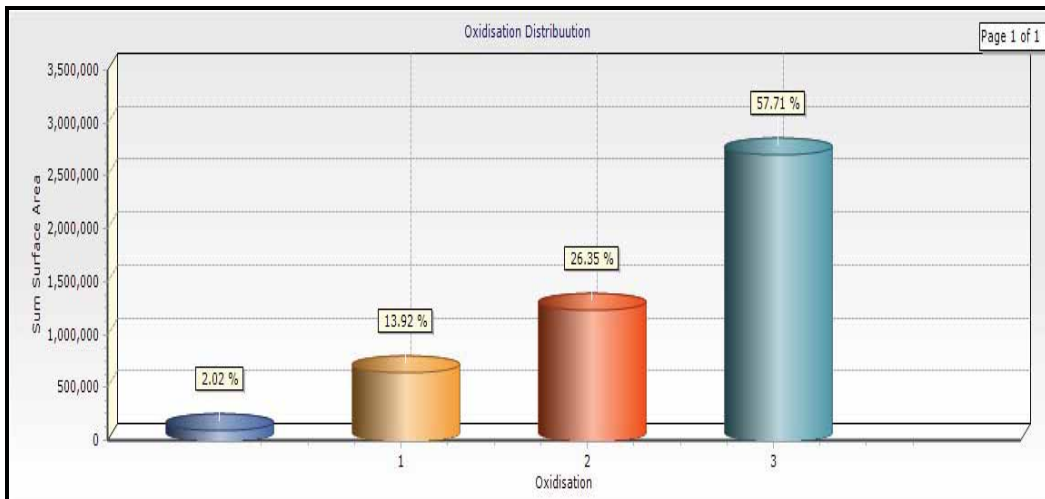


Figure 16: Distribution of road roughness across the sealed road network

This showed that, on roughness criteria, 20% of the network was poor to bad, and 80% was Excellent to Fair.

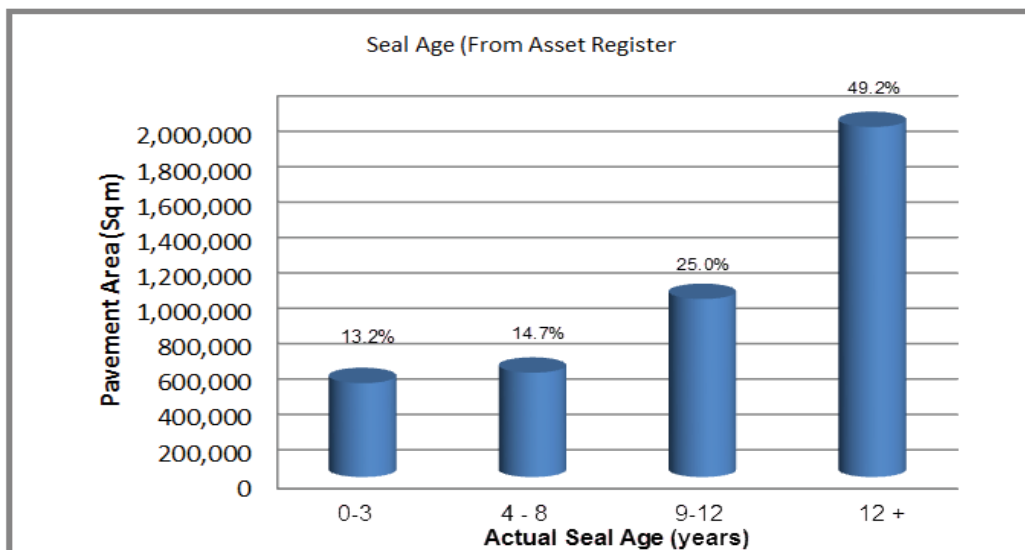
**6.5.3.5 Sprayed Seal Surface Deterioration (Oxidation)**

As noted in section 4.2.5.1.1, seal oxidation is a precursor to seal and pavement failure. Precise measurement of seal oxidation requires laboratory tests. Field testing is a coarse measurement. However, the results correlate strongly with asset register data on seal age.



**Figure 17: Seal oxidation test results**

By way of comparison, Figure 19 shows the actual age of seals which correlates closely with the seal oxidation estimates.



**Figure 18: Spray seal age distribution (from asset registers)**

**6.5.3.6 Sprayed seal network condition overall**

In order to assess the overall network condition the key distressed of Cracking, Roughness and seal age/oxidation were graded as Good, Fair and Poor, based on levels of distress at which treatments are likely to be triggered.

The graded conditions were combined to provide 12 condition states that characterise the overall condition of the network. The state map below shows the distress combinations and the area of the network in each.

**Table 32: Condition state map of Moorabool sprayed seal roads**

State	Distresses			Distribution			
	Crack	Rough	Age	Area m2	% Area		
1 (43.33%)	G	G	G	1,369,471	29.23	<b>Requiring Renewal</b>	
	G	G	G	848,158	18.10		
2 (20.84%)	G	F	G	609,890	13.02		
	G	F	P	366,302	7.82		
3 (16.22%)	F	P	P	508,052	10.84		
	F	P	P	252,285	5.38		
4 (7.18%)	P	G	P	117,236	2.50		
	P	G	P	75,728	1.62		
	P	F	P	143,554	3.06		
5 (8.41%)	P	F	P	101,357	2.16		<b>Failed</b>
	P	P	P	169,663	3.62		
	P	P	P	123,384	2.63		
				4,685,080			

This table suggests that approximately 8.41% of the spray seal network is at the end of its service life and a further 7.2% is in poor condition and is due for renewal. This suggests a backlog equivalent to more than two year's total budget for reseals.

#### 6.5.3.7 Renewal Demand for Sprayed Seals

The 2012-13 replacement cost of the bituminous seals in the Shire is \$40.06 million. With an average seal life of 15 years, on average, annual expenditure should be of the order of \$2.67 million, simply to cater for current deterioration. Addressing the backlog will add to the infrastructure demand, as shown in Table 33.

**Table 33: Transport Infrastructure Demand - Renewal & Backlog for Sprayed Seals**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation Expense (\$million)	Av. Annual Expenditure (Renew plus clear backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Renew plus clear backlog over 20 Yrs) (\$million)
Bituminous Seals	\$3.37m	\$2.67	\$3.01m	\$2.84m

#### 6.5.3.8 Prioritising Renewal of Sprayed Seal Roads

The prioritisation is based on a benefit/cost ratio derived from simulation of the road condition data, using the 'MyPredictor' module of Council's Asset Management System. Whilst this provides the basis for the 5 year development program, the current year program is fine-tuned, based on a team inspection of the model proposals and on data from the Works maintenance costs.

**6.5.4 Condition of asphalt sealed surfaces & estimated renewal demand**

The purpose of an asphalt seal is to provide a waterproof, dust free wearing surface over the structural layers of the road, the pavement.

The service life of an asphalt seal is related to the time when the seal no longer provides a continuous waterproof surface and allows water to enter the road base, resulting in deformation or collapse of the pavement. The failure mechanisms for asphalt pavements are similar to those for spray seals, except that a well-designed and executed asphalt surface should last 30 years before weathering destroys its effectiveness.

However, an asphalt seal can fail much earlier than 30 years if the underlying gravel pavement fails. Especially in Bacchus Marsh, the pavements, and associated asphalt surfacing, on some major roads, such as Wittick St, have failed after 15 to 20 year because of inadequate pavement design, principally the use of scoria for the base course material.

**6.5.4.1 Asphalt sealed road condition audit process**

The condition survey process and analysis for asphalt pavement was essentially the same as for spray seals, except that the oxidation test is not suitable for asphalt seals. In lieu of an oxidation test, actual age distribution of pavements was used.

Figure 20 shows the age distribution of asphalted surfacing on the asphalted road network. This shows that approximately 17% of the asphalted road network, or 9.1KM of asphalt road, is nearing the end of useful life.

Especially in Bacchus Marsh, many asphalt roads constructed pre 2000 have extensive longitudinal cracking. This is not typically load related, but a symptom of quality control problems during construction. Such cracking permits ingress of water into the underlying base course, weakening the pavement and accelerating pavement loss. Crack sealing is an effective and relatively inexpensive means of protecting pavement life. There is a need to increase flexibility in the capital and maintenance programs to permit a mix of renewal measures which cross the traditional boundaries between capital and maintenance.

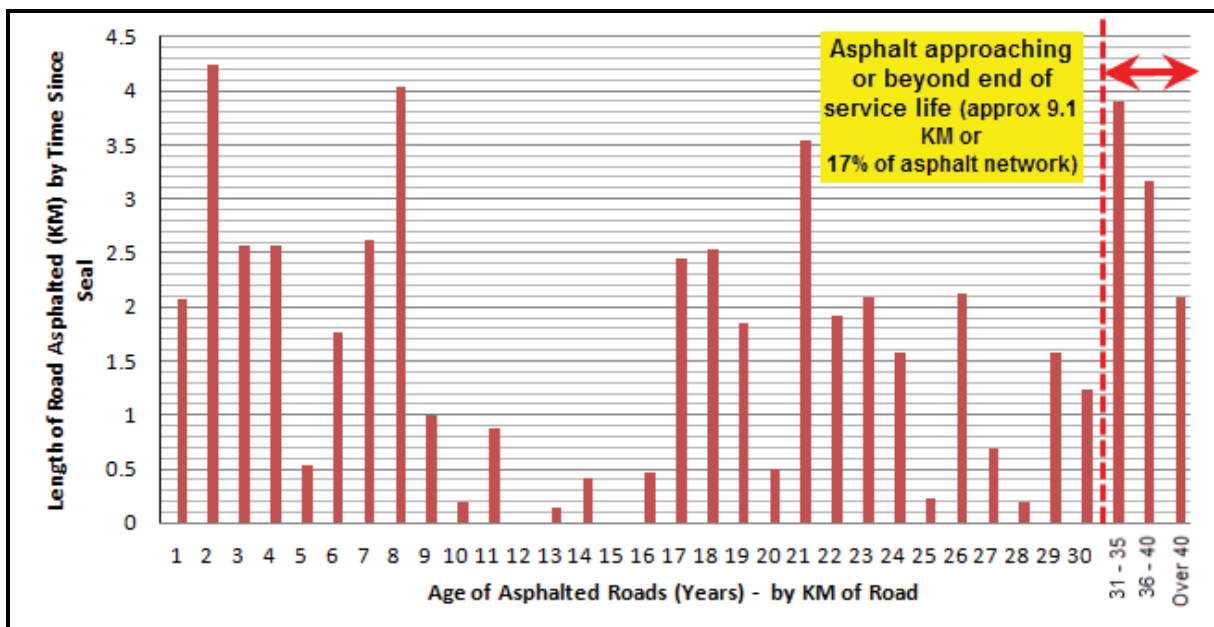


Figure 19: Age of Asphalt Surfacing by KM of Asphalted Road

#### 6.5.4.2 Renewal Demand for Asphalt Seals

The 2013 replacement cost of the asphalt surfacing in Council's Asset Register is \$4.6 million. With an average asphalt life of 30 years, on average, annual expenditure should be of the order of \$0.15 million. Figure 20 indicates a backlog of around 17%, or \$0.78 million. Addressing the backlog over 10 years will add \$0.1 million per year to infrastructure investment demand; addressing the backlog over 20 years will add \$0.05 million per year.

**Table 34: Infrastructure Demand - Rehabilitation & Backlog for Asphalt Surfacing**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Asphalt Surfacing	\$0.78	\$0.15	\$0.23	\$0.19

#### 6.5.4.3 Prioritising Renewal of Asphalt Seal Roads

As for spray sealed roads, paragraph 6.5.3.8.

### **6.5.5 Condition of pavements (sealed roads) & estimated renewal demand**

#### 6.5.5.1 Pavement engineering background

The purpose of a pavement (the base course and sub-base preparation) is to provide a robust platform, or structural layer, over the natural soils, strong enough to take the dynamic load of vehicles without deformation, and to prevent water infiltration into the sub-grade.

Throughout much of Moorabool, sub-grades comprise highly reactive clays which have minimal bearing capacity when wet.

The design life of a pavement is based on the expected number of loadings by a 'standard axle', broadly speaking the axle loading of a fully laden truck. In this context, a single truck does as much damage to the pavement as about 10,000 cars. The road pavement depth of many of the roads in the Shire were designed 30 to 40 years ago when truck loadings were much less than today and when commercial traffic volumes were much lower. Based on current truck loading and numbers, such roads will have a significantly shorter life than that originally planned.

It should be noted that modern semi-trailers and B-Doubles spread the total vehicle load over more axles, and so the damage they do to a road pavement is typically less than the same load carried by a number of two or three axle trucks.

#### 6.5.5.2 Condition audit of Sealed Road Pavements

The replacement cost of Council's sealed road pavements is \$105.14 million. A well designed and constructed road pavement will have a life of around 80 years. This suggests an annual renewal cost of the order of \$1.32 million per year.

This figure needs qualification for two reasons:

- A number of major Shire roads constructed during the 1970's and 1980's used scoria for the base course of the pavement. This is a pumice like volcanic rock which, under repeated heavy loading from commercial vehicles, crumbles to dust. Road



pavements constructed with scoria, such as Halletts Way and the northern end of Wittick Street have failed after less than 20 years.

- Many Shire roads, especially in Moorabool West, were designed for much lower truck volumes and loads, and can collapse completely with heavy truck traffic.

Taking these factors into account, road pavements constructed prior to 1996 are assumed to have a service life of only 50 years, giving an annual renewal requirement of \$2.10 million.

In addition, the recent road condition survey indicated a backlog of \$4.36 million, including a number of the scoria based pavements noted above.

#### 6.5.5.3 Renewal Demand for Sealed Road Pavements

Table 35 indicates the renewal demand, taking into account both the annual renewal requirements and eliminating the backlog over 10 and 20 years respectively.

**Table 35: Infrastructure Demand - Rehabilitation & Backlog for Sealed Pavement**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Sealed road Pavement	\$4.36 m	\$2.1 m	\$2.54 m	\$2.32 m

#### 6.5.5.4 Prioritising Renewal of Sealed Road Pavement

Prioritisation of sealed road pavement renewal is essentially as described in section 6.5.3, where the identified defects relate to pavement failure as distinct from surface seal failure.

#### 6.5.6 Condition of pavements (unsealed roads) & estimated renewal demand

The replacement cost of gravel roads pavements is \$18.14 million. With an average service life of 25 years this suggests an annual replacement budget requirement of \$740,000. As discussed, pavement age profile suggests that an annual budget of \$630,000 per year for the next decade will suffice.

The purpose of a pavement (the base course and sub-base preparation) on an unsealed road is to provide a robust platform, or structural layer, over the natural clay soils, strong enough to take the dynamic load of vehicles without deformation, and to prevent water infiltration into the sub-grade.

Properly constructed, with attention to material quality, 6% cross fall to ensure shedding of water and good table drains, a gravel road should have a life of 25 years. The 2008 gravel road study suggested that Moorabool had been averaging around 10 year life, which is typical of local government in Victoria. Improved practices over the past 3 years should see a service life of 25 years.

##### 6.5.6.1 Condition audit of Gravel Road Pavements

The 2008 survey also found that:

- 90 roads, 108.5 KM length, (20% of gravel road network), had zero gravel;
- 273 roads, 288 KM length (53% of gravel road network), had less than the minimum gravel required (50mm) to protect subgrade from deformation in wet weather.

The situation at that time suggested it would take around 20 years to address the backlog. However, as a result of both the increased CIP funding from \$500,000 per year to \$1 million per year and the massive input from flood reconstruction, a large part of the network has



been stabilised. The current situation is that an annual expenditure of around \$650K per year for the next decade is sufficient for 'steady state', as in Table 36. This shows the length of road and the program cost to address the immediate priority of roads with minimal gravel, and the emerging demand as future roads enter the 'endangered' state.

**Table 36: Indicative resheet program which evens out future outlays**

Length of road to be re-sheeted	Detail	Construction Year	Program Amount (\$'000)	Approx. Timing
137.1KM	Current gravel roads with less than 50mm pavement depth	Pre 2000	\$4.1m	2014-20
31.5KM	Current gravel roads with 50-90mm pavement depth	Pre 2000	\$0.9m	2020-22
28.2KM	Current gravel roads with 90-140mm pavement depth	2000-2005	\$0.9	2022-24
80.8KM	Current gravel roads with 140-200mm pavement depth	2005-2008	\$2.4m	2023-27
280KM	Resheeting of roads resheeted 2008 onwards	2008-2013	\$10m	2027 +

#### 6.5.6.2 Renewal Demand for Gravel Road Pavements

Table 37 shows the indicative funding pattern necessary to achieve a steady state asset renewal situation, taking into account the very lumpy expenditure pattern over recent years.

**Table 37: Indicative Annual Budget required for smooth transition to lifecycle renewal**

Years	Detail	Program Amount (\$'000)	Indicative Annual Requirement (\$'000)
2013-14	Current Budget Proposal	\$630	\$630
2014-22	Eliminate backlog over 8 years	\$5,050	\$630
2022-27	Normal renewal of roads resheeted 2002- 2008	\$3,270	\$650
2027-38	Normal renewal of roads resheeted since flood renewal	\$8,960	\$815
2038+	Normal resheet cycle based on 20 year pavement life	\$18,140	\$900

#### 6.5.6.3 Prioritising Renewal of Gravel Road Pavement

Table 38 details the prioritisation criteria used for developing the gravel road program. As with the others, on site team review is used to confirm priorities.

**Table 38: Prioritisation criteria for gravel road resheeting**

Ranking Criteria		Score	Weighting	Maximum Score	Source of Data	
<b>Gravel depth score</b>						<b>Multiplier</b>
	Depth < 40mm	5	x 1	5	Survey & simulation modelling	
	Depth < 40mm to 70mm	3	x 1			
	Depth < 70mm to 90mm	1	x 1			
	Depth > 90mm	0				
<b>Road shape score</b>						<b>These Scores are Added Together</b>
	51% to 100% Length <3% Slope > 8%	5	x 1	5	Survey & simulation modelling	
	21% to 50% Length <3% Slope > 8%	3	x 1			
	0% to 20% Length <3% Slope > 8%	0				
<b>Road drainage score</b>						
	51% to 100% Length <No table drain OR road is drain	5	x 2	10	Survey & simulation modelling	
	21% to 50% Length <No table drain OR road is drain	3	x 2			
	0% to 20% Length <No table drain OR road is drain	0				
<b>Hierarchy score</b>						
	Link or Collector	5	x 1	15	Road register	
	Access Level 1	3	x 1			
	Access level 2 or 3	0				
<b>Traffic Score</b>						
	ADT >= 100	5	x 3	10	Traffic count database	
	ADT >= 50	3	x 3			
	ADT >= 20	1	x 3			
	ADT < 20	0				
<b>ESA Score</b>						
	20 Year ESA >= 200,000	5	x 2	10	Traffic count database & computation	
	20 Year ESA = 100,000 to 200,000	3	x 2			
	20 Year ESA = 50,000 to 100,000	1	x 2			
	20 Year ESA < 50,000	0				
<b>Works Dept - maintenance Effort Assessment</b>						
	High Maintenance Effort	1	x1	10	Works Coordinator	
	Average ' Low Maintenance Effort	0				
<b>RATING = ( GRAVEL DEPTH SCORE * (SUM OF OTHER SCORES)</b>						

### 6.5.7 Condition of road shoulders & estimated renewal demand

The replacement value of shoulders on sealed roads is \$20.36 million. With an expected service life of 25 years for sealed shoulders (~10.5 KM) and 15 years for gravel shoulders (~1,490KM), this suggests that the average annual renewal outlay should be around \$1.31 million per year.

The road shoulder is designed to:

- rapidly shed water from the edge of the pavement and prevent water infiltration from weakening the pavement
- allow vehicles to pass each other safely on rural local roads with narrow sealed pavements;
- provide a factor of safety for road users who accidentally stray off the sealed pavement, allowing them to regain control.

The shoulder is not designed for normal vehicular traffic. Whilst the pavement of a sealed road will vary in depth from 250mm to over 600mm (depending on design traffic loading), road shoulders are typically only 100mm thick.

#### 6.5.7.1 Condition audit of Gravel Shoulders

A condition audit was undertaken in 2013. The audit identified two failure modes, 'drop off' and 'build up'. The latter is indicative of urgent maintenance grading, whilst the former is

indicative of the need for shoulder resheet. The survey also identified that over 50% of the shoulder network was heavily or totally weed infested. This inhibits the effectiveness of the shoulder in shedding water, resulting in waterlogged shoulder and water infiltration into pavement subgrade.

**Improvement Action 14: Review maintenance practices regarding weed infested shoulders, considering an annual spraying program or an annual grading program.**

**Table 39: Shoulder condition from condition audit**

Shoulder Type	Gravel Clear of Weeds	Weed Infested Gravel	Failed (>30mm drop off)	Failed (> 30mm build up)
Length of shoulder	650.6 KM	840.0 KM	84.6 KM	15.1 KM
% of network	43.6%	56.4%	5.7%	1.0%

#### 6.5.7.2 Renewal Demand for Gravel Shoulders

Table 40 indicates the renewal demand for shoulder resheeting, taking into account both the annual renewal requirements and eliminating the backlog over 10 and 20 years respectively.

**Table 40: Infrastructure Demand - Rehabilitation & Backlog for Road Shoulders**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Road Shoulder	\$1.16	\$1.31	\$1.43	\$1.37

#### 6.5.7.3 Prioritising Renewal of Gravel Shoulders

No criteria currently exist for prioritising shoulder resheeting. In the absence of any condition audits, decisions on resheeting hitherto have been ad hoc.

**Improvement Action 15: Develop a formal prioritisation procedure for gravel shoulder resheet program.**

#### 6.5.8 Condition of pathways & estimated renewal demand

There are approximately 102 KM of sealed pathways and 30 KM of gravel (unsealed) pathways. The replacement cost is \$11.46 million. Based on service lives of 50 years for concrete pavement, 30 years for sealed (asphalt or spray seal) pavement and 10 years for gravel pavement), the average annual renewal outlay should be around \$0.29 million per year.

In fact, several tens of thousands of dollars of new(ish) footpath have been destroyed each year over the past decade by property developers. With no asset protection scheme in place, it has not been possible to address this problem or sheet home the cost of damage to the perpetrators.

**Improvement Action 16: Introduce an asset protection program with a major focus on prevention of footpath damage.**

### 6.5.8.1 Condition audit of Pathways

There has not been a condition audit of footpaths since 2007. Accordingly, the following data is out-dated. However, taking into account renewal works since 2007, the broad picture of the state of the footpath assets is considered to be reasonably accurate.

Figure 21 depicts the distribution of footpath condition. On average, footpaths rated 5 are in very poor condition and are 'backlog'; footpaths rated 4 will require replacement over the first half of the 20 year time horizon (\$552,712 or \$55K per year) and footpaths rated 3 will require renewal over the second half of that period (\$567,303 or \$57K per year). Most of these footpaths are thin (80mm) unreinforced. Newer footpaths, built to higher standards (100mm thickness and reinforced), are expected to have a 50 year life or greater, provided that asset protection policies are put in place.

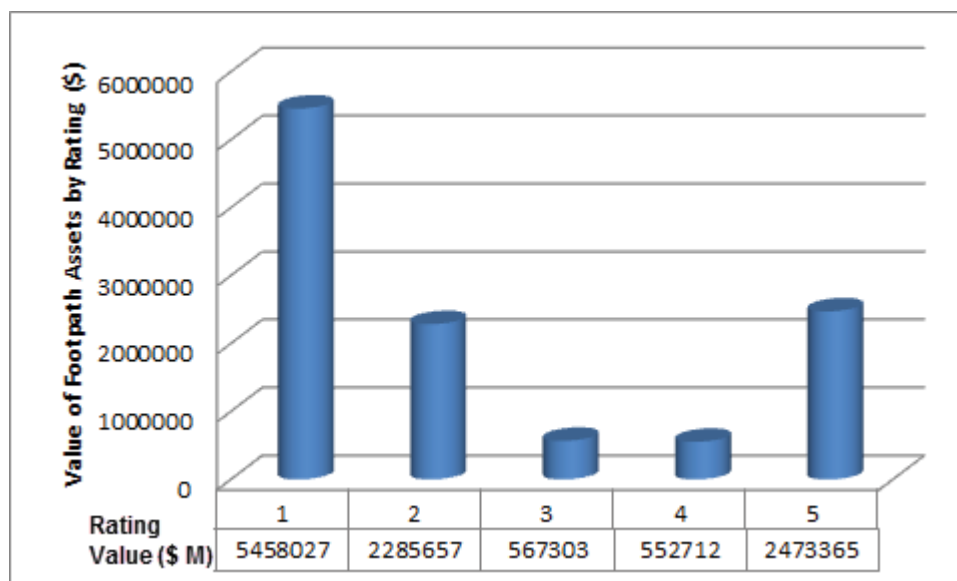


Figure 20: Footpath Distribution by Current Condition

### 6.5.8.2 Renewal Demand for Footpaths

Table 41 indicates the renewal demand for footpaths, taking into account both the annual renewal requirements and eliminating the backlog over 10 and 20 years respectively.

Table 41: Infrastructure Demand - Rehabilitation & Backlog for Footpaths

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Footpaths	\$2.47	\$0.055	\$0.25	\$0.18

Note: This Plan does not include details of gravel footpaths or tracks and trails. Incomplete condition information exists for these. Further, many of the gravel footpaths and tracks and trails were severely damaged in the floods of 2010 and 2011 and rehabilitation of significant sections of these is stalled by State agencies. It is intended to undertake a complete condition audit of these paths when all flood rehabilitation works are completed and to incorporate these into Council's asset register.

**Improvement Action 17: Complete audit of all gravel footpaths and tracks and trails and bring on to asset register.****6.5.8.3 Prioritising Renewal of Footpaths**

Footpath renewal is prioritised, on a somewhat ad hoc basis, taking into account footpath hierarchy and the number of damaged or broken slabs in a segment (intersection to intersection).

**Improvement Action 18: Develop formal prioritisation criteria for footpath renewal.****6.5.9 Condition of kerb & channel & estimated renewal demand**

There are approximately 233 KM of kerb and channel in the Shire, with a replacement value of \$17.65 million. Modern construction practice gives a service life of the order of 70 years, However, about 15% of the kerb and channel network was constructed with poor design or construction quality control pre 1980. Much of this has already failed or will fail over the next decade.

In particular, the use of short sections of pre-cast kerb and channel, with poor bedding in the context of very reactive clay soils, meant that much of this style kerb and channel has suffered significant displacement. The injudicious practice of tree planting immediately adjacent to the kerb did not help, as illustrated in Figure 22.

Based on the relative ages of kerb and channel in the Shire, this suggests an average renewal outlay of the order of \$220,000 per annum. However, much of the high quality construction is relatively new, so renewal demand will not rise to this level for some decades. In the time frame of this Plan, renewal outlays are based on condition audit.

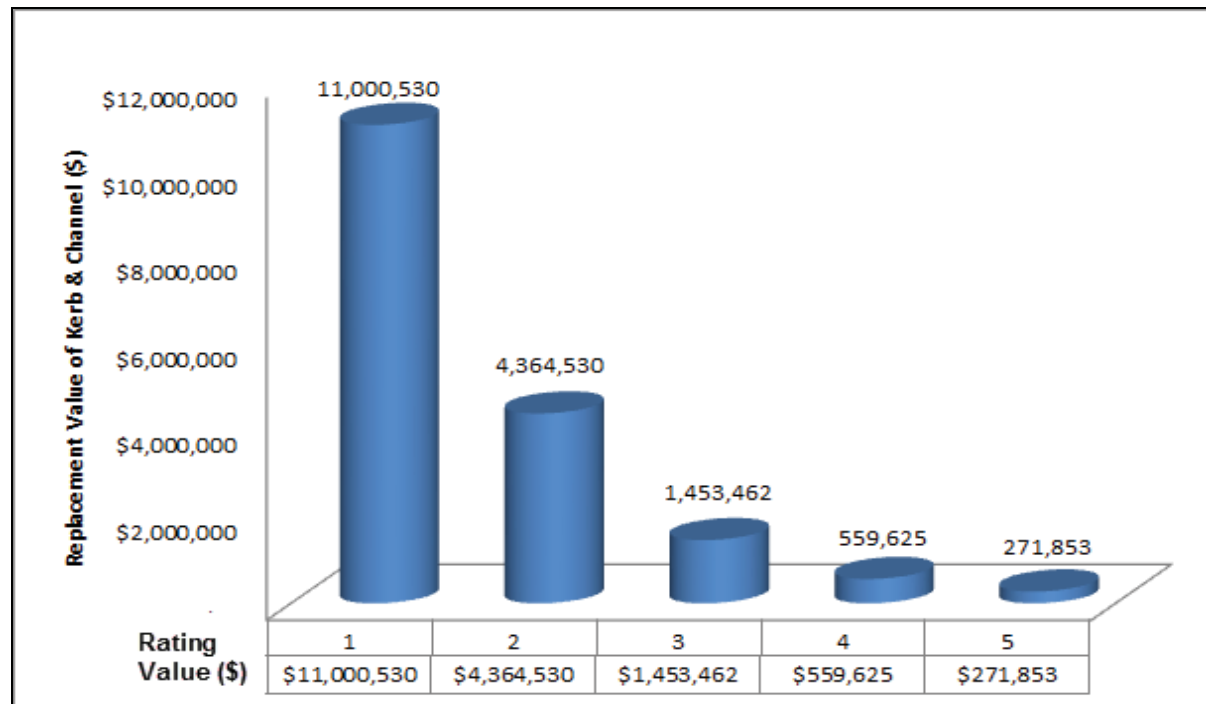


**Figure 21: Legacy of past construction practices**

### 6.5.9.1 Condition audit of kerb and channel

A condition audit of kerb and channel was undertaken in 2013. The audit rated kerb and channel on a rating scale of 1 to 5, where 1 is 'as new' and 5 is 'failed'.

Figure 23 depicts the distribution of kerb and channel condition. On average, kerb & channel rated 'very poor' are 'backlog'; those rated 'poor' will require replacement over the next 5 years, and those rated 'fair' are expected to require replacement over the following 15 years.



**Figure 22: Kerb & Channel Distribution by Current Condition**

The audit also identified the magnitude of two problem areas in relation to past and present residential construction practices in the Shire:

- Gravel driveways
- 'Plated' kerb ramps.

The problem with gravel driveways in urban areas with underground drainage is that, in heavy rain storms, where the driveway slopes towards the kerb and channel, gravel is washed into the kerb and channel and thence into the underground drainage system. Council spends over \$160,000 per year on drainage maintenance, a significant portion of this is due to blockages caused by gravel.





**Figure 23: Adjacent gravel driveways in Darley**

**Improvement Action 19: Formulate policy on replacement of gravel cross-overs in areas where there is underground drainage.**

In some older areas, where driveways meet the road at an acute angle, cars “bottom out” when crossing the driveway. In about 160 locations, mainly in Bacchus Marsh and Darley, residents have addressed this typically with steel plates, as illustrated in Figure 25, or with timber or other ad hoc solutions.

Plated kerb ramps in particular are a potential hazard to vehicles (Council has received complaints from residents who have ruptured a tyre on such ramps) and for pedestrians. All such measures block readily and disrupt the flow of stormwater.

New subdivision design standards ensure that the underlying problem does not occur in the future.



**Figure 24: Problematic plated kerb ramps in Bacchus Marsh**

Dura-Kerb driveway crossover ramps (Figure 26) are approved kerb and channel inserts for modifying existing driveways where the gradient causes cars to bottom out. They are widely used in Queensland and NSW.



'bottom out'.

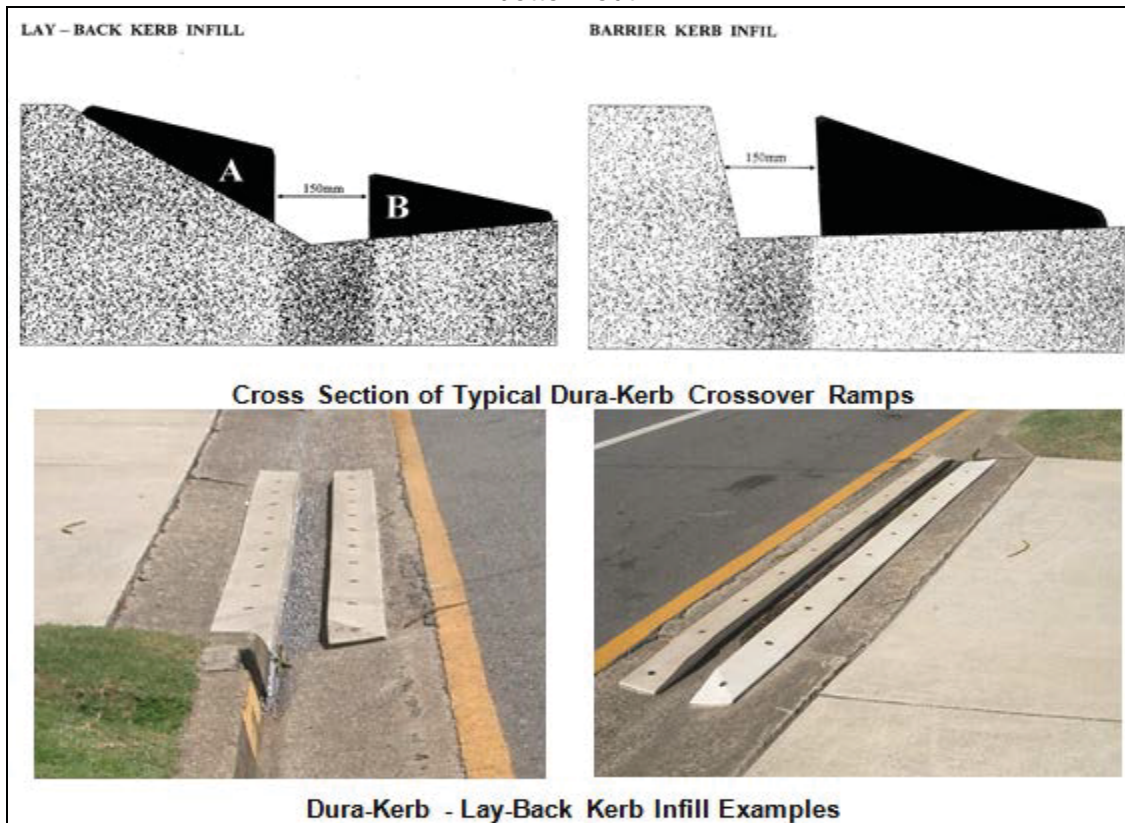
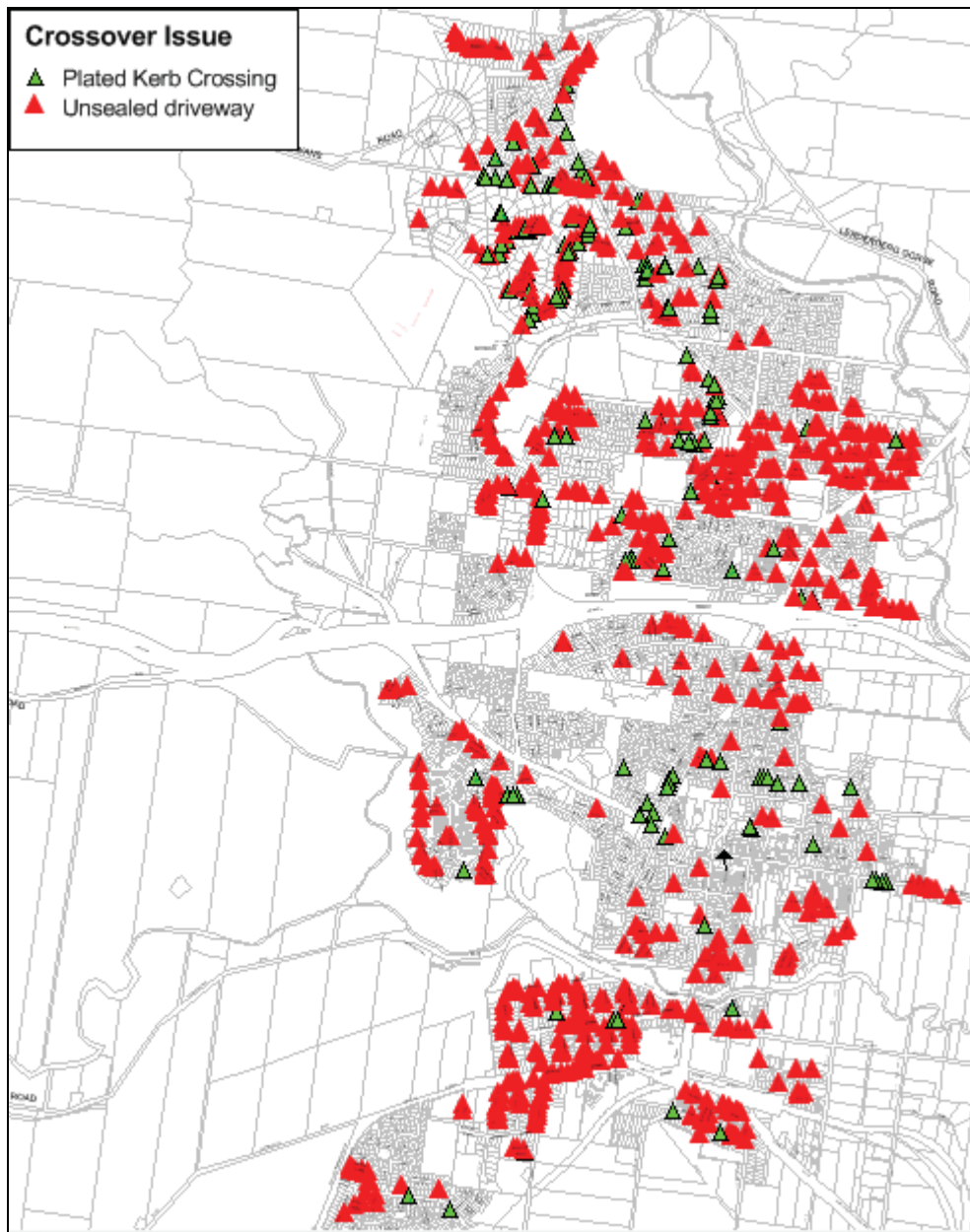


Figure 25: Safe alternative to plated kerb ramps

**Improvement Action 20: Formulate policy regarding progressive removal of all plated kerb ramps.**



**Figure 26: Extent of driveway crossing problems in Bacchus Marsh**

6.5.9.2 Renewal demand for kerb and channel

Table 42 indicates the renewal demand for kerb and channel, taking into account both the annual renewal requirements and eliminating the backlog over 10 and 20 years respectively.

**Table 42: Infrastructure Demand - Rehabilitation & Backlog for Kerb & Channel**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Kerb & Channel	\$0.27	\$0.113	\$0.14	\$0.13

### 6.5.9.3 Prioritising renewal of kerb & channel

Kerb and channel renewal is prioritised, on a somewhat ad hoc basis, taking into account road hierarchy, roads which are due for pavement reconstruction (so the work can be programmed together) and the number of damaged or broken slabs in a segment (intersection to intersection).

**Improvement Action 21: Develop formal prioritisation criteria for kerb & channel renewal.**

### 6.5.10 Condition of bridges & estimated renewal demand

There are 91 bridges and major culverts ranging from low level culvert crossings to single and multi-span bridges. The replacement cost is \$18.9 million. Based on service lives of 80 years for bridges, 60 to 75 years for large concrete culverts (depending on when constructed) and 40 years for corrugated metal pipe culverts, the average annual renewal outlay should be around \$0.27 million per year.

A deficiency with the Bridge Asset Register is that it records the bridge as a single entity. In fact, different bridge component (for example the deck, sub-structure, abutments and foundations) have different service lives. All bridge data will be componentised during 2013-14 financial year.

**Improvement Action 22: Complete program to componentise bridge data in asset register**

Following the 2010 and 2011 flood, a number of aging bridges, all in very poor condition, were destroyed and have been reconstructed from State flood reconstruction funds.

#### 6.5.10.1 Condition audit of bridges

During 2011 and 2012, Level 2 audits were undertaken of all Council bridges. These audits showed that there was a significant backlog in routine bridge maintenance work, well beyond the annual Operations Department maintenance budget. As a result, the issues had, in many cases, deteriorated such that much more costly renewal works have become necessary.

**Improvement Action 23: Review the operational budget for the Operations Department so that adequate funds are available to undertake essential bridge maintenance identified in Level 2 audits.**

#### 6.5.10.2 Renewal demand for bridges

The 2011 and 2012 Level 2 audits identified 238 defective bridge components, of which 152 were identified as requiring attention within 2 years and 60 within 1 year. The estimated cost of addressing all these issues is \$1.7 million.

Whilst most of the identified deficiencies should have been addressed under bridge maintenance, the magnitude of the backlog and the identified urgency suggests that these should be addressed through the renewal program over a period of 5 years. The normal renewal activity should be suspended until this backlog is cleared. Table 43 indicates the renewal demand for bridges, taking into account both the annual renewal requirements and eliminating the backlog over 10 and 20 years respectively.

**Table 43: Infrastructure Demand - Rehabilitation & Backlog for Bridges**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Bridge Assets	\$1.7	\$0.340	\$0.51	\$0.43

**6.5.10.1 Prioritising bridge renewal**

Bridge renewal has been prioritised on the basis of benefit-cost ratio and condition state urgency as defined in the VicRoads bridge manual.

**6.5.11 Condition of car parks & estimated renewal demand**

The replacement value of Council's car park assets is \$2.03 million. The expected useful life of sealed car parks is 40 years. This suggests an annual renewal outlay of \$50,000 per year.

There is no obvious backlog of work and, in the absence of condition data, the assessed annual rehabilitation is assumed to be one fortieth of the current replacement cost. A condition audit of all car parks will be undertaken commencing late 2013.

**Table 44: Infrastructure Demand - Rehabilitation & Backlog for Car Parks**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Car Park Assets	\$0	\$0.05	\$0.05	\$0.05

**6.5.12 Condition of traffic control & ancillary devices & estimated renewal demand**

Although not currently capitalised and recorded in Council's Asset Registers, the large inventory of traffic control and ancillary devices have limited life and no provision is currently made for their replacement. An estimated 20% of guard rail is now beyond its service life and an estimated 60% of street signage is beyond its useful service life.

Table 45 is an estimate of the backlog and ongoing rehabilitation costs for these assets. It is envisaged that a full inventory of these devices will be made in 2014-15 with a view to incorporating them in the Asset Register.

**Table 45: Infrastructure Demand - Rehabilitation & Backlog for Ancillary Road Devices**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Signage	\$0.90	\$0.15	\$0.24	\$0.20
Guard rails	\$0.20	\$0.05	\$0.07	\$0.06
Bus Shelters	-	\$0.02	\$0.02	\$0.02

<b>Sub-Total</b>	<b>\$1.10</b>	<b>\$0.22</b>	<b>\$0.33</b>	<b>\$0.28</b>
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### 6.5.13 Summary Infrastructure Demand – Rehabilitation & Backlog

Table 46 summarises the overall rehabilitation and backlog demand for road related assets over the next 20 years.

**Table 46: Infrastructure Demand - Rehabilitation & Backlog for All Road Related Assets**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation Demand (\$million)	Av. Annual Expenditure Need (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure Need (Clear Backlog over 20 Yrs) (\$million)
Bituminous Seal	3.37	2.67	3.00	2.84
Asphalt Surfacing	0.78	0.15	0.23	0.19
Sealed road Pavement	4.36	2.1	2.54	2.32
Unsealed Road Pavement	0	0.63	0.63	0.63
Road Shoulder	1.16	1.31	1.43	1.37
Footpaths	2.47	0.055	0.30	0.18
Kerb & Channel	0.27	0.113	0.14	0.13
Bridge Assets	1.70	0.340	0.51	0.43
Car Park Assets	0	0.05	0.05	0.05
Ancillary Road Devices	1.1	0.22	0.33	0.28
<b>TOTAL</b>	<b>\$15.21m</b>	<b>\$7.64m</b>	<b>\$9.17m</b>	<b>\$8.42m</b>



## 7 LIFECYCLE MANAGEMENT - PART B: UPGRADE ASSETS

### 7.1 Factors driving upgrade demand

The fundamental factor driving demand for new or upgraded assets within the Shire is the fact that new residents, whether the children of existing resident or 'immigrants' from other areas, especially metropolitan Melbourne, expect a higher level of service than their forebears. Thus, a generation ago, a sealed bitumen strip down the centre of the road reserve in Bacchus Marsh or Ballan was considered a luxury. Now, kerb to kerb sealing is expected. A generation ago, it was acceptable to walk on the lightly trafficked roads, in the absence of a footpath. Today, a footpath is expected.



**Figure 27: A bitumen strip down the centre of the road is no longer 'acceptable'**

Another major factor driving demand for upgraded transport assets is the dramatic increase in the volume of traffic over the past two decades and the associated increase in the number of heavy vehicles. Over the past 5 years 70 roads have experienced between 10% and 50% traffic growth per year. Old Melbourne Road Dunnstoun for example, saw a traffic increase from 424 to 823 over the 4 years from 2007. The Greendale-Ballan road saw an increase from just over 100 to 1084 vehicles per day over the 6 years to December 2011.

### 7.2 Key asset upgrade requests received by Council

The key upgrade demands for transport assets are:

- Widening of existing narrow (one lane) rural roads to two-lane status
- Road safety upgrades (including widening at crests, improved alignment)
- Road upgrades (widening, strengthening, re aligning) to cater for capacity problems
- Sealing of gravel roads
- Sealing gravel shoulders

Into the future, it is likely that the freight requirements for agriculture in the Shire and surrounding areas will lead to demand for upgrading bridges, including widening some current single lane bridges and strengthening others. The implications of recent changes to State and Federal Government laws and regulations relating to approvals for higher mass limit vehicles have not yet been addressed by the Shire.

**Improvement Action 24: Undertake a shire wide road freight study, with particular reference to the emerging requirements of agricultural industries for higher mass limit vehicle access.**

## 7.3 Warranted upgrade demand estimates

### 7.3.1 General principles underlying estimates

The reality of budget constraints means that only a small percentage of upgraded assets can be funded in any year. This means funds must be rationed. A primary criterion for prioritising new or upgraded capital works is that the works are a benefit to the local community as a whole, not simply to one or a few residents.

#### 7.3.1.1 Should ratepayers pay for new footpaths or upgraded roads or other assets in existing sub-divisions ?

Residents in new sub-divisions pay for the cost of footpaths, street lights and other assets when they purchase their blocks. Arguably, people who purchase existing houses in streets with no footpaths or a partly surfaced street have received a significant discount on the price of their house, proportional to the value of the lacking public assets. This raises the equity question of whether all ratepayers should pay for new footpaths etc. for the latter, especially when the local householders will reap the benefit in increased property value. It is argued that the primary beneficiaries should meet a significant portion of that cost through special rate schemes.

**Improvement Action 25: Develop policy for Council consideration on special rate schemes to contribute towards asset upgrade and infill.**

## 7.4 Council funded upgrade demand

### 7.4.1 Sealed Road Upgrades

There are three main categories of demand for sealed road upgrades which arguably benefit the entire community

- Road Safety - Carriageway Widening (roads with carriageway less than 6.2 metres)
- Road Safety – Safety Audits (specific safety problems identified in audits)
- Road Capacity – Congestion problems arising from urban and industrial development

#### 7.4.1.1 Sealed Road Carriageway Widening

All sealed road reconstruction, consequent on pavement failure, involves some minor upgrade, such as minor realignment or widening on crests. This is regarded as renewal. Upgrade is recognised only if the pavement is widened by 200 mm or more.

There is no formal policy on sealed road upgrades. Normally, when a sealed road pavement reaches intervention level, if the carriageway width is less than 6.2 metres, the decision is made at that point whether to widen it to 6.2 metres, taking into account in particular the overall traffic volumes and the volume of heavy vehicles..

Noting that there are some 23.5 KM of narrow sealed roads (carriageway width 5.4 metres to 6.0 metres) which carry more than 100 vehicles per day, it may be desirable to include carriageway width in the criteria for prioritising sealed road pavement renewal (para. 6.5.5.4).

##### 7.4.1.1.1 Sealed Carriageway Widening Upgrade Costs

No separate estimate is provided for this work. It is assumed to be incorporated within the sealed road pavement renewal estimates (para 6.5.5.3).



#### 7.4.1.2 Sealed Road Safety Upgrades

Council conducts formal road safety audits when residents raise concerns regarding specific road safety concerns and whenever property or casualty accidents are reported. In addition, Council undertook a safety audit of the 400KM of school bus routes in the Shire. These audits have identified 120 road safety rehabilitation projects worth \$2.8 million.

##### 7.4.1.2.1 Sealed Carriageway Safety Upgrade Costs

Table 47 summarises the upgrade backlog for road safety projects.

**Table 47: Infrastructure Demand - Upgrade Backlog for Road Safety Projects**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Road Safety Projects	\$2.8	-	\$0.28	\$0.14

#### 7.4.1.3 Sealed Road Upgrade Demand due to Road Capacity Problems

Council and VicRoads have approved a joint study to identify the strategic road needs for Bacchus Marsh region over the coming decades. This will identify the upgrades needed to cater for traffic growth, and especially heavy vehicle growth, and identify whether Council or developers will meet the cost. Strategic development studies are also being undertaken for Ballan and Gordon. The following sections are illustrative and will need updating in the light of these studies

##### 7.4.1.3.1 Impact of Development on Existing Road Infrastructure in the Bacchus Marsh Region

Taking the planning projections for residential and industrial development in Bacchus Marsh into account, together with the assessments of the VicRoads studies, and other transport studies associated with the Bacchus Marsh Structure Plan, the following major works, identified in Table 48 are likely to be required over the next 20 years. (This does not include projects associated with the State Government proposals regarding Halletts Way interchange or the freeway eastern interchange.)

**Table 48: Bacchus Marsh Major Road & Bridge Works to Cater for Development**

Road	Upgrade from	Upgrade to	Length (m)	Cost \$'000	Developer Contribution &/OR VicRoads %	Cost to Council (\$'000)	Year
Halletts Way extension to Albert Street		Collector	750	\$700	65%	\$250	2018 +
Holts Lane west end	Access 1	Collector	1,000	\$500	80%	\$100	2018 +
McCormack Road	Access 1	Collector	2,000	\$500	100%	-	2018 +
Halletts Way to Griffith Street including Werribee River Bridge	Collector	Link		\$12,000	80%	\$2,400	2018 +

Road	Upgrade from	Upgrade to	Length (m)	Cost \$'000	Developer Contribution &/OR VicRoads %	Cost to Council (\$'000)	Year
Griffith Street – Grant Street to McCormacks Road	Collector	Link	1,800	\$1,800	70%	\$540	2020 +
Osborne Street	Access 1	Collector	1,100	\$250	0%	\$250	2025 +
East Maddingley Road	Access 1	Collector	1,500	\$375	100%	-	2030
<b>TOTAL</b>						<b>\$3,540</b>	

#### 7.4.1.3.2 Impact of Development on Existing Road Infrastructure in the Ballan Region

Table 49 lists the major road projects expected to be required in the Ballan area over the next two decades. These are likely to be totally funded by developers.

**Table 49: Upgrade of existing road infrastructure in Ballan to cater for increased demand**

Road	Upgrade from	Upgrade to	Length (m)	Cost (\$'000)	Developer Contribution %	Cost to Council (\$'000)	Year
Denholms south of Gillespies & widening Walsh-Gillespies	Unmade	Access 1	1200	\$300	100%		2018 +
Windle Street	Access 1	Access 1	1,700	\$270	100%		2018 +
Denholms north of Gillespies & intersection and drainage improvements	Access 1	Access 1	400	\$115	100%		2020 +
Inner West - Graham Street	Unmade	Access 1	850	\$215	100%		2020 +
North - Bences Lane	Unmade	Access 1	3,450	\$550	100%		2022 +
Berry St – Blackwood St Intersection				\$400		\$300	2018 +
Myrtle Grove – Blackwood St Intersection				\$50		\$50	2020 +
Berry St – Spencer Rd Intersection				\$50		\$50	2022 +
<b>TOTAL</b>						<b>\$400</b>	

#### 7.4.1.3.3 Impact of Development on Existing Road Infrastructure in the Gordon Region

With new subdivisions in Gordon, consequent on the construction of underground sewerage system, there is likely to be a demand for upgrading existing local streets to sealed, with kerb

and channel. It would seem appropriate that such upgrading would be wholly or significantly funded through special rate schemes. No estimate of Council contribution is provided here.

#### 7.4.1.3.4 Impact of Development on Existing Road Infrastructure in Other Areas

The key demand for road infrastructure investment in the rural areas of the Shire relates to the sealing of gravel roads. This is discussed in the following section.

#### 7.4.1.3.5 Sealed Road Capacity Upgrade Costs

Because of pending strategic studies, the indicative capacity upgrade costs are not included in the funding summaries.

### 7.4.2 Gravel Road Upgrades

#### 7.4.2.1 Cost to seal a gravel road

Sealing a gravel road involves both the cost of increasing the pavement depth to 250 mm minimum and the cost of a primer and final seal, improving the drainage and addressing environmental issues. The total cost is of the order of \$90,000 per kilometre of road. With 540 KM of gravel road in the Shire the cost of sealing all the Shire's gravel roads would be of the order of \$50 million.

#### 7.4.2.2 Economic warrant to seal a gravel road

There have been numerous studies into the economics of sealing gravel roads. These studies suggest that:

- gravel road maintenance costs per kilometre increase considerably once traffic volumes reach 200 veh/day – this is where sealing becomes economic
- gravel roads are most cost effective at traffic volumes below 150 veh/day
- planning for gravel surface upgrades should occur once traffic volumes reach 100 veh/day

In 2006, Council adopted the following strategy relating to the sealing of gravel roads, which is consistent with these criteria. The Table 50 'minimum score' refers to the detailed prioritisation criteria detailed in Table 53. Roads which do not meet these criteria could be sealed under special rates schemes.

**Table 50: MSC criteria for sealing gravel roads**

Average Daily Traffic	Additional Criteria	Min Score for Consideration (Refer Table 53)	Warrant
< 100 vpd		-	Sealing not warranted
100vpd to 150vpd	<ul style="list-style-type: none"> <li>• school bus route</li> <li>• links major routes</li> <li>• link to major facility</li> <li>• high traffic volume</li> <li>• high % heavy vehicles</li> <li>• major dust problem</li> <li>• major safety problem</li> </ul>	250	Sealing may be warranted provided 3 of the additional criteria are met.  Roads in this category will be assessed according to the criteria in Table 53 and prioritised against roads with ADT > 150vpd.
> 150 vpd		-	Sealing warranted, subject to budget and subject to competing priorities.

Most gravel roads in the Shire have fewer than 50 vehicles per day. In general terms, it is not economic to seal a gravel road until average daily traffic volumes exceed 100 vehicles per day. Referring to Table 51, only two roads, with a length of 2.3 KM, meet the 150 veh/day criterion. A further 7 are on the 'watch' list, with between 100 and 120 veh/day, but all currently have low growth rates and are not likely to warrant sealing within 10 years.

**Table 51: Gravel roads on 'sealing watch'**

Meet Economic Warrant (200+ Veh/day)	Borderline Economic (150 – 200 Veh/day)	Start Planning (100-150 Veh/day)
McCarthys Road, Navigators	-	Coalmine Road, Lal Lal
Greenhill Road, Navigators		Lyndhurst Street, Gordon
		Kingfisher Drive, Lal Lal
		Stanley Street, Gordon
		Skeltons Road, Scotsburn
		Triggs Road, Bungaree
		Bennetts Lane, Coimadai

#### 7.4.2.3 Gravel Road Sealing Upgrade Costs

Table 52 summarises the gravel road sealing costs likely to be warranted over the coming two decades.

**Table 52: Infrastructure Demand - Upgrade Backlog for Gravel Roads**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Gravel Roads	\$0.21	\$0	Would be done in two projects over two financial years, say 2016-17 and 2017-18	

#### 7.4.2.4 Maintenance Criteria for Sealing Gravel Roads

Gravel roads which have very low traffic volumes (fewer than 1 heavy vehicle per week on average), but have high maintenance costs, for example because of slope, may be considered for a special type of seal, known as a GATT seal. In such cases, the road pavement would not be increased to design depth, so the only cost is the cost of the seal. In such cases, flexibility in the gravel road budget could permit such roads to be sealed from within the existing resheet budget.

**Improvement Action 26: Review economics of GATT seals for low usage high maintenance gravel roads.**

Table 53: Criteria for Sealing Gravel Roads

Criteria/Score		0-25	26-50	51-75	76-100
1. Traffic Amenity	Traffic Volume (Average Daily Traffic)	< 100 ADT Negligible traffic. Flat section of roadway. No safety or environmental issues.	2.5 to 5% grade. Becoming hilly. Some scouring occurring.	100 to 150 ADT Light traffic. 5 to 7.5% grade. Steep in places. Runoff and erosion is causing problems. Blind crests create safety concern.	> 200 Medium to heavy traffic. > 7.5% grade. Very steep sections and/or has loose surface and is an environmental or safety hazard.
	Traffic Speed (85 <sup>th</sup> percentile) Commercial Vehicle Density	< 40 kph < 5 % Mainly light vehicles.	40 to 60 kph 5% to 10% Noticeable mix of commercial vehicles.	60 to 80 kph 10 to 20% High proportion of commercial traffic.	> 80 kph > 20% very high proportion of commercial vehicles.
	School bus route	No bus route now or in near future	Current bus route - 1 to 3 year horizon	Current bus route – 4 to 6 year horizon	Current bus route > 6 year horizon
2. Community Benefit	Development Density (Buildings are defined as residential, industrial and commercial)	< 20 buildings/km Rural environment.	20 to 50 buildings/km Becoming built up.	50 to 100 buildings/km. Urban fringe or rural township areas.	> 100 buildings/km Urban environment.
	Building Setback (Setback distance from road reserve)	> 50m setback Negligible dust carries to residents. No growth likely.	30 to 50 m setback Minor dust annoyance.	10 to 30m setback Dust is a nuisance.	< 10 m setback Dust is a major irritant.
	Traffic Growth (Consider impact of new development, linkage with collector roads, etc.)	No health issues. Development < 5 yrs old No impact on streetscape amenity	0<5%pa increase in traffic projected.	5%-10% pa increase. Medium traffic growth likely.	>10% pa increase. High growth in traffic forecast.
	Special Need (Consider health issues, age of the development, streetscape, etc.)	No health issues. Development < 5 yrs old No impact on streetscape amenity	Minor health issues. Development 5 – 10 yrs Discontinuity in sealed sections.	Concerning health issues. Development 10-15 yrs Unsealed sections degrade streetscape.	Serious health issues. Development >15 yrs Major impact on streetscape.
3. Financial Benefit	Return on Investment (Payback period for construction costs (less grants) vs. change to future maintenance costs).	Negative or neutral payback	Payback is 15 to 20 years Savings and benefits provide a minor financial benefit.	10 to 15 years payback period. Savings and benefits provide a good financial benefit.	< 10 years payback period. Significant financial benefit. Good return on investment. Project is externally funded.

### 7.4.3 Gravel Shoulder Upgrades

The case for sealing gravel shoulders essentially relates to the whole of life maintenance costs with and without sealing. No formal study has been done in this regard, although anecdotal evidence suggests that sealing of gravel shoulders is economic, in association with shoulder resheeting, where average daily traffic exceeds 400 veh/day.

The cost of economically warranted sealing could be absorbed within the resheet budget.

**Improvement Action 27: Review economics of sealing gravel shoulders.**

### 7.4.4 Summary Infrastructure Demand – Upgrade

Table 54 summarises the overall rehabilitation and backlog demand for road related assets over the next 20 years.

**Table 54: Infrastructure Demand - Upgrade of Transport Assets**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Major Trunk Route Upgrades (Bacchus Marsh) 2018-2030	(\$3.54m)		0.30 (2018 to 2030)	\$0.30 (2018 to 2030)
Major Intersection Upgrades (Ballan)	(\$0.40)		0.13 (2018 to 2022)	0.13 (2018 to 2022)
Bituminous Seal	(Full width sealing of urban roads assumed to be funded from special rate schemes)			
Asphalt Surfacing	(Full width sealing of urban roads assumed to be funded from special rate schemes)			
Sealed road Pavement	(Widening of narrow one lane rural sealed roads included with renewal estimates)			
Road Safety Projects	\$2.80m		0.28	\$0.14
Sealing Gravel Roads	(\$0.21m)		2016-17 \$0.09 2017-18 \$0.12	-
Road Shoulder	(Sealing of gravel shoulders assumed to be funded from shoulder resheet budget.)			
Footpaths				
Kerb & Channel				
Bridge Assets				
Car Park Assets				
Ancillary Road Devices				
<b>TOTAL ROAD ASSETS</b>	<b>\$2.8m</b>		<b>2014-16 \$0.28</b> <b>2016-17 \$0.37</b> <b>2017-18 \$0.40</b> <b>2018-22 \$0.71</b> <b>2022-30+ \$0.58</b>	<b>2014-16 \$0.14</b> <b>2016-17 \$0.23</b> <b>2017-18 \$0.26</b> <b>2018-22 \$0.57</b> <b>2022-30+ \$0.44</b>

## 8 LIFECYCLE MANAGEMENT - PART C: NEW ASSETS

### 8.1 Capital Planning

New assets are regularly created by developers as a condition of subdivision and vested in the Council in accordance with Council's policy.

New assets are also created by Council to cater for increased demand or changing levels of service. As the current and target levels of service are yet to be defined there are no projects allocated to changing levels of service in this AM Plan for the next 20 years.

#### 8.1.1.1 Developer-Funded

The developer-funded assets for the next 20 years have been projected based on the estimated number of new properties in the Shire during this period. Details of the annual expenditure on developer-funded assets are contained in the financial summary tables. In addition to providing the road assets for particular subdivision developments, it is assumed that developers will make a contribution towards the trunk services (main roads, bridges etc.) that are impacted by the development.

#### 8.1.1.2 Council Funded

There are some major projects that are needed to cater for the growth in the Bacchus March and Ballan areas over the next 20 years. These are shown in the demand management section of this plan and discussed in the Capital Planning section above. The costs are shown in the financial summary tables. These projects will be funded by Moorabool Shire and through State and federal Government grants. A portion of the costs of additional footpaths, kerb and channel etc. may be funded through special charge schemes.

### 8.2 Infrastructure Development Demand - Infill demand from backlog in older areas

#### 8.2.1 Background

Many of the older areas of Bacchus Marsh, Ballan, Blackwood and Gordon have lower than current standards of infrastructure provision. Street lighting, for example, does not meet current Australian Standards in most locations. Many areas are without footpath on either side of road, forcing people to walk on the road pavement. The latter can be a significant concern for elderly residents. In addition, new residents who have moved from metropolitan Melbourne have higher expectations for services than their predecessors who grew up in a semi-rural environment. As a result, there exists a strong demand for upgrading many of the infrastructure services. The key assets falling into this category are:

- New footpaths
- New kerb & channel
- New traffic control and ancillary items
- New street lighting

#### 8.2.2 New Footpaths

##### 8.2.2.1 Cost of new Footpaths

The average cost for constructing a footpath in a developed areas (which is complicated by existing driveways, nature strip developments, utilities and need for traffic management) is \$75 per sq metre in 2012.



Footpaths in Moorabool are typically constructed to one of three widths: 1.2 metre width in local streets (hierarchy level P3), 1.5 metre width for strategic and intermediate pedestrian routes (hierarchy level P2), and 2.5 metre – suitable for shared bicyclist and pedestrian use – in high use areas (hierarchy level P1). All footpaths are constructed with 10 cm reinforced concrete.

Thus the cost of new footpaths is:

- Hierarchy Level P3: \$85 per metre length
- Hierarchy Level P2: \$105 per metre length
- Hierarchy level P1: \$150 per metre length

#### 8.2.2.2 Size of footpath backlog

Footpaths would not be provided in short courts (less than 150 metres long). Along existing local access roads (access Level 1 or 2), with fewer than 500 vehicles per day (which is about two-thirds of all Bacchus Marsh roads), new footpaths would normally be constructed only on one side of the street. Taking these restrictions into account, there are over 50 KM of roads in Bacchus Marsh where new footpaths are warranted. These are illustrated in Figure 29. There are a further 9 KM of warranted footpaths in Ballan. Providing footpaths for all these roads would cost in excess of \$7 million.

#### 8.2.2.3 Prioritising new footpaths in developed areas

Table 55 details the criteria for prioritising new footpaths.

**Table 55: Criteria and Weightings for Prioritisation of New Footpath Infrastructure**

	Criteria Score	Weight	Total Score
<b>Road Hierarchy</b>			
Link or Collector	10	1	10
<b>Adequate Off Road Pedestrian Access</b>			
Pedestrians forced on the road for more than 60 metres	5	3	15
Pedestrians forced on the road for 30 to 60 metres	3		9
Pedestrians forced on the road for less than 30 metres	1		3
Pedestrians not forced on the road	0		0
<b>Road Pavement Width (Kerb to Kerb)</b>			
Width more than 8 metres	10	1	10
Width 7 to 8 metres	7		7
Width 6 to 7 metres	3		3
Width less than 6 metres	0		0
<b>Average Daily Traffic</b>			
ADT over 5000 veh per day	10	2	20
ADT 1000 to 5000 veh per day	7		14
ADT 500 to 1000 veh per day	4		8
ADT under 500 veh per day	0		0
<b>Vehicle Speeds on Adjacent Roads</b>			
85th percentile speed over 60KPH	5	3	15
85th percentile speed 30 to 60KPH	3		9

85th percentile speed under 30KPH	0		0
<b>Traffic Generators and Connectivity</b>			
Joins local paths to paths to schools, shops bus stops	5	1.5	7.5
Direct link to schools, shops etc. but no links to local paths	3		4.5
Links between existing paths but not to schools, shops etc.	1		1.5
Isolated footpath	0		0
<b>Local Residential Development Intensity</b>			
Residential development both sides with less than 10% vacant	5	1	5
Residential development both sides and 10% to 40% vacant	3		3
Residential development one side, or 50% blocks vacant.	1		1
<b>Local or School Bus Route</b>			
Is a bus route or bus stop within 400 metres on side street	5	5	25
Not on bus route of within 400 metres of bus stop	0		0
<b>Length of Road</b>			
Through road or long court (more than 250 metres or 30 houses)	5	1	5
Medium Court (150 to 300 metres or 15 to 30 houses)	3		3
Short Court (less than 150 metres or 15 houses)	0		0

Council is currently working on a 'hike and bike' strategy which will supplement these criteria. Based on the above criteria, the priority footpaths are listed below. Priorities may change following review of the hike and bike strategy.

- Bacchus Marsh Road, east & west of Service Station 385 m
- Links Road Robertsons to Fairway 660 m
- Grey Street, Dundas to Nelson 220 m
- Dundas Street, Grey to Raglan 240 m
- Gisborne Road, Masons to Leila Crt bus stop 125 m
- Station Street, Bond to Fisken 400 m
- Fisken Street, Station to near Taverner 210 m
- Griffith St from Cemetery Rd to Osborne 740 m
- Taverner Street, Grant to Boyes 400 m
- Bond Street, Station Street to Boyes Close bridge 290 m
- Margaret Drive, Shelly Crt to Clarinda. 390 m
- Masons Lane, from Gisborne to end of Masons Lane Reserve 670 m
- Halletts Way, from McCullagh to Grey 620 m
- Spencer Road, from Densley to Bridge 290 m
- Blackwood, from O'Cock to Ballanee 490 m
- Berry St, from Blackwood to Spencer` 930 m
- Roch Crt – Blow Crt 500m
- Cowie St, from Edols to Atkinson 120 m

- Edols St, from Windle to Jopling 200 m
- Jopling, from Inglis to Reserve 240 m

In total this is just over 8 KM of footpath. The cost would be around \$1.2 million. At current expenditure levels, this is a 10 to 15 year program.



Figure 28: Road without footpaths in Bacchus Marsh

#### 8.2.2.4 New Footpath Cost Estimates

Table 56 summarises the costs for constructing those new footpaths which are warranted based on the above criteria. It is assumed that all other footpath backlog will be addressed by special rate schemes.

**Table 56: Infrastructure Demand – New Projects Backlog for Footpaths**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Footpaths	\$1.2		\$0.12	\$0.06

### 8.2.3 New Kerb and Channel

Moorabool Shire has approximately 165km of urban road network. Approximately 122km of the network has kerb and channel on both sides. The remaining 43km include approximately 25km in Bacchus Marsh. A significant percentage of this relates to access roads where kerb and channel will be built as part of sub-division development. The remaining roads are in Hopetoun Park, Ballan, Blackwood and Gordon, where table drains have sufficed in the past.

Flood events in 2010 and 2011 have highlighted significant health and safety problems with table drains in Ballan and Hopetoun Park. In Hopetoun Park, in particular, the geology is clearly not suitable for table drains. These issues will be addressed in detail in the Drainage Asset Management Plan. In addition, increasing urban services expectations of the residents is creating pressure for replacement of these table drains with kerb and channel. Replacement of table drains by kerb and channel would presumably be addressed through special charge schemes where Council would meet only a percentage of the cost.

In all, an estimated 20km of road, which will not be addressed by sub-dividers, warrants kerb and channel. Assuming 70% of this will be part funded under special rates schemes, the estimated cost to Council for infill kerb and channel would be of the order of \$600,000.

#### 8.2.3.1 New Kerb & Channel Cost Estimates

Assuming Council pays 30% contribution towards special rate schemes for kerb and channel upgrade, the infrastructure demand for Council is given in Table 57.

**Table 57: Infrastructure Demand – New Projects Backlog for Kerb & Channel**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Kerb & Channel	\$0.6		\$0.06	\$0.03

#### 8.2.3.1 Prioritising New Kerb & Channel Projects

Council does not currently have any criteria relating to prioritising new kerb & channel projects.

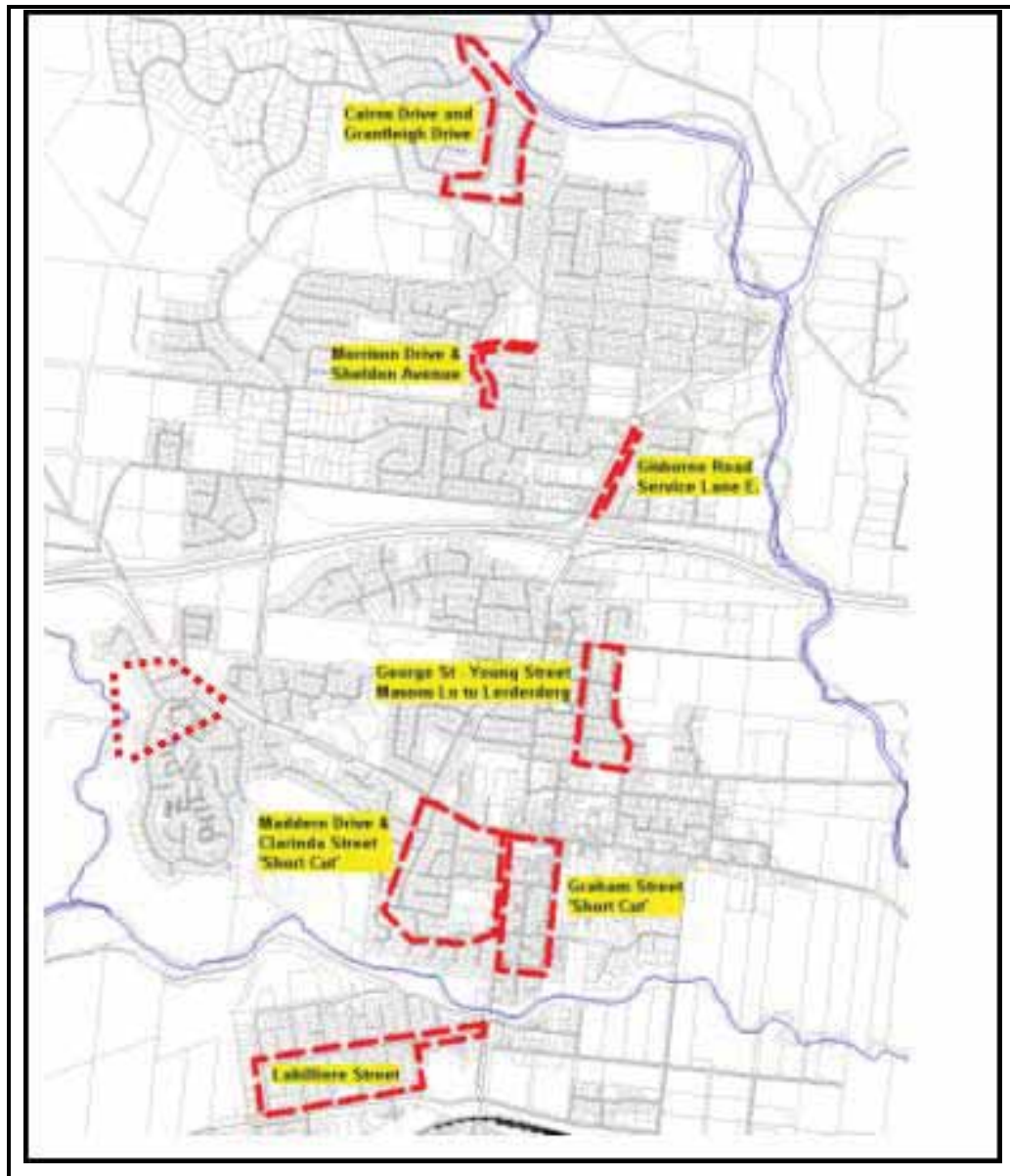
**Improvement Action 28: Develop prioritisation criteria for new kerb & channel projects, including procedures for associated special rate schemes.**

### 8.2.4 New Traffic Control & Ancillary Items

#### 8.2.4.1 Local Area Traffic Management

As congestion builds up on Bacchus Marsh main roads, problems with rat-running will increase, along with increasing community demand for traffic calming and other local area traffic controls. This will be particularly the situation if an eastern bypass is not constructed in

the near future. Figure 30 shows known and emerging areas where demands for local area traffic management are evident. Most of these locations are amenable to low cost treatments of \$5,000 to \$10,000 per individual site. However, some 42 treatments are indicated in these known problem areas, with a total cost of the order of \$300,000



**Figure 29: Local Area Traffic Control Hot Spots for 2010-2030**

#### 8.2.4.2 Speed Humps

In addition Council receives numerous requests for traffic calming devices, especially speed humps. Whilst subsequent investigation usually shows that the average speeds are well below the speed limit, upwards of 20 requests per year have some justification.

Traditional road humps are inappropriate, because they cause problems for buses and for emergency vehicles. Speed cushions are effective and address the concerns of the emergency services and bus operators. However, they cost around \$7,000 per site. Council currently has no policy on traffic calming measures and no basis for prioritising requests.

### 8.2.4.3 Signalised Pedestrian Crossings & Unsignalised Pedestrian Refuges

Community pressure already exists for signalised pedestrian crossings on Grant St, in the vicinity of the retirement village near Masons Lane, and in Griffith St, to cater for the secondary school students and residents of the Providence Village retirement centre. The warrants for signalised pedestrian crossings are nearly met at the present moment. Increasing traffic volumes over the coming decade will make the need for signalised pedestrian crossings a priority. The cost will be approximately \$360,000.

Additional signalised crossings could become warranted on Holts Lane, Grey Street, Albert Street and Gisborne Rd, Darley, towards the end of the planning period. At a minimum, unsignalised pedestrian refuges will be required at these locations. The cost of four unsignalised pedestrian refuges at these locations will be around \$300,000.

### 8.2.4.4 New Traffic Control and Ancillary Item Cost Estimates

Pending detailed Local Area Traffic Management studies, no estimates of costs will be included in this Plan.

**Improvement Action 29: Following completion of the planned strategic transport study in Bacchus Marsh, undertake Local Area Traffic Management Studies in Maddingley, Bacchus Marsh and Darley.**

**Improvement Action 30: Develop policy and procedures on traffic calming measures, including criteria for prioritisation.**

### 8.2.4.5 Prioritising New Traffic Control & Ancillary Items

Council does not currently have criteria relating to prioritising new traffic control and ancillary items.

**Improvement Action 31: Develop prioritisation criteria for new traffic control and ancillary items.**

## 8.2.5 New Street Lighting

Street lighting in the older parts of Bacchus Marsh and Ballan is approximately two thirds that required by current Australian Standards. Whilst Council does not own the street light assets, it is required to pay for any additions to the stock of assets. To bring Bacchus Marsh and Ballan up to Australian standards in regard to street lighting will require an estimated 400 street lights. This will cost around \$360,000.

As street lights form part of the community safety infrastructure, it is not appropriate that these be met from special rate schemes.

In addition, it is likely that Council will be required to transition its current lighting to energy efficient luminaires. The estimated cost of this is likely to be over \$750,000. This, however, represents an investment which will pay for itself, through reduced tariffs, in 5 to 7 years. Accordingly, this cost is not included in the capital cost estimates.

### 8.2.5.1 New Street Lighting Cost Estimates

**Table 58: Infrastructure Demand – New Projects Backlog for Street Lighting**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Street Lighting	\$0.36		\$0.36	\$0.18



### 8.2.5.2 Prioritising New Street Lights

Council does not currently have criteria relating to prioritising new street lighting assets. Currently, street lights are installed in order of ad hoc requests from residents.

**Improvement Action 32: Develop prioritisation criteria for new street lights.**

### 8.2.6 Summary Infrastructure Demand – New Assets

Table 59 summarises the overall rehabilitation and backlog demand for road related assets over the next 20 years.

**Table 59: Infrastructure Demand - New Transport Assets**

Asset	Current Backlog (\$million)	Av. Annual Rehabilitation (\$million)	Av. Annual Expenditure (Clear Backlog over 10 Yrs) (\$million)	Av. Annual Expenditure (Clear Backlog over 20 Yrs) (\$million)
Bituminous Seal	-	-	-	-
Asphalt Surfacing	-	-	-	-
Sealed road Pavement	-	-	-	-
Unsealed Road Pavement	-	-	-	-
Road Shoulder	-	-	-	-
Footpaths	\$1.2	\$0	\$0.12	\$0.06
Kerb & Channel	\$0.6	\$0	\$0.06	\$0.03
Bridge Assets	-	-	-	-
Car Park Assets	-	-	-	-
Ancillary Road Devices (street lights)	\$0.36	\$0	\$0.036	\$0.018
<b>TOTAL ROAD ASSETS</b>	<b>\$2.16</b>	<b>0</b>	<b>\$0.22</b>	<b>\$0.11</b>

## 8.3 Asset Disposal

Council has yet to develop a policy on asset disposal. However, this will be considered in the future in relation to demand management.

**Improvement Action 33: Develop policy on asset disposal.**



## 9 Infrastructure Investment – Gifted Assets from Subdivision Development

### 9.1 Transport infrastructure acquired by Council from Subdivisions

Based on an analysis of the future demand the following infrastructure will be completed in new subdivisions over the next 20 years. Whilst these assets will be funded by the subdivision developers, they will become Council assets and Council will need to provide for their ongoing operation, maintenance and depreciation. This is summarised in Table 60.

Assumptions made for modelling the asset costs of residential development demand include:

- Each new property built will have an average street frontage of 20m;
- There will be houses on both sides of the road;
- Roads will be asphalt, average 6.8m width, on average 400mm sub-base;
- Each metre of road built will have equivalent of 0.8 m of footpath, 1.5m width, associated with it (taking into account trunk shared paths and pavements either side of major roads);
- Urban roads are asphalted not sealed;
- Each metre of road built will have 2.0 m of kerb and channel associated with it;
- There will be one bridge or large culvert every 8km of road; and
- There will be 17 new signs and 25 street lights for every new km of road.

**Table 60: Road Infrastructure Costs per 500 Properties in Urban Subdivisions**

ASSET CLASS	ADDITIONAL INFRASTRUCTURE	REPLACEMENT VALUE (\$)	ANNUAL DEPRECIATION (\$)
Roads (incl. bus stops)	4.8km	\$3,000,000	\$75,000
Footpath & Bike path (incl. path strengthening @ driveways)	3.8 km	\$410,000	\$8,000
Kerb and channel	9.6km	\$525,000	\$7,500
Bridge & Major Culverts	0.6 (avg.)	\$300,000	\$3,750
Signs	80	\$30,000	\$3,000
<b>TOTAL NEW INFRASTRUCTURE</b>		<b>\$4,300,000</b>	<b>\$97,250</b>

Based on the projected urban population increases over the next 20 years identified in Part A of the Asset Management Plan, Moorabool Shire will accrue the following assets (Table 61) from urban development in Bacchus Marsh, Ballan, Gordon and other Townships.

**Table 61: Road Infrastructure Costs for Projected Urban Subdivision Development 2011-2031**

ASSET CLASS	ADDITIONAL INFRASTRUCTURE	REPLACEMENT VALUE (\$)	ANNUAL CREATION (\$)
Road Pavement (incl. bus stops)	80 km	\$50,000,000	\$2,500,000
Footpath	60 km	\$6,500,000	\$325,000
Kerb and channel	160 km	\$8,750,000	\$440,000
Bridge & Major Culverts	10	\$5,000,000	\$250,000
Streetlights (relevant for operating & maintenance costing)	2,250	-	-
Signs	1,350	\$475,000	\$25,000
<b>TOTAL NEW INFRASTRUCTURE</b>		<b>\$70,725,000</b>	<b>\$3,540,000</b>

This asset acquisition refer solely to the subdivisions themselves, and not to assets paid for via developer contributions.

#### **9.1.1 Impact of Subdivision Development on Council Renewal and Rehabilitation Costs**

With the exception of signage, the road assets taken over by Council from subdivision development have service lifetimes typically in excess of 30 years. Accordingly, the above developments will have minimal impact on Council's capital requirements over the next 20 years. Over the period 2022-2031, there will be an annual requirement for sign replacement of the order of \$15,000 per annum. In view of the uncertainties in the previous costings, this will be ignored.

## 10 FINANCIAL PLAN

### 10.1 Financial Statements and Projections

Tables 62 to 66 summarise the 10-year projection of transport infrastructure investment demand (from 2013/14 to 2022/23) based on forecasts for each of the Transport Asset Group for

- Renewals;
- Upgrades and
- New Assets.

These estimates are at December 2012 prices (i.e., exclude inflation) and exclude GST.

#### **10.1.1 The upgrade infrastructure estimates explicitly exclude:**

- Major road or bridge upgrades required to cope with increased traffic congestion in and around Bacchus Marsh
  - This issue cannot be addressed until there is certainty regarding the current State Government proposals regarding the Eastern Interchange and the Halletts Way Interchange. Once these issues are finalised, a Baccus Marsh Transport Study will commence.
- Major road and bridge upgrade requirements to address the implications of changes in the higher mass limit vehicle regulations.
- Upgrades to urban roads (including any Council contribution) where, prima facie, special rate schemes are appropriate, including:
  - Sealing of unsealed urban roads and provision of kerb & channel
  - Widening of seals on urban roads to full width.

#### **10.1.2 The new infrastructure estimates explicitly exclude:**

- New infrastructure (including any Council contribution) where, prima facie, special rate schemes are appropriate, including
  - New footpaths in urban areas which do not have a strategic focus
  - New roads to provide access to isolated rural residences or farms currently serviced by unconstructed tracks
- New infrastructure which is expected to be provided via developer contributions.

Projected expenditures for operations and maintenance are not included at this stage.

Expenditure identified within the financial forecasts was obtained from the following sources:

- Historical expenditure;
- Various strategy documents and associated new infrastructure requirements;
- Analysis of future asset replacement; and
- Demand forecasting (refer Asset Management Plan – Part A General Information).

### 10.2 Assumed Capital Works Renewal Program Outlays

#### **10.2.1 Assumptions regarding available budget**

The current 2013-14 renewal outlay is proposed to be \$4.54 million. This, however, includes approximately \$908,000 per year of Federal 'Roads to Recovery' funding and \$1m from the

State Government regional infrastructure funding program. The following analysis assumes the 'Roads to Recovery' funding continues at roughly the current real level into the future, but assumes the current State funding program is not renewed after the current 4 year program expires. In other words, the base for the renewal gap analysis assumes road funding starting from a base of \$2.6 million.

In line with Council policy, it is assumed that the Council funding (from rates) increases at 10% per year from 2014/15 onwards. No growth is assumed for the Roads to Recovery funding, which is likely to be a very conservative assumption.

### **10.2.2 Assumptions regarding the pattern of renewal expenditure**

In modelling the multi-year renewal works, a variety of approaches were tested including:

- Simply adding the 'average annual rehabilitation demand for each asset category;
- Allocating renewal costs based on the condition of the respective asset categories;
- Variants of the above, taking into account the recent accumulation of long life assets from sub-division development over the past decade.

The differences in outcomes from each approach are relatively minor.

## **10.3 Renewal Demand and the Renewal Gap**

### **10.3.1 Transport Infrastructure Renewal Demand**

Table 62 summarises the annual renewal requirements, detailed in Chapter 6, taking into account the current condition of the respective asset categories.

This table suggests that, over the next decade, Council should be spending between \$6.5 and \$7.0 million on asset rehabilitation each year if it is to prevent ongoing deterioration. This is in addition to any spending to eliminate the accumulated backlog (broadly speaking, assets which should have been replaced up to 5 years ago), which amounts to approximately \$15 million.

### **10.3.2 Transport Infrastructure Renewal Budget Scenarios**

Council long term funding policy sees the renewal budget (currently approximately \$2.65m per year for road assets) increasing at 10% per year. It is assumed that the federal government 'Roads to Recovery' funding of \$908,000 continues, but that the special State roads and bridges funding of \$1 million per year is not extended beyond the current program. On this basis, the funding backlog (the "Renewal Gap") will continue to increase each year, for about 8 years, until renewal outlays exceed the annual asset deterioration.

Table 73 summarises the likely available funding for transport asset renewal over the next decade, based on these assumptions.

### **10.3.3 Addressing the Transport Asset Renewal Gap**

Figure 30 shows the annual renewal expenditure demand over a 20 year period and plots this against both a 10% and a 7% annual budget increase scenario. Whilst each scenario shows significant budget increases over the coming decade, the backlog continues to increase for some years, peaking at \$25 million for the 10% budget growth scenario, and at \$30 million for the 7% scenario.. To eliminate the backlog will take:

- 16 years if there is a 10% increase in roads renewal budget every year from 2014/15 onwards.
- 21 years if there is a 7% increase in roads renewal budget every year from 2014/15 onwards.

**Table 62: Capital Investment Required to Meet Transport Renewal Demand (excl. traffic control devices)**

YEAR	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
UNIT	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
<b>RENEWALS &amp; BACKLOG (Council Funded)</b>										
Seal	2,671	2,671	2,671	2,671	2,671	2,671	2,671	2,671	2,671	2,671
Asphalt	177	177	177	177	114	114	114	114	71	71
Sealed Road Pavement	2,108	2,108	2,108	2,108	2,108	2,108	2,108	2,108	2,108	2,108
Unsealed Road Pavement	630	630	630	630	630	630	630	630	630	630
Road Shoulders	767	767	767	767	767	767	767	767	767	767
Car Parks	34	34	34	34	34	34	14	14	14	14
Kerb and Channel	9	9	9	9	8	8	8	8	8	8
Bridges & Major Culverts	473	473	473	473	105	105	105	105	105	105
Pathways	151	151	151	151	151	151	151	151	151	151
<b>TOTAL RENEWALS (Council Funded)</b>	<b>7,019</b>	<b>7,019</b>	<b>7,019</b>	<b>7,019</b>	<b>6,588</b>	<b>6,588</b>	<b>6,569</b>	<b>6,569</b>	<b>6,525</b>	<b>6,525</b>

**Table 63: Forecast Budget Funding for Transport Renewal**

YEAR	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
UNIT	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
Council Roads Funding	2750	2942.5	3148.475	3368.868	3604.689	3857.017	4127.008	4415.899	4725.012	5055.763
State Government Grants	1000	1000								
Federal 'Roads to Recovery'	908	908	908	908	908	908	908	908	908	908
<b>TRANSPORT ASSETS RENEWAL FUNDING</b>	<b>4658</b>	<b>4851</b>	<b>4056</b>	<b>4277</b>	<b>4513</b>	<b>4765</b>	<b>5035</b>	<b>5324</b>	<b>5633</b>	<b>5964</b>

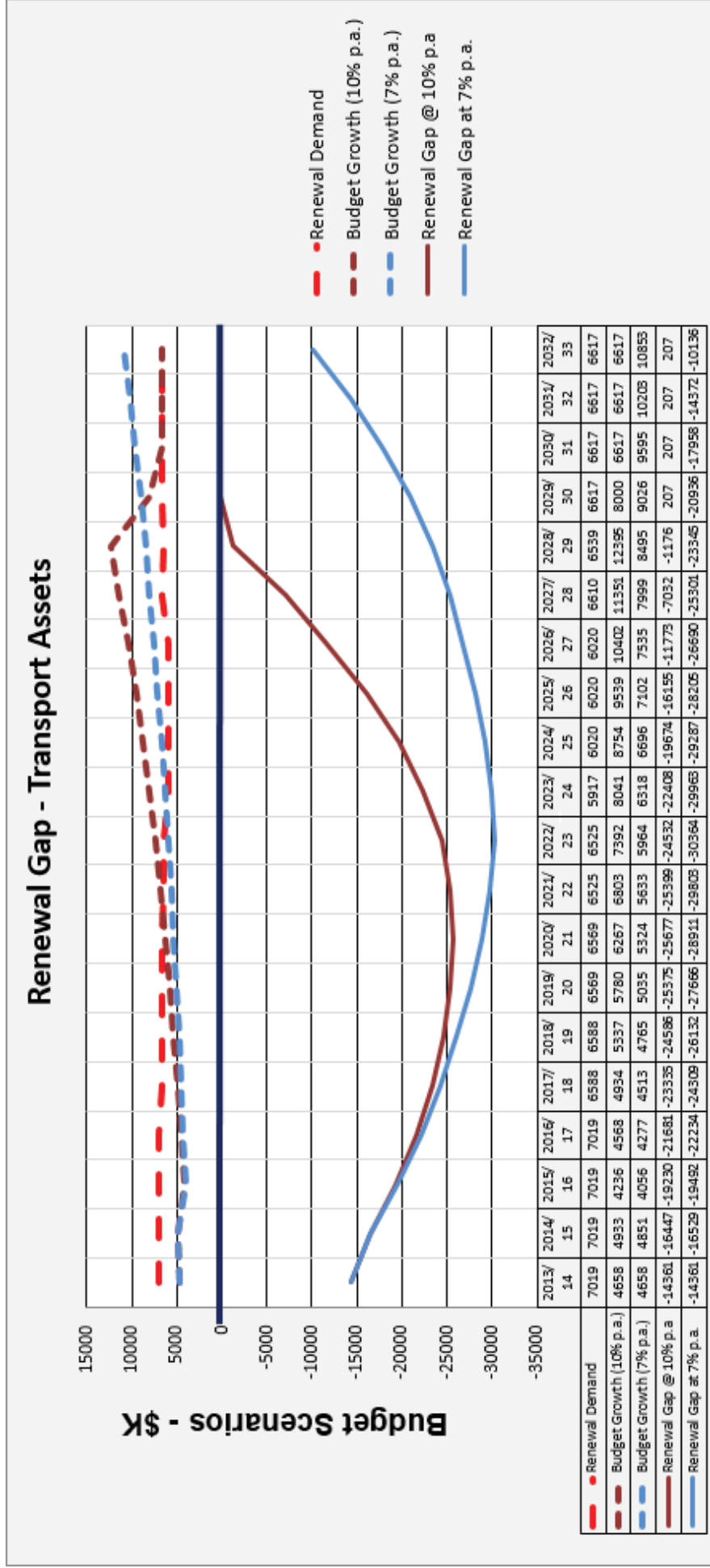


Figure 30: Renewal Gap & Cumulative Backlog 2013-14 to 2012-23

The increasing renewal gap for the first 8 years (10% growth scenario) to 10 years (7% growth scenario) is due to the time it takes the indexed Council CIP renewal funding plus the non-indexed Federal Government 'Roads to Recovery' amount to increase beyond the annual rehabilitation demand level of approximately \$7 m. With the 10% growth scenario, the transport infrastructure backlog will increase to around \$25 million. With the 7% growth scenario the backlog will reach \$30 million before starting to decline.

Note: These projections do not account for upgrade or new transport infrastructure expenditures.

### 10.4 Upgrade Transport Assets Demand

Table 64 summarises the annual transport assets Upgrade Expenditure Demand over the 10 year time horizon based on the assessments in Chapter 7. This excludes some potentially significant expenditure demands, as noted in section 10.1.1.

**Table 64: Transport Asset Upgrade Demand 2013 - 2022**

YEAR	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
UNIT	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
<b>UPGRADE WORKS (Council Funded)</b>										
Major Trunk Route Upgrades (Bacchus Marsh)						0.3	0.3	0.3	0.3	0.3
2018-2030										
Major Intersection Upgrades (Ballan)						0.13	0.13	0.13	0.13	0.13
Sealed Roads										
Gravel Road Sealing				90	120					
Road Safety Projects	140	140	140	140	140	140	140	140	140	140
Street Lighting (Energy efficient lighting)										
Car Parks	-	-	-	-	-	-	-	-	-	-
Road Related Infrastructure	-	-	-	-	-	-	-	-	-	-
<b>TOTAL UPGRADES (Council Funded)</b>	<b>140</b>	<b>140</b>	<b>140</b>	<b>230</b>	<b>260</b>	<b>570</b>	<b>570</b>	<b>570</b>	<b>570</b>	<b>440</b>

Full width sealing of urban roads assumed to be funded from special rate scheme.  
Widening of narrow one lane rural sealed roads included with renewal estimates.

Will cost around \$60K per year. Not included in 20 year estimates because Government funding unclear.



## 10.5 New Transport Assets Demand

Table 65 summarises the annual transport assets New Expenditure Demand over the 10 year time horizon based on the assessments in Chapter 8. This excludes some potentially significant expenditure demands, as noted in section 10.1.2.

**Table 65: New Transport Asset Demand 2013 - 2022**

YEAR	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
UNIT	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
<b>NEW WORKS (Council Funded)</b>										
Sealed Roads										
Gravel Roads										
Footpaths	60	60	60	60	60	60	60	60	60	60
Kerb & Channel	30	30	30	30	30	30	30	30	30	30
Bridges										
Car Parks	-	-	-	-	-	-	-	-	-	-
Road Related Infrastructure	18	18	18	180	18	18	18	18	18	18
<b>TOTAL NEW WORKS (Council Funded)</b>	<b>108</b>	<b>108</b>	<b>108</b>	<b>108</b>	<b>108</b>	<b>108</b>	<b>108</b>	<b>108</b>	<b>108</b>	<b>108</b>

## 10.6 Total CIP Demand for Transport Assets

Table 66 summarises the total Capital Improvement Program demand for renewed, upgrade and new transport assets over the 10 year time horizon. This excludes some potentially significant expenditure demands, as noted in section 10.1.

**Table 66: Total Capital Improvement Program Transport Asset Demand**

YEAR	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
UNIT	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
TOTAL RENEWALS (Council Funded)	7,019	7,019	7,019	7,019	6,588	6,588	6,569	6,569	6,525	6,525
TOTAL UPGRADES (Council Funded)	140	140	140	230	260	140	140	140	140	140
TOTAL NEW WORKS (Council Funded)	270	270	270	270	270	270	270	270	270	270
TOTAL COUNCIL CAPITAL DEMAND (RENEWAL + UPGRADE + NEW)	7,429	7,429	7,429	7,519	7,118	6,998	6,979	6,979	6,935	6,935

### 10.7 Total Estimated Value of Gifted Transport Assets from Subdivision Development

Table 66 summarises the value of gifted transport assets expected to be received over the next decade from subdivision development. These will have minimal impact on the renewal program over the 10 year time horizon. They will, however, impact the operating and maintenance costs of Council.

**Table 67: Gifted Assets from Subdivision Developments 2013-2022**

YEAR	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
UNIT	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
Developer Funded New Works (Subdivision Development: 2014 - 2023)										
Roads	2500	2500	2500	2500	2500	2500	2500	2500	2500	2500
Paths	325	325	325	325	325	325	325	325	325	325
Kerb & Channel	440	440	440	440	440	440	440	440	440	440
Bridges / Culverts	250	250	250	250	250	250	250	250	250	250
Street Lighting	175	175	175	175	175	175	175	175	175	175
Road Furniture	25	25	25	25	25	25	25	25	25	25
Car Parks	0	0	0	0	0	0	0	0	0	0
Traffic Control Devices (included in roads)	0	0	0	0	0	0	0	0	0	0
<b>TOTAL NEW WORKS (Developer Funded)</b>	<b>4860</b>	<b>4860</b>	<b>4860</b>	<b>4860</b>	<b>4860</b>	<b>4860</b>	<b>4860</b>	<b>4860</b>	<b>4860</b>	<b>4860</b>

NOTE: Assumes developer expenditure between 2014 and 2023 is evenly distributed over 10 year period. Actual expenditure demand will depend on subdivision development schedule and agreement on timing of developer contributions.

## 10.8 Financial Projection Discussion

In reviewing the financial implications of the capital program over the coming decades, it needs to be recognised that Shire development is being driven by increased numbers of households, who will be contributing to an increased rate revenue.

The projection of the future budgetary needs for maintaining the road pavement network depends on establishing a series of criteria for the network. The key criteria are as follows:

- The expectations of the community for their desired Level of Service;
- The current Level of Service provided;
- The willingness of the community to pay for the desired Level of Service;
- The options for management strategies for maintaining the network to various levels of Service;
- Target Levels of Service and management strategies to achieve these; and
- Short, medium and long term plans for achieving optimum Level of Service.

At this point in the development of Asset Planning several of these criteria and steps cannot be quantified with a high level of confidence. However, the key features of the financial projections are:

- Capital development works are mostly undertaken by developers, as Council's Capital budget is directed at maintaining assets (renewal) with some minor improving (upgrade) to existing asset services;
- In addition, developers of subdivisions are expected to vest in the order of \$4.8 million of new assets per year in conjunction with the Council, a total of \$96 million over 20 years. As this figure depends on the demand for residential development in Moorabool, the actual magnitude and timing of this investment is subject to some uncertainty; and
- The total replacement cost of Council transport assets is estimated to increase from \$265 million to \$375 million over the 20 year period.

This increase in replacement cost will impact on Council's depreciation expense. However, it should be noted that, given the average service life of the new assets, the development over the coming 20 years will not impact on the renewal demand. This gives Council an opportunity to address the current backlog in asset renewal.

## 10.9 Financial Forecast Assumptions and Sensitivity

The basis for the financial forecasts is explained in the lifecycle management plan. The following general assumptions have been made in preparing the 20-year expenditure forecasts.

1. All expenditure is stated in dollar values as at December 2012 prices with no allowance made for inflation over the 20-year planning period.
2. Initial renewal costs have been reviewed on the basis of the 2009 asset revaluation, preliminary condition deterioration work, and compared to the depreciation provision and the funding available. Asset growth has been accommodated as a result of the Demand Analysis undertaken within this plan.

3. Maintenance costs typically increase to allow for the increase in total asset value (reflecting the higher costs associated with managing a larger network base). Again, as growth is predicted to be significant within the Shire over the life of the Plan, growth will need to be closely monitored to ensure that sufficient maintenance funds are available to fund long term expenditure and not create a backlog. This assumes that Maintenance is being appropriately funded today.
4. Continuation of the current rate and pattern of urban development.

## 10.10 Funding Strategy

The focus of this AMP is on identifying the cost for each asset group necessary to produce a desired level of service. How the cash flow is to be funded is a matter for separate consideration as part of Council's funding policy review.

The assessed beneficiaries of road asset services include:

- The community.
- Road users.
- Parking facilities users.

Current funding sources available for road assets include:

- Rates (general, special, differential).
- Government funding.
- User charges (including one off capital contribution).
- Development impact levies.
- Private (developer) funded works.

## 10.11 Confidence Levels

Using the matrix in Figure 32 the data availability has been given a rating of 3 which is described as "Primary data located across MSC in electronic format available to a few staff" and the data completeness a rating of 3 which is described as "Primary data for some assets". This means the data confidence is classified as Fair. This means that there is a satisfactory level of confidence in the plan outputs.

Activities underway in the implementation of a new asset management system, fully integrated with geographic information system, and the program of asset condition surveys are expected to move MSC to 'Very Good' status within 18 months.

		Data Availability					
		1	2	3	4	5	
		Primary data located across MSC in hardcopy format available to a few staff	Primary data located across MSC in hardcopy and electronic format available to a few staff	Primary data located across MSC in electronic format available to a few staff	Primary data recorded in electronic format throughout MSC available to most staff	Primary data recorded in a computer system available to all relevant staff	
<b>Data Completeness</b>	1	Primary data for limited number of assets	POOR (4)	POOR (8)	POOR (12)	POOR (16)	POOR (20)
	2	Primary data for limited number of major and minor assets	POOR (8)	POOR (16)	FAIR (24)	FAIR (32)	FAIR (40)
	3	Primary data for some assets	POOR (12)	FAIR (24)	FAIR (36)	GOOD (48)	GOOD (60)
	4	Primary data for most assets	POOR (16)	FAIR (32)	GOOD (48)	VERY GOOD (64)	VERY GOOD (80)
	5	Complete data sets for all assets	POOR (20)	FAIR (40)	GOOD (60)	VERY GOOD (80)	EXCELLENT (100)

Figure 31: Data Confidence Quantification

Improvement projects have been outlined in Section 8 and are intended to result in greater confidence in the 20 year forecasts and appropriateness of target levels of service. Based on available information the degree of confidence of this plan is 36%.



# 11 PLAN IMPROVEMENTS AND MONITORING

## 11.1 Improvement Program

### 11.1.1 Summary of Key Improvement Actions

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IMPROVEMENT ACTION 3: DRAFT A STREET LIGHT POLICY REQUIRING DEVELOPERS TO INSTALL ONLY STANDARD STREET LIGHTING. .... 13

IMPROVEMENT ACTION 4: REVIEW BOUNDARY ROAD AND BRIDGE AGREEMENTS WITH ALL NEIGHBOURING SHIRES. .... 18

IMPROVEMENT ACTION 5: REVIEW ALL LEASE AGREEMENTS AFFECTING ROAD AND RELATED ASSETS AND INCLUDE DETAILS REGARDING RESPONSIBILITY IN THE ASSET REGISTER. .... 19

IMPROVEMENT ACTION 6: DRAFT POLICY ON CRITERIA FOR LAND ACT S.400 DECLARATIONS FOR COUNCIL CONSIDERATION AND PROGRESSIVELY REVIEW PAPER ROADS FOR SUCH DECLARATIONS. .... 19

IMPROVEMENT ACTION 7: DRAFT POLICY FORMALISING PRACTICES RELATING TO COUNCIL ASSUMING OWNERSHIP AND RESPONSIBILITY FOR PRIVATE ROADS. .... 19

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IMPROVEMENT ACTION 21: DEVELOP FORMAL PRIORITISATION CRITERIA FOR KERB & CHANNEL RENEWAL. .... 75

IMPROVEMENT ACTION 22: COMPLETE PROGRAM TO COMPONENTISE BRIDGE DATA IN ASSET REGISTER. .... 75

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IMPROVEMENT ACTION 33: DEVELOP POLICY ON ASSET DISPOSAL. ....	93



## 12 ANNEX A: Overview of Car and Truck Data

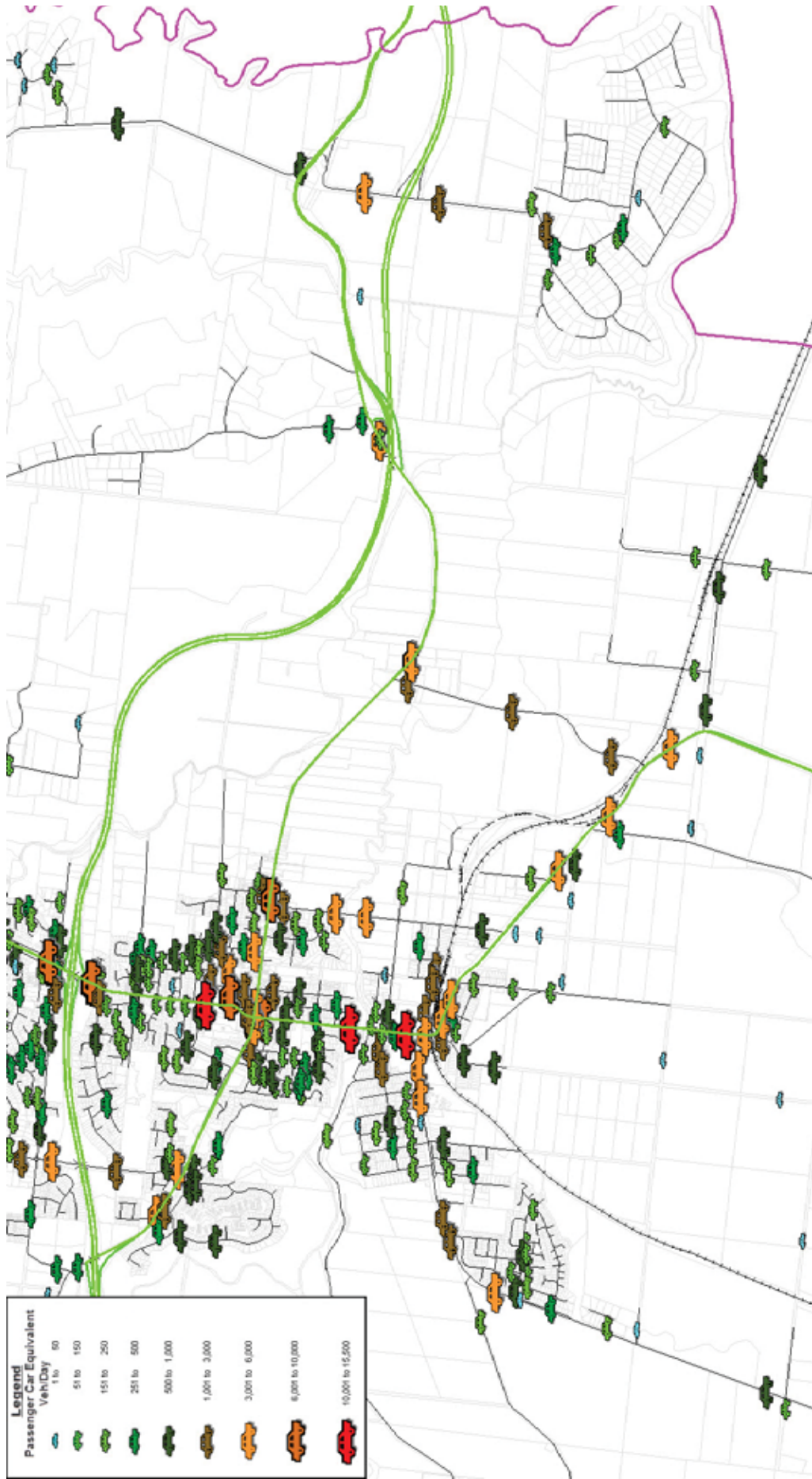
The following pages include graphics depicting the 'Passenger Car Equivalent' Traffic (in vehicles per day) on Shire roads. (Roughly speaking, 1 B-Double has the same effect on traffic flow as 6 cars; one semi-trailer has the same effect as 4 cars; and one bus or light truck has the same effect as 2 cars.) The 'Passenger Car Equivalent' gives, therefore, a picture of the overall traffic usage on Shire roads.

Also included are graphics showing the number of semi-trailers and B-Doubles per week using Shire roads. The graphics for Bacchus Marsh, in particular, illustrate the major North-South demand for heavy vehicle traffic.

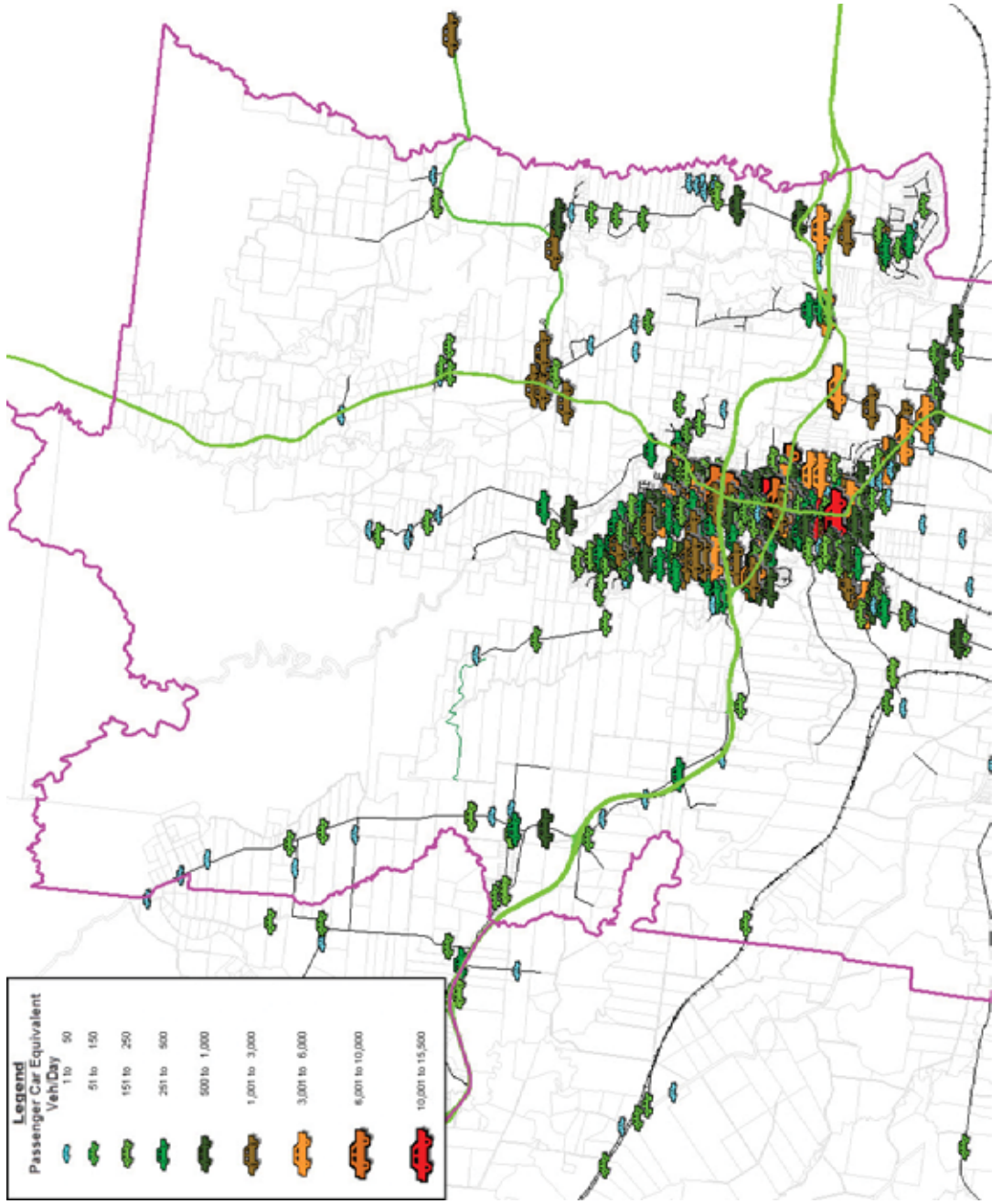
**Passenger Car Equivalent Traffic – Veh/Day – Bacchus Marsh North of Freeway**



**Passenger Car Equivalent Traffic – Veh/Day – Bacchus Marsh South of Freeway**

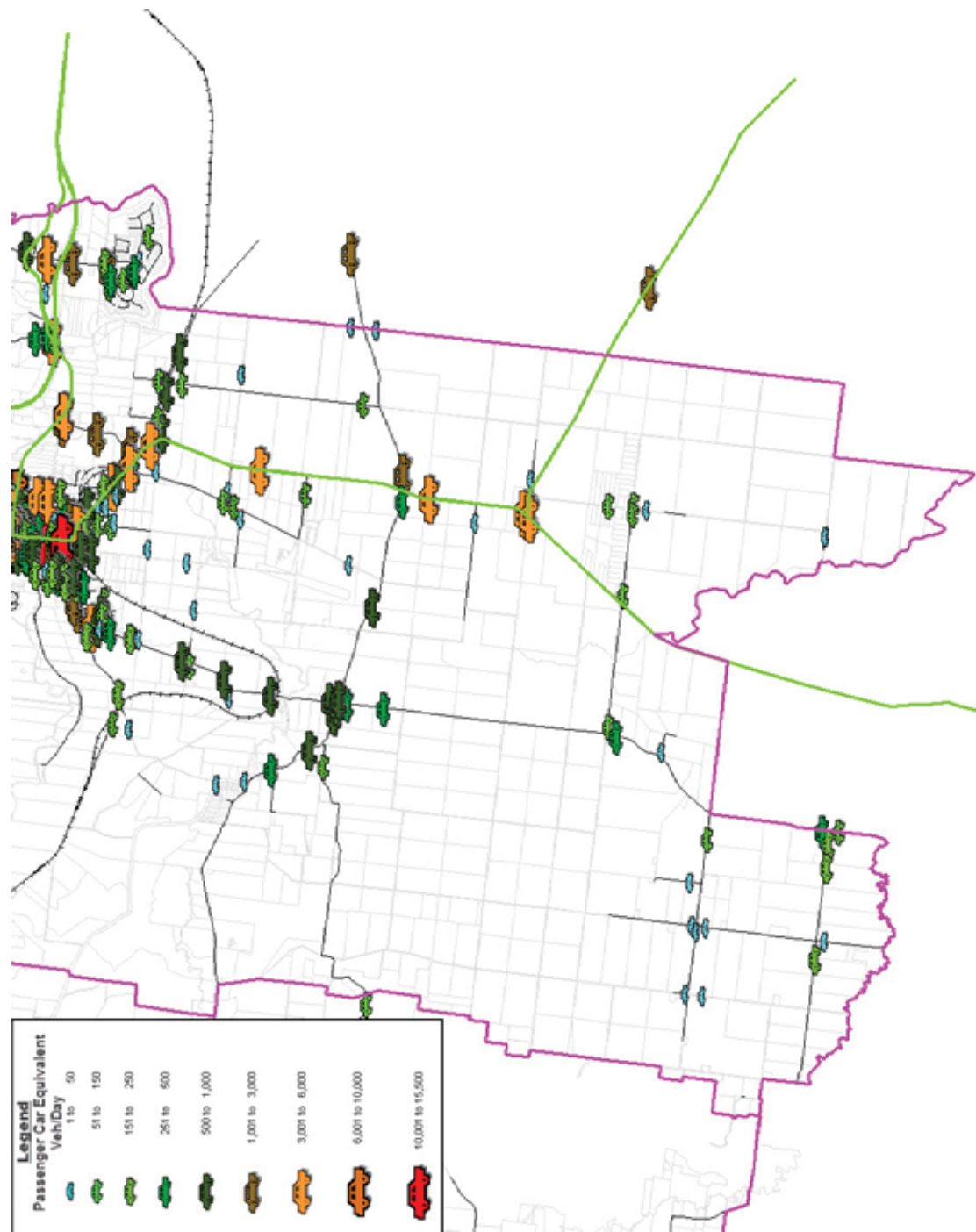


**Passenger Car Equivalent Traffic – Veh/Day – East Moorabool North of Freeway**

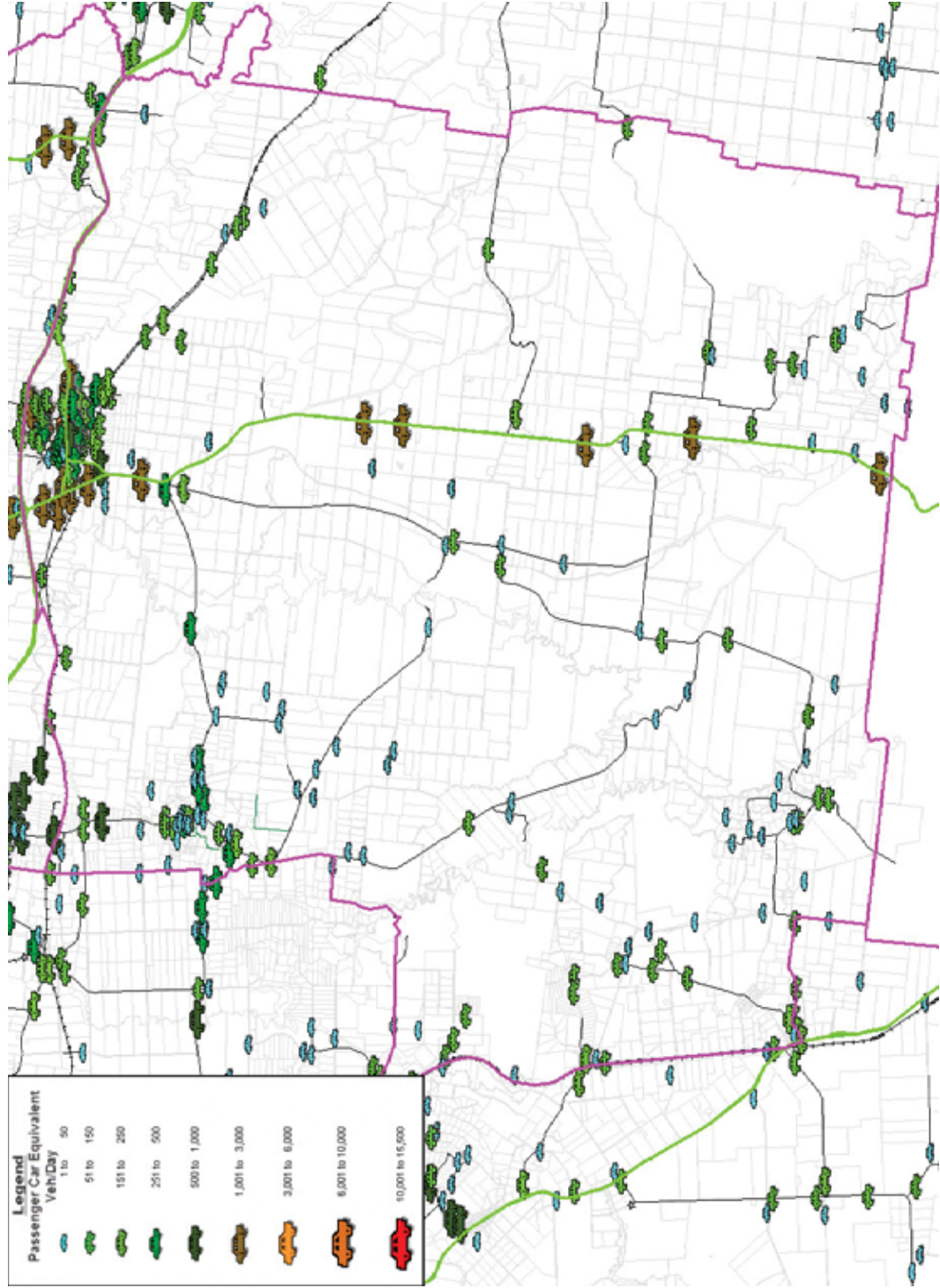




**Passenger Car Equivalent Traffic – Veh/Day – East Moorabool South of Freeway**

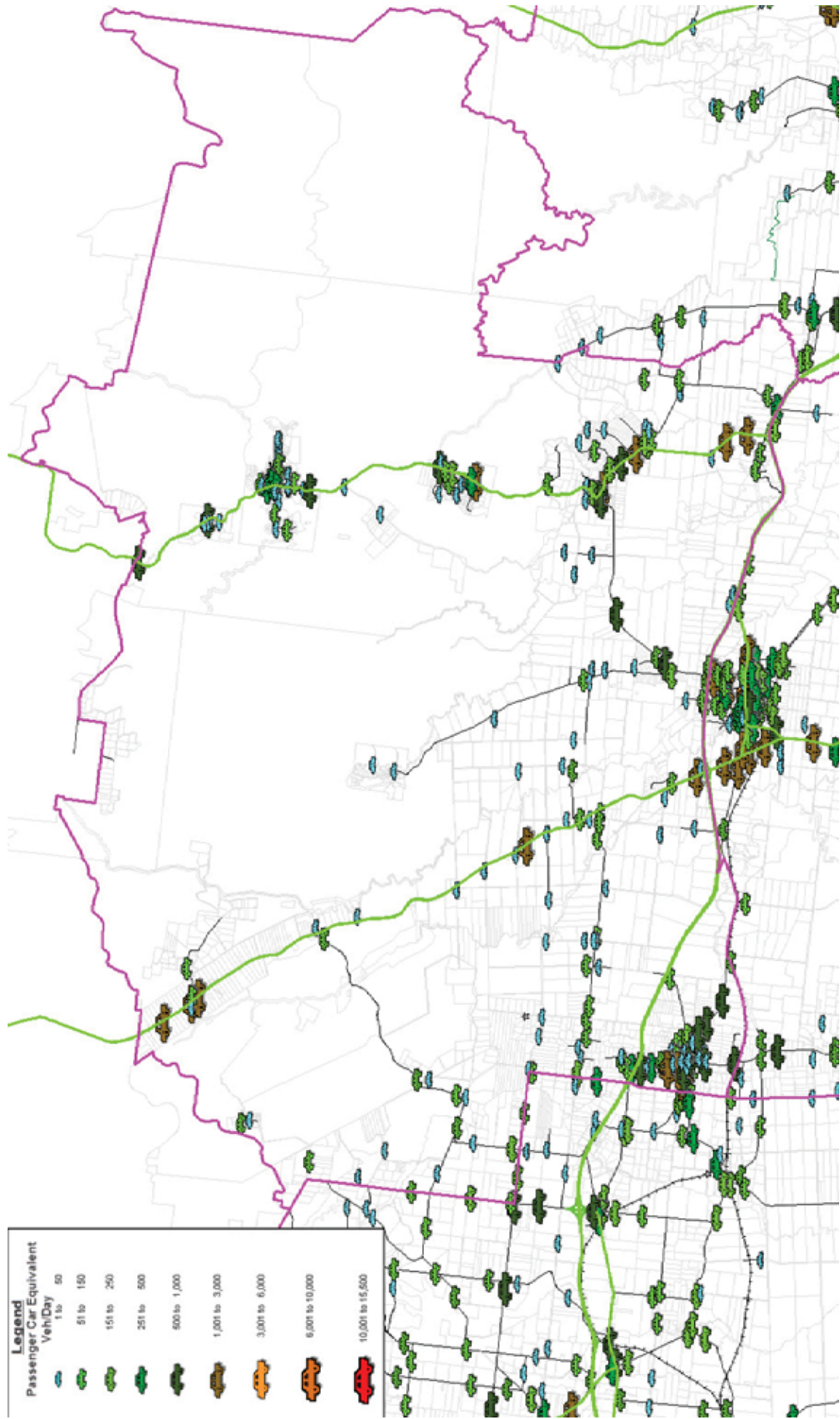


**Passenger Car Equivalent Traffic – Veh/Day – Central Moorabool**

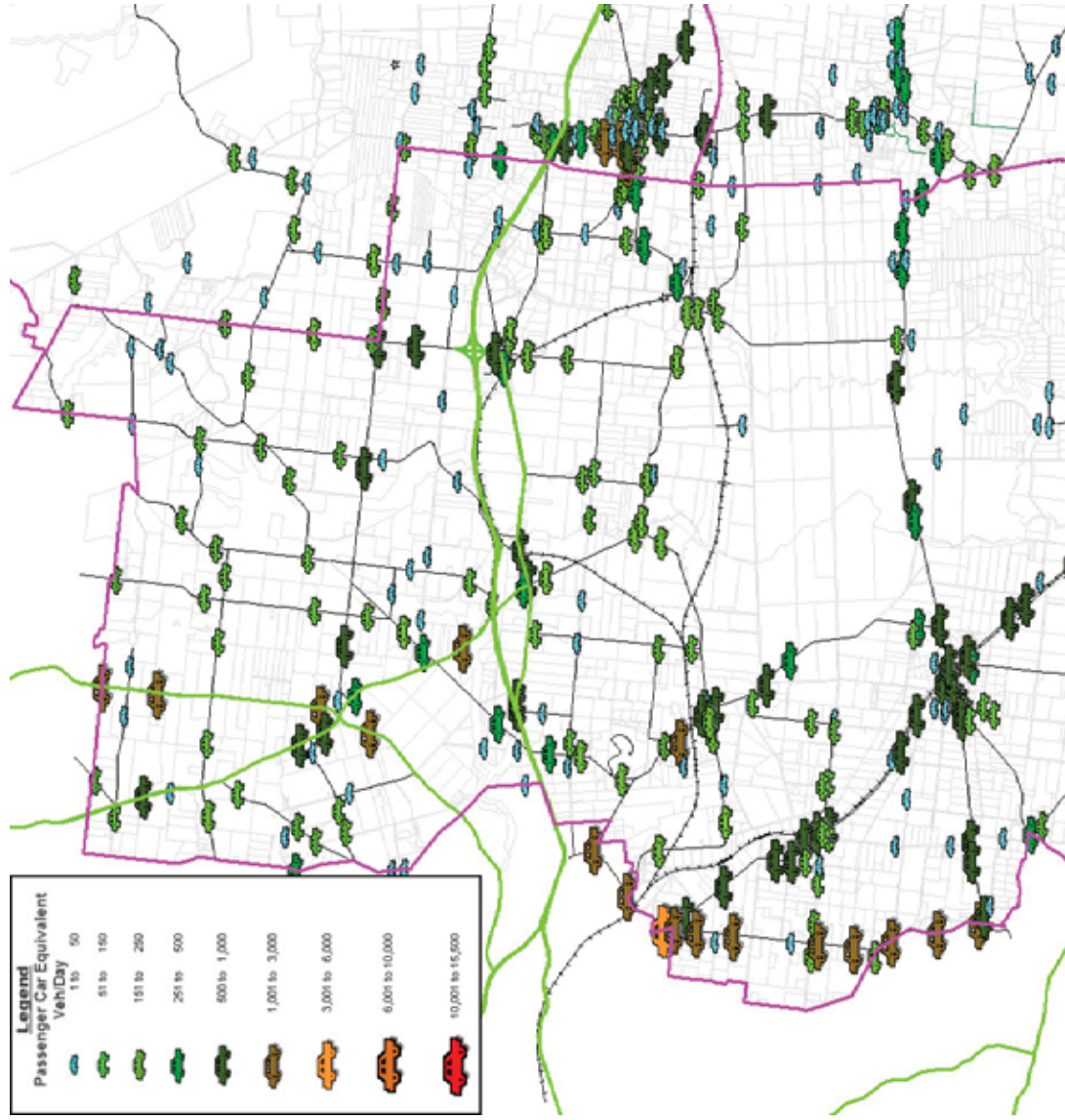




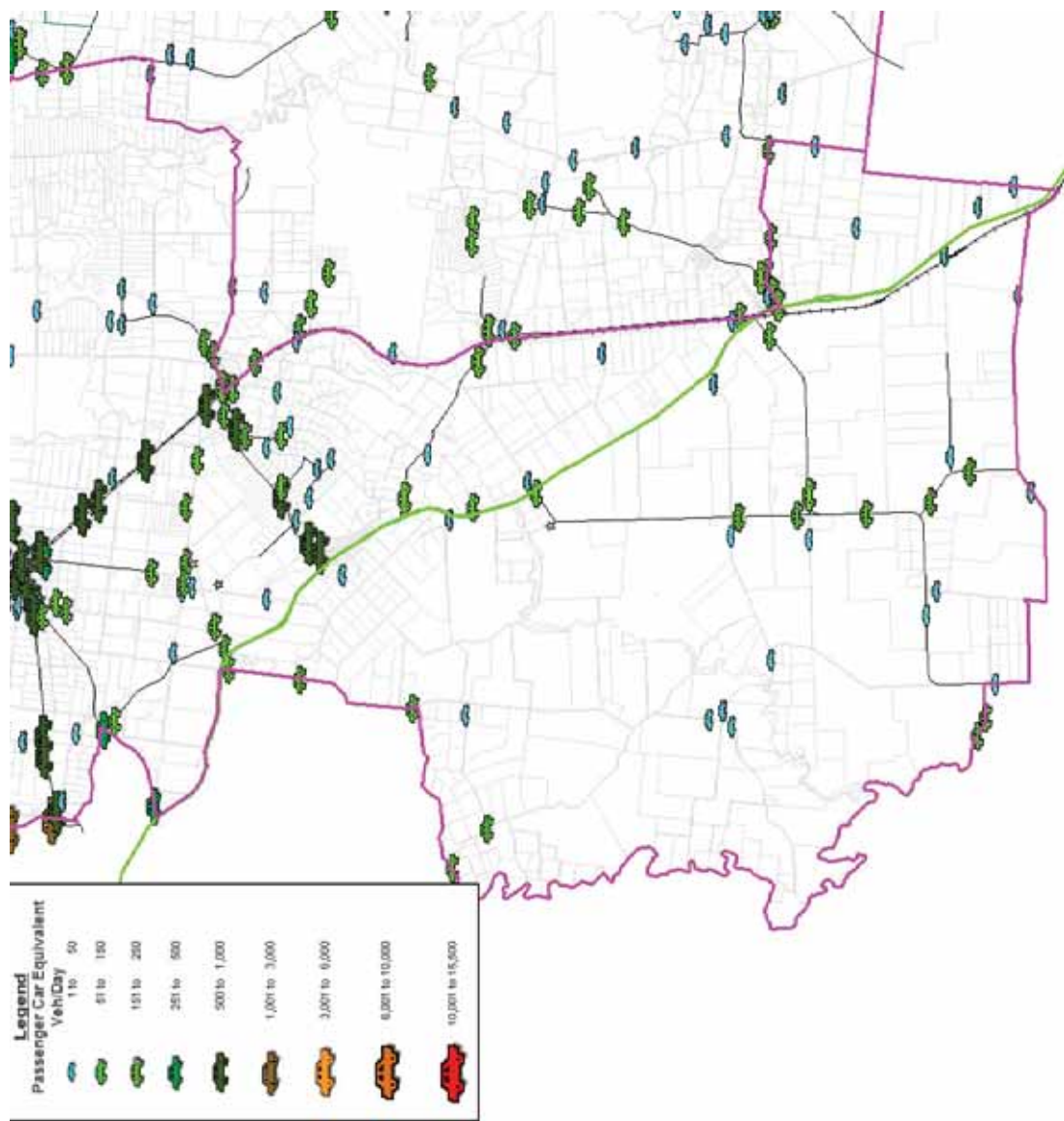
**Passenger Car Equivalent Traffic – Veh/Day – Woodlands**



**Passenger Car Equivalent Traffic – Veh/Day – West Moorabool North of Freeway**



**Passenger Car Equivalent Traffic – Veh/Day – West Moorabool South of Freeway**

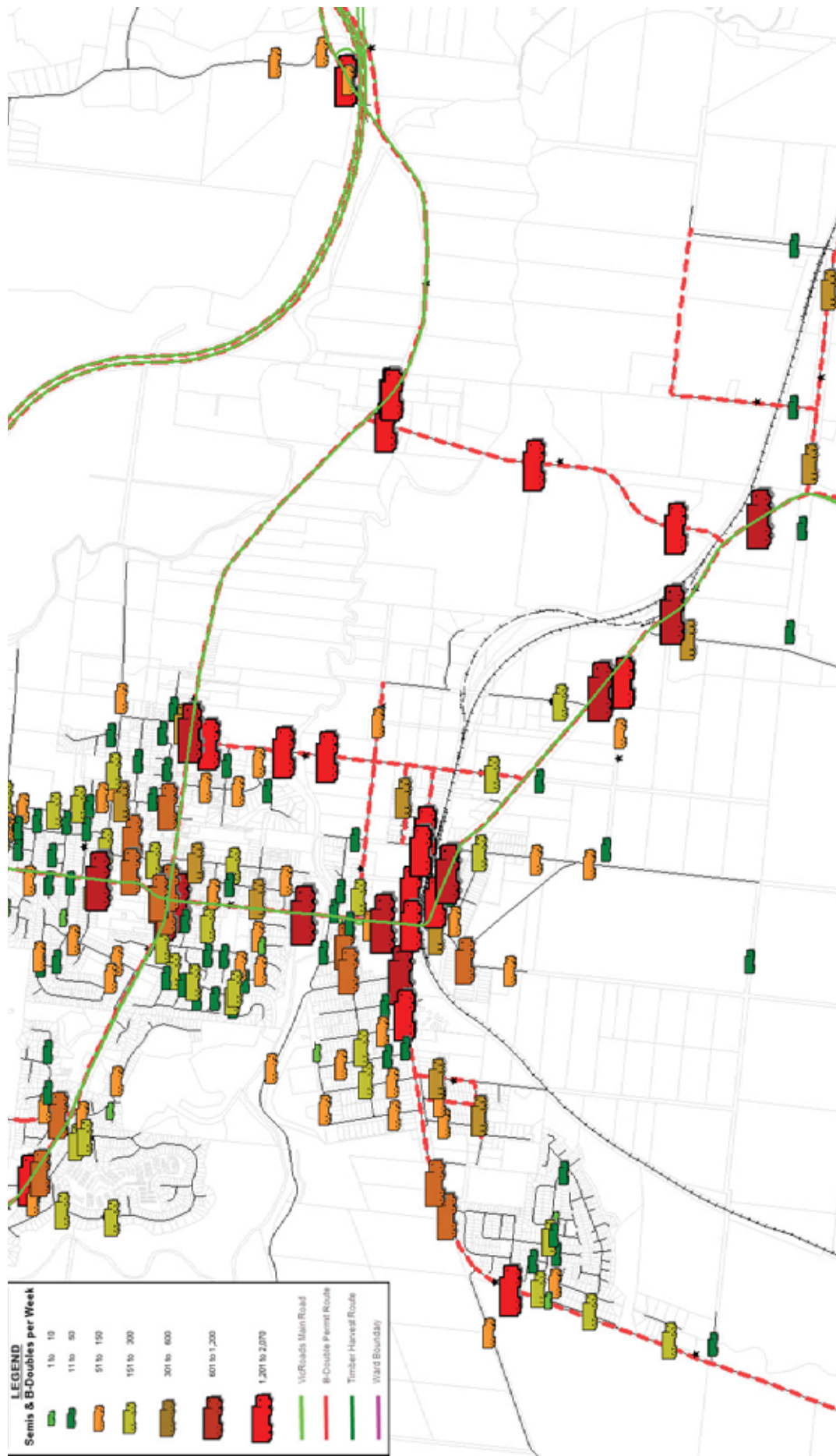




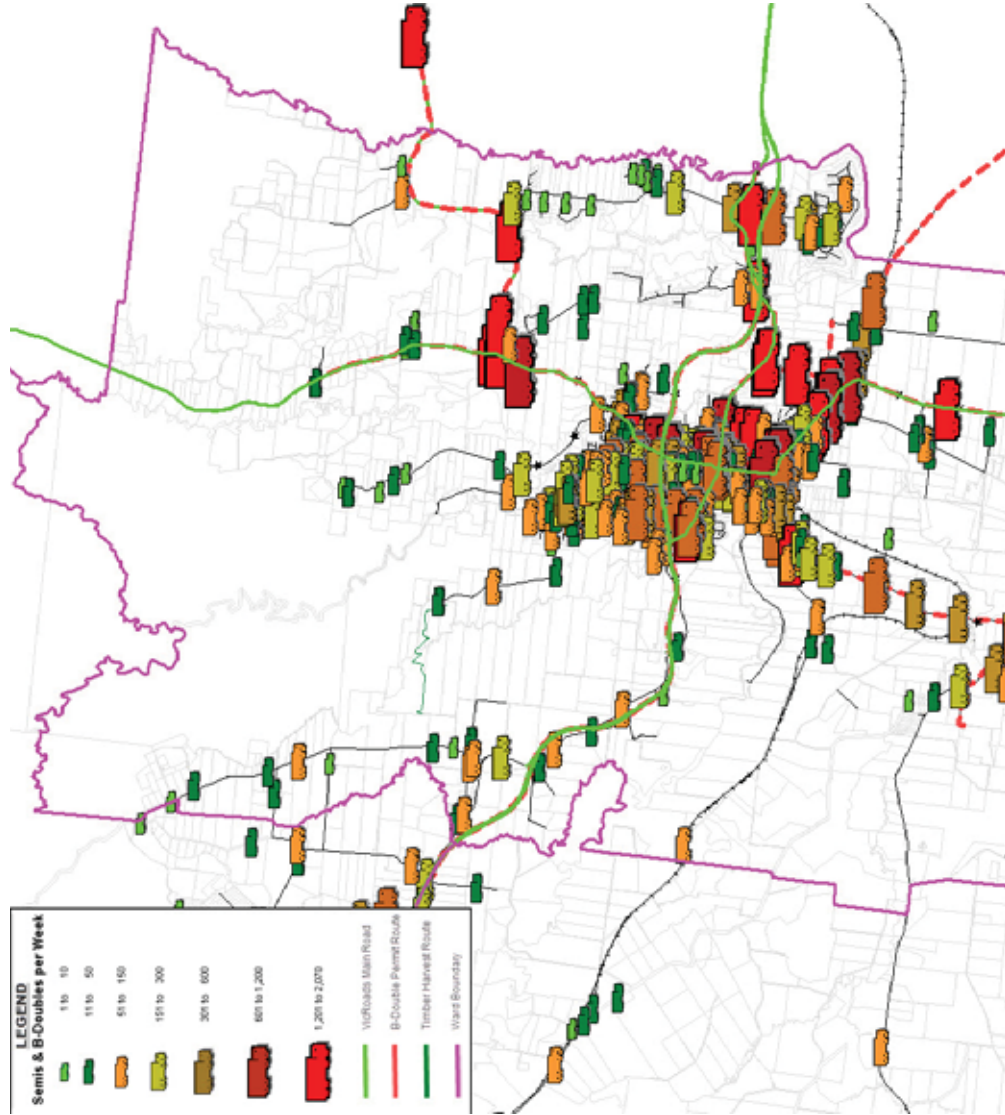
**Passenger Semitrailer & B-Double Traffic - Veh/Week – Bacchus Marsh North of Freeway**



**Passenger Semitrailer & B-Double Traffic - Veh/Week – Bacchus Marsh South of Freeway**

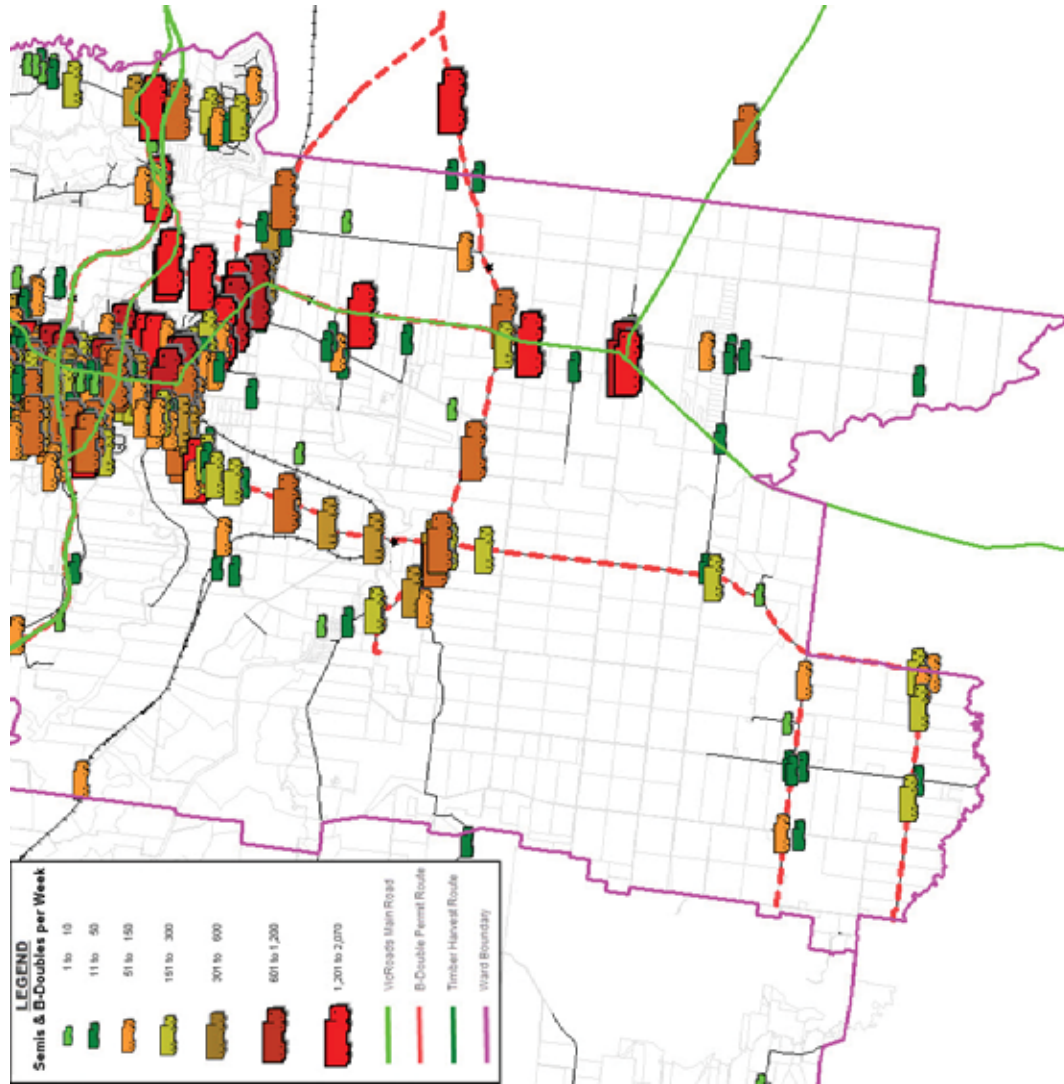


**Passenger Semitrailer & B-Double Traffic - Veh/Week – East Moorabool North of Freeway**



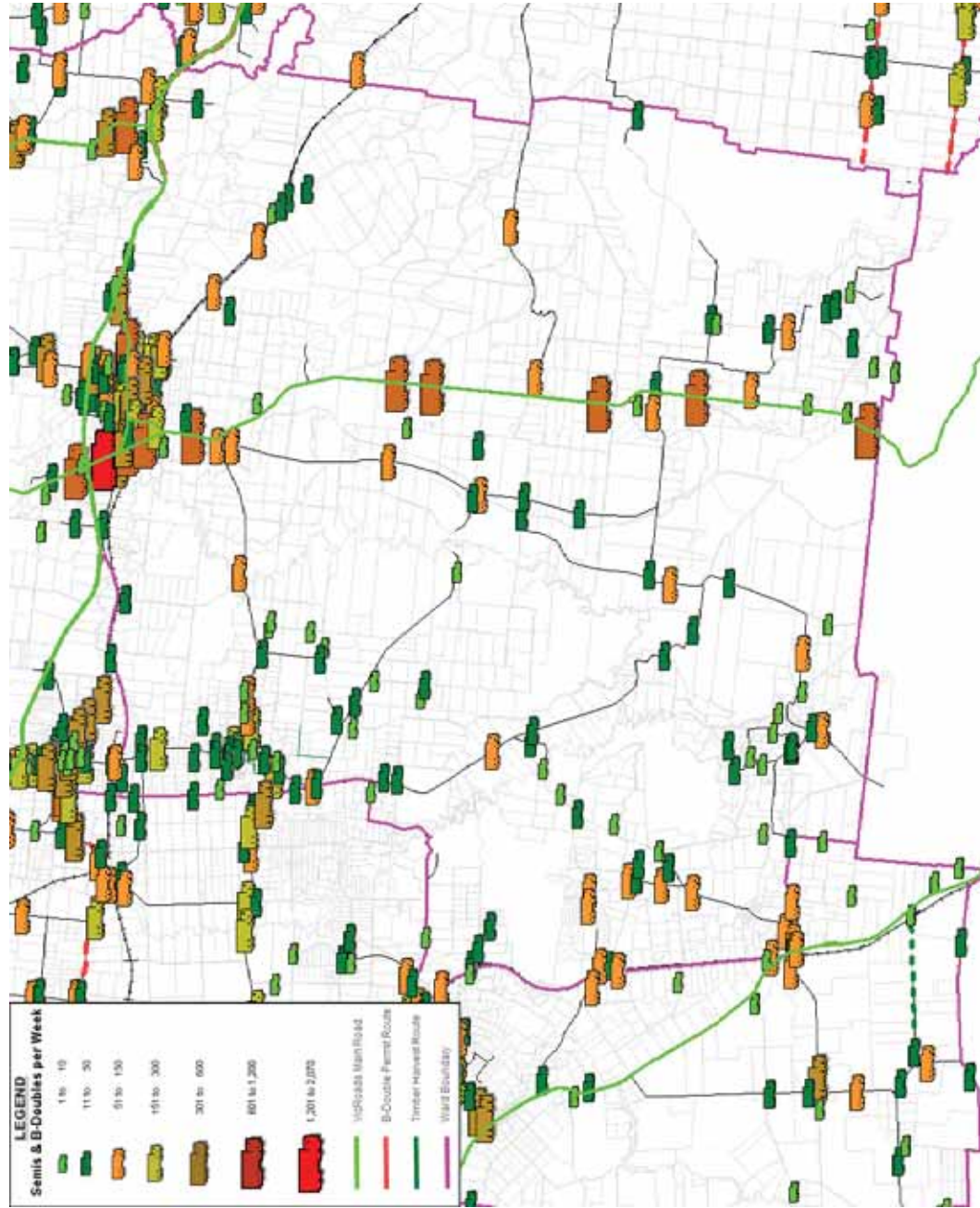
**Passenger Semitrailer & B-Double Traffic - Veh/Week – East Moorabool South of Freeway**



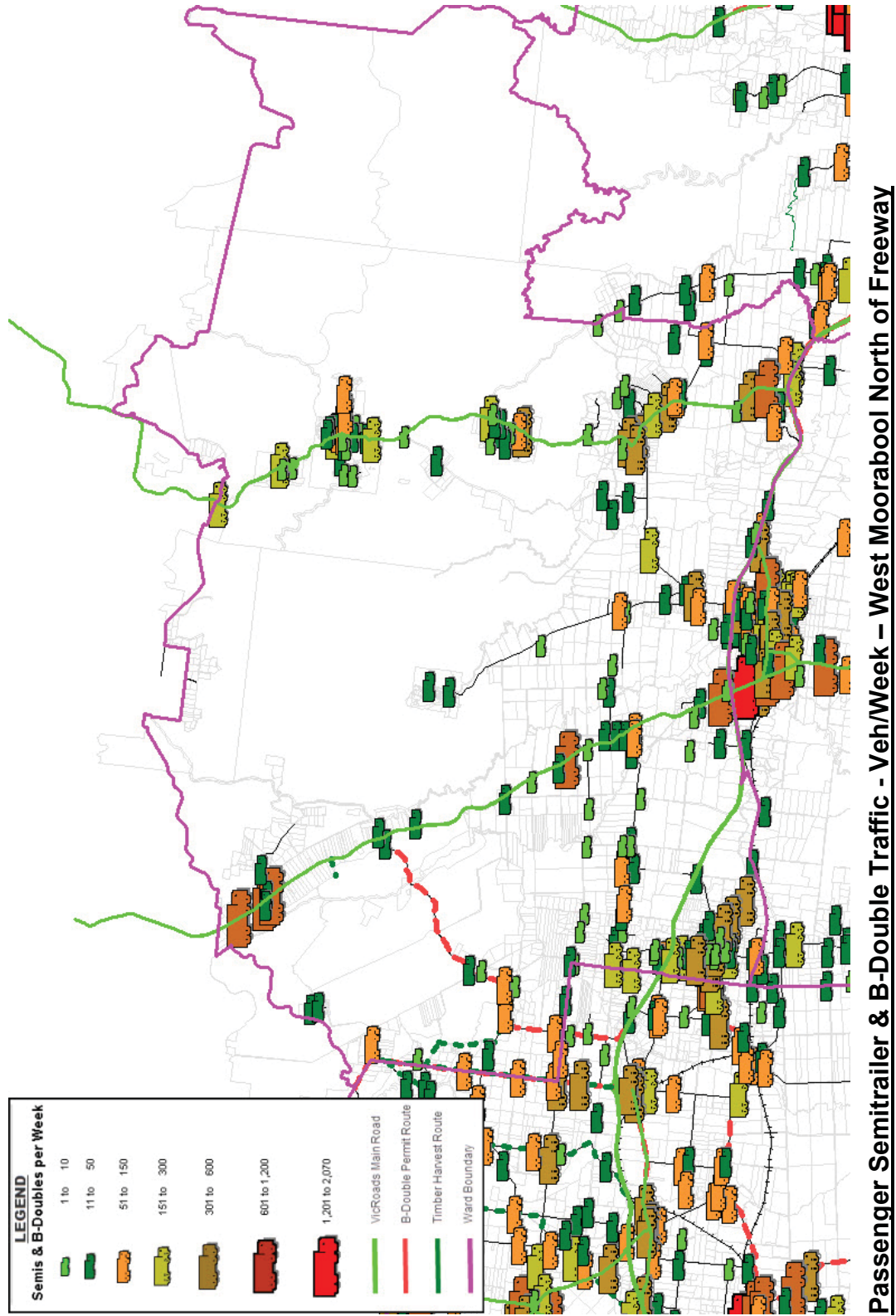


**Passenger Semitrailer & B-Double Traffic - Veh/Week - Bengal**

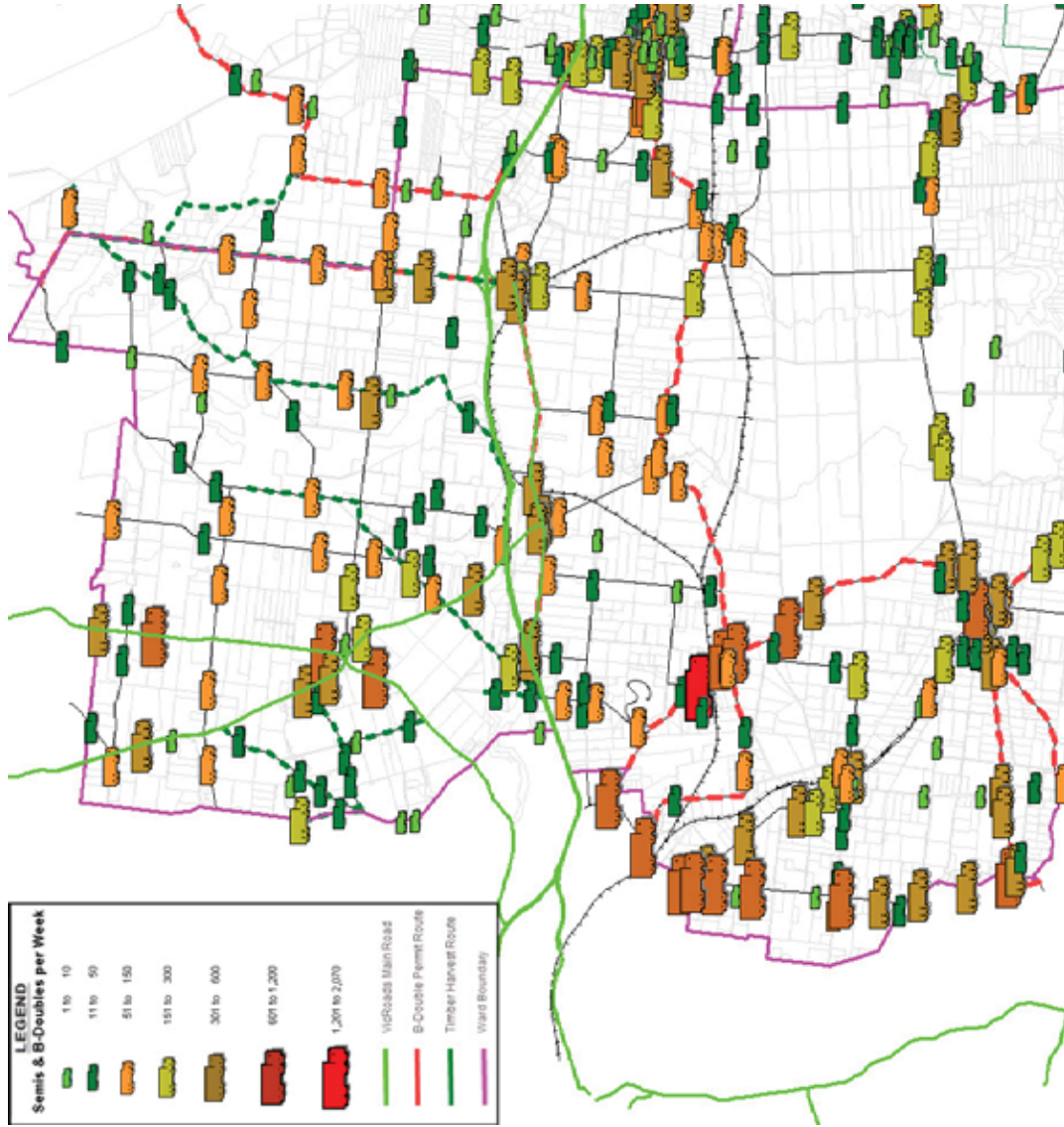




**Passenger Semitrailer & B-Double Traffic - Veh/Week - Woodlands**

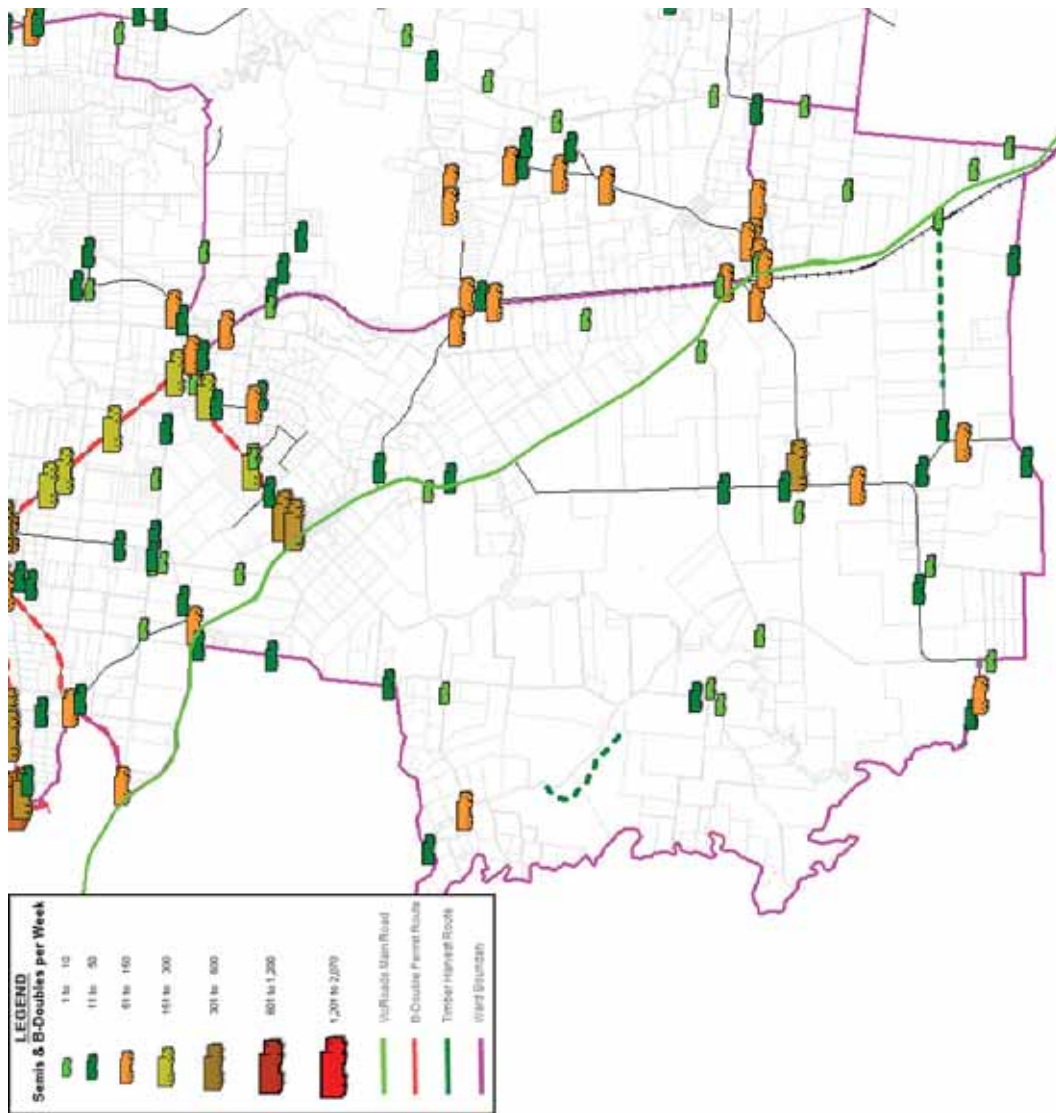


**Passenger Semitrailer & B-Double Traffic - Veh/Week - West Moorabool North of Freeway**



**Passenger Semitrailer & B-Double Traffic - Veh/Week - West Moorabool South of Freeway**





## **11.5 CORPORATE SERVICES**

*No reports for this meeting.*

## 12. OTHER REPORTS

### 12.1 Assembly of Councillors

File No.: 02/01/002

Section 76(AA) of the Local Government Act 1989 defines the following to be Assemblies of Councillors; an advisory committee of the Council that includes at least one Councillor; a planned or scheduled meeting of at least half the Councillors and one member of council staff which considers matters that are intended or likely to be:

- the subject of a decision of the Council; or
- subject to the exercise of a Council function, power or duty by a person or committee acting under Council delegation.

It should be noted, an assembly of Councillors does not include an Ordinary Council meeting, a special committee of the Council, meetings of the Council's audit committee, a club, association, peak body or political party.

Council must ensure that the written record of an assembly of Councillors is, as soon as practicable –

- a) reported to the next ordinary meeting of the Council; and
- b) incorporated in the minutes of that council meeting. (s. 80A(2))

Council also records each Assembly of Councillors on its website at [www.moorabool.vic.gov.au](http://www.moorabool.vic.gov.au)

A record of Assemblies of Councillors since the last Ordinary Meeting of Council is provided below for consideration:

- Assembly of Councillors – Wednesday 15 May 2013 – Regional Catchment Strategy
- Assembly of Councillors – Wednesday 15 May 2013 – Planning Scheme C06
- Assembly of Councillors – Wednesday 15 May 2013 – Destination Management Plan 2013 – 2018
- Assembly of Councillors – Wednesday 15 May 2013 – Youth Strategy Discussion Paper
- Assembly of Councillors – Wednesday 15 May 2013 – Customer Service Strategy
- Assembly of Councillors – Wednesday 15 May 2013 – Top Level Asset Management Plan and Road Asset Management Plan
- Assembly of Council – Wednesday 22 May 2013 – Structure Plan Updates

**Recommendation:**

**That Council receives the record of Assemblies of Councillors as follows:**

- **Assembly of Councillors – Wednesday 15 May 2013 – Regional Catchment Strategy**
- **Assembly of Councillors – Wednesday 15 May 2013 – Planning Scheme C06**
- **Assembly of Councillors – Wednesday 15 May 2013 – Destination Management Plan 2013 – 2018**
- **Assembly of Councillors – Wednesday 15 May 2013 – Youth Strategy Discussion Paper**
- **Assembly of Councillors – Wednesday 15 May 2013 – Customer Service Strategy**
- **Assembly of Councillors – Wednesday 15 May 2013 – Top Level Asset Management Plan and Road Asset Management Plan**
- **Assembly of Council – Wednesday 22 May 2013 – Structure Plan Updates**



## 12.2 Section 86 - Delegated Committees of Council - Reports

Section 86 Delegated Committees are established to assist Council with executing specific functions or duties. By instrument of delegation, Council may delegate to the committees such functions and powers of the Council that it deems appropriate, utilising provisions of the Local Government Act 1989. The Council cannot delegate certain powers as specifically indicated in Section 86(4) of the Act.

Section 86 Delegated Committees are required to report to Council at intervals determined by the Council.

Councillors as representatives of the following Section 86 – Delegated Committees of Council present the reports of the Committee Meetings for Council consideration.

<b>Committee</b>	<b>Meeting Date</b>	<b>Council Representative</b>
Maddingley Park Committee of Management	26 March 2013	Community Members
Maddingley Park Committee of Management	30 April 2013	Community Members

### **Recommendation:**

**That Council receives the reports of the following Section 86 - Delegated Committees of Council:**

- **Maddingley Park Committee of Management meeting of Tuesday 26 March 2013.**
- **Maddingley Park Committee of Management meeting of Tuesday 30 April 2013.**

# Attachment - Item 12.2(a)

<b>Subject</b>	Maddingley Park Committee of Management
<b>Attendees</b>	Marg Scarff (Chair/Sec.), Mick Belcher (BMJuniorFNC), Anthony Shelly (BMLTC), Don Journet (Garden Club), Steve Hicks (BMCC),
<b>Apologies</b>	Pamela Pinney, Adrian Bettio, Hilary Neylon
<b>Date and Time</b>	26 <sup>th</sup> March 2013, 7.30 pm
<b>Venue</b>	Maddingley Park Club Rooms

<b>Issue</b>	<b>Action</b>	<b>Timeframe</b>
Alternate meetings will focus on a project. This meeting followed usual business meeting format.		
Certificate of Appreciation received from Djerrwarrh Health Services for Car Show		
Minutes accepted as a correct record for February 26 meeting. Moved by Mick seconded by Anthony.	Copy to be sent to Recreational Development Team	
Treasurer's report accepted as correct record for January and February 2013. Moved by Anthony seconded by Mick.		
FRRR grant - no user group or COM eligible.		
Coaches box rebuild – Permission received from MSC to go ahead with this project. It will be 2 storey brick structure with a storm water drainage pit included nearby. Project to be managed by Adrian Bettio, Mick Belcher and Pat Mullen. The older coaches box will be lowered and modified so it meets OH&S standards.	Talia to keep Mick up to date with progress.	
Netball shelter – additional quotes being obtained but the structure, expenditure and location have been approved by MSC. Work expected to start first week in May.	Talia to keep Mick up to date with progress.	
FOMP – Grammar School students helped over a 3 day period. Heritage roses will be listed in Wikipedia and it is believed that these roses are the only ones that can be seen in a public park in Victoria.		
Football matches start first weekend in May.		
Cricket season now ended. Presentation night last week. Practice nets to be repaired. MSWC contribution to repair of concrete run ups not guaranteed. Talia submitted request on system.	Reminder letter from COM to be sent to MSC. Re danger of the nets	
Oval lights not working	Email Talia for an update	
Parking fines received by two volunteers who unloaded gardening equipment while in a no standing zone.	Follow up with council to see if vehicles can be authorised to park in front of main gates while unloading. Also, COM to challenge the fines.	
Replacement of synthetic tennis courts has started. Sub drainage being replaced. This is a 4-6 week project. Leaking roof to tennis club rooms not repaired	Remind Recreational	

<p>yet. Rates notice received again for garbage collection. This is a repeat problem which it was thought was resolved last year. Club not liable for these costs.</p>	<p>Development Team Marg to email Council.</p>	
<p>Cockatoos are becoming a menace due to numbers</p>	<p>Marg to ask Damian what we can do plus explore which Department can advise and assist.</p>	
<p>Minutes by M. Scarff Meeting closed 8.56 pm. Next meeting 30 April 2013</p>		

# Attachment - Item 12.2(b)

<b>Subject</b>	<b>Maddingley Park Committee of Management</b>
<b>Attendees</b>	Marg Scarff (Chair/Sec.), Anthony Shelly (BMLTC), Don Journet (Garden Club), Hilary Neylon (Community Rep), Pamela Pinney (FoMP)
<b>Apologies</b>	Mick Belcher (BMJuniorFNC), Steve Hicks (BMCC)
<b>Date and Time</b>	30 April 2013, 7.30 pm
<b>Venue</b>	Maddingley Park Club Rooms

<b>Issue</b>	<b>Action</b>	<b>Timeframe</b>
Alternate meetings will focus on a project. This meeting followed Project Meeting format.		
Minutes accepted as a correct record for March 26, 2013 meeting. Moved by Anthony, Seconded by Don.	Marg to <b>email copy</b> to Recreational Development Team	
Treasurer's report accepted as correct record for March 2013. Moved by Don, Seconded by Anthony.		
Urgent correspondence: Request to meet with Djerriwarrh Health Service re hire fees for Car show. Maintenance 'walk through' meeting with Assets and Recreation Unit Managers on Thursday 9.30 at Maddingley Park.	See agenda item below review of fees structure for park hire. Marg to <b>email details to all COM with invite to attend.</b>	
Review of schedule of fees for park hire: With MSC reduction to CoM budget next financial year, CoM needs to review Council's guidelines for park hire. Critical to future hire is that events don't incur costs which have to be paid by our committee. Discussion highlighted the need for fees to be increased so they cover utilities used on the day plus extra services requested e.g. cleaning of toilets during an event. Agreed the current fee structure isn't always helpful. CoM needs clarification about what 'council sponsorship' means in terms of financial contribution for events such as Relay for Life. Additional criteria for revised schedule of fees and criteria for their application will be circulated and discussed at next Com meeting. Draft schedule to be sent to Recreation Team.	<b>All requests</b> for hire to be approved by CoM where permits. Marg to <b>write to Djerriwarrh Health Service</b> to confirm their request for Car Show, and include details of new fees why these are necessary and what they cover. Marg to discuss revised schedule of fees with Recreation Unit . Draft revised schedule of fees and criteria to be emailed to CoM.	
General Business: Cockatoos are continuing to damage trees and there is concern that old trees are being damaged to the extent they may not recover. Concern raised about large trucks and equipment using the main gates at Taverner/Grant Streets to access work at the tennis courts, and damaging the main pedestrian path. Gates are of historical significance and are very fragile. Their use should be discouraged. Gates near playground suggested as a preferred option.	Marg to <b>make finding a solution to cockatoo numbers a priority.</b> Marg to <b>talk with Recreation team</b> to ensure they are aware of the fragile state of the gates and that alternative entrances should be used.	
Minutes by M. Scarff . Meeting closed 9.10 pm. Next meeting 29 <sup>th</sup> May 2013		

### 12.3 Section 86 - Advisory Committees of Council - Reports

Section 86 Advisory Committees are established to assist Council with executing specific functions or duties.

Advisory Committees of Council currently have no delegated powers to act on behalf of Council or commit Council to any expenditure unless resolved explicitly by Council following recommendation from the Committee. Their function is purely advisory.

Section 86 Advisory Committees are required to report to Council at intervals determined by the Council.

Councillors as representatives of the following Section 86 – Advisory Committees of Council present the reports of the Committee Meetings for Council consideration.

<b>Committee</b>	<b>Meeting Date</b>	<b>Council Representative</b>
Moorabool Landcare Advisory Committee	8 April 2013	Cr. Edwards Manager Strategic & Sustainable Development

#### **Recommendation:**

**That Council receives the report of the following Section 86 Advisory Committee of Council:**

- **Moorabool Landcare Advisory Committee meeting of Monday 8 April 2013.**



# Attachment - Item 12.3

**MOORABOOL LANDCARE ADVISORY COMMITTEE**  
**Meeting held at Council Chambers, Ballan**  
**at 4.00 p.m. on Monday 8 April, 2013**

**Present:** Cr David Edwards, MSC (Chair)  
Elspeth Swan, Community Representative  
Chris Winfield, Brisbane Ranges LG (Minutes),  
Brian Hanrahan, LLLG  
Anthony Dufty, Pentland Hills LG  
Pat Liffman, Blackwood/Barry's Reef LG  
Max Coster, Moorabool Landcare Network;  
Wallace Scott, Rowsley LG  
Stephanie Wabnik, Melbourne Water  
Helena Lindorff, Grow West.  
Gavin Alford, Manager, Strategic & Sustainable Development, MSC

**Apologies:** David Turley, Upper Williamsons Creek LG,  
Michael Fox, Friends of the Lerderderg (resigned)  
Justin Horne, Environmental Planning Coordinator, MSC

**1. MINUTES**

The minutes of the March meeting as distributed were accepted on a motion of Max Coster and Brian Hanrahan. *Carried.*

**2. MATTERS ARISING**

1 *Roadside Weeds Policy* – Carried over

2 *MSC Environment Policy and Environment Strategy* – Max noted the comments he had received from Groups and had incorporated in the revised draft which he had distributed to members.

**Motion:** Elspeth Swan and Wallace Scott moved that the updated proposal be adopted, attached to these minutes and forwarded to Council. *Carried.*

**3. GENERAL BUSINESS**

1 *Proposal for a Local Law for compliance of pest plant and animal control on private property* – A draft letter from the Blackwood/Barrys Reef Landcare Group (distributed with agenda) for comment by MLAC was discussed.

It was noted that the significant costs of pp&a control by responsible landowners was often negated by failure of neighbouring landowners to also take control measures. The CALP Act was generally considered ineffective in ensuring all landowners took necessary action so it was proposed that MSC should consider using the provisions of a Local Law as some other Councils have done.

**Motion:** That MLAC supports the forwarding of a formal letter to MSC proposing that Council engage with Moorabool Landcare Network to develop a funding proposal for the preparation of a business case for a Local Law within the Environmental Policy of Council. Proposed Brian Hanrahan/Seconded Max Coster. *Carried*

2. *Slashing of endangered plant species at Coimadai* – Max noted a report that land containing endangered plant species had been slashed at Coimadai as part of fire control enforcement.

Elspeth said there was a general need for improved mapping and awareness of environmental assets on private land. This would help avoid landowners and Council contractors taking actions which threatened such assets.

It was agreed to hold over further discussion till the next meeting.

3. *Landcare articles in Moorabool Matters* – Pat noted that the current issue of MM contained no article or other information on environmental or Landcare matters. She also distributed information on problems with the control of holly infestations in the Blackwood/Barrys Reef district.

#### **4. NEXT MEETING AND CLOSE**

Next meeting - **MONDAY, 6 May 2013 meeting at Ballan Council Chambers.**

Meeting closed at 5.05 pm.

**Moorabool Landcare Advisory Committee**

**Review of Moorabool Shire Council Environment Policy (2004)**

**Report of working party February 2013**

Draft Recommendations to Council from MLAC

**Motion No.1:**

That MSC amend its Environment Policy (2004) to include the following;

<b>Page Reference</b>	<b>Para ref</b>	<b>Existing statement</b>	<b>Recommended amendment</b>
Front page		2004	2013
P2	2	...ensure that Council's legislative obligations relating to environmental matters are observed	Include list of legislative obligations, including; (a) Local Government Act 1989. (b) CALP Act (1994) (b) Water Act (1989)
	3		Include reference to a Strategic Plan
	4	<b>Biodiversity:...</b>	Include (a) minimising of pest plant and animals, and (b) plan for connectedness of biodiversity assets
		<b>Sustainable Land and water Management.....</b>	Include (a) precincts for energy farms and intensive animal production, (b) improved water use efficiency.
		<b>Cultural Heritage...</b>	Remove from this policy statement
P3	1		Include a map. Include Km of roads
	3		Include statement re bioregions in the Shire (P6, Para 4)
	3		Include a table or map
	4		Include approx. Km <sup>2</sup> for each CMA
	5	Community values – way too narrow	(replace para with)The Shires natural resources are a key resource for agricultural production, mining, irrigation water, drinking water, biodiversity, recreation and tourism.
	6	...expectations (delete)	(replace with) aspirations
	7	The principal objective...	(reword) The principal objective of this policy is to highlight the state of existing resources, and to outline how these resources will be protected and enhanced for the well-being of the citizens of the Shire and the State of Victoria.
	8		Insert a section that outlines the broad strategies to be pursued in

Page Reference	Para ref	Existing statement	Recommended amendment
			achieving the principal objective
	9	..Action Plan...	(Add).. a Strategic Plan and Action Plan...
4	1		Statement to include strategic plan
4	1	Diagram Draft Policy endorse by council	Add Council's endorsement of Strategic plan
	1	Diagram Environment Policy & Action Plan...	Add Strategic Plan
	1	Diagram Annual Evaluation of Action Plan	(Maybe) also evaluate strategic plan
			Highlight fact that LHS is a 3-yr cycle and RHS is a 1-year cycle.
5	1	Vision sets the policy direction ...and activities	Needs strategy in here. (policy statement is solely around process, and needs to also be directed at delivering the vision)
		Environmental Vision	..includes reference to 'strategies'
	Environment values	Conserve biodiversity for the enjoyment of future generations	To conserve and link biodiversity assets for sustainability of native species
	Sust land & water	...to ensure long term agricultural productivity as well as conservation and enhancement of natural resources	To ensure sustainable (a) agricultural, mining, and energy production, and (b) water resources for agriculture, human consumption, and the environment.
	Resource conservation		Refine Council's practices to reduce energy and water use, and reduce waste ( <i>see EPA definition</i> )
	Environment Education		(add) ..and responses to climate change
	Cultural heritage		Delete
6	2		Update list from 2013 RCS
	3	...indigenous communities...	...indigenous plant and animal communities..
	4	..bioregions..	(Add a list of major threats and link to strategies to address the threats)
	5	Roadside management Plan...to protect vegetation	Roadside management Plan...to protect <i>native flora and fauna</i> .
	6	...large areas of biodiversity significance...	...provide detail and a map(s). Don't single out Brisbane Ranges National Park. Maybe make special reference to issues of long term damage to Wombat State Forest and strategy to recover its biodiversity values

Page Reference	Para ref	Existing statement	Recommended amendment
7	1		New paragraph to give more detail on roads and reserves and why council is responsible. Add list of reserves as an appendix Add why roads need to be considered 'double in length as different landownership either side.
	3	....expanded urbanisation and agriculture...	Add ..result is fragmentation and degradation of the landscape and biodiversity values, requiring the need for corrective action to re-link the biodiversity assets. Weeds and pest animals are a special threat to biodiversity values and Council needs to work with all land managers across the Shire – both public and private – to address this threat.
	4	Strategic direction	Comment -Wider than biodiversity
8	2	...large % of land...	Add a table with some indicative figures on land use within the Shire
	2	....contributed to the decline of the quality and quantity of native vegetation...	Add how this has happened. What is different now that is so important? Use tables to indicate issues
	3	.....trend within each basin....	...what are the key measurables of the degradation being observed.. What is the 'policy direction'to address this issue?
			Needs a paragraph on weeds and pest animals and obligations of council under Local Govt Act and to work in with CALP Act
	4	Government's White paper.....implications for the Moorabool Shire when the directions of the document are actioned	..more detail needed. Needs updating. Should include list of water authorities and their role in relation to Council
	5	...are also increasing in profile within....	(Improve grammar)
	6	Another program	Delete reference to Werribee Plains (finished). Maybe replace with how Council is contributing to local organisation to address land and water management issues eg support for MLN Consider a regular forum to be attended by all water authorities.
	7		(delete) ...'group'. Maybe move paragraph into

Page Reference	Para ref	Existing statement	Recommended amendment
			'Introduction'.
	8		Not a part of policy – is an outcome of the Action Plan. Why is this important here? Relationship with water authority (Melb Water) is a 'strategic direction'
	9		No evidence of this happening. Has policy been abandoned?
9	1	...SEPP...	Include a paragraph from council's staff working on septic tanks – for which Council is responsible

**Motion No.2:**

That MSC produce and publish for public scrutiny a strategic plan for realising the objective of the MSC Environment Plan. MLAC proposes that such a plan would include the following points;



# Strategy for Implementing Shire of Moorabool's Environment Policy

Key issues of concern to Landcare and Friends groups in the Shire

(Draft statement prepared MLAC working party 28 February, 2013)

## Preamble

A policy is nothing if not implemented, simply hollow words. The draft strategy bellows seeks to demonstrate the approaches needed to implement the council's environment policy in an effective manner, recognising the resource constraints of council.

A Strategy document sits between 'policy' and 'action' and of necessity includes elements of these in the statement to give context.

Key Themes in the 2004 Moorabool Environment Policy are,

1. Biodiversity
2. Sustainable land and water management
3. Resource conservation
4. Environmental education
5. Cultural heritage

The working party, in consultation with Moorabool Landcare network, have identified the following themes for a new strategic plan to implement the council's environmental policy;

1. Biodiversity
2. Weed and pest animal management
3. Sustainable farming
4. Advocacy and education

The current environment plan skims over some of the central themes identified by the Landcare groups throughout the Shire; these being;

**Biodiversity issues**, including recovery of endangered ecosystems, a network of biolinks, and ecotourism linked to biodiversity values (bird-watching, nocturnal tours, platypus watching, trails linked to biolinks)

**Weed and pest animal management** – on private and public land that costs rural landowners \$millions, is destructive to rural community cohesion, and costs urban businesses through lost business opportunities and tourism. In particular the implementation of the provisions of Local Government Act by-laws to enforce compliance for weed and pest animal control, and integrated public land management with neighbouring private landowners.

**Sustainable farming landscapes** – including implementation of the provisions of Local Government Act by-laws to enforce compliance to decrease erosion of landscapes, support for sustainable forestry systems, energy conservation and business opportunities, creation of intensive animal production precincts, promotion of self-sufficiency in food production and intensive horticulture opportunities, and promotion of ecotourism.

**Improved water management** engage with water authorities and State Government agencies to increase water use efficiency, water quality, and in-stream biodiversity for recreation and tourism (eg blackfish - recreational fishing, platypus - ecotourism)).

<b>Policy theme</b>	<b>Policy elements</b>	<b>Strategy for Implementing Policy</b>	<b>Potential Actions</b>
Biodiversity	Protection of endangered species and ecosystems	Council documents endangered species, natural vegetation areas, and supports plans to protect	
	network of biolinks	Council endorses plans for a network of biolinks across the shire, and includes in zoning.	
	ecotourism linked to biodiversity values (bird-watching, nocturnal tours, platypus watching, trails linked to biolinks)	Council explores opportunities for ecotourism with private land managers and public land managers	
	Education linked to biodiversity	Council co-invests in education in biodiversity assets within the Shire	
	Public land	Council documents biodiversity assets under its control and seeks resources to maintain and improve	
	Private land	Rate rebate for approved investment in protecting biodiversity values.	
Sustainable land and water management	Decline of the quality and quantity of native vegetation, land and waterway condition. Issues include: decreasing water quantity and quality, soil erosion, salinity and pest plants and animals.	Strategies to protect native vegetation on both private and public land – through (a) resourcing Landcare initiatives (b) roadside vegetation protection and recovery (c) rate rebates for approved environment works (d) strategic partnerships with other land management agencies eg Grow West	
		Implementation of the Local Government Act to encourage compliance with weed and pest control, in conjunction with DPI and	

<b>Policy theme</b>	<b>Policy elements</b>	<b>Strategy for Implementing Policy</b>	<b>Potential Actions</b>
		Landcare	
	Water in streams deteriorates as impacted by more intensive land uses such as agriculture and urban development.	(1)Rate rebates for approved environment works (2) Implement intermediate water treatment before water enters waterways	
	Water use efficiency	Co-operate with water authorities and SRW to encourage water efficiencies	
	Land degradation	Co-invest in land recovery projects eg Grow West, MLN	
		Contribute to discussion on forestry in landscape	
		Contribute to education of new landowners	
	Sites for intensive farm industries – pigs, poultry, wind farms	Planning zones	
	Pest plants & animals	Institute provisions of Local Government Act to support compliance, in conjunction with DPI and Landcare	
		Rate rebate for weed and pest animal control	
		Strategy to be based on local weed priorities	
		Weed control on public land to be integrated with work on private land	
		Council to take lead in integrating weed and pest animal control with other public land managers	
		Council co-invests in education with Landcare groups and State agencies	

**13. NOTICES OF MOTION**

**No notices of motion have been received for consideration as part of this Agenda.**

**14. URGENT BUSINESS**

**15. CLOSED SESSION OF THE MEETING TO THE PUBLIC****15.1 Confidential Report****Recommendation:**

That pursuant to the provisions of the Local Government Act 1989, the meeting now be closed to members of the public to enable the meeting to discuss matters, which the Council may, pursuant to the provisions of Section 89(2) of the Local Government Act 1989 (the Act) resolve to be considered in Closed Session, being a matter contemplated by Section 89(2) of the Act, as follows:

- (a) **personnel matters;**
- (b) **the personal hardship of any resident or ratepayer;**
- (c) **industrial matters;**
- (d) **contractual matters;**
- (e) **proposed developments;**
- (f) **legal advice;**
- (g) **matters affecting the security of Council property;**
- (h) **any other matter which the Council or special committee considers would prejudice the Council or any person;**
- (i) **a resolution to close the meeting to members of the public**

**16. MEETING CLOSURE**