

ORDINARY MEETING OF COUNCIL

Notice is hereby given of the
Ordinary Meeting of Council to be held at
Council Chamber, 15 Stead Street, Ballan on
Wednesday 6 June 2018,
commencing at 6:00 p.m.

Members:

Cr. Paul Tatchell (Mayor)	Central Moorabool Ward
Cr. John Keogh (Deputy Mayor)	East Moorabool Ward
Cr. David Edwards	East Moorabool Ward
Cr. Tonia Dudzik	East Moorabool Ward
Cr. Jarrod Bingham	East Moorabool Ward
Cr. Tom Sullivan	West Moorabool Ward
Cr. Pat Toohey	Woodlands Ward

Officers:

Mr. Rob Croxford	Chief Executive Officer
Mr. Phil Jeffrey	General Manager Infrastructure
Mr. Satwinder Sandhu	General Manager Growth and Development
Mr. Danny Colgan	General Manager Social and Organisational Development

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. ACKNOWLEDGEMENT TO COUNTRY

We respectfully acknowledge the traditional owners of this land, their spirits and ancestors.

3. RECORDING OF MEETING

As well as the Council for its minute taking purposes, the following organisations have been granted permission to make an audio recording of this meeting of Council:

- The Moorabool News; and**
- The Star Weekly**

4. PRESENT**5. APOLOGIES****6. CONFIRMATION OF MINUTES****6.1 Ordinary Meeting of Council – Wednesday 2 May 2018**

Recommendation:

That Council confirms the Minutes of the Ordinary Meeting of Council held on Wednesday 2 May 2018.

7. 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)
 - indirect interest because of impact on residential amenity (section 78E)

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.

8. PUBLIC QUESTION TIME

The aim of Public Question Time is to provide an opportunity for the public to ask general questions at Council Meetings requiring routine responses. Public Question Time is conducted in accordance with Section 6.9 of the Council's Meeting Procedure Local Law No. 9.

Questions must be in writing on the form provided by the Council and submitted by 5.00pm on the day before the meeting. Members of the public can contact a Councillor and raise a question which the Councillor will submit on their behalf.

A question will only be read to the meeting if the Chairperson or other person authorised for this purpose by the Chairperson has determined that:

- i) the person directing the question is present in the gallery;
- ii) the question does not relate to a matter of the type described in section 89(2) of the Act (for confidential matters);
- iii) the question does not relate to a matter in respect of which Council has no power to act;
- iv) the question is not defamatory, indecent, abusive or objectionable in language or substance;
- v) the question is not a repetition of a question already asked or answered (whether at the same or an earlier meeting); and
- vi) the question is not asked to embarrass a Councillor, member of Council staff or member of the public.

A Councillor or Council officer may:

- i) immediately answer the question asked; or
- ii) elect to have the question taken on notice until the next Ordinary meeting of Council; at which time the question must be answered and incorporated in the Agenda of the meeting under Public Question Time; or
- iii) elect to submit a written answer to the person asking the question within 10 working days.

Responses to public questions answered at the meeting, will be general in nature, provided in good faith and should not exceed two minutes. These responses will be summarised in the minutes of the meeting.

Public Question Time does not substitute for other forms of communication with or other formal business procedures of the Council.

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 Ballarat Rail Line Issues - Update

Introduction

Author: Rob Croxford

The Council has previously received updates on issues relating to the Ballarat line and the activities of the Ballarat Rail Action Committee (BRAC).

This report provides a further update on consultation regarding possible electrification to the line to Bacchus Marsh and presents update advocacy collateral from BRAC incorporating Council's previous determinations.

Background

The Council on 4 April 2018 resolved:

"That the BRAC report be deferred to the next Ordinary Meeting of Council to allow for further public feedback from railway patrons and for feedback to be sought through social media patrons".

A copy of the April report to Council setting out the wide range of issues under consideration is attached (Attachment 11.1.1a).

Proposal

Update on the April Decision

The April decisions saw further updates to our social media platforms and the Have Your Say site.

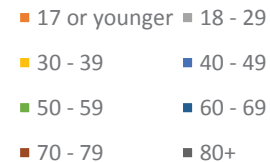
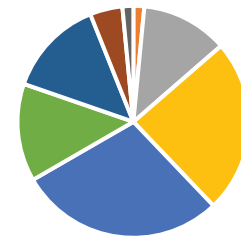
The face to face survey sessions at the Bacchus Marsh Rail station were initially hampered by the VLine approval processes for occupying railway land with a banner and consultation point, hence the delay in providing this report to Council. However, these sessions have now been held and occurred on Tuesday 22 May (three sessions), Wednesday 23 May (two sessions), Thursday 24 May (3 sessions) and Saturday 26 May (one session).

Summary of Consultation

Following further promotion via Council's facebook page, 175 responses have been received through the Have Your Say Consultation page on Council's website.

The age category of respondents is provided in the graph, however the majority of responses have been received from those in the 30 - 39 and 40 – 49 age groups.

Age Category



Respondents were relatively evenly split between male (48.6%) and female (50.9%).

The BRAC issues and question of electrification previously discussed in the Council report of May, 2018 provided the basis for the consultation survey on Council's website. Of the 175 responses received to date, 134 made clear comment in their feedback that they did not support electrification of the rail line to Bacchus Marsh. Seventeen responses were in favour of electrification of the rail line to Bacchus Marsh, and twenty-five responses were more general in nature and did not specifically identify with the electrification issue.

The comments received from those respondents who did not support electrification of the rail line to Bacchus Marsh were based round two main objections:

1. Increases in travel time were identified as a barrier to support electrification of the line to Bacchus Marsh (69 comments).
2. Poorer amenities on 'metro' trains (e.g. over-crowding and poorer carriage amenities) (27 comments).

Attachment 11.1.1b contains full details of all responses received via the Have Your Say consultation page.

A number of posts were placed on Council's corporate Facebook page encouraging residents to provide comment via the Have Your Say page, and also advising of Council's attendance at the Bacchus Marsh Railway Station to hear from commuters. These posts were reached by over 4,900 people.

In conclusion the consultation has shown residents are not supportive of VLine electrifying the rail line to Bacchus Marsh. Increased travel times are a concern to those commuters currently travelling by train, with poorer carriage amenities a barrier to commuter support for the proposal.

An amount of \$15,000 has been included in the draft budget for 2018/19 to continue to engage with the community and rail line issues.

A summary of the feedback received from the consultation sessions held at the Bacchus Marsh Railway Session in May is still being finalised. As such this feedback will be tabled at the June Ordinary Meeting of Council as supplementary information to this report.

Advocacy by the BRAC

The April decision of Council in relation to possible electrification has required a re-write of some of the BRAC advocacy collateral previously provided to Council for endorsement.

As such the new advocacy material is enclosed (11.1.1c) for Council's information.

Advocacy in the lead up to the State and Federal elections will now proceed with some urgency, commencing with a launch of the campaign on 24 May, 2018 to continue to invest in upgrades to the line.

Policy Implications

The proposed Council Plan 2017 – 2021 provides as follows:

Strategic Objective 2: Minimising Environmental Impact

Context 2A: Built Environment

The proposal for upgrades to the Ballarat Rail Line is consistent with the proposed Council Plan 2017 – 2021.

Financial Implications

As reported at the last meeting there has been some expenditure shared by the BRAC Councils on advocacy material. The reworked documents cost a further \$2,500.

A bid has been made in the draft budget for \$15,000 to continue to be able to engage with the community.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Reputational	Poor planning now could lead to a diminished reputation of Council into the future	Low	Advocacy and preparation of strategic work by Council.

Community Engagement Strategy

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community	Survey	Bacchus Marsh Railway Station and via Have Your Say	22 – 26 May	Survey results and feedback received

Communications and Consultation Strategy

The Council has resolved that as the potential for electrification to Bacchus Marsh is a new issue for the community, further engagement is required.

BRAC has set out an advocacy and lobbying campaign to advance the use of the whole line.

Subject to budget, ongoing consultation on rail line issues will be rolled out in 2018/19 to Moorabool communities.

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.

Author – Rob Croxford.

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

Conclusion

Over four days in May (22 - 26 May), nine consultation sessions were held with railway patrons at the Bacchus Marsh Railway Station to gauge views regarding possible electrification of the rail line to Bacchus Marsh. The on-line survey via Council's Have Your Say platform was also extended, resulting in 175 responses being received from the community.

The majority of responses indicated railway users were not in favour of the rail line being electrified to Bacchus Marsh. The main reasons provided were based on potential increase in travel time and poorer quality of carriage amenities offered by a metro service.

Council will continue to advocate for improvements to the rail line, and will continue to engage with railway patrons on these issues.

Recommendation:

That Council:

1. Notes the feedback from the community in the May period on the potential for electrification of the rail line to Bacchus Marsh and other rail line issues.
 2. Request that officers continue to engage with Moorabool communities on Ballarat Rail line issues.
 3. Notes the list of projects and advocacy of the BRAC as set out in the attached brochures.
 4. Adds the attached brochures on Ballarat Rail Line issues to the Council's Advocacy Plan in the lead up to the State and Federal elections.
-

Report Authorisation

Authorised by: 

Name: Rob Croxford

Title: Chief Executive Officer

Date: Thursday, 18 May 2018

Attachment - Item 11.1.1a

11.1.2 Ballarat Rail Line Action Committee (BRAC)

Introduction

Author: Rob Croxford

Background

The Council previously considered this item at the 7 March 2018 meeting and resolved:

Crs Edwards / Sullivan

- 1. That the report on the Ballarat Rail Line issues lay on the table for one month to enable a conversation to be commenced with the community via press and social media.*
- 2. That officers advertise the report on Have Your Say web page and provide a summary of responses at the next Ordinary Meeting of the Council.*
- 3. That a further report setting out a proposed Council position on BRAC issues be considered at the April Ordinary Meeting of Council.*
- 4. That an executive summary of the BRAC report be prepared by Council as it relates to Moorabool Shire and that this summary document form part of the community consultation.*

CARRIED.

The creation of a summary report has been completed and the community consultation process commenced.

The report previously considered by Council is now being presented after being updated with community feedback and to enable the Council to adopt a position on BRAC issues.

Proposal

The Ballarat Rail Line Action Committee was formed in late 2015 with a brief to advance investment in the Ballarat rail line following concerns over congestion, reliability and predictions of rapid growth in passenger numbers. The Committee is a united voice for priority projects. In July 2017 the Committee met to consider priority actions and to engage consultancy Rail Futures to assist the Group to develop future priorities and advocacy material ahead of the upcoming State and Federal elections.

In early 2017 the State Government announced Stage 1 of upgrade works totalling \$518M on the Ballarat Line that will occur over the period 2018-2022.

This report addresses further studies and works required to 2030 to address future needs of the communities along the line.

Attached (Attachment 11.1.2a and 11.2.2b) are two advocacy documents that were considered by the BRAC at the meeting on 9 February, 2018.

A summary fact sheet document has also been prepared and this is included as Attachment 11.1.3.

The documents can be used in totality or in part depending on the issue and audience

The first document recognises the unique aspects of the Ballarat line in the more urban areas of Brimbank, Melton and Bacchus Marsh.

The second document recognises the regional and rural aspects of the line. Both documents focus on passenger functions and are cross referenced.

The third document sets out a summary that relates to Moorabool communities.

A range of infrastructure projects have been listed in the brochures for each Council and the BRAC collectively to advocate for appropriate modern services into the future.

Of significance is the request for preparation by government of a Network Development Plan (business case) that proposes projects relating to:

- Electrification
- Duplication / Quadruplication
- Line upgrades
- Level crossing removals
- New stations
- New rolling stock
- Removal and creation of passing loops
- Park and ride station at Warrenheip
- New station at Parwan

Discussion on key issues facing Moorabool is set out below:

Electrification

In discussing the Melton / Bacchus Marsh document at the last BRAC meeting, it is evident that decisions about the extension of electrification to Melton and then to Bacchus Marsh are likely to be made in the lead up to the State election in November.

The stabling of trains will be a key issue at Melton and Maddingley.

Melton electrification has been discussed for many years now and is essential for the current and future population.

Electrification to Bacchus Marsh in 2026 is now under consideration in the total network planning that picks up urban services including Wyndhamvale, and regional services through Ballarat, Maryborough, Ararat and beyond.

The pros and cons of electrification can be summarised as follows:

Pros	Cons
Triple the carrying capacity of VLine trains (444 seats to 1500 people per train).	Slower journey when VLine gets stuck behind frequently stopping electric service.
Bacchus Marsh can become a transport interchange with electric and diesel services.	Amenity of suburban trains is poorer.
Residents will have carriage choice and more flexible destinations.	Risk of VLine trains bypassing Bacchus Marsh in peak and /or off peak timetables.
More frequent service is possible.	
Will lead to duplication of full track and quadruplication to Melton eventually.	Likelihood that a number of peak services won't stop at Bacchus Marsh.
Stabling of trains at Kerrs Road, Maddingley will enable Bacchus Marsh to be at the start of the line for morning services and resolve stabling issues in Melton.	Electric train journeys could take up to 20 minutes longer than current services.
Adequate land for stabling at Kerrs Road, Maddingley.	

As required by the Council the BRAC issues and that of electrification has been placed in the public forum for discussion and feedback. Feedback received to date is set out in the section under Community Engagement below.

It is suggested that the Council support the potential electrification to Bacchus Marsh in principle, subject to the completion of a Network Development Plan and broad community support through ongoing consultation. Further, the opportunity for Bacchus Marsh to be a transport interchange for VLine and metro services will be critical in providing flexibility and enhanced services for the community.

A Council budget bid will be prepared for local community consultation and the development of information to inform community opinion.

Removal of Passing Loops (Bungaree and Wallace loop included)

As part of the \$518M investment in the current (2018 – 2022) program, it is proposed to provide a new bypass in the vicinity of Bungaree and Wallace and discontinue the existing loop.

The Council and officers have met with the Melbourne Metro Rail Authority, VLine and written to the Minister for Transport to point out that the closure of the loop is short sighted given the potential for population growth in Bungaree and Wallace that could then lead to a transport interchange at Wallace.

The Minister has responded in writing (Attachment 11.1.4) and VLine and MMRA verbally advised that the loop will be discontinued in order to remove five level crossings and will not entertain keeping the loop open.

Officers have also met with VicTrack to discuss ongoing maintenance of the loop to avoid weed and vermin infestation and to explore other options for the loop.

VicTrack has advised that it would be willing to transfer the loop alignment to Council to manage as a committee to facilitate a rail trail or tourism activity. The use of the loop as an historic rail tourism activity was not supported given other options around the State.

A further option would be the sale of the rail alignment to adjoining property owners.

A further report will be required to advance the future of the loop.

On a related matter, discussions have also been held over the past few years on the future reinstatement of the Gordon Railway Station, particularly as the township grows as a key town in the Shire. At this stage the feedback from VLine in particular is that it is highly unlikely to be reinstated. Officers will continue to raise this matter as it forms part of Council's advocacy strategy.

New Park and Ride Station at Warrenheip

The Minister's advice re the Bungaree / Wallace loop then precludes the option of an interchange at Wallace. Work by Rail Futures suggests that the old Warrenheip Station/siding is in a strategic location that could be maximised.

Warrenheip is at the confluence of the Geelong and Ballarat lines and is ideally located for passenger services to Geelong, and as a park and ride for Ballarat commuters on the eastern side of the city and for Moorabool residents.

The concept is preliminary and would need significant work to address land use, infrastructure and traffic issues into the future. The City of Ballarat and BRAC support further investigation of this concept.

A further report could be provided on this to Council.

New Station at Parwan

The draft Bacchus Marsh Framework Plan being prepared in partnership with the VPA makes provision for the reinstatement of a station at Parwan to the south east of Bacchus Marsh.

This is a long term plan that will support future population growth and the Parwan Employment Precinct.

There are implications for timetabling and electrification for the re-introduction of this station.

A further report to Council will be required on this aspect.

Network Development Plan (NDP)

A Network Development Plan is a complex and detailed business case for the whole of the Ballarat line. It will also provide for planning scheme overlays and reservations.

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Inform and Consult	Community Groups	Social media, Have Your Say and local press.	Shire wide	Since 9 March	Feedback to the close of the agenda is set out in Attachment 1. Further feedback will be circulated prior to the meeting.

Feedback received from the community consultation is contained in Attachment 11.1.5.

The feedback is broad and inconclusive at the close of the agenda for this meeting.

Further feedback received up to the April meeting will be circulated separately. It is suggested that this is the start of ongoing engagement with the community on BRAC and specifically electrification issues.

Communications and Consultation Strategy

A communications strategy for this Council and BRAC will be developed after further raising awareness in the community via the press and social media, and after an in principle position is provided by Council on electrification to Bacchus Marsh and the Network Development Plan.

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.

Author – Rob Croxford

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

Conclusion

The BRAC has been working collaboratively with Councils along the Ballarat Rail Line, State Government and consultants to influence future works on the line for the benefit each Council's communities.

A key issue for resolution in this report is the potential for electrification of the rail line to Bacchus Marsh.

The Council has sought feedback from the community over the past month to assist in forming a position on BRAC issues and specifically electrification of the line to Bacchus Marsh whilst retaining VLine services.

Recommendation:

That Council:

1. **Supports, in principle, the electrification of the Ballarat Rail Line to Bacchus Marsh subject to the completion of a Network Development Plan by the State Government incorporating significant community consultation and Bacchus Marsh being recognised as a transport interchange for VLine and Metro services.**
2. **Notes the list of projects for the Ballarat Line to 2030 as set out in the attached brochures.**
3. **Requests officers to prepare a 2018/19 budget bid for ongoing BRAC advocacy and community engagement activities, to allow local conversations to continue to be held on the current and proposed works along the Ballarat line.**
4. **Notes the response from the Minister for Transport and VicTrack in relation to the Bungaree/Wallace bypass loop and requests a further report from officers on options for the discontinued part of the line that may include transfers to adjoining owners and a rail trail.**
5. **Adds the attached three brochures on the Ballarat Line issues to the advocacy plan previously adopted by Council in November 2017 for use in the lead up to the State and Federal elections in 2018.**
6. **Requests regular updates on the activities of BRAC.**

Report Authorisation

Authorised by:

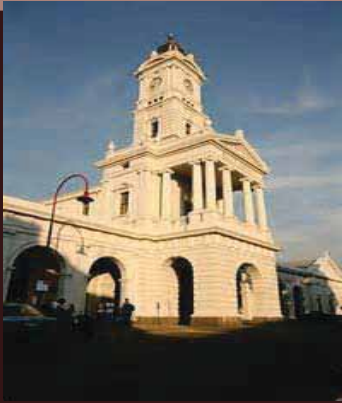
Name: Rob Croxford
Title: Chief Executive Officer
Date: Wednesday, 28 March 2018

Attachment - Item 11.1.2a

STRATEGY FOR A HIGH PERFORMING BALLARAT RAILWAY



Ballarat Rail Action Committee
December 2017



Ballarat needs a world class railway—our ambition is to have the best regional railway in Australia” -

Councillor Samantha McIntosh, Mayor of Ballarat

KEY ARGUMENTS FOR A HIGH PERFORMANCE BALLARAT TRAIN SERVICE

- ◆ THE BALLARAT LINE IS ALREADY AT CAPACITY FOR PEAK PERIOD TRAVEL
- ◆ THE 2017-18 UPGRADE PROGRAM WILL IMPROVE TRAIN SERVICE RELIABILITY AND ADD OFF-PEAK FREQUENCY BUT WON'T PROVIDE TRAINS WITH MORE SEATS OR ENABLE FASTER JOURNEYS
- ◆ STRONG GROWTH WILL CONTINUE FOR RAIL TRAVEL TO MELBOURNE; IMPROVED SERVICES FOR TRAVEL INTO BALLARAT WILL ALSO BE AN ATTRACTIVE OPTION FOR WORKERS AND STUDENTS FROM MELBOURNE'S BOOMING WEST AND PLACES WEST OF BALLARAT
- ◆ BALLARAT'S POPULATION WILL GROW BY OVER 70% TO MID-CENTURY - HIGH PERFORMANCE RAIL IS VITAL INFRASTRUCTURE TO MAKE THIS GROWTH LIVEABLE
- ◆ BALLARAT REGION'S EXCELLENT HOUSING STOCK AND LOWER HOUSING COSTS CAN HELP ADDRESS MELBOURNE'S NEED FOR MORE AFFORDABLE HOUSING
- ◆ BALLARAT IS NOW HOME TO NATIONALLY SIGNIFICANT TRIP ATTRACTORS SUCH AS SOVEREIGN HILL, BALLARAT ART GALLERY AND EUREKA STADIUM AND RAIL CAN OFFER CONVENIENT ACCESS TO THESE SITES

"Over the past two decades, Victorian Governments have invested over \$6 billion dollars in improving regional rail passenger services, providing faster journey times, and more frequent and reliable rail services to many parts of Victoria. Substantial effort and funding has also been put into the development of better co-ordinated road coach and urban bus services, with the overall result that Victoria as a whole has the best regional passenger services of any Australian state.

The railway between Melbourne, Ballarat and Ararat provides a critical transport link for the communities it serves, including extended catchments that are connected to the railway by bus and coach services. The role of the railway is expected to become even more vital in coming years as population growth continues and the road network is increasingly unable to accommodate travel demand.

The railway between Melbourne and Ballarat is now an intensely used commuter line, having seen in usage more than triple over the past decade as journey times have been reduced by successive investments in the Regional Fast Rail, VLocity railcars and Regional Rail Link (RRL) projects. A further \$518 million was committed to further improvements in the 2016 State budget. Despite these welcome investments, much of the line will still be single track, resulting in delays while trains wait to pass each other, and other infrastructure including stations, signalling, train stabling, car parking, security and bus and coach connections require further improvement.

The next 20 years will require transformative development of rail services and infrastructure in the corridor from Sunshine via Ballarat to Ararat and beyond to accommodate demand fuelled by rapid population growth, especially between Sunshine and Bacchus Marsh, in Ballarat, and to a lesser extent in all communities served by the corridor. Rapid urban growth west of Melbourne is expected to add another 700,000 people to areas served by the Ballarat and Geelong rail corridors by 2036 (less than 20 years away).

Ballarat is set to become a major regional rail hub as services to Ararat and Maryborough increase and, we hope, also return to Horsham and Hamilton. Direct rail links will also be needed from Ballarat to Geelong and Bendigo to support increasing travel needs as these major centres expand and develop.

The six Councils along the Ballarat line — Brimbank, Melton, Moorabool, Ballarat, Pyrenees and Ararat - are united in seeking for our residents the best regional railway in Australia. We have the basics, we have the need, we use the train. We ask for the planned investment that's needed. This document presents a Strategy to get there."

OUR VISION FOR THE BALLARAT RAILWAY:

An extremely reliable and fast rail connection from Ararat and Ballarat to Melbourne Southern Cross, supporting the needs of the corridor's booming population to travel to Ballarat, Melbourne, Melbourne Airport and connected places by quicker and more effective means than car travel, supporting inwards domestic and international tourism and allowing a travel time between Ballarat and Southern Cross of 55 minutes by 2030 and 45 minutes by 2050.

Our 2020 TARGET

95% Reliability

65 minute
Journey

30 minute peak
frequency

Our 2030 TARGET

98% Reliability

55 minute
journey

20 minute peak
frequency

Our 2050 TARGET

100%
Reliability

45 minute
journey

15 minute
peak
frequency

THE ACTIONS NEEDED TO REALISE THIS VISION:

A CORRIDOR DEVELOPMENT PLAN + ELECTRIFICATION TO MELTON AND EXTENDED TO BACCHUS MARSH + QUADRUPLICATION BETWEEN SUNSHINE AND MELTON + ELIMINATION OF MORE LEVEL CROSSINGS + DUPLICATION OF MORE SINGLE LINE SECTIONS + CREATION OF NEW WARRENHEIP PARKWAY STATION + RAISING TRACK SPEED WHEREVER PRACTICABLE + LONGER PLATFORMS FOR LONGER TRAINS + BETTER STATION FACILITIES + BETTER BUS CONNECTIONS



THESE ARE REALISTIC ASPIRATIONS THAT CAN BE ACHIEVED IF:

A LONG TERM BALLARAT RAIL CORRIDOR PLAN IS DEVELOPED AND IMPLEMENTED

THE REQUIRED INVESTMENTS ARE IMPLEMENTED SEQUENTIALLY

INVOLVEMENT IS ACHIEVED FROM ALL LEVELS OF GOVERNMENT

THE COMMUNITY IS ENGAGED AND EXCITED AS EACH UPGRADE IS IMPLEMENTED

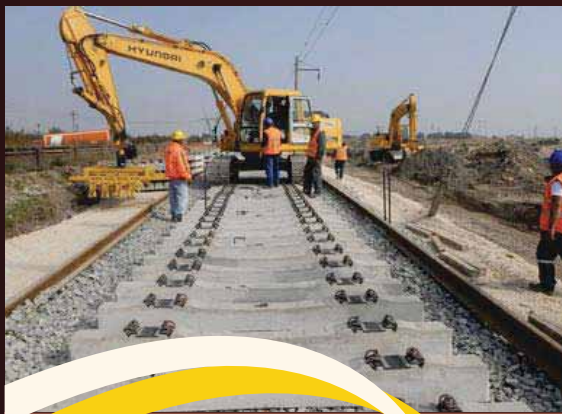
PROPOSED INFRASTRUCTURE

THE BALLARAT LINE UPGRADE

The \$518 Million allocation for the Ballarat Line upgrade in the 2016 State Budget will do much to help improve train service reliability, and provide more passing lanes and platforms that will allow for more off-peak services. But much more is needed to support and encourage regional growth. The current upgrade doesn't include platform extensions for the longer trains with more seats that will soon be needed and it can't deliver the faster journey times Ballarat people want, especially for journeys to work.

BACCHUS MARSH ELECTRIFICATION

Electrifying the railway to Melton and Bacchus Marsh will triple its carrying capacity — electric trains can carry up to 1500 people compared with 444 seats in a 6-car VLocity set. Population growth in Brimbank, Melton and Moorabool requires electrification, but the important connection with Ballarat can be retained, making Bacchus Marsh an interchange station with access to both suburban and regional trains. By 2026, it will also connect into the Melbourne Metro tunnels and release precious capacity on the RRL lines in from Deer Park, permitting more peak period services from and to Ballarat and Geelong.



2018-2022

- Railway electrification – Southern Cross to Sunshine (RRL lines) and to Melton
- Ardeer and Deer Park - station reconstruction to allow for track quadruplication with 250m platforms for longer current diesel and future metro electric trains
- Level crossing removals at Fitzgerald Road, Derrimut Road and Robinsons Road
- Caroline Springs – Rockbank – Melton track duplication
- Caroline Springs, Rockbank, Toolern, Melton and Bacchus Marsh — platform extensions to 250m for metro electric trains
- Provision for future station at Hopkins Road
- New station at Toolern (with provision for Ferris Road level crossing removal)
- Bacchus Marsh — additional platform, removal of existing carriage sidings and additional car parking
- Maddingley — new carriage sidings at Kerr's Road
- Ballan — new 5km passing lane, additional platform and car parking
- Bungaree direct line — new 4km passing lane to replace old Bungaree Loop line
- Ballarat station improvements (incl. DDA compliance) and additional car parking
- Wendouree - additional platform and car parking
- Ballarat to Geelong, Maryborough, Mildura, Sea Lake and Manangatang - track conversion to standard gauge (part of Murray Basin Rail Project)

2023-2026

- Railway electrification – Melton to Bacchus Marsh/Maddingley
- Opening of Melbourne Metro tunnels — releases capacity on RRL lines by diverting Melton/Bacchus Marsh trains onto separate tracks at Hopkins Road
- Sunshine – grade separated junction of Bendigo line with Melton suburban lines
- Sunshine to Caroline Springs and Hopkins Road – track quadruplication
- Deer Park - two additional platforms
- Re-arrangement of Robinsons Road Junction
- Melton and Bacchus Marsh — third 250m platforms for terminating trains
- Telephone Road to Parwan Loop and Bacchus Marsh track duplication including bi-directional signalling for overtaking movements
- Maddingley – additional and lengthened carriage sidings for terminating trains
- Warrenheip — new Parkway station with parking for 1000+ cars
- Ballarat station — track and platform re-arrangement for better train/train and train/road coach/bus interchange
- Eureka Stadium — new platform and signaling
- Ballarat to Wendouree - track duplication and dual gauging
- Ballarat West — new train stabling sidings and servicing facility
- Wendouree to Ararat — track conversion to standard gauge
- All stations – additional car parking and improved bus interchanges

Implementation plan 2018-2026

INVESTMENT PROGRAM

2027-2030

- Sunshine — new platforms for fast line to Melbourne Airport
- Hopkins Road to Melton – track quadruplication
- Hopkins Road — new station (linked to level crossing removal)
- Level crossing removals at Hopkins Road and Leakes Road
- Rockbank - station reconstruction (linked to Leakes Road level crossing removal)
- Level crossing removals at Paynes Road, Mount Cottrell Road and Ferris Road
- Level crossing removals at Station Street and Coburns Road
- Melton - station re-construction (linked to Station Street and Coburns Road level crossing removals)
- Melton to Telephone Road - track duplication (including Melton Weir bridge) and bi-directional signalling for overtaking movements
- Parwan – new station
- Warrenheip to Ballarat East – third (standard gauge) track linked to Geelong line
- Warrenheip Parkway station – additional platforms

2031-2040

- Rowsley to Ballan - passing lane track duplication (incorporating Bank Box passing loop);
- Ballan Passing Lane to Bungaree Loop - duplication
- Bungaree Passing Lane to Warrenheip - track duplication
- Trawalla - new crossing loop between Wendouree and Beaufort

2041-2050

- New part tunnelled line between Southern Cross, West Footscray and Sunshine for Geelong and Ballarat line fast regional trains
- Extensive curve straightening to permit 200 km/h running where practicable
- Level crossing removal program Rowsley to Warrenheip
- High voltage (25Kv AC) electrification Southern Cross to Ballarat for new high performance regional trains, replacing VLocity fleet

The listed projects, either individually, or as packaged programs, will need to be fully scoped, progressively evaluated and confirmed in government business cases.

QUADRUPPLICATION TO MELTON

The Ballarat line currently tries to serve both suburban and regional passengers — but mixing regional and suburban trains makes regional journeys much longer. Faster Ballarat trains will increasingly be caught behind frequent suburban trains that run at much lower average speeds, because of stops at suburban stations.

It is therefore vital that suburban and regional trains are segregated. Quadruplication (two additional express tracks) from Sunshine to Melton, extending the previously completed Regional Rail Link tracks between Sunshine and Southern Cross, together with duplication from Melton to Bacchus Marsh including signalling designed for overtaking by Ballarat express trains, is how this segregation and faster trips can be achieved on the Ballarat line.

COMPLETING DUPLICATION BACCHUS MARSH TO BALLARAT

Ultimately, the entire line to Ballarat needs to be duplicated. Grade separation will be needed to eliminate most level crossings and the line upgraded for 200 km/h operation where grades and curves allow it. These investments will allow the world class train service Ballarat needs. –The Freeway has been duplicated; let's duplicate the railway!

The journey to work on the Ballarat line sometimes looks like this...



BOOMING POPULATION

Ballarat's population is growing at 1.9% a year, and the present level of 104,000 will reach 137,000 by 2031 and could be 175,000 by mid century. By then, population of the wider Ballarat Region is likely to exceed 250,000. We must have the infrastructure to service that population.

BOOMING DEMAND FOR RAIL TRAVEL

Already Ballarat citizens are provided with 22 trains a day. Very soon, the peak services will be filled to capacity. In the next ten years at least 30 trains a day will be needed, with a 20 minute service in the two hour peak in each direction.

TRACK AND ROLLING STOCK

To provide for the needs of the next 5 and 10 years, investment is needed now in extra tracks, lengthened platforms and longer trains with more seats to support the level of service that will be needed. This planning must be done now!



BALLARAT LINE SERVES THE FASTEST GROWTH AREAS

According to the Victorian Government's official population growth forecasts *Victoria in Future 2016 -*

THE FASTEST GROWING METRO SUBURB TO 2051 WILL BE THE CITY OF MELTON, SERVED BY THE BALLARAT LINE (4.4% GROWTH)

THE SECOND FASTEST REGIONAL GROWTH AREA TO 2051 WILL BE MOORABOOL (2.4% GROWTH)

BALLARAT IS NOT FAR BEHIND (1.9% GROWTH); BALLARAT'S* POPULATION WILL BE OVER 250,000 BY 2051

THE LARGEST GROWTH IN NUMBERS TO 2051 WILL BE WYNDHAM — (an additional 198,000 people) - WYNDHAM VALE TRAINS WILL STILL BE SHARING THE INNER END OF THE BALLARAT LINE (Quadruplication will allow electric trains to Melton and Bacchus Marsh to operate on separate tracks)

*Ballarat Statistical Area (SA4) official projection. By 2051, population of the Ballarat Local Government Area (SA3) could be around 175,000.

IT'S THE TOTAL JOURNEY THAT COUNTS

The whole commute between Ballarat and Melbourne, or vice versa, includes the time needed to get to the station, wait for the train, and complete the journey. The journey time on the train can be expedited by better rail infrastructure, fewer curves and stops and faster rolling stock. But the journey to and from the station is very important too.

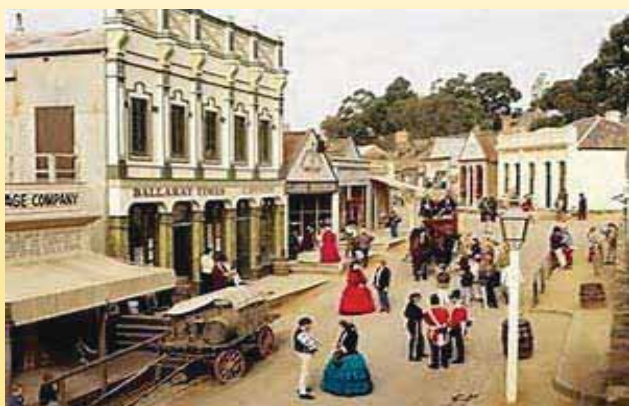
Many people want to drive to the station, and they need to be able to find a parking spot easily, leave their car in a safe place, and get easily to the platform. Our Warrenheip Parkway proposal, illustrated below, is designed for this purpose. It is planned to be an integrated new station complex at Warrenheip that will serve both Ballarat to Melbourne trains and future Ballarat to Geelong trains. It is designed to accommodate 1000+ vehicles, within no more than a 5 minute walk to the platform, a convenient bus interchange and accommodation for a large number of bicycles.

There is no cost-efficient way to provide this many car parks in central Ballarat. And a Warrenheip Parkway will be ideal for all those living on the Melbourne side of Ballarat, as well as those from Mount Helen and Buninyong. It will complement the similar facility at Wendouree, already well used by those on the western side of the city.

Warrenheip Parkway Station



THE BALLARAT RAILWAY CAN PROVIDE A FAST GATEWAY FOR RESIDENTS AND TOURISTS TO THE REGION'S UNIQUE TOURIST ATTRACTIONS, COMMUNITIES AND NATURAL BEAUTY.



si



BALLARAT RAIL ACTION COMMITTEE

For more information,
contact:-

Kwabena Ansah,
Melton City Council,
PO Box 21,
Melton, Vic 3337
03 9747 7200
Email: Kwabena.ansah@melton.vic.gov.au

Technical Input:
John Hearsch Consulting Pty Ltd

A joint project of:-
Ballarat City Council
Brimbank City Council
Melton City Council
Moorabool Shire Council
Pyrenees Shire Council
Rural City of Ararat.

Attachment - Item 11.1.2b

STRATEGY FOR MANAGING EXPLOSIVE PASSENGER GROWTH ON THE MELTON BACCHUS MARSH RAILWAY



Ballarat Rail Action Committee
December 2017

-Councillor Margaret Giudice, Mayor of Brimbank

Paul Tatchell

Suburbs and municipalities west of Melbourne are experiencing unprecedented population growth as they transform from lightly populated outer suburbs and agricultural regions into densely populated suburbs. The railway between Melbourne, Melton, Bacchus Marsh, Ballan and Ballarat provides a critical transport link for the communities it serves, including extended catchments that are connected to the railway by bus and coach services. The role of the railway will be fundamental in coming years as explosive population growth places huge stress on our road and rail systems. Both need to have the capacity to handle the needs of much larger populations.

The railway between Melbourne and Ballarat is already an intensely used commuter line, having seen usage more than triple over the past decade as journey times have been reduced by successive investments in the Regional Fast Rail, VLocity railcars and Regional Rail Link projects.

A further \$518 million was committed to further improvements in the 2016 State budget. Despite these investments much of the line will still be single track, resulting in delays while trains wait to pass each other, and other infrastructure including stations, signalling, train stabling, car parking, security and bus and coach connections require further improvement.

The next 20 years will require transformative development of rail services and infrastructure in the corridor from Sunshine via Ballarat to Ararat to accommodate demand fuelled by rapid population growth, especially between Sunshine and Bacchus Marsh, in Ballarat, and to a lesser extent in all communities served by the corridor. Rapid urban growth west of Melbourne is expected to add another 700,000 people to areas served by the Ballarat and Geelong rail corridors by 2036 (less than 20 years away).

The six Councils along the Ballarat line — Brimbank, Melton, Moorabool, Ballarat, Pyrenees and Ararat - are united in seeking the best regional railway in Australia. We have the basics and we have the need. We ask for the planned investment that's needed. This document presents a Strategy to get there.



MELTON - BACCHUS MARSH ELECTRIFICATION IS NOW URGENT

- OFFICIAL FIGURES SHOW THAT SOME OF THE HIGHEST POPULATION GROWTH IN AUSTRALIA IN COMING YEARS WILL BE IN MELTON, MOORABOOL AND WYNDHAM MUNICIPALITIES
- EXISTING AND APPROVED INFRASTRUCTURE WILL BARELY HANDLE CURRENT AND SHORT TERM NEEDS
- THE REGIONAL RAIL LINK AND THE BALLARAT LINE ARE ALREADY NEAR CAPACITY FOR PEAK PERIOD TRAVEL
- TRACK DUPLICATION, NEW PASSING LOOPS, ELECTRIFICATION AND FUTURE CONNECTION TO MELBOURNE METRO WILL ALL HELP, BUT A MORE COMPREHENSIVE STRATEGY IS NEEDED

OUR VISION FOR THE MELTON-BACCHUS MARSH RAILWAY:

An efficient, reliable and high capacity outer suburban railway to support the travel needs of the corridor's booming population, serving Melton and Bacchus Marsh with very frequent, reliable trains directly linking our communities with Melbourne's western suburbs, the Parkville university/hospital precinct, the CBD and the south east suburbs, and with excellent connections to Melbourne Airport, Geelong and Ballarat.

Population Melton & Moorabool LGAs

Current position

Population
180,000

6 peak hours diesel trains + another 4 at Bacchus Marsh shared with Ballarat passengers

Off-peak trains every 30 minutes
Evenings and weekends - hourly

By 2026

There will be extreme overcrowding on this railway unless electrification is extended to Melton and Bacchus Marsh

Population
260,000

6 peak hours electric trains from Bacchus Marsh + another 6 from Melton + 4 each way from/to Ballarat with connections at Bacchus Marsh

Off-peak trains every 20 minutes
Evenings/weekends half-hourly

By 2030

Electric trains increased from 7 cars to 10 cars to meet demand

Population
310,000

12 peak hours electric trains + 4 each way from/to Ballarat with connections at Bacchus Marsh

Trains every 20 minutes at all non-peak times

By 2040

Population
400,000

18 peak hours electric trains + 4 each way from/to Ballarat with connections at Bacchus Marsh

Trains every 10 minutes at all non-peak times

THE ACTIONS NEEDED TO REALISE THIS VISION:

A CORRIDOR DEVELOPMENT PLAN + ELECTRIFICATION TO MELTON AND EXTENDED TO BACCHUS MARSH + QUADRUPPLICATION BETWEEN SUNSHINE AND MELTON + DUPLICATION BETWEEN MELTON AND BACCHUS MARSH + RE-WORKING THE JUNCTIONS AT SUNSHINE AND DEER PARK + ELIMINATION OF LEVEL CROSSINGS + NEW STATIONS + MORE CAR PARKS + NEW TRAINS + BETTER BUS CONNECTIONS



THESE ARE REALISTIC ASPIRATIONS THAT CAN BE ACHIEVED IF:

A LONG TERM CORRIDOR PLAN IS DEVELOPED AND IMPLEMENTED

THE REQUIRED INVESTMENTS ARE IMPLEMENTED SEQUENTIALLY

THERE IS INVOLVEMENT FROM ALL LEVELS OF GOVERNMENT

THE COMMUNITY IS ENGAGED AND EXCITED AS EACH UPGRADE IS IMPLEMENTED

PROPOSED INFRASTRUCTURE

THE BALLARAT LINE UPGRADE

The \$518 million allocation for the Ballarat Line upgrade in the 2016 State Budget will do much to help improve train service reliability and provide more passing lanes and platforms. But much more is needed to support massive growth in Melbourne's west. The current upgrade doesn't include platform extensions for longer trains that will soon be needed or to commence preparatory works for urgently needed electrification to Melton and Bacchus Marsh.

BACCHUS MARSH ELECTRIFICATION

Electrifying the railway to Melton and Bacchus Marsh will triple its carrying capacity — electric trains can carry up to 1500 people per train compared with 444 seats in a 6-car VLocity set. Population growth in Brimbank, Melton and Moorabool requires electrification, but the important connection with Ballarat can be retained, by making Bacchus Marsh an interchange station with access to both suburban and regional trains. By 2026, the electrified tracks will connect into the Melbourne Metro tunnels giving direct access to the university and medical precincts at Parkville, the new CBD stations and the south-eastern suburbs.



2018-2022

- Railway electrification – Southern Cross to Sunshine (RRL lines) and to Melton
- Ardeer and Deer Park - station reconstruction to allow for track quadruplication with 250m platforms for longer current diesel and future metro electric trains
- Level crossing removals at Fitzgeralds Road, Derrimut Road and Robinsons Road
- Caroline Springs – Rockbank - Melton track duplication
- Caroline Springs, Rockbank, Toolern, Melton and Bacchus Marsh – platform extensions to 250m for longer current diesel and future metro electric trains
- Provision for future station at Hopkins Road
- New station at Toolern (with provision for Ferris Road level crossing removal)
- Bacchus Marsh – additional platform, removal of existing carriage sidings and additional car parking
- Maddingley – new carriage sidings
- Ballan – new 5km passing lane, additional platform and car parking
- Bungaree direct line - new 4km passing lane to replace old Bungaree Loop line

2023-2026

- Railway electrification – Melton to Bacchus Marsh/Maddingley
- Opening of Melbourne Metro tunnels — releases capacity on RRL lines by diverting Melton/Bacchus Marsh trains onto separate tracks at Hopkins Road
- Sunshine – grade separated junction of Bendigo line with Melton suburban lines
- Sunshine to Caroline Springs and Hopkins Road – track quadruplication
- Deer Park - two additional platforms and re-aligned junction to Geelong line
- Re-arrangement of Robinsons Road Junction
- Melton and Bacchus Marsh - third 250m platforms for terminating trains
- Telephone Road to Parwan Loop and Bacchus Marsh track duplication including bi-directional signalling for overtaking movements
- Maddingley – additional and lengthened carriage sidings for terminating trains
- All stations – additional car parking and improved bus interchanges

The critical need to reduce car dependency

Suburbs served by the Melton/Bacchus Marsh railway are highly car dependent, with around 85% of weekday trips being made by car. The road network cannot absorb this ever increasing demand. Over reliance on cars reflects the present inadequacy of available public transport options and results in high economic costs and social disadvantage for residents. These trends are unsustainable.

Major rail service improvements with better bus connections are needed now and into the future. They are critical for access to education, employment and leisure opportunities for the fast growing communities to the west of Sunshine in Brimbank and throughout the City of Melton and Moorabool Shire.

Implementation plan 2018-2026

INVESTMENT PROGRAM

2027-2030

- Sunshine - new platforms for fast line to Melbourne Airport
- Hopkins Road to Melton – track quadruplication
- Hopkins Road – new station (linked to level crossing removal)
- Level crossing removals at Hopkins Road and Leakes Road
- Rockbank station re-construction (linked to Leakes Rd level crossing removal)
- Level crossing removals at Paynes Road, Mount Cottrell Road and Ferris Road
- Level crossing removals at Station Street and Coburns Road
- Melton station re-construction (linked to Station Street and Coburns Road level crossing removals)
- Melton to Telephone Road track duplication (including Melton Weir bridge) and bi-directional signalling for overtaking movements
- Parwan – new station

MELTON'S PEAK PERIOD TIMETABLE CHALLENGE

There are few Melbourne metropolitan stations with a less frequent and less consistent peak period train service than Melton - the busiest station on the Ballarat line. Weekday trains arriving at Southern Cross between 07.00 and 09.00 leave Melton at 06.30, 06.43, 07.19, 07.31, 07.48 and 08.15. In the afternoon peak, it's slightly better with trains leaving Southern Cross at 16.10, 16.35, 17.00, 17.10, 17.19, 17.35 and 17.59. Most of these trains are already at or near 100% seat occupancy with many standees.

When the line is duplicated between Caroline Springs and Melton by late 2018 or early 2019, services will be more reliable and off-peak frequency is expected to improve. But the Regional Rail Link lines between Southern Cross and Sunshine are already at near full capacity at peak times with little room for additional services before Melton is connected to the Melbourne Metro tracks by 2026. That's 8 years away! By then, the combined effects of population growth, road congestion and the new station at Toolern will likely see rail patronage inbound from Melton more than double.

How then can the railway cope if almost no additional peak trains can be provided for another 8 years? The short term answer lies in operating longer trains with more seats, hence the need for platform lengthening. It also lies in bringing forward Melton and Wyndham Vale electrification works with interim services provided to Melton, initially using high capacity 9-car electric trains serviced and staffed from a new depot at Wyndham Vale.

A commitment in 2018 could have these services running by 2022.

QUADRUPPLICATION TO MELTON

The Bacchus Marsh/Ballarat line currently tries to serve both suburban and regional passengers — but mixing regional and suburban trains makes regional journeys much slower. Ballarat trains will increasingly be caught behind frequent suburban trains that run at much lower average speeds, because of stops at suburban stations.

It is therefore vital that suburban and regional trains are segregated. Quadruplication (two additional express tracks) from Sunshine to Melton, extending the previously completed Regional Rail Link tracks between Sunshine and Southern Cross, together with duplication from Melton to Bacchus Marsh including signalling designed for overtaking by Ballarat express trains, is how this segregation can be achieved on the Ballarat line.

COMPLETING DUPLICATION BACCHUS MARSH TO BALLARAT

Ultimately, the entire line beyond Bacchus Marsh to Ballarat needs to be duplicated, protected by active crossing protection and grade separation wherever possible, and upgraded for 200 km/h operation where grades and curves allow it. These investments will allow the world class train service the region needs. The Freeway has been duplicated; let's duplicate the railway!

The journey to work on Melton/Bacchus Marsh/Ballarat line trains sometimes looks like this...



Current diesel VLocity trains are popular but were designed for fast running from regional centres such as Geelong, Ballarat, Bendigo and further afield. With seats for only 444 people per 6-car set, internal layouts and doors that do not allow rapid passenger access and egress, they are not suited to the frequent suburban services essential to accommodate the extreme urban growth facing Melton, Moorabool and Wyndham.

BOOMING POPULATION

Ballarat's population is growing at 1.9% a year, and the present level of 100,000 will reach 198,000 by 2031 and 250,000 by mid century. To that add 400,000 in Melton and Moorabool. We must provide the infrastructure to service that population.



High capacity electric trains being built now can carry 1500 passengers; platforms will be built or extended to suit them. They need to run to Melton and Bacchus Marsh.

TRACK AND ROLLING STOCK

To provide for the needs of the next 5 and 10 years, investment is needed now in extra tracks and larger and faster trains to support the level of service that will be needed. This planning must be done now!



According to the Victorian Government's official population growth forecasts *Victoria in Future 2016*:

THE FASTEST GROWING METRO SUBURB TO 2051 WILL BE THE SHIRE OF MELTON, SERVED BY THE BALLARAT LINE (4.4% GROWTH)

THE SECOND FASTEST REGIONAL GROWTH AREA TO 2051 WILL BE MOORABOOL (2.4% GROWTH)

BALLARAT IS NOT FAR BEHIND (1.9% GROWTH); BALLARAT'S* POPULATION WILL BE OVER 250,000 BY 2051

THE LARGEST GROWTH IN NUMBERS TO 2051 WILL BE WYNDHAM — (an additional 198,000 people) - WYNDHAM VALE TRAINS WILL STILL BE SHARING THE INNER END OF THE BALLARAT LINE (Quadruplication will allow electric trains to Melton and Bacchus Marsh to operate on separate tracks)

* Ballarat Statistical Area (SA4) official projection. By 2051, population of the Ballarat Local Government Area (SA3) could be around 175,000.

REJUVENATING STATION PRECINCTS

The whole commute from Ballarat line stations to Melbourne, or vice versa, includes the time needed to get to the station, wait for the train, and complete the journey. The journey time on the train can be expedited by better rail infrastructure, fewer curves and stops and faster rolling stock. But the journey to and from the station is very important too.

Many people want to drive to the station, and they need to be able to find a parking spot easily, leave their car in a safe place, and get easily to the platform. With electrification and quadruplication Melton Station and its immediate surrounds will need to be completely redesigned and rebuilt, probably as an elevated station with the level crossings removed at Station Street and Coburns Road. This will present an opportunity to implement cutting edge design in the area and rejuvenate the entire station precinct.

Buses and bikes also will play an increasingly key role in getting people to the station. Safe bike parking needs to be provided, and relevant bus routes enhanced to provide convenient train connections, with a well-designed, bright and safe interchange.

A Vision for Melton Station



Quadruplication to Melton will necessarily include removal of the Station and Exford Roads level crossing. An option would be to re-construct Melton Station on an elevated alignment, opening up the entire station precinct for a wide range of new possibilities.

**EXPLOSIVE POPULATION GROWTH OVER THE NEXT 30 YEARS
WILL REQUIRE ELECTRIFICATION OF THE BALLARAT LINE TO
BACCHUS MARSH AND QUADRUPPLICATION TO MELTON.
A CORRIDOR DEVELOPMENT PLAN IS NEEDED NOW!**

STEPS IN PLACE NOW

1. THE CURRENT \$518 MILLION BALLARAT LINE UPGRADE PROJECT WILL HELP, WITH DUPLICATION FROM CAROLINE SPRINGS TO MELTON, EXTRA PLATFORMS, PASSING LANES AND ELIMINATION OF THE CIRCUITOUS BUNGAREE LOOP
2. ELECTRIFICATION OF THE MELTON LINE BY AROUND 2026 AND ITS CONNECTION TO THE MELBOURNE METRO TRACKS AND TUNNELS IS PLANNED BUT NOT YET COMMITTED. IT WILL ALLOW HIGHER CAPACITY AND MORE FREQUENT TRAINS AS FAR AS MELTON
3. HIGH CAPACITY ELECTRIC TRAINS NOW ON ORDER CAN TAKE 1500 PASSENGERS PER TRAIN COMPARED WITH 444 SEATS IN A 6-CAR VLOCITY SET.

EXTRA STEPS THAT ARE NEEDED

1. A CORRIDOR DEVELOPMENT PLAN, INVOLVING THE COMMUNITY AND ALL LEVELS OF GOVERNMENT
2. A COMMITMENT TO EARLY ELECTRIFICATION TO MELTON AND TO EXTEND THE ELECTRIFICATION TO BACCHUS MARSH, AND STABLE MOST TRAINS AT MADDINGLEY, NOT IN THE CENTRE OF MELTON
3. QUADRUPPLICATION SUNSHINE TO MELTON TO ALLOW REGIONAL TRAINS TO BYPASS STOPPING SUBURBAN TRAINS
4. NEW STATION/INTERCHANGES AT DEER PARK, TOOLERN, MELTON AND BACCHUS MARSH

BALLARAT RAIL ACTION COMMITTEE

For more information,
contact:-

Kwabena Ansah
Melton City Council
PO Box 21,
Melton, Vic 3337
03 9747 7200
Email: Kwabena.ansah@melton.vic.gov.au

A joint project of:
Ballarat City Council
Brimbank City Council
Melton City Council
Moorabool Shire Council
Pyrenees Shire Council
Rural City of Ararat.

Technical Input:
John Hearsch Consulting Pty Ltd

Attachment - Item 11.1.2c

Ballarat Rail Line Upgrades Summary



TELL US WHAT YOU THINK

The Moorabool Council is a member of the Ballarat Rail Line Action Committee (BRAC), which is a group of all Councils along the Ballarat line to Ararat. Moorabool Council and the BRAC group is actively lobbying politicians at the State and Federal level for improved services for all residents. Projects and issues under consideration include:

- Electrification to Bacchus Marsh
- Duplication/Quadruplication
- Line Upgrades
- Level Crossing Removals
- New Stations
- New Rolling Stock
- Removal and Creation of Passing Loops
- Park and Ride Station at Warrenheip
- New Station at Parwan

Attached are two brochures detailing planned and possible future works on the line, prepared by the BRAC Committee.

The works towards the densely populated suburbs of Melbourne are needed to create capacity on the line, and will be of benefit to the whole line.

If you are a resident of the Moorabool Shire, a summary of the proposed works are as follows:

2018 - 2022

- Bacchus Marsh: Additional platform, removal of existing carriage sidings and additional car parking
- Maddingley: New carriage sidings
- Ballan: New 5km passing lane, additional platform and car parking
- Bungaree Direct Line: New 4km passing lane to replace old Bungaree Loop line

2023 - 2026

- Railway Electrification: Melton to Bacchus Marsh / Maddingley
- Telephone Road to Parwan Loop and Bacchus Marsh track duplication including bi-directional signalling for overtaking movements
- Maddingley: Additional and lengthened carriage sidings for terminating trains
- All stations: Additional car parking and improve bus interchanges

2027 - 2030

- Parwan: New station

Moorabool Council is keen to know your thoughts on the current and possible works, particularly on the possibility of electric and diesel trains stopping at Bacchus Marsh.

Please see the attached Council Report of 7 March, 2018, review the attached brochures included on this site, and give us your feedback **no later than Wednesday 28 March, 2018.**

Mail PO Box 18 Ballan Vic 3342

Ballan 15 Stead St Ballan

Bacchus Marsh 215 Main St Bacchus Marsh

Darley 182 Halletts Way Darley

P (03) 5366 7100

E info@moorabool.vic.gov.au

W www.moorabool.vic.gov.au



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Attachment - Item 11.1.2d



Hon Jacinta Allan MP

Minister for Public Transport
Minister for Major Projects

1 Spring Street
Melbourne, Victoria 3000 Australia
Telephone: +61 3 8392 6100
DX 210292

13 OCT 2017

Ref: BMIN17003433R

MOORABOOL SHIRE COUNCIL
CENTRAL RECORDS

Rob Croxford
Chief Executive Officer
Moorabool Shire Council
PO Box 18
BALLAN VIC 3342

17 OCT 2017

File No. 17/06/001


Dear Mr Croxford

I refer to your letter of 8 August 2017 regarding the closure of Bungaree Loop track as part of the Ballarat Line Upgrade Project. Thank you for providing me with a copy of the letter of 10 April 2017 from Moorabool Shire and I apologise for the delay in responding to that letter.

As part of the recently announced \$1.6 billion Regional Rail Revival Package, the Victorian Government has secured \$516.6 million for the Ballarat Line Upgrade to deliver improved services on the Ballarat Line.

Following the letter in April, I have been advised that representatives from the Melbourne Metro Rail Authority have met with your staff to discuss the scope of the Ballarat Line Upgrade Project, and the impacts of closing the Bungaree Loop. Nevertheless, I have to advise that the government remains committed to the closure of the Bungaree Loop, for the below reasons:

- a) The closure of the Bungaree loop will remove five level crossings on the Ballarat Line, of which one, near Wallace, was the site of a fatality in 2011.
- b) The new Spreadeagle Loop will provide a more direct route for trains on the Ballarat Line between Ballan and Ballarat, meaning that trains in both directions will be able to offer a more consistent journey time.
- c) The new Spreadeagle Loop will replace the functionality of the Bungaree Loop as a passing location for trains. This makes the Bungaree Loop operationally redundant, and saves the need to maintain additional track.
- d) As no active stations are located on the Bungaree loop, no passengers will have their ability to access rail services affected by the loop closure.

The Victorian Government has made a commitment in the RNDP under future directions to investigate the need for extra stations near Ballarat. Ongoing planning work is underway which will take into account the medium and long term service requirements and associated

infrastructure needs to account for these services. This work will inform future station requirements within the Ballarat region and will be developed in consultation with local councils and the community.

Thank you for taking the time to write to me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jacinta Allan', with a long horizontal flourish extending to the right.

Hon Jacinta Allan MP
Member for Bendigo East
Minister for Public Transport

Attachment - Item 11.1.2e

ATTACHMENT 5 – Results from community consultation

Please list the postcode of where you reside (e.g. 3342)	Which category below includes your age?	What gender do you identify with?	Please provide your feedback below
3340	40 - 49	Female	<p>I do not agree with electrification. V/line are incapable of running a diesel train line. Extra trains will make their capacity to organise a schedule impossible. When Metro has electrical issues- frequently- there is no other way home. Diesel still runs. The pictures you use in your propaganda are taken when V/line have not been able, for whatever reason to organise a train. This does happen on a regular basis. When this regular occurrence is in place, the majority of the passengers causing the problem of crowding disembark at Deer Park and Caroline Springs, followed by Melton. Absolutely electrify lines to those stations. Duplicate the track and leave Bacchus Marsh and Ballarat diesel. You say trains can start at BM once the line is electrified: they already do, so this point is mute. The true train problem is the lack of intellect held by the train bodies. V/line and Metro cannot, for some reason, co-operate with each other and organise a schedule incorporating both train lines, platforms and neither can organise staff. Electrifying the line will make no difference. In addition, lack of conductor authority contributes to the mess V/line has caused. Electrification is not, in my opinion, the answer. The trains are less comfortable, have no toilet, rubbish and drinking options, and although this is not that long a journey many passengers appreciate the availability of such services. The crowding will increase on electric trains as more passengers wanting a 2 station stop will hop in. At this time alighting at Footscray is not allowed, and rarely happens. Should suburban passengers be allowed on, many will take advantage of this possibility. I oppose the electrification of the line.</p>
3340	50 - 59	Female	<p>Re Electrification of the trains (i.e. Metro trains) The cons seem to outweigh the pros in regards to speed, comfort and frequency. I fear that the list of “possible” outcomes will become reality and we will be worse off in the long run.</p>

3340	30 - 39	Male	<p>A new station is definitely needed at Maddingley. If you're going to put a station in Parwan better starting it before 2027 maybe as soon as it's approved for development of housing. Duplication/Quadruplication is a definite must.</p>
3342	40 - 49	Female	<p>I support all the plans in the fact sheet. More needs to be done to support commuters and the growing population.</p>
3340	60 - 69	Female	<p>I live at Hoptoun Park and drive to Bacchus Marsh Station to catch the train, as in many cases by the time the train gets to Melton there is standing room only. I am not stable when standing on a moving train and would be afraid to catch the train if I had to stand. What I have noticed both generally and on days when buses replace trains. There is no bus link between Bacchus Marsh and Melton. I heard one family say that would have to go all the way into the city to get a ride back to Melton. This clearly is an issue and a definite break between City and Country that could be fixed easily. Hoptoun Park has no buses going either way. As your plan states a population explosion, to see a decline in peak trains in and out of Bacchus Marsh would be detrimental to all train travellers. There would be more standing. Might I also add that when the train companies were standing on the stations talking about the changes on the Ballarat line, they said there would be more trains more often your documents here seem to indicate they were lying. How sad that would be. Already Bacchus Marsh car park is full by not long after 7.00a.m., so if you want to go to the City later in the day then there is a long walk to the station. I believe this may be improved in the future. It would be sad to see the Vline trains disappear from Bacchus Marsh as they are comfortable, the Guards are friendly and helpful and one does not fall off the seats! Metro Trains are often crowded, dirty, and there is no-one to help in time of need. There are not enough hanging straps and the seat backs do not have good handles to hang onto, when standing up to exit the train. The less able find this a real problem. The changes to the line are needed, and I understand the need for a crossover between Metro and Vline trains, but would prefer that happened at Melton rather than at Bacchus Marsh, due to the huge numbers who get on at Melton. Melton people deserve a seat just as much as Martians. Having only moved into the area less than a year ago I was happy to know there would be more trains to Bacchus Marsh. The trip takes less time than when I travelled to the City from Glen Waverley. I would ask you consider the following:</p>

- A bus connection between Bacchus Marsh and Melton with a side step into Hopetoun Park;
- More , not less trains to and from Bacchus Marsh, as Bacchus Marsh is growing at a huge rate;
- Extra parking spaces at Bacchus Marsh or else a Park and Ride system;
- Keeping Vline trains for comfort and security but with a station to enable people to transfer to the Metro line to access other stations that may end up being by-passed by Vline;
- Having such an interchange would enable the trip from Ballarat to the City to be quick. When there is an express train to or from Bacchus Marsh, and thus from/to Ballarat, the time is less than many Metro trains from the Eastern Suburbs to the City.

This is to be celebrated.

Attachment - Item 11.1.1b

Ballarat Rail Line Current and Proposed Works – Submission Details

Serial	Postcode	Age Category	Gender	Feedback/Comments
2	3340	40 - 49	Female	<p>I do not agree with electrification. VLine are incapable of running a diesel train line. Extra trains will make their capacity to organise a schedule impossible. When Metro has electrical issues – frequently - there is no other way home. Diesel still runs. The pictures you use in your propaganda are taken when VLine have not been able, for whatever reason, to organise a train. This does happen on a regular basis. When this regular occurrence is in place, the majority of the passengers causing the problem of crowding disembark at Deer Park and Caroline Springs, followed by Melton. Absolutely electrify lines to those stations. Duplicate the track and leave Bacchus Marsh and Ballarat diesel. You say trains can start at BM once the line is electrified: they already do, so this point is mute. The true train problem is the lack of intellect held by the train bodies. VLine and Metro cannot, for some reason, co-operate with each other and organise a schedule incorporating both train lines, platforms and neither can organise staff. Electrifying the line will make no difference. In addition, lack of conductor authority contributes to the mess VLine has caused. Electrification is not, in my opinion, the answer. The trains are less comfortable, have no toilet, rubbish and drinking options, and although this is not that long a journey many passengers appreciate the availability of such services. The crowding will increase on electric trains as more passengers wanting a 2 station stop will hop in. At this time alighting at Footscray is not allowed, and rarely happens. Should suburban passengers be allowed on, many will take advantage of this possibility. I oppose the electrification of the line.</p>
3	3340	50 - 59	Female	<p>The cons seem to outweigh the pros in regards to speed, comfort and frequency. I fear that the list of “possible” out comes will become reality and we will be worse off in the long run.</p>
4	3340	30 - 39	Male	<p>A new station is definitely needed at Maddingley. If you're going to put a station in Parwan better start it before 2027 maybe as soon as it's approved for development of housing. Duplication/Quadruplication is a definite must.</p>
5	3342	40 - 49	Female	<p>I support all the plans in the fact sheet. More needs to be done to support commuters and the growing population.</p>

6	3340	60 - 69	Female	<p>I live at Hopetoun Park and drive to Bacchus Marsh Station to catch the train, as in many case by the train gets to Melton there is standing room only. I am not stable when standing on a moving train and would be afraid to catch the train if I had to stand. What I have noticed both generally and on days when buses replace trains. There is no bus link between Bacchus Marsh and Melton. I heard one family say that would have to go all the way into the city to get a ride back to Melton. This clearly is an issue and a definite break between City and Country that could be fixed easily. Hopetoun Park has no buses going either way.</p> <p>As your plan states a population explosion, to see a decline in peak trains in and out of Bacchus Marsh would be detrimental to all train travellers. There would be more standing. Might I also add that when the train companies were standing on the stations talking about the changes on the Ballarat line, they said there would be more trains more often. Your documents here seem to indicate they were lying. How sad that would be.</p> <p>Already Bacchus Marsh car park is full by not long after 7.00am so if you want to go to the City later in the day then there is a long walk to the station. I believe this may be improved in the future.</p> <p>It would be sad to see the VLine trains disappear from Bacchus Marsh as they are comfortable, the guards are friendly and helpful and one does not fall off the seats!</p> <p>Metro Trains are often crowded, dirty, and there is no-one to help in time of need. There are not enough hanging straps and the seat backs do not have good handles to hang onto, when standing up to exit the train. The less able find this a real problem</p> <p>The changes to the line are needed, and I understand the need for a crossover between Metro and VLine trains, but would prefer that happened at Melton rather than at Bacchus Marsh, due to the huge numbers who get on at Melton. Melton people deserve a seat just as much as Martians.</p> <p>Having only moved into the area less than a year ago I was happy to know there would be more trains to Bacchus Marsh. The trip takes less time than when I travelled to the City from Glen Waverley. I would ask you consider the following:</p>
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				<p>(i) A bus connection between Bacchus Marsh and Melton with a side step into Hopetoun Park.</p> <p>(ii) More, not less trains to and from Bacchus Marsh, as Bacchus Marsh is growing at a huge rate. Extra parking spaces at Bacchus Marsh or else a Park and Ride system.</p> <p>(iii) Keeping VLine trains for comfort and security but with a station to enable people to transfer to the Metro line to access other stations That may end up being by-passed by VLine. Having such an interchange would enable the trip from Ballarat to the City to be quick. When there is an express train to or from Bacchus Marsh, and thus from/to Ballarat, the time is less than many Metro trains from the Eastern Suburbs to the City. This is to be celebrated.</p>
7	3340	60 - 69	Female	<p>Yes, we do want all the trains to stop in Bacchus Marsh, but in the view of possible extension of the electric line to Bacchus Marsh we don't want it to be the only option for Bacchus Marsh as the time to Melbourne and back will nearly double.</p> <p>We definitely want more express trains to Bacchus Marsh and we want all diesel trains to stop here. Bacchus Marsh shouldn't be disadvantaged in regards of travelling time as the number of passengers is drastically growing and people want to be in the city in the shortest possible time.</p>
8	3350	50 - 59	Female	TEST
9	3352	50 - 59	Male	<p>Please confirm the removal of level crossings in Bungaree and Wallace when the old Bungaree Loop is replaced. Please confirm the closure of the old Bungaree Loop. As a resident of Wallace I would continue to catch trains from Ballan, even after a station is built at Warrenheip, and would prefer they be express and not stop at Bacchus Marsh.</p>
10	3345	30 - 39	Female	<p>Express services from Ballarat and Ballan are needed. Bacchus Marsh customers pay much, much less in fares so should be on the metro system, or fares increased to be more in line with what Ballarat and Ballan customers pay. The current system is not giving Ballarat and Ballan commuters a fair go at all. It's very frustrating not being able to get a seat on afternoon peak services due trains now stopping more frequently in Melton and Bacchus Marsh. Especially since my fare is more than double what Bacchus Marsh and Melton customers pay. Commuters with disabilities that require a seat after a long day of working in Melbourne have been suffering for quite a while now, I am one of them. The current system is ridiculous and caters mostly to Bacchus Marsh and Melton commuters. The fares</p>

11	3340	60 - 69	Male	<p>need to more fairly reflect the kilometres travelled. I have been using the service from Ballan for over 10yrs, I commute every day to and from Melbourne.</p> <p>The strategies seem to focus on benefits to Ballarat and ignore the significant loss of service to Bacchus Marsh if the electrification to Bacchus Marsh proceeds. Stand up for Bacchus Marsh. Our rail service is part of our commuter based economy, loss of service in transportation networks including rail will adversely affect Moorabool's economy, and Bacchus Marsh is a very significant part of that economy.</p>
12	3340	30 - 39	Female	<p>I have a young family and my husband works in the city. Currently the trains are always full and the parking spaces are full in Bacchus Marsh. We desperately need the train upgrades. I think all the ideas proposed would help a lot but would love it to happen faster. It is really essential to have good rail services and stop people driving into the city all the time as the trains are currently infrequent, unreliable and crowded.</p>
13		30 - 39	Male	<p>Bacchus Marsh should maintain its VLine express service to and from Southern Cross. Metro to BM will exponentially increase travel times to over 1 hour.</p>
14	3340	30 - 39	Female	<p>Don't want electric trains at Bacchus Marsh. We need more express services (from Ballarat and Melbourne). For example, second platform at Bacchus Marsh will allow more services - so I don't have to wait an hour if I miss the 4pm service from Southern Cross.</p>
15	3340	30 - 39	Female	<p>Please do not electrify the trains to Bacchus Marsh. Bacchus Marsh is not a metro suburb, it's a country town. Electrification will push out the travel times into the city and set us back ten years.</p>
16	3342	40 - 49	Female	<p>Having commuted to Melbourne for some 13 years, I have experienced many changes, upgrades, downgrades, slow, fast, comfortable and uncomfortable. Electrification to Melton, great. To BM not so great unless the VLine services have their own dedicated line.</p> <p>I experienced many a long trip due to metro congestion. Metro trains are dirty, cold and uncomfortable. I will always catch a VLine service for comfort and safety. Adding extra stations to the</p>

					system seems counter-intuitive to travel time efficiency. I certainly would not utilise the metro system and I know BM residents too who feel likewise.
17		3340	30 - 39	Male	All plans sounds good, other than electrifying to Bacchus from Melton. If the tracks are duplicated and metro trains are running to Melton, this should allow more VLine trains to run via Bacchus and Ballarat. Additionally there should be less need to stop at other stations or have issues being stuck behind trains, ensuring the trip is quicker.
18		3340	40 - 49	Male	Not under any circumstances would I prefer to have the line electrified to Bacchus Marsh, I believe this would increase the time it takes to get to and from the City and this is unacceptable.
19		3340			
20		3340	40 - 49	Male	Please no. Its already gone to hell with reduction in prices, extra car parks, etc. etc. And people complain way more about it. It's crazy. Last thing this town needs is a metro style train. No loo. No water. Standing room only. No no and no. Town has gone to hell enough over the last 40 years. Just stop already.
21		3340	40 - 49	Male	Do not electrify the line!! Remain as a VLine service. Metro services, customer service and comfort are 2nd rate.
22		3340	30 - 39	Female	Throughout these documents you outline the clear benefits to Ballarat (and surrounds) residents in relation to travel times, but there's no mention of the impact to Bacchus Marsh residents as a result of electrification. It's all good and well having more frequent services, but if you need to leave 30 minutes earlier to still get into the city at the same time as before, it's all a bit irrelevant. As someone who was living in Sunbury at the time of the electrification of that services, I found that the negatives outweigh the positives. Sure there is the increased flexibility of the services, but a journey that used to take around 40 minutes then went out to sometimes in excess of an hour.

				<p>I can understand the justification of electrifying the service to Melton as the population already greatly exceeds the townships beyond that point, and with Rockbank rapidly growing also, it makes sense to allow for larger trains, however Bacchus Marsh doesn't fit into that same category and would still be adequately serviced by VLine services for some time yet, particularly with the elimination of stations between there and Sunshine. If Bacchus Marsh were to be electrified, I would want it to be under the proviso that there are express services in addition to regular services, otherwise it's just increasing the already lengthy commute for the towns residents.</p>
23		40 - 49	Male	<p>The duplication and electrification of the line out to Bacchus Marsh should be started now, in line with the recommendation from Infrastructure Australia - they have identified that the Metro Rail project is not a dependency so can start earlier. Also, there is a funding stream available, the GAIC fund remains untouched and has \$200M in the account - with a projection of \$1B in 2020/21.</p>
24	3340	40 - 49	Female	<p>A fast and efficient rail link between Bacchus Marsh and Melbourne is vital as Bacchus Marsh does not offer the quality or range of employment needed to sustain its residents. I have lived here for 13 years and I can get to Melbourne in 35-40min. I always feel safe on the VLine trains and I generally use the express services that may only stop at Footscray or Sunshine for drop offs on the way in, and picks ups on the way out. Fast access to Melbourne is one of the reasons I chose to live here.</p> <p>According to your information, the proposed electrification would add at least 20 minutes on to my journey each way. This is absolutely unacceptable and does not align with what I expect from a service enhancement. This is valuable time with my family that I would need to sacrifice in order to make the very same journey to and from work. A service enhancement should maintain or improve the current travel time, and at the very least offer improved service. Again according to information, I'm to understand amenity may suffer if we are part of the metro network. I don't think I would feel as safe either. So what is the actual value here to Bacchus Marsh residents? It seems ridiculous that this is even being canvassed as a proposed service enhancements. I work in the city and spend the higher income I am able to earn there in Bacchus Marsh. If you impact my travel times I would have to reconsider my employment. I don't feel it is Council's role to impact my ability to earn an income and pay my rates.</p>

				<p>Vic Govt has just announced funding for super-fast rail between Melbourne and Geelong. You should be finding out why this hasn't been announced for the Ballarat line considering we are experiencing a similar volume of growth.</p> <p>On this note I am against the current electrification proposal. VLine express services must be maintained for Bacchus Marsh.</p>
25	3340	18 - 29	Male	<p>Hi I have a bit of a concept below, I hope you can follow and it makes some sense!</p> <p>CONCEPT</p> <p>The concept stems from Bacchus Marsh's population growth and the need to extend electrified Metro all the way to the growth areas of Bacchus Marsh. We know Rowsley loop has been commissioned and in use, train stabling is being relocated to Maddingley and Bacchus Marsh will receive an upgrade including a new platform and carparking.</p> <p>In long term plans identified in the 'Grampians & Barwon South Region Passenger Service & Cost Feasibility Study' Mar 2017 (John Hearsch Consulting), the consideration is to bypass Bacchus Marsh, eliminating the curves in and out of town. If this is the case, rather than just bypass Bacchus Marsh and returning to the existing mainline at Parwan, what if a solution is to align the new bypass line further to the south to capture the future growth areas of Exford, Eynesbury & Mount Cottrell, before returning to the current mainline at approximately Hopkins Rd, Rockbank.</p> <p>BACCHUS MARSH</p> <p>Melton electrified - extend to Bacchus Marsh</p> <p>Bacchus Marsh at 50.862km</p> <p>Assume new station at Maddingley say approx 53.000km (Kerr's Rd)</p> <p>Assume stabling at approx 55.000km</p> <p>Form new alignment - instead of moving east to Ballarat, create new alignment to south east, towards south of Bacchus Marsh Airport - form new station Rowlsey.</p> <p>Electrification from current Metro: Sunshine - Deer Park - Melton - Bacchus Marsh - Maddingley - Rowsley Station</p>

BALLARAT LINE

New alignment - Start of new alignment towards the east side of Bacchus Marsh - Balliang Rd rail over pass. Instead of curving north towards the current alignment to Rowsley Loop, the new alignment drifts east-south-east and over Parwan Creek and into proposed Rowsley Station, on a deviation running to the south of Bacchus Marsh Airport, to the south of the Bacchus Marsh Speedway, to the north of Eynesbury (say halfway between Exford Rd & current Eynesbury estate) and return to the current mainline at Hopkins Rd, removing curves and continuing to separate V/Line from Metro as the Regional Rail Link has done through Sunshine to Southern Cross in recent years. This would allow for new stations in future growth areas including Exford & Eynesbury.

ROWSLEY TRANSPORT HUB

With the new alignments on of Bacchus Marsh and Ballarat Lines, the Rowsley Railway Station forms a transport hub. Located between Parwan Creek & Bacchus Marsh Airport, and the North of Glenmore Rd, consisting of a minimum of 3 platforms, 1 electrified terminating, 2 Ballarat through lines, it can form a junction & interchange for services. Passengers from Rockbank, Toolern, Melton, Parwan, Bacchus Marsh & Maddingley can all access Ballarat & beyond services at Rowsley Station.

Rowsley Railway Station would become a transport hub similar to the project proposal for Wydneham Vale in years to come as outlined in the 'Public Transport Victoria - Network Development Plan - Stage 4' (Dec. 2012). Bacchus Marsh town bus services, particularly to new growth areas, can originate & terminate at Rowsley.

BROAD GAUGE / STANDARD GAUGE

Rowsley - Bacchus Marsh - Melton Metro services would probably operate on Broad Gauge (given the vast nature to switch metro to Standard Gauge). The current mainline corridor I believe has an allowance of 6 rail line, currently we have duplication occurring between Caroline Springs & Melton. With this corridor, in theory, the Robinson Rd - Sunshine Corridor could allow for 4 Broad Gauge lines + 2 Standard Gauge Lines connecting to the existing NSW Standard Gauge line.

The new Ballarat alignment would allow for 2x Standard Gauge compatible lines, plus allow for 2 further Standard Gauge Freight lines accessing the future Truganina freight hub, depending on Standard/Dual Gauge conversions into the Metro areas.

				<p>Proposals by the 'Grampians & Barwon South Region Passenger Service & Cost Feasibility Study' and Public Transport Users Association's Media Release 26/4/18 are suggesting / highlighting the re-introduction of passenger services to areas of the network that are currently on Standard Gauge, however require upgrades / gauge conversion to Standard Gauge. These area are Horsham & Hamilton, via Ararat, and Donald & St Arnaud, via Maryborough. Current proposal is Standard Gauge will operate for the Murray Basin freight from the current Broad Gauge line from Maryborough to Ballarat (dual/standard) and Ballarat to Gheringhap (standard). It is also suggested that Ararat - Ballarat be converted to Standard Gauge at the same time. The proposal would then see Donald - Maryborough - Ballarat & Horsham/Hamilton - Ararat - Ballarat services change from Standard Gauge to Broad Gauge.</p> <p>However depending on Gauge conversions in the Metro area, should the Ballarat Line become Standard Gauge, there will be no requirement to change at Ballarat, and would allow transition into the city.</p> <p>CONCLUSION</p> <p>Bacchus Marsh needs to accommodate for growth. New stations and electrified Metro Services, but also maintain connections to Ballarat. Ballarat residence wish for fast VLine services. Eliminating Bacchus Marsh & Melton in particular allows express services. Transport Hub enables crossover for connections.</p>
26	3340	18 - 29	Male	Just posted Rowsley Transport Hub/Ballararat Deviation concept
27	3461	40 - 49	Female	I think as Bacchus Marsh is on a metro train ticket it should be a metro service. VLine commuter trains should not stop at Bacchus Marsh and run express to / from Ballan from Sunshine / Footscray. It is disappointing that Council only seems to be actively consulting with Bacchus Marsh residents.
28		40 - 49	Female	No we want more VLine trains. It congested. And more VLine trains.
29		40 - 49	Female	No we want more VLine trains. It congested. And more VLine trains.

30	3340	40 - 49	Female	<p>I realise this may not be a Council issue, but a real concern is the current express train (6:49 am Bacchus Marsh to Southern cross) are consistently way 'over crowded' by the time they reach Bacchus Marsh! Standing room only, more carriages are required!</p>
31	3340	30 - 39	Female	<p>I recommend electrification to Melton *only*. Bacchus Marsh is a regional town and it makes sense for it to stay with the Ballarat trains and not part of the electrification.</p> <p>With the sheer volume of people already catching the train from Melton, the increase of commuters from Caroline Springs and the massive amount of commuters moving into Rockbank over the coming years with all the new estates, this line will already be at or close to capacity, without commuters from Bacchus Marsh.</p> <p>In addition, it's inevitable that electrification will also result in Bacchus Marsh being taken off as a stop on the Ballarat express trains, which I catch daily (Bacchus to Sth Cross in AM and Footscray to Bacchus PM). If Bacchus Marsh were to be taken off these services, I would stop taking the train fully and drive in, because it would result in my travel time nearly doubling. I'm no longer better off catching the train into the city.</p> <p>For those "stopping all station" services which I have to catch sometimes from Footscray if metro transfer trains are running late, I am never being able to get a seat and have to stand, commuters are squashed like sardines. I can't get on at Southern Cross because trains from Melbourne Central (the station closest to my work) pushes commuters to change at Footscray. I am not willing to pay a full train fare if I have to stand for the entire commute, it would be better to drive.</p> <p>I hope you can take these points into consideration.</p>
32	3340	50 - 59	Female	<p>Electrify to Melton.</p>
33	3340	30 - 39	Female	<p>I don't want to see the line electrified past Melton, Bacchus Marsh needs to remain on VLine. As a daily commuter to Melbourne I see no benefits in moving to metro. Their trains are uncomfortable, slow, the majority stop at all stations.</p>
34	3340	70 - 79	Male	<p>No</p>

35	3340	60 - 69	Female	No	<p>Bacchus Marsh is uniquely situated, and suited, to retain its comprehensive VLine service. There is already a depot of staff (most of whom are local) employed at the station in various roles (station masters, train drivers, train conductors, etc.) and that would potentially change for the worse if we are forced onto a Metro service. More importantly, a switch to Metro is unlikely to see any increase in frequency of service (Sunbury got electrified a few years ago and they still only get 40 minute services!) and given Metro have a worse on-time record than VLine we'd likely be taking a step back. Also of note is the lower speed of electrified trains (80kmph) compared to the various VLine trains (115-160kmph) so even if Bacchus Marsh did manage to get more frequent services, we would face noticeably longer travel times; currently 45-50mins, and likely to be 1 hour 20mins OR MORE with Metro.</p> <p>A much better option would be to duplicate the tracks and upgrade the existing signal system (both things that Metro would require anyway) and keep VLine as our provider. Their trains are better suited to the steep climbs in and out of Bacchus Marsh too.</p> <p>Expansion/Upgrade of the current VLine network and infrastructure is far more likely to deliver better on-time performance and more frequent services at a lower financial cost (I like to see my tax and rates spent wisely) and with less disruption to current services.</p> <p>Both Bacchus Marsh and Ballan Stations could use a 2nd platform (although Bacchus Marsh could use the 'back' of the platform extension as a shorter 2nd or 3rd platform with very little extra work.) and expanded carparking/bus connection options.</p> <p>Having travelled extensively across the State on public transport I find VLine to far superior to Metro in almost every respect, especially in terms of passenger safety and the friendliness and knowledge of their staff.</p> <p>All these points would make Bacchus Marsh and Ballan more hospitable as 'living destinations' which would not only increase the rates paid to Council, it would increase our voting power at both State and Federal levels which would in turn allow for better recognition and funding for the Shire.</p>
36	3340	30 - 39	Male		

				<p>This is an excellent chance for Moorabool to stand up to the Ballarat and Melton Shires who have in the past bullied us into options that benefit them to our detriment (although electrifying to Bacchus Marsh will likely adversely affect Ballarat services as well. Consider the issues Gippsland trains face sharing 50+ kilometres of track with Metro now; 90% of their delays occur with that Metro area) and create a sought after lifestyle destination and deliver a better transport option for current and future residents.</p> <p>Consider there are far better options available; extend the electrification and track duplication to Melton, but swing the Metro line further south from Rockbank and service Eyensbury and all the estates expanding in the south of Melton. That would reduce the passenger loading on VLine services AND reduce the shared track which would have the added benefit of reducing delays and disruptions to VLine services.</p> <p>I know it's highly unlikely that anyone is actually going to read a response of this length, but I feel that an issue as complex as this warrants a well-reasoned answer. I sincerely hope some (or even all) of my advice is heeded and Moorabool retains VLine trains and gets the necessary upgrades to make that a reliable service.</p>
37	3340	50 - 59	Female	<p>I live in Bacchus Marsh and myself and my husband are regular daily commuters on the Ballarat line, travelling to the city, as our many of our friends who live locally also. We are all of the opinion that any plans to electrify the line from Melton to Bacchus Marsh would be a disaster for the town and a dreadful mistake. The thought of our daily travel times taking much longer than usual due to having to stop at metro stations is unfair and not wanted. My answer is NO PLEASE NO. Do not let the proposed electrification go ahead. I understand the pros and cons of it all but overall the answer is NO.</p>
38		40 - 49	Female	<p>After considering the pros and cons of the electrification from Melton to Bacchus Marsh, if there is even the slightest risk that peak time VLine trains will not stop at Bacchus Marsh then I would be strongly against this plan. I also don't want my commute to be any longer than necessary and if it means the journey time will take an additional 20 minutes then I am most definitely AGAINST these plans.</p>

39	3340	40 - 49	Female	<p>The trains that originate at Bacchus Marsh are currently overcrowded once we leave Melton. I don't care how many extra seats the Metro trains offer, the train is still going to be overcrowded by the time you leave Caroline Springs - especially as Rockbank starts to build up and you add extra stations.</p> <p>My opinion is that the electrification should finish at Melton. I would rather stand up for 35-40 minutes and have a quicker journey in, rather than be on a crowded train that takes substantially longer to get into Melbourne. And forget about the fact of what will happen if there is a problem with the line, there's no way Metro would have buses set up and I certainly don't want to put my position in jeopardy because I can't get a train or a bus, or I get stuck in traffic ... this is why I catch a train, so I don't have to deal with the traffic issues.</p> <p>I would be very upset if they electrified the line out to Bacchus Marsh as I feel there are more cons than pros to this.</p> <p>I've spent years prior to moving to Bacchus Marsh catching Metro trains and they are noisy and dirty and unreliable. I enjoy my trip in on the Vline trains as they are quiet (mostly), clean and efficient. Generally, if there is a cancellation or an issue with the line, there are buses replacing the service, which means I'm not left stranded in Melbourne wondering how I'm going to get home. I am in no hurry to go back to Metro trains.</p>
40	3340	50 - 59	Female	<p>I support all the improvements to the rail line to Bacchus Marsh except for the electrification.</p> <p>Vline Services are safer than metropolitan trains as they have a conductor on board. They are also cleaner and are not subject to the vandalism that metro trains seem to have.</p> <p>Electrification would also mean that journey times to Southern Cross will take significantly longer. You only have to look at Werribee. It takes a lot longer these days to get from Melbourne to Werribee than it did when they were a regional service.</p>

41	3340	18 - 29	Female	<p>I have experience with metro trains and personally love VLine as I have the capacity to work and get home quickly without unnecessary delays. I have had multiple delays and sudden changes with metro on a weekly basis. I also hate the many stops that I have to sit through to get to a destination and do not want to go through that everyday. At the current time it is about the same time to catch the train as well as driving and if the metro goes ahead I would most definitely drive due to the reliability. I also believe that having a diesel and electric interchange would be hectic and if the electrifying was to go ahead it should be all the way through to Ballarat or Wendouree. Metro trains are also always covered in graffiti, are scratched on the glass and messy while VLine is always clean and has the extra amenities such as drink fountains, toilets and rubbish bins. I have also found that the seating capacity is not a problem with at most 2 people standing on a carriage at a time, even during the peak hours.</p>
42	3352	18 - 29	Female	<p>No to electrifying the line. I travel on both metro and VLine everyday and am so much happier with the VLine services. Due to getting the train from either Ballan or Ballarat it would make it tonnes simpler to just keep the existing services as I would rather not need to catch 3-4 different trains just to get to Uni everyday. VLine is also reliable with minimal delays which gets me where I need to be on time. The extra amenities that VLine provide also makes for a delightful trip as metro is always a mess due to no bins and many people use the toilet facilities on board making it a more comfortable commute especially only being on board for 1-2 hours.</p>
43		18 - 29	Male	<p>Fix your public transport. It's pathetic. Never on time. #notometro</p>
44		18 - 29	Male	<p>The metro trains are very cramped around 4 to 6 at night and there have been times where people have not been able to get onto the train or have been stuck on the train and not been able to get off at their stop.</p>
45	3340	50 - 59	Female	<p>No to electric lines. It's hectic enough as it is.</p>
46	3340	17 or younger	Female	<p>Change to metro !!!!!</p>
47	3349	18 - 29	Female	<p>Please don't bring metro to Bacchus Marsh.</p>
48	3029	18 - 29	Male	<p>The metro trains are very crowded and uncomfortable. There is also no on board toilets or water like the VLine even though travel time is similar.</p>

49	3340	40 - 49	Male	<p>If Bacchus March wants to keep its rural town character then the proposed railway line electrification must be rejected and resisted. With electrification and the associated frequent but slow rail services Bacchus Marsh will become just another remote suburb of Melbourne. Just look at the recent examples of Diggers Rest and Sunbury.</p>
50	3340	60 - 69	Male	<p>My partner and I are firmly against any plans to electrify the rail link from Bacchus Marsh to Southern Cross station. The current arrangement provides a comfortable VLine train which takes approximately 50 minutes from BM to the city. Electrification will add more stops enroute, in a metro train making the ride longer and more uncomfortable.</p> <p>We hope the council is able to prevent spoiling what we have, namely, an excellent service that uses comfortable VLine trains that have a conductor on board.</p>
51	3340	30 - 39	Male	<p>I would in no way support the electrification of the Bacchus Marsh train line. I think this is a horrible idea. Bacchus Marsh should be a VLine service only.</p>
52	3340	30 - 39	Female	<p>Great strategic planning but electrification at Bacchus will slow down journeys quite a lot. My suggestion would be to electrify up to Melton.</p> <p>It would make sense to electrify stations that are part of Melbourne and leave the country stations on VLine.</p>
53		40 - 49	Male	<p>Electrification of the line to Bacchus Marsh would be a disaster for commuters, increased journey times, poor quality trains, multiple stops.</p> <p>The electrification should be to Melton only with Bacchus Marsh remaining on the V/Line network with all services being express to Footscray and Southern Cross.</p> <p>Should electrification to Melton occur then the project should also include quadruplication of the tracks into Melbourne to achieve full separation of the two services.</p> <p>Should this not occur then electrification to Melton should not even be considered.</p>

				<p>I feel that no-one from Moorabool should be advocating for electrification to Bacchus Marsh and if they are then they obviously do not travel to Melbourne on a daily basis.</p> <p>Bacchus Marsh is a regional commuter town and not a metropolitan suburb, we deserve a high quality regional commuter service that meets our needs in being able to live in a rural environment and travel to work in a bustling metropolis.</p> <p>Electrification of the lines to Bacchus Marsh would be a disaster and a treasonous sell out of the lifestyle that people who'll choose to live in Bacchus Marsh hold dear.</p> <p>Do not electrify the rail to Bacchus Marsh. Leave it attached to Ballarat trains.</p>
54	3341	40 - 49	Female	
55	3340	40 - 49	Male	<p>I do not support electrification to Bacchus Marsh. A key feature of our decision to move to this lovely town were the fast links to Melbourne, including Sunshine and Footscray via VLine. Amenities on the train are much better than Metro, and onboard toilets are needed.</p>
56		30 - 39	Male	<p>I'm a daily commuter from Bacchus Marsh to Melbourne. Upon consideration of the pros and cons listed regarding the proposed electrification to Bacchus Marsh in 2026, I'm concerned that Bacchus Marsh commuters are getting the short end of the stick with slower commute times! Express trains need to be maintained during peak times to ensure consistency of service. The VLine express service is one of the key reasons I purchased a house in Bacchus Marsh 12 months ago.</p> <p>Seems like most other areas will benefit from the proposed work at the expense of commuters like me who are looking at up to a further 40 minutes a day sitting on a train, 5 days a week, 48 weeks a year.</p> <p>No Deal! Lets look a win-win for all.</p>
57	3340	30 - 39	Male	<p>Very concerned about increased travel times and reduced services from Bacchus Marsh. This and reduced amenities (no toilets on suburban trains and 20 min longer journeys) would be a massive failure of Council's support for commuters from the Marsh. Council's support should not be given as there is no quantifiable benefit for commuters. Passing lanes and improving stations and parking should proceed nonetheless.</p>

58	3340	60 - 69	Female	I definitely say NO. Being an older person I do not wish to stand for over an hour on a train. Even if the train carries more people there will be less seats and more standing room. With all the new estates being built between Melton and Deer Park the trip will increase more.
59	3340	30 - 39	Male	While the need for an increase in capacity is obvious, my commute to work is long enough without the potential of increasing travel times due to slower (electrified) train services. Peak services are at capacity for VLine trains at the moment because everyone wants to be on the trains that get them there the fastest. If slower trains go from the stations closer to Melbourne, people may drive further out to catch express services, thus compounding the parking / capacity problem. It seems to me that increasing the number of passing loops and allowing for additional (fast) VLine services, or upgrading VLine capacity, would be a better investment.
60	3341	50 - 59	Female	It is incredibly shortsighted to electrify to Bacchus March - PLEASE DO NOT DO THIS - This service needs to be improved not reduced. Improve VLine - Electrify to Melton only!!!
61	3340	60 - 69	Male	I support all the plans for the redevelopment of the Ballarat rail line corridor, EXCEPT, electrification of services to Bacchus Marsh. The reasons for my position are:
				<ul style="list-style-type: none"> (i) Based on the layout of the current electric trains in Melbourne, there would be fewer seats available on each train; (ii) The seating on the current electric trains would not be comfortable for the distance covered from Bacchus Marsh to Melbourne; (iii) Increased stops by electric trains at all suburban stations would result in longer travel times; (iv) Increased risk of VLine trains not stopping at Bacchus Marsh, therefore resulting in the loss of more comfortable and amenable transport; (v) Increased number of electric trains on the network likely to be given priority over VLine services as was the case before the RRL project

62	3340	70 - 79	Male	<p>What we need is comfortable VLine trains at least every 40 mins to the city, express into the city. If the line is electrified to Bacchus Marsh, the trip will take far too long on Metro trains, these trains are uncomfortable and they do not have facilities on them for the elderly people. Thus we need to keep the VLines trains. The VLines trains can stop at Melton, let passengers off only for stations along the route and then express into Southern Cross.</p>
63	3340	50 - 59	Male	<p>Not against the idea of electrification of the line to Bacchus Marsh, but only if there continues to be an express service from Bacchus Marsh to the city. We should also maintain the option to board the VLine trains coming through Bacchus Marsh. The facilities on the VLine are far better than that of the metro trains, i.e. toilets on the trains, nicer seats and overhead storage.</p>
64	3340	60 - 69	Female	<p>I do not support the electrification of the rail line to Bacchus Marsh.</p>
65	3340	60 - 69	Male	<p>Electrification to Melton is essential as soon as possible. I would prefer that we maintain our VLine service from Wendouree via Ballarat and Ballan. This would provide a quicker and more comfortable journey into Melbourne. My wife and I attend quite a few cultural events in the city as well necessary medical appointments. We need to attend St. Vincent Hospital in Fitzroy periodically between 8am and 9am. This can be difficult by car due to commuter traffic at this time. As we are not well on some of these trips, being comfortably seated on a train is good.</p>
66	3340	40 - 49	Female	<p>We need to look for a win-win solution between Bacchus Marsh station users and Ballarat station users, so that decreasing train travel times from Ballarat (a goal I support) is not at the expense of increasing travel times from Bacchus Marsh. For example, when looking at the strategic goals re reliability, journey time and peak frequency, the journey time and peak frequency from Bacchus Marsh needs to be considered TOGETHER with the journey time and peak frequency from Ballarat. With no worsening of the current situation for Bacchus Marsh being acceptable.</p> <p>Quadruplication closer to the metro area to separate Ballarat line trains (including Melton/BM) from Wyndham trains will be necessary no matter what else is done, due to explosive population growth in all these areas.</p> <p>I'm wondering what the option of electrification as far as Melton only would look like, in terms of pros and cons, impacts on BM and Ballarat commuters etc.</p>

67	3337	80+	Male	<p>Electrification of this line with the current MET trains would leave us "oldies standing" because few youngsters give up seats.</p>
68	3340	70 - 79	Male	<p>As a retired person living in Bacchus Marsh, I use the train to Melton, Sunshine, Footscray or Melbourne, about 3 times each week in total, to these stations. In addition I occasionally drive to Melton and begin the journey, because it suits the jobs I need to do that day.</p> <p>The fastest journey possible is best, therefore, for BM to remain as a "Regional" station, with trains from Ballarat stopping, or originating in BM would be best.</p> <p>The trains may not be as frequent, but having decided on a service from BM, it may be faster, if not stopping at Melton and intermediate stations to my destination, at Sunshine, Footscray or Southern Cross.</p> <p>In summary: this may be possible when the dual line electrification is completed to Melton, and perhaps a dedicated "3rd line" for regional trains, from Melton to Sunshine, when finance is available.</p>
69		30 - 39	Female	<p>Metro line out to Bacchus Marsh would make the commute into Melbourne impossibly long. It would also change the character of our town being semi-rural. Please do not support the electrification of the line to Bacchus Marsh.</p>
70	3356	40 - 49	Female	<p>The service between Ballarat and the Marsh need's more especially at peak times.</p>
71	3340	30 - 39	Male	<p>No electrification to Bacchus Marsh. Will unnecessarily increase travel time to Southern Cross.</p>
72		30 - 39	Female	<p>No electrified trains.</p>
73		40 - 49	Male	<p>I catch the VLine at Bacchus Marsh every day and rather see 2 platforms at the station and have the VLine stop at Bacchus Marsh and go express to Melbourne and same on the return trips home. I believe having the electric train to Bacchus Marsh won't work and will create a longer journey to and from Melbourne especially with Melton, Rockbank, Caroline Springs, Deer Park, Ardeer, and then not to mention the new suburbs that are being built will include new stations in the near future. VLine all the way.</p>

74	3340	30 - 39	Female	I object to the electrification to Bacchus Marsh Station. It would increase travel time. I currently get an express service that takes me less than 1hr to get into Southern Cross. This would not be provided by a metro service.
75	3340	50 - 59	Male	I am concerned about the move to put Bacchus Marsh, a regional town, on the same Metro service as Melton. Will high speed services to Bacchus Marsh still exist? The frequent stopping services add 20 minutes to the express times. Bacchus Marsh had experienced huge growth and part of the attraction is the express service to the CBD.
76		18 - 29	Male	More consistent and regular trains. Especially on busy days (football, public holidays). Extra carriages should be arranged.
77	3340	30 - 39	Female	Please do not electrify the line to Bacchus Marsh. Leave it as is.
78	3340	40 - 49	Female	I believe strongly that Bacchus Marsh needs to remain on the regional line. Melton onwards is where the line needs to go electric with metro due to the high volume of passengers boarding at Melton. Bacchus Marsh is still a regional area and being on the express trains saves time for commuters, Ballarat customers would only have 3 stops, Ballan and Bacchus Marsh and Footscray while removing Melton, Rockbank, Caroline Springs, Ardeer, Sunshine which are all suburban areas and should be Metro.
79		18 - 29	Male	I catch a train to Melbourne every day. Please do not electrify the train line. The extra carry capacity that you will achieve is nothing more than dozens of extra people crammed in per carriage, standing up for an hour to get to the city. What is more, the journey will take longer and that's unacceptable. I feel that if you electrify the railway up to Bacchus Marsh all you will be accomplishing is installing outdated infrastructure. Electric powered vehicles in the near future will not require static lines to provide electricity, they will have mobile electricity reserves. You should do a stop gap solution. Get more velocity trains on the Ballarat line more regularly and wait until there is a more efficient electronic solution. Also in the meantime channel portions of budget into charging stations in town for cars if you want to assist in curbing greenhouse emissions.

80		40 - 49	Female	<p>Bacchus Marsh should remain a VLine service. Transferring to metro will mean slower travel times and overcrowding leaving Melbourne. Electrification from Sunshine to Melton only will alleviate the overcrowding currently experienced on VLine services. Also there are people who do commute from Bacchus Marsh to Ballarat by train - what will happen to them if services bypass Bacchus Marsh? Just because we are on the Ballarat Rail Action Group does not mean we should kowtow to what Ballarat wants - of course they want Bacchus Marsh off their service but just because they have the bigger voice does not mean we shouldn't be heard and thanks for the opportunity to do so as I approached a previous Councillor a few years ago with my concerns (about transport and traffic in Bacchus Marsh) and was basically told it was a State Govt problem - no support or foresight or realisation that if we don't push the State Govt for appropriate infrastructure investment we are left with the mess.</p>
81	3340	30 - 39	Male	<p>Electrification to Bacchus Marsh is a big no for me, it will significantly lengthen the trip times to the point of it no longer being a viable mode of transport for me. The express to Bacchus Marsh trains make the journey a manageable timeframe. Duplication of tracks should make for more frequent and better scheduled peak services. There is still a stupid gap in the 4-5pm time slot from SC to Bacchus Marsh.</p>
82	3338	60 - 69	Female	<p>No this will delay all train services and slow all the trains down as they will be required to stop all stations.</p>
83	3340	40 - 49	Male	<p>We should be saying a big NO to any thoughts of electrification of the line to Bacchus Marsh. The metro services are a poor quality, slow, overcrowded service. There is little consideration given to passenger amenity on these services. Bacchus Marsh along with Ballan and Ballarat/Wendouree should form the core stations for the VLine service. The removal of Deer Park, Caroline Springs and especially Melton stations from the VLine service should be a priority.</p> <p>However electrification of the line to Melton should only be considered if quadruplication of the line to allow for a separate regional rail corridor is carried out at the same time. Without the regional rail corridor being extended to Melton then all VLine services would be delayed.</p> <p>Moorabool Council (and the Councillors) should remember that Bacchus Marsh is a rural town in the Shire of Moorabool and is NOT part of Melton (no matter how much people from Ballarat will try to</p>

				<p>tell you it is). As such the people of Bacchus Marsh deserve a VLine service, of high quality and regularity which allows people to enjoy the rural lifestyle and enjoy a quality career in Melbourne.</p> <p>Moorabool Council need to fight and fight hard for the retention of the VLine service to Bacchus Marsh and not be bullied by Ballarat. We need to consider ourselves the Gisborne of the line, with Melton being the end of any Metro service a la Sunbury. An electrified Metro service to Bacchus Marsh is the not the answer we need.</p>
84	3340	40 - 49	Male	<p>Electrification is a great initiative, but not sure if both diesel and electric trains can work. But, it is worth a try. I believe electrification to Melton will be good for Bacchus Marsh and beyond as the diesel trains that currently terminate at Melton can be used for extra services to Bacchus Marsh, Ballan and Ballarat.</p>
85	3342	60 - 69	Female	<p>Are you preparing for the influx of new families etc. if a subdivision large e.g. Melbourne Road and South of railway line in Ballan an area which if available in any town an hour of Melbourne would be the jewel in the crown for any Shire according to the requirements of State Governments If Moorabool was progressive it would be planning for a large number of future families sooner not later. Enough of the 5 acre subdivisions which give us no infrastructure, country amenity free space for children just greedy opportunist (developers). At least have the vision to have Ballan's railway system ready for the future which with proper planning would be sooner than you predict.</p>
86	3340	18 - 29	Male	<p>The 35 minute trip into and home from Southern Cross is a big part of why I moved to The Marsh in the first place. I very much like the VLine service, as I am able to easily sleep on the train in the morning and there is also better storage facilities on the VLine services. I am all for improvement of the VLine service during peak hours, but not for electrification.</p>
87	3340	40 - 49	Male	<p>Electrification to Bacchus Marsh would result in a reduction in service provision. Stopping all station services currently take 60 minutes, whilst express services take 35 to 40 minutes. Electrification would move those in BM on to metro style trains which would move slower and double the journey time compared to current express services. This is not an improvement in service for those in Bacchus Marsh only those in Ballarat who would end up having a shorter journey time for double the distance. This is why the proposal is put forward by Ballarat.</p>

88	3341	50 - 59	Male	<p>This would make BM less attractive for commuters and Ballan/Ballarat more attractive potentially resulting in reduced Council revenue. For an example of what this actually means for BM look to Sunbury, where they got one additional service for doubling of journey times after electrification. What is needed is electrification for regional rail to have trains that travel at 300kph which would substantially reduce journey times from all stops on the current line, in addition to metro trains from Melton stopping all stations.</p> <p>I don't believe that any of the benefits listed with provide actual travel benefits to commuters in Bacchus Marsh but will simply position Bacchus Marsh to be another 'Sunshine', making for a more complex travel hub. The existing services provided by Vline are excellent (except for some peak hour overcrowding) and the addition of more carriages for peak services is all that is required to bring the service up to the previously enjoyed levels.</p> <p>Faster travel times, and the current amenities, plus the safety and customer service provided by the Conductors all far outweigh any perceived gains promised through electrification and a 'Metro' style service. Maybe in ten years, when Bacchus Marsh has grown to be an outer suburb of Melbourne it may be appropriate to reconsider this option, but for the time being I don't think it's warranted.</p>
89	4430	70 - 79	Female	Need more services but with VLine not Electric as slower Electric to Melton but leave Bacchus To Ballarat with VLine.
90	3340	50 - 59	Female	Electrify to Melton and leave Bacchus marsh as VLine.
91	3340	40 - 49	Male	I am against this. We do not want the line electrified.
92	3340	18 - 29	Male	Electrify the line to Melton and leave Bacchus Marsh onwards VLine, that way the congestion felt at Melton won't be felt by people travelling beyond as the trains are overflowing at Melton and empty afterwards. Also even though the trains may have more capacity that doesn't mean the ride will be better - the seating will be worse and more people will have to stand and if as you say the journey will be longer than what currently is offered I don't want to stand for more than I have to and again this congestion can be eased if you electrify to Melton and leave Bacchus marsh to Ballarat regional VLine.

93	3340	30 - 39	Female	<p>I catch the Southern Cross bound 5.53am train, Mon-Fri from Bacchus to Footscray. It's late every single morning. Generally 5-10min late. Every...morning. It's since the Wendouree bound train started last year. It's generally late and as there's only the single track, the Melbourne bound train waits and that's why it's late every morning. Means we get to Footscray late to catch connecting trains. It's not good enough. Once or twice late ok, but this has been over 9mths. Also it would be good to have more Bacchus stopping trains in peak hour. I get the 4.07am from Footscray. The later stations are generally packed, and then there's nothing til 5.01pm. Geelong line seems to have heaps more trains...its a bit of a joke really.</p>
94	3340	50 - 59	Male	<p>Electrify the line to Melton only and leave Bacchus Marsh as VLine. I believe the saying is if it ain't broke don't fix it. You always here on the news about commuter chaos on metro lines but never VLine lines. If the electrical infrastructure goes down it will affect the whole line not only your scheduled service. If you stay with regional VLine service breaks down its only that service that fails; yes the next service may be delayed but every service won't be cancelled.</p>
95	3337	40 - 49	Female	<p>Electrify to Melton.</p>
96		50 - 59	Male	<p>Leave as is - what about all upgrades to Ballarat line for quicker travel for us also metropolitan sure we live in silly times.</p>
97	3340	30 - 39	Female	<p>Definitely provide more train tracks and electrification should go ahead, as these places need modern and better infrastructure.</p>
98	3340	30 - 39	Male	<p>The line should not be converted to metro line. It should continue to be a VLine.</p>
99	3340	30 - 39	Female	<p>Electrification to Melton. Duplication to Ballarat.</p>
100	3340	18 - 29	Female	<p>Don't know if this is the right place to comment because this website is archaic, but I'm opposing the electrification of the Bacchus Marsh service. Having travelled on electric services for years I know too well how slow they can run in comparison, and how frequently stops are skipped without warning in order to make up time. More frequent trains is not a good trade for this situation.</p>

101	3340	30 - 39	Female	I say NO to the proposed electric trains coming through Bacchus Marsh.
102	3340	40 - 49	Male	I do not support electrification to Bacchus Marsh. Longer travel time. Uncomfortable. Not sustainable given the line will be shared by 160 km/h running trains - adding to congestion.
103	3340	30 - 39	Male	I enjoy using the express service to Melbourne and on the way back home as it only takes 35mins. I wouldn't like the travel time to be any longer than 40mins.
104	3340	30 - 39	Female	No electrification to Bacchus Marsh. Stop it at Melton.
105		18 - 29	Female	I catch the train to and from work every day. Melton to Southern Cross like many others. Sometimes this can be a frustrating experience when trains are cancelled or delayed. Which in my year of traveling to and from seems to happen fairly regularly - leaving the next service trains running to be packed in like sardines. In my opinion linking up metro to Melton would highly improve the line - making the travel time less annoying if a trains delayed. My train usually links up to a bus for me to get home but when it's delayed I am left waiting almost an hour to get home or to work. My experience is usually great but a least once a fortnight there's an issue. Thank you for your service and for providing this survey.
106	3340	40 - 49	Female	No I don't want electrification of our trains. Prefer Bacchus Marsh to remain in the VLine system. No electrification for Bacchus Marsh.
107	3340	50 - 59	Male	Keep Bacchus Marsh as VLine. Metro trains up to Melton. The service over the last couple of year has already increased due to by passing North Melbourne and the delays from North Melbourne needs fixing.
108		30 - 39	Male	We should have electrification of train up to Bacchus Marsh as this would increase the frequency of the trains which would also help the current pace of increasing population and congestion in trains. It would be better for the environment as well to not use Diesel trains as well. Duplication of tracks and electric express services would also help the current level of service. I guess an example is metro trains till Sunbury lines. Walking away from Diesel would good for people's health in the long run as well.

109	3340	30 - 39	Male	<p>Ballarat is not in the Moorabool Shire however they are likely the only ones who will benefit from the cessation of VLine trains and electrification of a metro line to Bacchus Marsh.</p> <p>Carriage choices, stabling, “transport interchanges”. The reality of this matter is that people want to get “home” as quickly as possible. That will not happen under the proposed electrification. There will be less trains, it will take longer, and all literature I have seen uses language such as “possible” rather than definitive language that protects Bacchus Marsh commuters.</p> <p>Council would be negligent to accept current proposals in relation to the train line electrification. Do market research other than invite people to comment online or attend a meeting most city commuters can’t make (considering apathy and poor understanding is rife in low socio economic areas) you will find the support for this, from those who commute and utilise this service is almost none existent!</p>
110	3340	40 - 49	Male	<p>It is completely mad to consider electrification of the train line to Bacchus Marsh. After living most of my life east of the city you are deluded if you think you will get faster or more frequent service with metro. Metro trains are often late or cancelled. VLine for its less than perfect service is brilliant compared to metro. A third track will be needed to separate country and electric services. Again no one has the foresight to plan this now. Like Sunbury residents who saw their 40min trip turn into 90mins it means mums and dads are away from the home longer. Again with no local employment you will drive people out of the area to be closer to work.</p>
111		18 - 29	Male	<p>Electrification to Melton seems more sensible, rather than to Bacchus Marsh.</p>
112	3340	30 - 39	Male	<p>The journey from Bacchus Marsh is already long enough even with express and the metro trains are a lot more congested than VLine trains, therefore I do not agree with replacing the service with an electric service. Plus the comfort is a lot better on VLine trains which will likely never happen on metro. I disagree completely and want to keep the VLine as it is.</p>
113	3342	30 - 39	Male	<p>As someone who lives in Ballan and works in the CBD I have the option to catch a train from Ballan and pay around \$28 for a daily fare, or drive to Bacchus Marsh and pay around \$8 per day. Both options take the same amount of time as the drive to Bacchus is about the same as the train.</p>

				<p>There are many, many people who do this and it doesn't make any sense, it contributes to peak hour road and train congestion in Bacchus Marsh.</p> <p>I'm am strongly against electric rail to Bacchus Marsh as it's likely to create longer travel for everyone else further down the line and does not solve the broader issue of the VLine train fares not being logical or supportive of connecting regional centres (all the way to Ballarat) to the CBD.</p> <p>I support electric rail to Melton only as based on geographic location and station (current and future) between Melton and the city, it would make more sense to me.</p> <p>I'd prefer if the train fares for VLine were reviewed as it would ease congestion in Bacchus as well as provide the flexibility for people from Ballan to catch alternative services from Ballan (as their morning commute won't involve the logistic drive or avoiding traffic in Bacchus).</p>
114	3340	18 - 29	Female	<p>No electrification. We would like VLine to continue from Bacchus or even have separate express trains from Bacchus Marsh.</p>
115	3340	50 - 59	Female	<p>No electrification please. The current plan already provides for duplication of the line. The VLine services whilst sometimes delayed are still much better to travel on than the metro services. Why would we want a longer journey when we have to spend so much trying to reduce the travel time.</p> <p>I appreciate the thought and effort around getting public opinion but as a lobby group you don't really have much influence.</p>
116		60 - 69	Male	<p>I support electrification to Melton on a new separate line. Keep the Marsh on VLine but ensure there are frequent runs and sufficient carriages so we can seat.</p>
117	3340	30 - 39	Male	<p>One of the reasons I moved to Bacchus Marsh, was due to the rural location with quick access to the city if you catch the Express VLine. 35-40 minutes is very decent for a 50km commute, but blowing that out to an hour would make train travel less tenable, then I might as well take my motorcycle and have more freedom for the same cost.</p>

118	3340	30 - 39	Male	<p>Honestly you don't want electric trains to Bacchus Marsh! Melton to Flinders Street, Yes! Example:</p> <p>Pakenham to Flinders Street is 58km by rail it takes exactly 1hour and 20mins stop all stations Belgrave to Flinders Street by rail is 42km it's takes exactly 1 hour 10mins stop all stations Yes we're only 51km by rail and don't have as many stops as the Pakenham or Belgrave lines do! Means we will only share the train ride with the Ballan, Ballarat and beyond people only. VLine will still be a comfier seat and ride with basic amenities on board, you don't get that on Metro!! And Metro is Metropolitan, where country and a Shire.</p> <p>After this is duplication and passing loops extension project, hopefully it will probably be a better and more frequent service.</p> <p>For the record if the Geelong line commuters get a better, punctuality and reliable services under VLine so can Bacchus Marsh post Ballarat Rail line project.</p> <p>For what Metro provide under the PTV to curtain outer suburban and fringe areas. Example Hurstbridge Line between Eltham and Hurstbridge 40mins in the off peak and weekends and hourly service after 8pm each night.</p> <p>Stick with VLine, you will regret it having electric/suburban trains to the Marsh.</p>
119	3340	60 - 69	Male	Please leave Bacchus Marsh on the VLine service. I believe the travel times will increase if transferred to a Metro service and the quality of the service will deteriorate.
120	3340	40 - 49	Male	
121		40 - 49	Female	We want VLine train from Bacchus Marsh not those other trains take too long.
122	3340	30 - 39	Other	We want VLine train at Bacchus Marsh and more VLine trains to cater for population.
123	3340	17 or younger	Male	Need VLine not g train.
124	3340	40 - 49	Male	VLine train to stay please, but need more trains during peak hour.

125	3340	30 - 39	Female	We want VLine at Bacchus Marsh and perhaps a permanent takeaway shop instead of a little caravan coffee shop - should be tendered to all.
126	3340	40 - 49	Female	I rely on this VLine to get about and to work. !!!!! That's the reason choose to buy in Stonehill as it's closer to the train system. Thank you!
127		40 - 49	Male	I do not support electrification of train line to Bacchus Marsh but do support it only to Melton.
128	3340	40 - 49	Female	I rely on VLine to get to and from city in the 45 min time frame, where's if this changes, it will take double the time to get home and back. I could not afford too I gave a little child too.
129	3340	70 - 79	Male	I'm a pensioner I need VLine to get to see my daughter otherwise I cannot go and see her as I cannot drive now. Please leave as is. Thank you.
130	3340	60 - 69	Female	
131	3340	50 - 59	Female	<p>Bacchus Marsh is a regional town and not metropolitan. We therefore should not be included in the proposed electrification works to metropolitan stations such as Melton. Melton makes sense to go into the metropolitan network as would all the stations leading into the city from the outer edge.</p> <p>Bacchus Marsh is regional and should remain as a VLine station. By taking out the remaining stations currently in the VLine system being Melton, Rockbank, Caroline Springs, Deer Park and Ardeer this would make the Ballarat line far more productive for regional commuters on a daily basis.</p> <p>Putting Bacchus Marsh residents into the metropolitan mix is unfair - as we are either regional or metropolitan not where it suits to be labelled.</p> <p>I moved to Bacchus Marsh approx. 6 years ago and pay a premium price in most cases for living costs by being regional and now they wish to label as Metropolitan to suit a select few. I still travel into the Melb CBD on a daily basis and prefer the VLine system over the Metropolitan system (one of the deciding factors when moving).</p> <p>It is unjust to the REGIONAL town of Bacchus Marsh to even contemplate this change.</p>

					KEEP BACCHUS MARSH TO VLINE PLEASE.
132	3340	40 - 49	Female		I do not support the electrification of the rail line to Bacchus Marsh. Longer train journeys are the worst possible scenario.
133	3340	40 - 49	Male		Electric to Melton would be good. Hope they do not delay Ballarat/Bacchus Marsh trains. Dual line all the way to Bacchus Marsh please.
134	3340	40 - 49	Female		I do not support electrification to Bacchus Marsh. Why? 1. Slower journeys. I would prefer a redacted timetable (less services) and yet a quicker travel time. An hour AND ten minutes standing is totally unacceptable. 2. Lose of amenities/toilet. Especially if you think I am going to go from a 38min trip to an 80 min trip! Without access to basic amenities.
135	3340	40 - 49	Male		Slower trip. And I'll have to stand!!
136	3340	50 - 59	Male		"A risk" of services bypassing BM. Ha! Once we lose what we have we will never get it back.
137	3340	40 - 49	Female		Why would Council support a service that could double the time taken to travel from Bacchus Marsh to Southern Cross. From the quickest trip now is 36 minutes under electrification with new stops it would take over 70 minutes to Southern Cross station. Shouldn't an upgrade improve services why are we not fighting for a BMarsh express service in 30 minutes to Southern Cross. This would give me an extra hour with my family each day.
138	3340	18 - 29	Female		No electrification!! It's simple. Prolonging the time it takes to get to work will automatically discourage potential home buyers and investors. It would be as if you have physically moved the town further out. Bacchus Marsh property and rent will become cheaper causing a financial disadvantage for current investors and home owners. Bacchus Marsh is beautiful being far enough to have the country feel but close enough to be practical for commuters to go to work. That is what made me move to Bacchus Marsh from the inner suburbs.

139	3340	40 - 49	Male	<p>I prefer VLine. It's nice to have a train with toilet facilities on such a long journey. Also the conductor that is present at all times keeps the jerks in line.</p>
140	3340	30 - 39	Female	<p>My answer to the proposed electrification is no. I have considered the form handed out which sets out the pros and cons but my answer would still be NO.</p> <p>I would also like to ask whether our opinions are actually taken into account or whether this is just a way of placating us, to let us believe you are taking our wishes into consideration but have your own agenda anyway. I believe the majority of people who use the Ballarat line, particularly those at Bacchus Marsh, do not want our line electrified and I think the majority of people you have spoken to for their thoughts at the station will have said NO. Please do not electrify the line to Bacchus Marsh.</p>
141	3349	18 - 29	Female	<p>I am against electrifying the train line to Bacchus Marsh. One of the main reasons I purchased a home and settled in Bacchus Marsh is because of the easy VLine commute into Melbourne. Removing or slowing down this service would be letting down the huge number of residents who commute into the city every day.</p> <p>As I understand it, electrifying the line to Melton would solve capacity issues for the Ballarat line and provide more frequent services for Melton, Rockbank, Caroline Springs, Deer Park and Ardeer. It could also allow for express VLine trains from Ballarat to Melbourne given there would be less VLine services throughout the day.</p> <p>If all of this can be achieved with electrification to Melton, why extend that to Bacchus Marsh when it appears all that will do is extend the Bacchus Marsh commuters journey time.</p>
142	3340	50 - 59	Female	<p>As a regular user of the train I feel that the service is best provided by VLine as is currently. There could be more trains. A suburban service will not suit my needs as I commute. I drive 25 minutes to get the train and quite occasionally make use of the toilet/change rooms to finish preparing for my day in Melbourne.</p>

143	3340	30 - 39	Male	Do not support electrification of the rail line to Bacchus Marsh. I travel every day to Melbourne CBD (5 days a week). If this goes ahead, I will be losing addition 40 mins a day at minimum (valuable family time). Based on the facts CONS of this outweighs the PROS.
144	3340	18 - 29	Female	I commute to Melbourne CBD Monday-Friday each week for work. I am heavily against the electrification of the rail line to Bacchus Marsh. The service to Bacchus Marsh needs to stay with VLine so that commuters like myself are not on a train for over an hour each way every day. I note that train journeys could take up to 20 minutes longer than current services if electrification goes ahead. This estimate is probably quite conservative and in reality it would be longer (factoring in delays that happen every day, congestion on metro, stopping at more stations). This would be incredibly disruptive and difficult for people living in Bacchus Marsh who work in the city. I believe that services to Melton should be electrified, and that Bacchus Marsh to Wendouree should stay with VLine and be an express service to the city. Please feel free to call me if you would like further feedback on this issue from me.
145	3023	30 - 39	Female	This is a great project and improvements to all stations in the Melton, Bacchus Marsh and Ballarat and areas need to be made so we can keep up with the times. This will also ease traffic on the roads and of course ease traffic on the Westgate bridge. We need to move with the times.
146	3340	30 - 39	Male	Duplicate tracks. Free Wifi or better reception entire journey (its 2018...). More reliable services (constant daily reduction in service due to staff sickness or maintenance, any competitive business has contingency plans for repetitive hurdles). More express Bacchus Marsh/Southern Cross Services (why cram us onto an already full Ballarat express). Enforce smoking ban on platform. Enforce smoker litter outside gates. More parking (why is one side of street a 2hour zone). Buses to match trains (I get off train in time to see 1-2 buses just pulling away).
147	3338	50 - 59	Male	Please keep the VLine service from Bacchus Marsh. Not everything about progress is good. The electrified service could start and end from Melton.
148	3340	70 - 79	Male	Do NOT put Bacchus Marsh on the electrified rail system. Longer commute times. No facilities on board. Not as comfortable as VLine trains. This would not be an advantageous move for Bacchus Marsh commuters. In my opinion there would be no upside to this proposal. PLEASE LISTEN TO US.

149	3340	40 - 49	Female	Keep express services to Southern Cross.
150	3340	60 - 69	Male	As a long term commuter to Melb. CBD I would say firstly that I much prefer VLine trains to Met Trains. The biggest problems seem to be lack of rolling stock and unreliability of rolling stock and signalling systems. The effect of these problems is magnified due to the lack of duplication of the track. I am certain that travel times could be significantly reduced and even extra services added if the entire line was duplicated. I understand that the costs are prohibitive but only when taking a comparatively short term view. I agree that electrification will benefit the people of Melton with extra seating capacity but will have little or no benefit for locals. Any hint that initially travel times may increase will also be considered a step backwards.
151	3340	40 - 49	Female	NO to electrification of the rail line to Bacchus Marsh.
152	3340	18 - 29	Male	No to electrification of the rail line to Bacchus Marsh.
153		50 - 59	Male	No to electrification of the rail line to Bacchus Marsh.
154	3340	30 - 39	Male	Keep the VLine to Bacchus Marsh.
155	3338	40 - 49	Female	Line needs to be electrified to provide more train timetabling options. I have the choice to catch a train from Melton or the Marsh. More car parks would be helpful or better transport (bus) options to either Melton or the Marsh from Eynesbury.
156	3340	60 - 69	Female	I do not support electrification of the train line to Bacchus Marsh. Longer train journeys on trains with less amenities are not desirable. Future railway station along the line between Melton and Caroline Springs will be required to accommodate increasing urban growth and would only lengthen the journey even more.
157		17 or younger	Female	Line needs electrification.

158	3340	18 - 29	Male	<p>The electrification through to Bacchus Marsh will significantly increase travel times. Pushing a 40 min trip out to over an hour crosses the town out as a commutable option for those who work in the city. This will only increase travel times for those who also drive as more and more commuters chose to drive instead of take public transport. The claim that a choice of electric or diesel services will be offered to those alighting at Bacchus Marsh is not a believable one, as all other 'Transport Hub' stations (Sunshine, Werribee back before the Regional Rail Link, etc.) have shown as examples that they only ever operate as a 'drop off' station city bound and 'pick up' on return services. I myself, a working week commuter into the city, along with many others will certainly abandon public transport under the electrification to Bacchus Marsh scheme.</p>
159		40 - 49	Male	<p>I support electrification of the rail line to Bacchus Marsh - I have concerns about the capacity of VLine trains into the future. I think electrification is going to happen at some point, so we might as well get on board now and get ahead.</p>
160	3340	70 - 79	Male	<p>Yes for line duplication all the way to Ballarat. This will allow more trains to run as demand requires.</p> <p>No for electrification unless track and rolling stock is isolated and independent of the existing Melbourne system. The state of amenity of Melbourne trains is well below that of VLine and the risk of interchange of the rolling stock will degrade the level achieved by VLine. Yes for the proposed duplication of station platform at Bacchus Marsh.</p>
161	3340	40 - 49	Male	<p>I do support electrification of the rail line to Bacchus Marsh as it will undoubtedly give a boost to property prices.</p>
162		40 - 49	Male	<p>No - Increasing carrying capacity by the introduction of Metro trains will increase travel time and is not a suitable solution. Carrying capacity will be better increased by:</p> <ol style="list-style-type: none"> 1. Extending the length of trains and platforms 2. Increasing the frequency of trains 3. Increasing the track speed 4. Dual tracks to allow high speed trains to pass Metro trains
163	3340	18 - 29	Male	<p>We need free wifi on trains.</p>

164	3340	17 or younger	Female	I agree with this but also think we need nicer trains with free wifi so we can do homework or work.
165	3340	17 or younger	Female	I agree with this but we need from wifi on the trains. Also ban parents with children aged under 10 from the quiet carriage.
166	3340	17 or younger	Male	Disagree - VLine should stop at Bacchus Marsh.
167	3340	17 or younger	Male	Disagree. I don't want to take longer to get home.
168	3340	17 or younger	Female	I agree but include free wifi.
169	3340	30 - 39	Female	Please keep Bacchus Marsh as a VLine service and not make it electrification. The service is slow as it is and not as many services to Bacchus Marsh between 4pm and 5pm but VLine is still the best.
170		40 - 49	Female	Bacchus Marsh Train line should be electrified as passengers only pay Metro Prices Zone 1 & 2. Why should they get a VLine train when they don't even pay half the price of daily Ballan train passenger i.e. Bacchus Marsh \$8.60, compared to Ballan \$26.40 or Ballarat \$43.20. Big difference don't you think. Bacchus Marsh has a lot more train services compared to Ballarat, so you would think that they would get the same when they electrify the line, plus they are the first station to leave from. You could have limited express service i.e. Bacchus Marsh, Sunshine, Footscray, SX, Flinders Street, the next service stop all stations. Don't forget, Melton will have their own services already.
171	3340	50 - 59	Female	Recently the issue of electrification of the line out to Bacchus has arisen. I OPPOSE this move as there is the suggestion that it will add a minimum of 20 minutes to the trip. The trains that currently stop all stations tend to get held up and take longer than the stated trip time. The trip currently at 25 to 35 mins is a far time to extend this out would make using public transport for a 25 minute trip by car very unfavourable. As usual this is driven by Ballarat commuters not wanting to share their trains, if there were sufficient seat given to the services or more frequent services this would not be an issue. We have been using the trains for 25 years and there is a very clear pattern being repeated, Bacchus Marsh gets to the point where services are sufficient where you can get a seat, more people use it

172	3340	60 - 69	Female	<p>and then you are standing again. Could we please have proper planning and decent train services to cater for the population expansion that is being pushed.</p> <p>On this subject could Bacchus Marsh please have a mid 4.00pm service so that we don't have to wait 45/50 minutes in peak hour to get home, heaven forbid that we would be let on the 1630ish Ballarat service.</p> <p>Bacchus is are sting in the gap that keeps missing between the Ballart service and the quasi metro the services Melton.</p> <p>I am against electrification of Bacchus Marsh for the following reasons:</p> <ol style="list-style-type: none"> 1. It would extend the travel time to Melbourne for us, stopping at all stations, especially once the inner city network joined us. 2. I do not enjoy the comfort of the city trains for longer travel times. Our trains are far more comfortable. <p>I could compromise with both the diesel and electric systems working together, but it would limit the diesel train options.</p> <p>Most people who catch the train go straight into Melbourne, so most require express trains. Very few passengers get off at other stations e.g. Sunshine or Footscray.</p>
173	3340	40 - 49	Male	<p>I'm writing to let you know that I don't want the metro rail service to Bacchus Marsh as this service will slow my daily commute to Melbourne. I'm very happy with the current VLine service.</p>
174	3340	40 - 49	Female	<p>I do not support electrification ... as longer time ... prefer more express VLine trains.</p>
175	3340	40 - 49	Female	<p>I WOULD LIKE TO STRONGLY OBJECT TO THE PROPOSED ELECTRIFICATION OF THE LINE THROUGH TO BACCHUS MARSH.</p>
176	3340	30 - 39	Female	<p>Please do not spend all that money on electrifying the train line. I think it is wasteful and the no of people using the trains will drop. I take the train every week day from Bacchus Marsh and I enjoy the experience on the VLine trains. The conductors make me feel safe, you won't get them with the metro trains, the seats are comfortable and the trains are clean.</p>

				<p>The semi express trains that run through from Ballarat are great, it is a quick fast trip into Melbourne. The extended time frame that a metro train will give is not good enough. With the changes that are happening already this year (double line, 2nd platform and moving the stabling yards) will improve the experience again. Let that settle and see if any improvements need to be made after.</p>
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Attachment - Item 11.1.1c(i)

1862



STRATEGY FOR A HIGH PERFORMING BALLARAT RAILWAY

BALLARAT RAIL ACTION COMMITTEE
MAY 2018


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'Ballarat needs a world class railway – our ambition is to have the best regional railway in Australia'

- Councillor Samantha McIntosh, Mayor for City of Ballarat
- Councillor David Clark, Mayor of Pyrenees Shire Council
- Councillor Gwenda Allgood, Acting Mayor Ararat Rural City Council

KEY ARGUMENTS FOR A HIGH-PERFORMANCE BALLARAT TRAIN SERVICE

- The Ballarat line is already at near capacity for peak period travel
- The 2017-18 upgrade program will improve train service reliability and add off-peak frequency but won't provide trains with more seats or enable faster journeys
- Strong growth will continue for rail travel to Melbourne; improved services for travel into Ballarat will also be an attractive option for workers and students from Melbourne's booming west and places west of Ballarat
- Ballarat's population will grow by over 70% by 2050 – high performance rail is vital infrastructure to make this growth liveable
- Ballarat region's excellent housing stock and lower housing costs can help address Melbourne's need for more affordable housing
- Ballarat is now home to nationally significant trip attractors such as Sovereign Hill, The Art Gallery of Ballarat and Eureka Stadium and rail can offer convenient access to these sites.



Over the past two decades, Victorian Governments have invested over \$6 billion dollars in improving regional rail passenger services, providing faster journey times, and more frequent and reliable rail services to many parts of Victoria.

Substantial effort and funding has also been put into the development of better co-ordinated road coach and urban bus services, with the overall result that Victoria as a whole has the best regional passenger services of any Australian state.

The railway between Melbourne, Ballarat and Ararat provides a critical transport link for the communities it serves, including extended catchments that are connected to the railway by bus and coach services. The role of the railway is expected to become even more vital in coming years as population growth continues and the road network is increasingly unable to accommodate travel demand.

The railway between Melbourne and Ballarat is now an intensely used commuter line, having seen in usage more than triple over the past decade as journey times have been reduced by successive investments in the Regional Fast Rail, VLocity railcars and Regional Rail Link (RRL) projects. A further \$518 million was committed to further improvements in the 2016 State budget. Despite these welcome investments, much of the line will still be single track, resulting in delays while trains wait to pass each other, and other infrastructure including stations, signalling, train stabling, car parking, security and bus and coach connections require further improvement.

The next 20 years will require transformative development of rail services and infrastructure in the corridor from Sunshine via Ballarat to Ararat and beyond to accommodate demand fuelled by rapid population growth, especially between Sunshine and Bacchus Marsh, in Ballarat, and to a lesser extent in all communities served by the corridor. Rapid urban growth west of Melbourne is expected to add another 700,000 people to areas served by the Ballarat and Geelong rail corridors by 2036 (less than 20 years away).

Ballarat is set to become a major regional rail hub as services to Ararat and Maryborough increase and, we hope, also return to Horsham and Hamilton. Direct rail links will also be needed from Ballarat to Geelong and Bendigo to support increasing travel needs as these major centres expand and develop.

The six Councils along the Ballarat line — Brimbank, Melton, Moorabool, Ballarat, Pyrenees and Ararat - are united in seeking for our residents the best regional railway in Australia. We have the basics, we have the need, we use the train. We ask for the planned investment that's needed. This document presents a strategy to get there.

OUR VISION FOR THE BALLARAT RAILWAY

An extremely reliable and fast rail connection from Ararat and Ballarat to Melbourne Southern Cross, supporting the needs of the corridor's booming population to travel to Ballarat, Melbourne, Melbourne Airport and connected places by quicker and more effective means than car travel, supporting inwards domestic and international tourism and allowing a travel time between Ballarat and Southern Cross of 55 minutes by 2030 and 45 minutes by 2050.



OUR 2020 TARGET

95%

Reliability

65

Minute journey

30

Minute peak frequency

OUR 2030 TARGET

98%

Reliability

55

Minute journey

20

Minute peak frequency

OUR 2050 TARGET

100%

Reliability

45

Minute journey

15

Minute peak frequency

THE ACTIONS NEEDED TO REALISE THIS VISION:

- A corridor development plan
- Electrification to Melton
- Quadruplication between Sunshine and Melton
- Duplication of more single line sections
- Creation of new Warrenheip Parkway station
- Raising track speed wherever practicable
- Longer platforms for longer trains
- Better station facilities
- Better bus connections

THESE ARE REALISTIC ASPIRATIONS THAT CAN BE ACHIEVED IF:

- A long term Ballarat rail corridor plan is developed and implemented
- The required investments are implemented sequentially
- Involvement is achieved from all levels of government
- The community is engaged and excited as each upgrade is implemented

PROPOSED INFRASTRUCTURE INVESTMENT PROGRAM

2018 – 2022

- Railway electrification – Southern Cross to Sunshine (RRL lines) and to Melton
- Ardeer and Deer Park – station reconstruction to allow for track quadruplication with 250m platforms for longer current diesel and future metro electric trains
- Level crossing removals at Fitzgerald Road, Derrimut Road and Robinsons Road
- Caroline Springs – Rockbank – Melton track duplication*
- Caroline Springs, Rockbank, Toolern, Melton and Bacchus Marsh – platform extensions to 250m for metro electric trains
- Provision for future station at Hopkins Road
- New station at Toolern (with provision for Ferris Road level crossing removal)*
- Bacchus Marsh – additional platform, removal of existing carriage sidings and additional car parking*
- Maddingley – new carriage sidings at Kerr’s Road*
- Ballan – new 5km passing lane, additional platform and car parking
- Bungaree Loop via Wallace and Bungaree to close (removes 5 level crossings)
- Bungaree direct line – new 4km passing lane*
- Ballarat station improvements (incl. DDA compliance) and additional car parking
- Wendouree – additional platform and car parking*
- Ballarat to Geelong, Maryborough, Mildura, Sea Lake and Manangatang – track conversion to standard gauge (part of Murray Basin Rail Project)

2023 – 2026

- Opening of Melbourne Metro tunnels – releases capacity on RRL lines by diverting Melton trains onto separate tracks at Hopkins Road
- Sunshine – grade separated junction of Bendigo line with Melton suburban lines
- Sunshine to Caroline Springs and Hopkins Road – track quadruplication
- Deer Park – two additional platforms
- Re-arrangement of Robinsons Road Junction
- Melton – third 250m platform for terminating trains
- Telephone Road to Parwan Loop and Bacchus Marsh track duplication including bi-directional signalling for overtaking movements
- Warrenheip – new Parkway station with parking for 1000+ cars
- Ballarat station – track and platform re-arrangement for better train/train and train/road coach/bus interchange
- Eureka Stadium – new platform and signalling
- Ballarat to Wendouree – track duplication and dual gauging
- Ballarat West – new train stabling sidings and servicing facility
- Wendouree to Ararat – track conversion to standard gauge
- All stations – additional car parking and improved bus interchanges

2027 – 2030

- Sunshine – new platforms for fast line to Melbourne Airport
- Hopkins Road to Melton – track quadruplication
- Hopkins Road – new station (linked to level crossing removal)
- Level crossing removals at Hopkins Road and Leakes Road
- Rockbank – station reconstruction (linked to Leakes Road level crossing removal)
- Level crossing removals at Paynes Road, Mount Cottrell Road and Ferris Road
- Level crossing removals at Station Street and Coburns Road
- Melton – station re-construction (linked to Station Street and Coburns Road level crossing removals)
- Melton to Telephone Road - track duplication (including Melton Weirbridge) and bi-directional signalling for overtaking movements
- Parwan – new station
- Warrenheip to Ballarat East – third (standard gauge) track linked to Geelong line
- Warrenheip Parkway station – additional platforms

2031 – 2040

- Rowsley to Ballan – passing lane track duplication (incorporating Bank Box passing loop);
- Ballan passing lane to Bungaree loop – duplication
- Bungaree passing lane to Warrenheip – track duplication
- Trawalla – new crossing loop between Wendouree and Beaufort

2041 – 2050

- New part tunnelled line between Southern Cross, West Footscray and Sunshine for Geelong and Ballarat line fast regional trains
- Extensive curve straightening to permit 200 km/h running where practicable
- Level crossing removal program Rowsley to Warrenheip
- High voltage (25Kv AC) electrification Southern Cross to Ballarat for new high performance regional trains, replacing VLocity fleet

*These projects form part of the current Ballarat Line Upgrade (BLU) project.

IMPLEMENTATION PLAN 2018 – 2026

PROPOSED INFRASTRUCTURE INVESTMENT PROGRAM

THE BALLARAT LINE UPGRADE

The \$518 million allocation for the Ballarat Line upgrade in the 2016 State Budget will do much to help improve train service reliability and provide more passing lanes and platforms that will allow for more off-peak services. But much more is needed to support and encourage regional growth. The current upgrade doesn't include platform extensions for the longer trains with more seats that will soon be needed and it can't deliver the faster journey times Ballarat people want, especially for journeys to work.

MELTON ELECTRIFICATION

Electrifying the railway to Melton will triple its carrying capacity — electric trains can carry 1,100 or more people compared with 444 seats in a 6-car VLocity set. Population growth in Brimbank, Melton and Moorabool requires electrification, but the important connection with Ballarat can be retained, making Melton an interchange station with access to both suburban and regional trains. By 2026, it will also connect into the Melbourne Metro tunnels and release precious capacity on the RRL lines in from Deer Park, permitting more peak period services from and to Ballarat and Geelong.

QUADRUPLICATION TO MELTON

The Ballarat line currently tries to serve both suburban and regional passengers — but mixing regional and suburban trains makes regional journeys much longer. Faster Ballarat trains will increasingly be caught behind frequent suburban trains that run at much lower average speeds, because of stops at suburban stations.

It is therefore vital that suburban and regional trains are segregated. Quadruplication (two additional express tracks) from Sunshine to Melton, extending the previously completed Regional Rail Link tracks between Sunshine and Southern Cross, together with duplication from Melton to Bacchus Marsh including signalling designed for overtaking by Ballarat express trains, is how this segregation and faster trips can be achieved on the Ballarat line.

COMPLETING DUPLICATION BACCHUS MARSH TO BALLARAT

Ultimately, the entire line to Ballarat needs to be duplicated. Grade separation will be needed to eliminate most level crossings and the line upgraded for 200 km/h operation where grades and curves allow it. These investments will allow the world class train service Ballarat needs. The Freeway has been duplicated; the railway will also need full duplication soon!



IMPLEMENTATION PLAN 2018 – 2026

PROPOSED INFRASTRUCTURE INVESTMENT PROGRAM



BOOMING DEMAND FOR RAIL TRAVEL

Already Ballarat citizens are provided with 22 trains a day. Very soon, the peak services will be filled to capacity. In the next ten years at least 30 trains a day will be needed, with a 20-minute service in the two-hour peak in each direction.

BOOMING POPULATION

Ballarat's population is growing at 1.9% a year, and the present level of 104,000 will reach 137,000 by 2031 and could be 175,000 by 2050. By then, population of the wider Ballarat Region is likely to exceed 250,000. We must have the infrastructure to service that population.

High capacity electric trains being built now can carry 1,100 or more passengers; platforms will be built or extended to suit them. They need to run to Melton.



TRACK AND ROLLING STOCK

To provide for the needs of the next 5 and 10 years, investment is needed now in extra tracks, lengthened platforms and longer trains with more seats to support the level of service that will be needed. This planning must be done now!

The journey to work on Melton/Bacchus Marsh/Ballarat BOOMING POPULATION line trains sometimes looks like this...



ACCORDING TO THE VICTORIAN GOVERNMENT'S OFFICIAL POPULATION GROWTH FORECASTS VICTORIA IN FUTURE 2016:

The fastest growing metro municipality to 2051 will be Melton, served by the Ballarat line (4.4% growth)

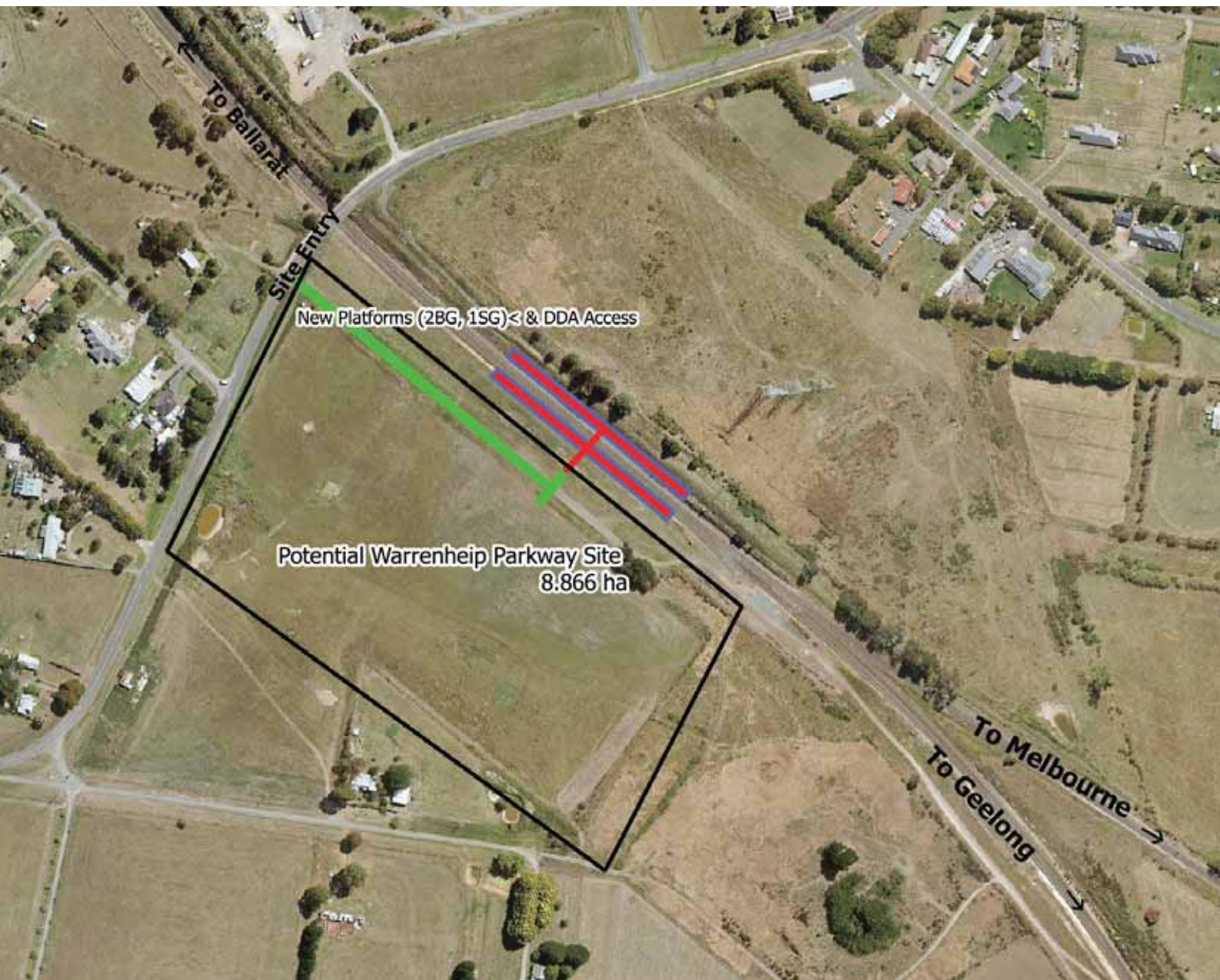
The second fastest regional growth area to 2051 will be Moorabool (2.4% growth)

With 1.9% growth, Ballarat's* population will be over 250,000 by 2051

The largest growth in numbers to 2051 will be Wyndham – (an additional 198,000 people) – Wyndham Vale trains will still be sharing the inner end of the Ballarat line

(Quadruplication will allow electric trains to Melton to operate on separate tracks).

WARRENHEIP PARKWAY STATION



IT'S THE TOTAL JOURNEY THAT COUNTS

The whole commute between Ballarat and Melbourne, or vice versa, includes the time needed to get to the station, wait for the train, and complete the journey. The journey time on the train can be expedited by better rail infrastructure, fewer curves and stops and faster rolling stock. But the journey to and from the station is very important too.

Many people want to drive to the station, and they need to be able to find a parking spot easily, leave their car in a safe place, and get easily to the platform. Our Warrenheip Parkway proposal, illustrated above, is designed for this purpose. It is planned to be an integrated new station complex at Warrenheip that will serve both Ballarat to Melbourne trains and future Ballarat to Geelong trains. It is designed to accommodate 1,000+ vehicles, within no more than a 5-minute walk to the platform, a convenient bus interchange and accommodation for a large number of bicycles.

There is no cost-efficient way to provide this many car parks in central Ballarat. And a Warrenheip Parkway will be ideal for all those living on the Melbourne side of Ballarat, as well as those from Mount Helen and Buninyong. It will complement the similar facility at Wendouree, already well used by those on the western side of the city.

The Ballarat railway can provide a fast gateway for residents and tourists to the region's unique tourist attractions, communities and natural beauty.



BALLARAT RAIL ACTION COMMITTEE

For more information, contact:

Kwabena Ansah
Melton City Council
PO Box 21
Melton VIC 3337
03 9747 7200

Email: kwabena.ansah@melton.vic.gov.au

A joint project of:



Attachment - Item 11.1.1c(ii)



STRATEGY FOR MANAGING EXPLOSIVE PASSENGER GROWTH ON THE MELTON BACCHUS MARSH RAILWAY

BALLARAT RAIL ACTION COMMITTEE
MAY 2018

Page 100 of 846

'Melton Electrification is urgent, and needs to happen now'

- Councillor Margaret Giudice, Mayor of Brimbank City Council
- Councillor Bob Turner, Mayor of Melton City Council
- Councillor Paul Tatchell, Mayor of Moorabool Shire

MELTON ELECTRIFICATION IS NOW URGENT

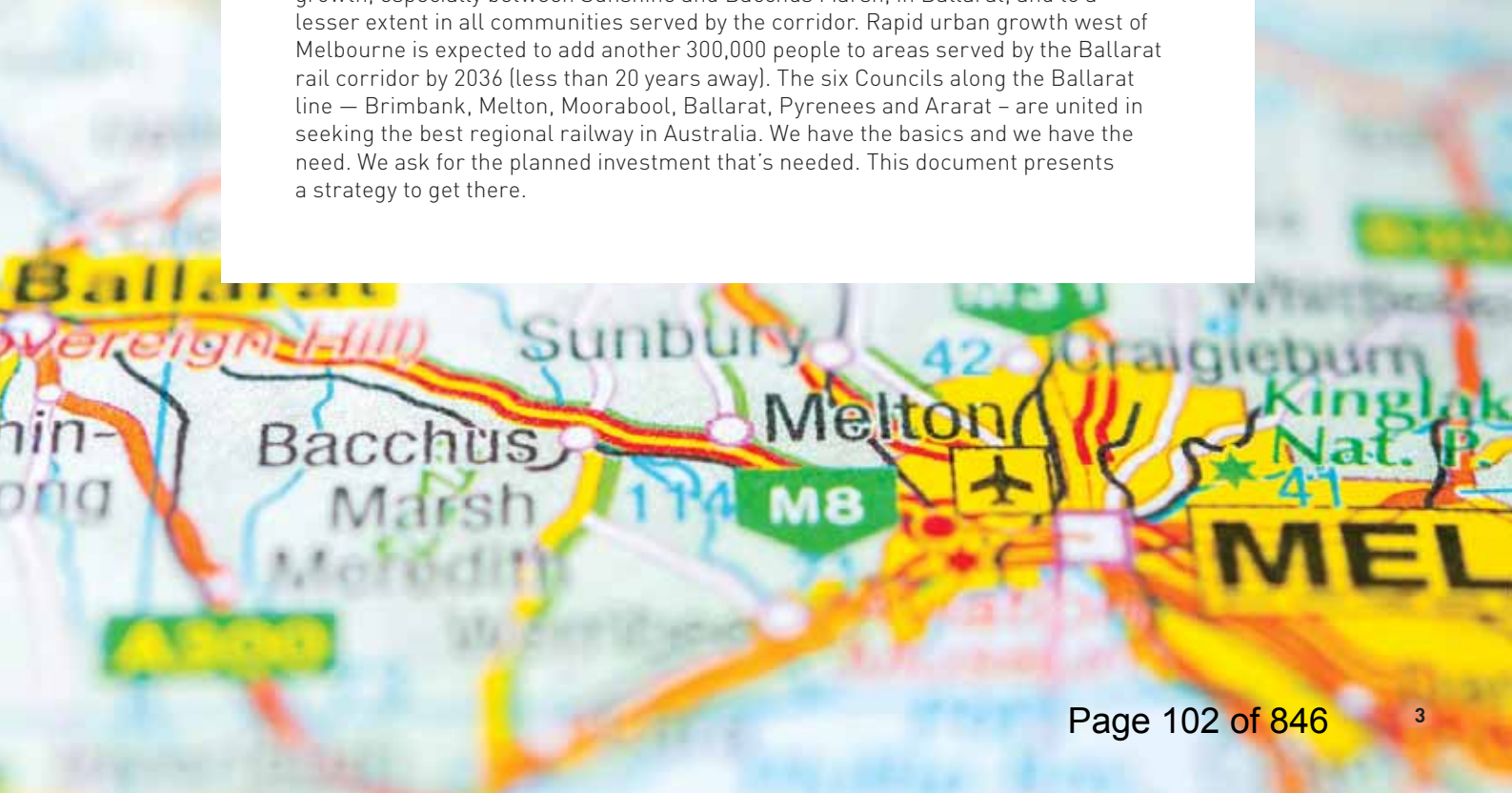
- Official figures show that some of the highest population growth in Australia in coming years will be in Melton, Moorabool and Wyndham municipalities
- Existing and approved infrastructure does not have the capacity to handle future passenger loads
- The regional rail link and the Ballarat line are already near capacity for peak period travel
- Track duplication, new passing loops, electrification and future connection to Melbourne metro will all help, but a more comprehensive strategy is needed.



Suburbs and municipalities west of Melbourne are experiencing unprecedented population growth as they transform from lightly populated outer suburbs and agricultural regions into densely populated suburbs.

The railway between Melbourne, Melton, Bacchus Marsh, Ballan and Ballarat provides a critical transport link for the communities it serves, including extended catchments that are connected to the railway by bus and coach services. The role of the railway will be fundamental in coming years as explosive population growth places huge stress on our road and rail systems. Both need to have the capacity to handle the needs of much larger populations. The railway between Melbourne and Ballarat is already an intensely used commuter line, having seen usage more than triple over the past decade as journey times have been reduced by successive investments in the Regional Fast Rail, VLocity railcars and Regional Rail Link projects.

A further \$518 million was committed to further improvements in the 2016 State budget. Despite these investments much of the line will still be single track, resulting in delays while trains wait to pass each other, and other infrastructure including stations, signalling, train stabling, car parking, security and bus and coach connections require further improvement. The next 20 years will require transformative development of rail services and infrastructure in the corridor from Sunshine via Ballarat to Ararat to accommodate demand fuelled by rapid population growth, especially between Sunshine and Bacchus Marsh, in Ballarat, and to a lesser extent in all communities served by the corridor. Rapid urban growth west of Melbourne is expected to add another 300,000 people to areas served by the Ballarat rail corridor by 2036 (less than 20 years away). The six Councils along the Ballarat line — Brimbank, Melton, Moorabool, Ballarat, Pyrenees and Ararat – are united in seeking the best regional railway in Australia. We have the basics and we have the need. We ask for the planned investment that's needed. This document presents a strategy to get there.



OUR VISION FOR THE MELTON-BACCHUS MARSH RAILWAY

An efficient, reliable and high capacity outer suburban railway to support the travel needs of the corridor's booming population, serving Melton and Bacchus Marsh with very frequent, reliable trains directly linking our communities with Melbourne's western suburbs, the Parkville university/hospital precinct, the CBD and the south east suburbs, and with excellent connections to Melbourne Airport, Geelong and Ballarat.



Population Melton & Moorabool LGAs



CURRENT POSITION

185,000

Population

6 peak hours diesel trains
+ **another 4** at Bacchus Marsh
shared with Ballarat passengers

30

Off-peak trains every 30 minutes
Evenings and weekends – hourly

BY 2026

There will be extreme overcrowding on this railway unless electrification is extended to Melton

260,000

Population

12 peak hour electric trains from Melton + **4** each way from/to Ballarat with connections at Melton

20

Off-peak trains every 20 minutes
Evenings/weekends half-hourly

BY 2030

Electric trains increased from 7 cars to 10 cars to meet demand

315,000

Population

12 peak hours electric trains + **6** each way from/to Ballarat with connections at Melton

10

Melton trains every 10 minutes at all non-peak times

BY 2040

435,000

Population

18 peak hours electric trains + **6** each way from/to Ballarat with connections at Melton

10

Melton trains every 10 minutes at all non-peak times

THE ACTIONS NEEDED TO REALISE THIS VISION:

- A corridor development plan
- Electrification to Melton
- Quadruplication between Sunshine and Melton
- Duplication between Melton and Bacchus Marsh
- Re-working the junctions at Sunshine and Deer Park
- Elimination of level crossings
- New and upgraded stations
- More car parks
- New trains
- Better bus connections

THESE ARE REALISTIC ASPIRATIONS THAT CAN BE ACHIEVED IF:

- A long term corridor plan is developed and implemented
- The required investments are implemented sequentially
- There is involvement from all levels of government
- The community is engaged and excited as each upgrade is implemented

PROPOSED INFRASTRUCTURE INVESTMENT PROGRAM

2018 – 2022

- Railway electrification – Southern Cross to Sunshine (RRL lines) and to Melton
 - Ardeer and Deer Park – station reconstruction to allow for track quadruplication with 250m platforms for longer current diesel and future metro electric trains
 - Level crossing removals at Fitzgeralds Road, Derrimut Road and Robinsons Road
 - Caroline Springs – Rockbank – Melton track duplication*
 - Caroline Springs, Rockbank, Toolern, Melton and Bacchus Marsh – platform extensions to 250m
 - Provision for future station at Hopkins Road
 - New station at Toolern (with provision for Ferris Road level crossing removal)*
 - Bacchus Marsh – additional platform, removal of existing carriage sidings and additional car parking*
 - Maddingley – new carriage sidings*
 - Ballan – new 5km passing lane, additional platform and car parking*
 - Bungaree direct line – new 4km passing lane to replace old Bungaree Loop line*
-

2023 – 2026

- Opening of Melbourne Metro tunnels – releases capacity on RRL lines by diverting Melton trains onto separate tracks at Hopkins Road
 - Sunshine – grade separated junction of Bendigo line with Melton suburban lines
 - Sunshine to Caroline Springs and Hopkins Road – track quadruplication
 - Deer Park – two additional platforms and re-aligned junction to Geelong line
 - Re-arrangement of Robinsons Road Junction
 - Melton – third 250m platform for terminating trains
 - Telephone Road to Parwan Loop and Bacchus Marsh track duplication including bi-directional signalling for overtaking movements
 - All stations – additional car parking and improved bus interchanges
-

2027-2030

- Sunshine – new platforms for fast line to Melbourne Airport
- Hopkins Road to Melton – track quadruplication
- Hopkins Road – new station (linked to level crossing removal)
- Level crossing removals at Hopkins Road and Leakes Road
- Rockbank station re-construction (linked to Leakes Rd level crossing removal)
- Level crossing removals at Paynes Road, Mount Cottrell Road and Ferris Road
- Paynes Road – new station
- Level crossing removals at Station Street and Coburns Road
- Melton station re-construction (linked to Station Street and Coburns Road level crossing removals)
- Melton to Telephone Road track duplication (including Melton Weir bridge) and bi-directional signalling for overtaking movements
- Parwan – new station

*These projects form part of the current Ballarat Line Upgrade (BLU) Project.

IMPLEMENTATION PLAN 2018 – 2026

PROPOSED INFRASTRUCTURE INVESTMENT PROGRAM

THE BALLARAT LINE UPGRADE

The \$518 million allocation for the Ballarat Line upgrade in the 2016 State Budget will do much to help improve train service reliability and provide more passing lanes and platforms. But much more is needed to support massive growth in Melbourne's west. The current upgrade doesn't include platform extensions for longer trains that will soon be needed or to commence preparatory works for urgently needed electrification to Melton.

MELTON ELECTRIFICATION

Electrifying the railway to Melton will triple its carrying capacity – 9-car electric trains can safely carry 1,400 or more people per train compared with 444 seats in a 6-car VLocity set. Population growth in Brimbank and Melton requires electrification, but the important connection with Ballarat can be retained, by making Melton an interchange station with access to both suburban and regional trains. By 2026, the electrified tracks will connect into the Melbourne Metro tunnels giving direct access to the university and medical precincts at Parkville, the new CBD stations and the south-eastern suburbs.



THE CRITICAL NEED TO REDUCE CAR DEPENDENCY

Suburbs served by the Melton/Bacchus Marsh railway are highly car dependent, with around 85% of weekday trips being made by car. The road network cannot absorb this ever-increasing demand. Over reliance on cars reflects the present inadequacy of available public transport options and results in high economic costs and social disadvantage for residents. These trends are unsustainable.

Major rail service improvements with better bus connections are needed now and into the future. They are critical for access to education, employment and leisure opportunities for the fast-growing communities to the west of Sunshine in Brimbank and throughout the City of Melton and Moorabool Shire.

MELTON'S PEAK PERIOD TIMETABLE CHALLENGE

There are few Melbourne metropolitan stations with a less frequent and less consistent peak period train service than Melton - the busiest station on the Ballarat line. Weekday trains arriving at Southern Cross between 07.00 and 09.00 leave Melton at 06.30, 06.43, 07.19, 07.31, 07.48 and 08.15. In the afternoon peak, it's slightly better with trains leaving Southern Cross at 16.10, 16.35, 17.00, 17.10, 17.19, 17.35 and 17.59. Most of these trains are already at or near 100% seat occupancy with many standees.

When the line is duplicated between Caroline Springs and Melton by late 2018 or early 2019, services will be more reliable and off-peak frequency is expected to improve. But the Regional Rail Link lines between Southern Cross and Sunshine are already at near full capacity at peak times with little room for additional services before Melton is connected to the Melbourne Metro tracks by 2025. That's 7 years away! By then, the combined effects of population growth, road congestion and the new station at Toolern will likely see rail patronage inbound from Melton more than double.

How then can the railway cope if almost no additional peak trains can be provided for another 7 years? The short-term answer lies in operating longer trains with more seats, hence the need for platform lengthening. It also lies in bringing forward Melton and Wyndham Vale electrification works with interim services provided to Melton, initially using high capacity 9-car electric trains serviced and staffed from a new depot at Wyndham Vale.

A commitment in 2018 could have these services running by 2022.

QUADRUPLICATION TO MELTON

The Bacchus Marsh/Ballarat line currently tries to serve both suburban and regional passengers – but mixing regional and suburban trains makes regional journeys much slower. Ballarat trains will increasingly be caught behind frequent suburban trains that run at much lower average speeds, because of stops at suburban stations. It is therefore vital that suburban and regional trains are segregated. Quadruplication (two additional express tracks) from Sunshine to Melton, extending the previously completed Regional Rail Link tracks between Sunshine and Southern Cross, together with duplication from Melton to Bacchus Marsh including signalling designed for overtaking by Ballarat express trains, is how this segregation can be achieved on the Ballarat line.

IMPLEMENTATION PLAN 2018 – 2026

PROPOSED INFRASTRUCTURE INVESTMENT PROGRAM



BOOMING POPULATION

Ballarat's population is growing at 1.9% a year, and the present level of 100,000 will reach 198,000 by 2031 and 250,000 by 2050. To that add 400,000 in Melton and Moorabool. We must provide the infrastructure to service that population.

High capacity electric trains being built now can carry 1,500 passengers; platforms will be built or extended to suit them. They need to run to Melton.



TRACK AND ROLLING STOCK

To provide for the needs of passengers currently and into the future, investment is needed now in extra tracks, lengthened platforms and longer trains with more seats to support the level of service that will be needed. This planning must be done now!

COMPLETING DUPLICATION BACCHUS MARSH TO BALLARAT

Ultimately, the entire line beyond Melton to Ballarat needs to be duplicated. It also needs to be protected by active crossing protection and grade separation. Wherever possible, it should be upgraded for 200 km/h operation where grades and curves allow it. These investments will allow the world class train service the region needs. The Freeway has been duplicated; the railway will also need duplication soon!

The journey to work on Melton/Bacchus Marsh/Ballarat BOOMING POPULATION line trains sometimes looks like this...

Current diesel VLocity trains are popular but were designed for fast running from regional centres such as Geelong, Ballarat, Bendigo and further afield. With seats for only 444 people per 6-car set, internal layouts and doors that do not allow rapid passenger access and egress, they are not suited to the frequent suburban services essential to accommodate the burgeoning urban growth facing Melton, Brimbank and Wyndham.



ACCORDING TO THE VICTORIAN GOVERNMENT'S OFFICIAL POPULATION GROWTH FORECASTS VICTORIA IN FUTURE 2016:

The fastest growing metro municipality to 2051 will be the city of Melton, served by the Ballarat line (4.4% growth)

The second fastest regional growth area to 2051 will be Moorabool (2.4% growth)

Ballarat is not far behind (1.9% growth); Ballarat's* population will be over 250,000 by 2051

The largest growth in numbers to 2051 will be Wyndham – (an additional 198,000 people) – Wyndham Vale trains will still be sharing the inner end of the Ballarat line

(Quadruplication will allow electric trains to Melton to operate on separate tracks).

A VISION FOR MELTON STATION

Quadruplication to Melton will necessarily include removal of the Station and Exford Roads level crossing. An option would be to re-construct Melton Station and rejuvenate the surrounding station precinct, opening up the entire station precinct for a wide range of new possibilities.



Source: Level Cross Removal Authority.

REJUVENATING STATION PRECINCTS

The whole commute from Ballarat line stations to Melbourne, or vice versa, includes the time needed to get to the station, wait for the train, and complete the journey. The journey time on the train can be expedited by better rail infrastructure, fewer curves and stops and faster rolling stock. But the journey to and from the station is very important too.

Many people want to drive to the station, and they need to be able to find a parking spot easily, leave their car in a safe place, and get easily to the platform. With electrification and quadruplication Melton Station and its immediate surrounds will need to be completely redesigned and rebuilt, with the level crossings removed at Station Street and Coburns Road. This will present an opportunity to implement cutting edge design in the area and rejuvenate the entire station precinct.

Buses and bikes also will play an increasingly key role in getting people to the station. Safe bike parking needs to be provided, and relevant bus routes enhanced to provide convenient train connections, with a well-designed, bright and safe interchange.

Explosive population growth over the next 30 years will require electrification and quadruplication of the Ballarat line to Melton. A corridor development plan is needed now!

STEPS IN PLACE NOW

1. The current \$518 million Ballarat line upgrade project will help, with duplication from Caroline Springs to Melton, extra platforms, passing lanes and elimination of the circuitous bungaree loop.
2. Electrification of the Melton line by around 2026 and its connection to the Melbourne metro tracks and tunnels is planned but not yet committed. It will allow higher capacity and more frequent trains as far as Melton.
3. High capacity electric trains now on order can take 1,500 passengers per train compared with 444 seats in a 6-car VLOCITY set.

EXTRA STEPS THAT ARE NEEDED

1. A corridor development plan, involving the community and all levels of government.
2. A commitment to early electrification to Melton.
3. Quadruplication Sunshine to Melton to allow regional trains to bypass stopping suburban trains.
4. New station/interchanges at Deer Park, Toolern, Melton and Bacchus Marsh.

BALLARAT RAIL ACTION COMMITTEE

For more information, contact:

Kwabena Ansah
Melton City Council
PO Box 21
Melton VIC 3337
03 9747 7200

Email: kwabena.ansah@melton.vic.gov.au

A joint project of:



11.1.2 Priority Projects and Advocacy: Update

Introduction

Author: Rob Croxford

Background

In November 2017 the Council considered a report on key priority projects and advocacy leading into the State and Federal elections and budgets.

At the time of writing the last report to Council it was assumed that a Federal election would be held in mid-2018 with the State election already fixed for 24 November, 2018. We may now see the Federal election in October 2018 or early in 2019.

The State and Federal Budgets for 2018 have now been handed down.

Disappointingly there is no specific mention of projects for Moorabool, however there are broad initiatives announced that may benefit Moorabool communities to some degree. Attached is a summary of budget initiatives from the VLGA (**Attachment 11.1.2a**). A summary of the Federal initiatives is set out at (**Attachment 11.1.2b**).

The Council has also been presented with advocacy material on the further upgrades to the Ballarat Rail Line. Although the Ballarat Rail Action Committee (BRAC) will take the lead on this, the Council also previously resolved to include the projects in our advocacy material. These have been amended to reflect the further consultation required with communities on future projects and specifically on electrification to Bacchus Marsh. A further report on community consultation and advocacy material for BRAC is also listed in this agenda.

Council has also requested further information on the Victorian Motorsport Facility. A briefing note and draft advocacy material has been prepared for the Motorsport hub (**Attachment 11.1.2c**). The project has also been scored using the RDV tool.

The General Manager Social and Organisational Development has also distributed briefing papers on attracting increased investment in government and non-government services in Moorabool. With support from some State Government Regional Directors and the Central Highlands Group of Councils, this project has advanced to the point where it is considered worthy of inclusion in the main advocacy list leading up to the elections.

In recent months the Bacchus Marsh Racecourse Reserve Stage 1A project has commenced. At this stage we still don't know the outcomes of the Federal Government (Stronger Regions) grant application. The same advocacy sheet is included at this stage and any investment on key aspects of the project can be leveraged for good community outcomes at the Racecourse Reserve.

The full list of advocacy projects presented in November has been retained and modified by the November report and Council's consideration at this meeting.

The Council in November 2017 resolved to list the following as the top four projects.

- Bacchus Marsh Regional Sports Hub
- Parwan Employment Precinct
- Sewering of Bungaree and Wallace
- Bacchus Marsh Traffic Improvements (Grant Street/Gisborne Road)

It is also recommended in this report that further projects be added to the list as follows:

- Victorian Motor Sports Hub - Fiskville
- Ballarat Rail line Upgrades (BRAC)
- Services for Growing Communities – Enhancing the health and wellbeing of people and communities in Moorabool

Additionally, the Council resolved to support a range of smaller projects that are set out in the following report.

Proposal

The RDV Assessment Tool for Ranking Projects

As mentioned in the November report, Regional Development Victoria (RDV) now has a key role in the collation and presentation of Local Government Projects to government. Sport and Recreation Victoria have a similar role and there is often cross-over in project asks and government officers.

RDV and SRV representatives meet Moorabool officers on a regular basis to discuss and recommend the use of a template for the assessment and prioritisation of projects for consideration by the State Government.

The discussions have made it clear that Council projects must be advanced and ranked in order to receive serious consideration by the machinery of government.

Attached (Attachment 11.1.2d) is a revision of the previous scoring sheet with the addition of:

- Victorian Motor Sports Hub – Fiskville
- Ballarat Rail line Upgrades (BRAC)
- Services for Growing Communities – Enhancing the health and wellbeing of people and communities in Moorabool

Person to Person Advocacy to Date

Since the last report the Mayor and CEO have met with:

- Mr Joshua Morris, Member for Western Victoria
- Mr Ryan Farrow, Liberal Candidate for Melton
- Mary-Anne Thomas, Member for Macedon
- Gordon Rich-Phillips, Shadow Minister for Aviation
- Michaela Settle, Labour Candidate for Buninyong
- Mr Geoff Howard, Member for Buninyong
- Justin Mammarella, Labour Candidate for Melton
- Catherine King, Federal Member for Ballarat

Further, a trip to Canberra has been booked in mid-June to advocate on regional projects with others in the Central Highlands region plus individual requests to Ministers and Advisors who can advance Moorabool's key issues.

Local members are assisting with requests for additional meetings in Canberra with:

- Senator Bridget McKenzie, Minister for Sport
- The Hon David Littleproud, Minister for Agriculture and Water Resources
- The Hon Paul Fletcher, Minister for Urban Infrastructure and Cities
- The Hon Michaelia Cash, Minister for Jobs and Innovation
- The Hon Michael McCormack, Minister for Infrastructure and Transport
- Senator Jane Hume, Senator for Victoria
- The Hon Anthony Albanese, Shadow Minister for Infrastructure, Transport, Cities and Regional Development
- The Hon Brendan O'Connor, Shadow Minister for Employment and Workplace Relations
- Senator the Hon Kim Carr, Shadow Minister for Innovation, Industry, Science and Research
- The Hon Joel Fitzgibbon, Shadow Minister for Agriculture, Fisheries and Forestry

Other Modes of Advocacy

As an overarching principle, advocacy to politicians for projects must have resonance with the policy and initiatives of government (e.g. growth and jobs) and have a quantifiable and timely outcome (e.g. \$ grant by when).

In the past, the A5 folders of MSC Key Priority Projects have been received well as they are professional, succinct and can slip into a bag easily. These will be recreated for the additional projects listed by Council.

Further, we have used A1 roll out sheets for projects such as Parwan where one page of complex information can be distilled for fast paced conversations with advisors and elected representatives.

We will also use a range of media and printed material to advance the top projects strongly, and will retain the existing collateral for other projects on the existing list. Our website and social media such as Facebook will also be used to get the message out.

Further, groups such as the Peri Urban Group, Central Highlands Councils, Regional Partnerships and VECCI will continue to be useful in lobbying for the needs of Moorabool communities.

Finally, officers have invested in short video vignettes to professionally capture the attention of stakeholders who visit our site, or in smaller settings where an iPad or projector can be used to mix up the presentation format (<https://www.moorabool.vic.gov.au/my-council/advocacy-moorabool>).

The Identification of MSC's Top Projects

As mentioned above, the RDV tool has been applied to several projects that officers think are likely to be candidates for discussion with politicians and advisors.

The recommended top projects are:

- Bacchus Marsh Regional Community Sports Hub – Score: **86**
- Sewering of Bungaree and Wallace – Score: **85**
- Parwan Employment Precinct – Score: **80**
- Bacchus Marsh Traffic (Grant Street/Gisborne Road) – Score: **77**
- Victorian Motor Sports Hub – Fiskville – Score: **62**
- Ballarat Rail line Upgrades (BRAC) – Score: **71**
- Services for Growing Communities – Enhancing the health and wellbeing of people and communities in Moorabool – Score: **59**

The draft advocacy collateral to be used to advance the seven projects is attached at Attachment 11.1.2e.

Other Major Projects Considered

The November Report considered additional projects that still required further work including:

- Leveraging opportunities at the Ballan Industrial Estate.
- Upgrades to the Ballarat Rail Line.
- Bacchus Marsh Aquatic Centre.
- Victorian Motorsport Hub – Fiskville.

A Briefing Note and draft advocacy material has been prepared for the Motorsport Hub (Attachment 11.1.2c). Further, a budget submission has been prepared to contribute \$100,000 to a \$300,000 business case with matching funding committed by the City of Ballarat. As mentioned in the attached Briefing Note, there is support from the Central Highlands Group of Councils, City of Ballarat, Geelong City Council and Wyndham City Council to advance the concept further.

Opportunities around the Ballan Industrial Estate have been considered as part of the building of a Central Highlands Fire Training Facility that replaces part of the functions previously located at Fiskville. Conversations with senior CFA officers suggest that the new CFA facility is best operated as a stand-alone site. Officers have also recently been informed that the extension of the natural gas pipeline along Ingliston Road will not form part of the project. Officers will utilise the \$450,000 grant from RDV in the Haddon Drive extension project subject to RDV agreement.

The Ballarat Rail Line Upgrade is a key project that impacts Moorabool and other Councils along the rail alignment. We currently participate in the Ballarat Rail Line Action Committee (BRAC), and will advance further conversations with Council as the Committee progresses advocacy positions and new projects. A separate report to this Council meeting has been prepared to update Councillors on community consultation, refreshed advocacy material and the launch of the BRAC advocacy campaign.

The Bacchus Marsh Aquatic Centre project was a key priority at the last election.

The Council at the April meeting endorsed the strategic documents for consultation on the future location of an indoor pool, the possibility of installing splash parks and the feasibility of an indoor sports stadium.

Population catchments and financial affordability are key considerations for when an indoor facility may be able to be progressed.

In the lead up to the elections it is considered that the \$19M plus ask of Government is too great at this stage and will detract from the other top projects put forward in this report. The SFP has been modified in the preparation of the Council Plan refresh to reconsider the Council's contribution to the project in a 10 year timeframe.

Smaller Projects

The November report put forward a list of smaller projects spread across the Shire that may be attractive for politicians to fund as part of the lead up to the Federal and State elections.

A review of the original list, given further strategic work or funding changes, suggests that the following projects from the November list be removed or modified as follows:

- No. 2 – Bacchus Marsh Indoor Stadium
Remove until strategies are finalised. \$9mil - \$13mil ask and Council contribution requirements are too great at this stage.
- No. 3 – Maddingley Park Oval lighting
Remove as project has been funded and commenced.
- No 4 – Darley Park Oval Lighting
Update financials to \$130,000, \$50,000, \$75,000, Total \$255,000. Reflects Council funding commitment and grant application.
- No. 7 – Ballan Streetscape Upgrade Stage 2
Amend funding to \$600,000, \$600,000, total \$1.2 mil. To reflect Council's decision on Stage 1 and the draft budget figures.
- No. 9 – Ballan Oval Extension
Remove. The draft strategy does not list the project as a high priority and will compete with the netball project.
- No. 10 – Ballan Library Relocation
Remove. Strategy is being completed and is yet to be considered by Council.
- No. 13 – Gordon Streetscape Upgrade
Amend funding to \$350,000, \$350,000, total \$700,000 to reflect Council budget commitments.
- Project Packages No 3.
Amend to reflect a possible splash park in Bacchus Marsh and Ballan.

A detailed list of the 14 smaller projects and 3 project packages is included as Attachment 11.1.2f and is summarised below:

- Mason Lane Reserve – West Pavilion Upgrade/Public Toilet/Playground
- Darley Park – Sports Oval Lighting
- Maddingley Park – Passive Area Irrigation

- Peppertree Park – Upgrade and Pedestrian Bridge over Werribee River
- Ballan Streetscape Upgrade – Stage 2
- Ballan Recreation Reserve – Netball/Tennis Court and Facilities Upgrade
- Gordon Recreation Reserve – Additional Netball Court
- Gordon Recreation Reserve – Sewer Connection
- Gordon Streetscape Upgrade
- Greendale Recreation Reserve – Amenities Upgrade
- Wallace Recreation Reserve – Sports Oval Irrigation and Lighting
- Dunnstown Recreation Reserve – Sports Oval Lighting
- Bungaree Recreation Reserve – Sports Oval Lighting
- Elaine Recreation Reserve – Water and Irrigation
- Moorabool Play Space Upgrades (scalable)
- Street Lighting – Bulk Lamp Changeover to LED
- Aquatics Upgrades – Splash Parks

Policy Implications

The wide range of advocacy projects above is consistent with the Council Plan 2017-2021 under the Strategic Framework of:

- Providing Good Governance and Leadership
- Minimising Environmental Impact
- Stimulating Economic Development
- Improving Social Outcomes

Financial Implications

Advocacy is currently being provided for within existing resources. Ideally the use of lobbyist and PR firms would be beneficial but cannot be accommodated in current resource limitations.

In the project sheets listed, the “Council allocation” column is yet to be confirmed by Council and will be drawn from the seed funding pool, the 2018/19 Budget or from minor variations to the capital program. Council will need to revisit the funding mix as project announcements are developed up by the Federal and State Governments.

It may be necessary for Council to have around ¼ to 1/3 of the project allocated as a cash contribution to any project.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Moorabool continues to receive lower levels of grants that other LGS's	Grants are a key revenue stream to fund key community projects	High	Lobbying and advocacy to decision makers in other levels of government

Community and Consultation Strategy

As set out in this report, a range of printed collateral, social media, video and face to face advocacy is being undertaken.

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.

Author – Rob Croxford

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

Conclusion

This report has provided an update on advocacy post the State and Federal budgets and sets out the a modified recommended key projects (June 2018) to pursue in the lead up to the 2018 State and Federal elections.

Draft advocacy collateral is also presented for endorsement.

Recommendation:

That Council:

1. **Endorses the top seven major projects for advocacy to the next Federal and State election as:**
 - **Bacchus Marsh Regional Community Sports Hub**
 - **Sewering of Bungaree and Wallace**
 - **Parwan Employment Precinct**
 - **Bacchus Marsh Traffic (Grant Street/Gisborne Road)**
 - **Victorian Motor Sports Hub – Fiskville.**
 - **Ballarat Rail line Upgrades (BRAC)**
 - **Services for Growing Communities – Enhancing the health and wellbeing of people and communities in Moorabool**

2. **Endorses the top eighteen minor projects for advocacy to the next Federal and State election as:**
 - **Mason Lane Reserve – West Pavilion Upgrade/Public Toilet/Playground**
 - **Darley Park – Sports Oval Lighting**
 - **Maddingley Park – Passive Area Irrigation**

- **Peppertree Park – Upgrade and Pedestrian Bridge over Werribee River**
 - **Ballan Streetscape Upgrade – stage 2.**
 - **Ballan Recreation Reserve – Netball/Tennis Court and Facilities Upgrade**
 - **Gordon Recreation Reserve – Additional Netball Court**
 - **Gordon Recreation Reserve – Sewer Connection**
 - **Gordon Streetscape Upgrade**
 - **Greendale Recreation Reserve – Amenities Upgrade**
 - **Wallace Recreation Reserve – Sports Oval Irrigation and Lighting**
 - **Dunnstown Recreation Reserve – Sports Oval Lighting**
 - **Bungaree Recreation Reserve – Sports Oval Lighting**
 - **Elaine Recreation Reserve – Water and Irrigation**
 - **Moorabool Play Space Upgrades (scalable)**
 - **Street Lighting – Bulk Lamp Changeover to LED**
 - **Aquatics Upgrades – Splash Parks**
3. **Endorses the advocacy materials and actions contained in the above report.**
 4. **Authorises the Mayor and CEO to actively pursue advocacy for the above projects.**
 5. **Receives further updates on Council’s advocacy initiatives and progress in the lead up to the next federal and state election.**

Report Authorisation

Authorised by: 

Name: Rob Croxford

Title: Chief Executive Officer

Date: Thursday, 31 May 2018

Attachment - Item 11.1.2a

From: VLGA <vlga=vlga.org.au@mail174.atl221.rsgsv.net> on behalf of VLGA <vlga@vlga.org.au>
Sent: Monday, May 7, 2018 12:13:34 PM
To: Rob Croxford
Subject: VLGA Communique #2 Analysis Victorian State Budget

VLGA Communique #2 Victorian State Budget

The VLGA is pleased to present Communique #2 to all councils following our initial Communique in March and in response to the State Budget released on 1 May 2018.

As stated in Communique #1, the upcoming November state election presents councils with the opportunity to advocate for the needs of their communities.

We have analysed the State Budget and provide the following update for your council.

This update will provide additional information to councils in their ongoing lobbying and advocacy efforts on behalf of their community and to lobby local MPs leading up to the 2018 State Election and beyond. We also encourage your council to share your lobbying and advocacy efforts with the VLGA so that we may better represent the interests of the sector in 2018 and beyond.

Kathryn Arndt, CEO

Highlights for rural and regional councils

- \$1 billion for rural and regional roads including \$694 million for road restoration and upgrades
- \$17.4 million to establish of Regional Road Victoria
- \$313 million to upgrade rail services to Shepparton
- \$22.2 million for regional buses
- \$577 million for regional hospital upgrades in Ballarat and Wonthaggi and an extra \$50 million for the Regional Health Infrastructure Fund
- \$16 million to establish the Bendigo GovHub, in addition to the hubs in Ballarat and the La Trobe Valley
- \$11.6 million to improve digital services in Wodonga and Wangaratta
- \$47.3 million to develop alcohol and drug treatment services in Barwon, Gippsland, and Hume regions
- \$120 million to upgrade TAFE facilities in Bendigo, Morwell, and Sale
- \$28.4 million for new and upgrading facilities for CFA, SES and Life Saving Victoria
- \$8.2 million for regional sports facilities in 9 regional cities and towns
- \$11 million to improve mobile coverage
- \$20 million to improve long-term financial sustainability for rural councils*

Highlights for metropolitan Melbourne councils

- \$2.2 billion for the upgrading of 13 suburban arterial roads in northern and eastern metropolitan regions
- \$116 million for repair and safety upgrades of other roads
- \$1 billion in the suburban public transport networking including
 - \$572 million for Cranbourne line duplication
 - \$104 million for 5 new X'Trapolis trains

- \$89.4 million to South Morang line extension and increased services to Hurstbridge and Dandenong lines
- \$56 million for the suburban bus network
- \$619 million for hospital upgrades including
 - \$396 million for the Victorian Heart Hospital in Clayton
 - \$69.5 million for renewal and upgrade of the Alfred Hospital
 - \$29.6 million to expand the emergency department at Sunshine Hospital
- \$25 million for local crime prevention initiatives
- \$50 million for the Growing Suburbs Fund*

State-wide initiatives

- \$2.8 billion for schools including \$272 million for land acquisition for new schools and \$288 million to support students with disabilities
- \$705 million for people with mental illness and addiction
- \$241 million for upgrading sporting facilities including \$82 million to increase sports participation by women and girls
- \$172 million to make 30 TAFE courses free for students
- \$43 million to build or upgrade early learning centres
- \$27 million for more kindergarten places

What's missing?

- There is no additional investment in the metropolitan tram network
- Only \$22.3 million investment in active transport allocated over four years
- * The \$20 million for rural councils addressing their long-term financial sustainability and the \$50 million Growing Suburbs Fund are one-off funding with no ongoing commitment beyond the 2018-19 financial year

Where to from here?

The VLGA compared the issues we raised in our communique released in March and the budget response. While it is pleasing to see that many issues identified have or are being addressed, gaps remain, particularly in relation to waste management. The VLGA will actively engage with councils in the coming months leading up to the November state election and continue to be the independent voice for local government.

Issues identified in VLGA Communique #1	Budget response and VLGA analysis
<p>Infrastructure Planning for Local Communities A coordinated effort between state and local governments in infrastructure planning is urgently required to meet the demand of local communities. Local communities are experiencing rapid growth and at a different frequency depending on location and pre-existing infrastructure.</p>	<p>The budget contained significant investment in infrastructure for rural, regional and metropolitan Melbourne, particularly for early childhood education, schools, TAFE, some hospitals and sporting infrastructure. These will assist some councils in planning and delivery of services and capital works for their community.</p> <p>However, the \$50 Growing Suburbs Fund is only for the 2018-19 financial year.</p>
<p>Integrated Transport Solutions An integrated transport network is vital to the</p>	<p>There are significant investments in infrastructure focusing on roads and rail. Rail</p>

<p>Victorian economy. Timely and seamless movement of people and freight increases the livability of large population centres to stimulate investment in regional and rural cities. Conversely, over-reliance on one mode of transport or lack of integration of various transport options will have detrimental effects on the health and well-being of communities. These are the foundations on which the Transport Integration Act (2010) was established. A concerted whole-of-government approach is required to make integrated transport options a priority for all Victorians, now and into the future.</p>	<p>service investment to regional areas such as Shepparton and signal upgrades to western parts of Victoria will boost access and livability. The additional investments in bus services for regional and metropolitan Melbourne are welcomed. However, there is no additional investment for rail services to east and northeast parts of Victoria. There is also no additional investment in trams and the budget allocation for active transport is insufficient. This leaves councils responsible for the bulk of active transport investment, particularly in metropolitan Melbourne.</p>
<p>Regional Development The VLGA would like to see upfront investment by the state government on these issues to ensure the sustained development of regional cities and towns. Pro-active partnerships between the state government, councils and other sectors need to be examined in addressing regional development opportunities.</p>	<p>The budget contains several key investments in regional Victoria, including the Bendigo GovHub and increasing digital connectivity to Wangaratta and Wodonga. However, the long-term sustainability of rural shire councils requires ongoing investment, particularly in identifying and fostering training and leadership opportunities in rural communities. The limited revenue-raising potential and current rate-capping policy means rural shire councils continue to rely heavily on grants from the other two tiers of government.</p>
<p>Partner with councils to find innovative solutions to waste management Councils would like to explore a range of options in tackling waste, they include: Incentives and measures to support councils to work with residents to reduce waste, including reducing recyclable waste from households; Fast-track of roll out of organic recycling to reduce the amount of waste going to landfill; Increase capacity of local waste management initiatives such as regional waste to energy plants.</p>	<p>Disappointingly, there is only \$14.6 million investment over two years by the state government addressing the issue of waste management. The VLGA will continue to lobby on behalf of the sector to the state government leading up to the November state election. At the recent meeting between the federal, state and territory environment ministers, there was an agreement to address this issue, but no financial investment commitments were made. The VLGA is in the process of preparing an issues paper to be circulated to councils and other stakeholders seeking their engagement and collaboration on this issue for the benefit of all Victorians.</p>
<p>Partner with councils to address infrastructure gaps Councils in the interface regions between metropolitan and regional/rural areas are calling for better access to the Growth Areas Infrastructure Contribution (GAIC). The GAIC has been limited to infrastructure projects of</p>	<p>The budget allocated \$205 million from the GAIC, consisting of \$116 million for land acquisition for schools, \$68 million for school construction and \$20 million for public transport upgrades.</p>

<p>between \$1 and \$10 million. Interface councils believe the \$10 million limit is constraining their ability to tackle large-scale, inter-generational infrastructure projects. This \$10 million limit needs to be reviewed and adjusted to suit local circumstances.</p>	
<p>Partner with councils to address planning mechanism red tape Councils have experienced inefficiencies in both applying and managing the Development Contribution Plan (DCP). The current DCP process requires councils to have detailed infrastructure and service plans in place, even though significant infrastructure and service planning are often the responsibility of the state government. The guidelines governing the operations of the DCP are also rigid and do not give councils ability to modify or vary the DCP to suit changing circumstances. Likewise, councils are also reporting the lack of flexibility when re-applying for a DCP. Councils are effectively required to start from scratch in a re-application process, and there does not appear to be sufficient consideration given to the work done as part of the existing or previous DCP.</p>	<p>The budget allocated \$16.4 million over four years to improve the planning system, including \$9.8 million for reforming local government planning and \$3.6 million for streamlining land subdivisions and council approval processes.</p>

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IN GOOD LOCAL GOVERNANCE

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Attachment - Item 11.1.2b

Fact Sheet 1: 2018-19 Budget Overview

General overview and economic outlook:

- Global growth continues to improve
- Australia's strong links to Asian Region continue to present opportunities for businesses to export
- Momentum is building and Australia is in its 27th consecutive year of growth
- The economy is expected to grow by 2.75% in 2017-18 and 3% in 2018-19
- In 2017-18 the Budget deficit will be \$18.2B less than half of what it was 2 years ago
- In 2018-19 the Budget deficit is predicted to be \$14.5b with a slim surplus of \$2.2b predicted for 2019-20

Budget Priorities:

- Provide tax relief to encourage and reward working Australians
- Keep backing business to invest and create more jobs
- Guarantee the essential services that Australians rely on
- Keep Australia safe and
- Ensure that the Government lives within its means

Key initiatives and savings measures:

- Tax relief to middle and lower income Australians
- Infrastructure investment across a range of transport projects
- Aged Care Reform including additional home care packages

Of interest to local government:

- \$1,229b in Financial Assistance Grants (noting \$1.2b bought forward to 2017-18 from 2018-19) (see Fact Sheet 3 for Allocations))
- \$24.5b in funding for new transport projects (see Fact Sheet 2)
- Priority for Aged Care funding and support packages – various measures
- \$29.7m in 2018-19 to deliver up to 500 local community sporting infrastructure grants of up to \$500,000 to improve community sporting facilities
- \$50.1m over 4 years to enhance security arrangements to 64 regional airports
- \$386.5m cash estimates payments for Natural Disaster and Relief Recovery Arrangements for 2018-19
- \$30m over 2 years for Safer Communities Fund – open to local governments to fund crime prevention measures
- \$206.5m over 4 years for Round Three of Building Better Regions Fund to support investment in community infrastructure
- \$28.3m over 4 years to provide a further three funding rounds for the Remote Airstrip Upgrade component of the Regional Aviation Access Program
- \$25.9m for Stronger Communities Program Round Four – small capital projects in regional Australia
- \$4.8m for Improving collection of Housing Data by ABS and AHURI
- \$1.2m over 4 years to the Regional Australia Institute to inquire into issues affecting regional Australia

Attachment - Item 11.1.2c

Briefing note

Date: 26 April 2018

To: Councillors/Executive Group

File No. 02/14/005
02/10/024

From: Satwinder Sandhu - General Manager, Growth and Development

Topic: Victorian Motor Sports Hub at Fiskville

Background

At present the CFA, along with Emergency Management Victoria as the Victorian Government's principal policy and portfolio agency for the site, is undertaking a site contamination clean-up under the direction of the Environment Protection Authority. Beyond clean-up, there is no policy position on the future use of the site. Any future land use will be encumbered by its contamination and subject to heritage, environmental and policy considerations

While the delivery of local economic activity is a broader policy matter for the Shire and the Victorian Government, the future use or development of the land at Fiskville provides an opportunity to stimulate local economic throughput and jobs.

The proposal for a Multi-Code Motor Sports Facility in Melbourne's west has been considered by both the City of Ballarat and the City of Greater Geelong. The Wyndham City Council as part of their Hard to Locate Sports Strategy is also considering a similar facility as well. The City of Ballarat completed a (confidential) feasibility study in 2015. This report explored a number of locations both within the City of Ballarat and in neighbouring regions. The Fiskville site was considered as a potential location acknowledging that decontamination works are currently being undertaken. The CFA are considering what function the site could perform when returned to safe levels. Prior to commencement of the rehabilitation works, Emergency Victoria has also undertaken some works on possible uses that could be incorporated onsite including a Motor Sports Facility. Unfortunately we do not have access to this body works at present.

Fiskville presents as a potential site due to a number of factors. One factor is its geographical location in relation to the nearest population centre. Fiskville is located approximately six (6) kilometres from Ballan with more than 50 businesses in close proximity, having the potential to benefit from servicing the facility and its visitors. It is located at a distance to abate concerns over noise pollution. The Fiskville site exceeds the estimated land requirements for the facility, therefore providing the opportunity for additional uses such as a festival events space. It is also convenient to Ballarat, Geelong and Western Melbourne.

Furthermore, it is to be noted though Victoria has four permanent circuit racing facilities – Sandown, Phillip Island, Winton and Calder Park, however, with uncertainty about Sandown's long term future and Calder Park not actively in regular competition, there is greater demand for a facility to cater for the growing levels of grassroots motor sports held in the State.

The proposed proposal of a Motorsports Facility at Fiskville which will be Australia's premier motoring hub - an innovative regional facility providing unrivalled and versatile community, motorsport, education and industry spaces that boosts the region's economy for local businesses, provides opportunities for tourism and job creation (refer to the attached draft brochure for what can be potentially achieved/targeted on the site).

The development of Fiskville as a motorsports facility is well supported by the City of Ballarat, City of Greater Geelong and Wyndham City Council, in addition to the keen interest from the Confederation of Motorsport Australia (CAMS). The CEO and myself have meet with all above mentioned Council's key staff members and there is appetite to move the project, though degree of interest does vary. The City of Ballarat see this project as of both social and economic importance to them whereas both Geelong and Wyndham see it has social benefit and are prepared to make the contributions accordingly. However, this is an ideal time for Moorabool Shire to take lead on the project and re-set this as a Regional Economic Initiative via developing an advocacy plan and gauging support to undertake a proper business case.

Key Issues

The research conducted by the City of Ballarat although thorough, contains a number of factors which may compromise the project findings. The first is the demand component which was an analysis of only Ballarat motor sport clubs. The second is that the research was published in April 2015 with data collected prior to this. In addition, the research did not consider the economic benefits of alternate uses outside of motor sports, such as a conference facility or a music/festival venue.

Furthermore, a development of this scale will need large investment from the State and/or Federal Governments and this can be only achieved if we have a solid business case.

As a rule of thumb, the cost of a full business case to secure a funding decision will cost up to 1% of the overall project budget. A business case for a motor sports hub in the order of \$50 to \$100 million will cost in range of \$300,000 - \$500,000 to deliver depending the scope. A significant portion of this is in design and engineering services and due diligence, as well as economic and financial modelling, plus the project management and drafting fees of pulling the documentation together.

As this falls outside the current capacity and lack of uncertainty, it is proposed that preparation of a business case comprise a two-stage process. Firstly a 'preliminary business case' be prepared, which can then progress to full business case pending the outcome of stage 1 and funding availability.

The Department of Treasury and Finance has a template and an accepted methodology for preparation of a preliminary business case, and it is proposed that this be adopted for the business case.

The outcome of the preliminary business case will be to demonstrate whether a motor sports hub (or an alternative solution) represents the best strategic approach. Armed with the preliminary business case, Council can then shop around for the preferred solution with other stakeholders, and build support for the full completion of the business case in anticipation of an investment decision from those same stakeholders, including the Victorian government. This is particularly pertinent in this election year.

Key Players

Potential project stakeholders consist of:

- Moorabool Shire Council
- City of Ballarat
- City of Greater Geelong
- Wyndham City Council
- Additional neighbouring local authorities
- Confederation of Australian Motor Sport (CAMS)
- LeadWest (potentially)
- Representation from motor sports clubs
- Regional Development Victoria
- Emergency Victoria, CFA
- State and Federal Government
- Private investors

Current Status

A draft Tender Scope document to undertake the Business Case has also been drafted (see attachment 2), however this will require approval of the key stakeholder parties along with funding mix provisions. The City of Ballarat has given in principle support to \$100,000. Geelong and Wyndham Council have also indicated that they will consider making some financial contribution toward the project based upon the social benefits. From Moorabool Council's perspective, there has been a funding bid made under New Initiatives for \$100,000 in the 2018/19 draft budget which is yet to be supported. This briefing note provides the background need for the funding.

It is also proposed that initial Government engagement be also undertaken with various State Ministers along with Regional partners (interested Councils) to seek their support. This body of work may need additional resources from Moorabool Shire as the lead player.

Communications Strategy

There is currently no communications strategy, however if the project does proceed further there will be a communication strategy developed accordingly

Conclusion

Since closure of CFA Training Facility at Fiskville, Council staff along with Councillors have been exploring opportunities to deliver a significant local economic benefit to the township of Ballan. This project potentially provides that opportunity not only to Ballan but also to the whole region. The project has gathered lots of support from both industry groups and regional Councils and the timing is right for Moorabool Shire to take the lead on the project, and re-set this as a Regional Economic Initiative via developing an advocacy plan and gauging support to undertake a proper business case.

Victorian Motor Sports Hub Fiskville



INTRODUCTION

The proposed Motorsports Facility at Fiskville will be Australia's premier motoring hub - an innovative regional facility providing unrivalled and versatile community, motorsport, education and industry spaces that boosts the region's economy for local businesses, provides opportunities for tourism and job creation.

The development of Fiskville as a motorsports facility is supported by the Ballarat City Council, City of Greater Geelong and also industry partners:

- Confederation of Motorsport Australia (CAMS);
- Drag Racing Australia; and
- Motorcycling Australia.

The total project cost will be in range \$50-\$60M, and in order to gain interest of State Government and other interested investors, it is proposed to prepare a business case which will provide the key stakeholders a platform for further planning and future investment in the site, and showcase the beneficial attributes of the site to deliver local economic stimulus and jobs.



The motorsport facility will fill the gap left by declining facilities within Victoria and the potential replacement of Sandown Raceway. It will be the first venue of this scale and scope targeting multiple users across industry sectors, bringing together multiple codes in one purpose built facility.

Based on current levels of usage, visitation numbers in the first year will be in excess of 250,000 persons. A combination of one day and multi day events will deliver benefits to accommodation, retail and hospitality sectors throughout the greater region.

The facility will deliver new and high levels of visitation providing a gateway into visitation throughout the region.

Targeted Industry Events

- Supercar Events
- Electric Touring Car Racing
- Training & Testing Facility for Emergency Vehicles
- Planned Club Activities

Motorsport Participants across Australia 150,000+	Direct Industry Output (2013) \$2.7B	Direct Value Added (2013) \$1.2B	Direct Economic Output \$693M
Value added to the State Economy \$301M	Motorsport impact in Australia based in Victoria 26%	Employed in the Industry 4222	Average nights Motorsport Participants pay for each year 9 nights

Mail PO Box 18 Ballan Vic 3342

Ballan 15 Stead St Ballan

Bacchus Marsh 215 Main St Bacchus Marsh

Darley 182 Halletts Way Darley

P (03) 5366 7100

E info@moorabool.vic.gov.au

W www.moorabool.vic.gov.au



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BACKGROUND

Fiskville is located between Melbourne and Ballarat, about 10km south of the township of Ballan in the Shire of Moorabool. The site is within 1 hour of Melbourne and Geelong. The land is in the jurisdiction of the Corangamite Catchment Management Authority, and part of the catchment of the Barwon River.

The land is on the west side of the Geelong-Ballan Road. It is essentially rectangular with dimensions of approximately 1,400 metres east-west and 1,080 metres north-south. The area of the site is approximately 150 hectares. The land is owned by the Victorian State Government.

The previous CFA Training Facility at Fiskville delivered a significant local economic benefit to the Shire, and to the township of Ballan in particular.

Since the closure of the facility in 2015, the Shire has been working with the Victorian Government to stimulate local economic activity, including through the partial re-establishment of CFA training activities.

At present the CFA, along with Emergency Management Victoria as the Victorian Government's principal policy and portfolio agency for the site, is undertaking a site contamination clean-up under the direction of the Environment Protection Authority. Beyond clean-up, there is no policy position on the future use of the site. Any future land use will be encumbered by its contamination and subject to heritage, environmental and policy considerations

While the delivery of local economic activity is a broader policy matter for the Shire and the Victorian Government, the future use or development of the land at Fiskville provides an opportunity to stimulate local economic throughput and jobs.

WHERE TO FROM HERE

To progress the project further a business case is required to inform an investment decision, which will include both local and State Government, and potentially private sector partners. To do a full business case to secure a funding decision, it will cost up to 1% of the overall project budget. A business case for a motor sports hub in the order of \$50M to \$60M will cost in range of \$300,000 to \$500,000. A significant portion of this is in design and engineering services and due diligence, as well as economic and financial modelling, plus the project management and drafting fees of pulling the documentation together. As this falls outside the capacity of the Local Government, it is proposed that a partnership be formed with other key stakeholders to raise the required funds to undertake the full business case.

Funding Available

Ballarat City Council	\$100,000 (in principle commitment)
Moorabool Shire Council	\$100,000 (in principle commitment)

Potential Funding Sources for Shortfall

Regional Development Victoria
Geelong City Council
Emergency Victoria
Sports and Recreation Victoria



The facility will be designed as a multi purpose venue.

MOTORSPORT

Sealed circuit
Motocross track
Drag strip
Autocross track
Speedway
Go-kart track
4WD test track
Hill climb

INDUSTRY DEVELOPMENT

Vehicle testing
Manufacturers
Workshops
Driver training
Research
Product testing

DESTINATION VENUE

Car shows
Trade shows
Swap meets
Concerts
Entertainment
Conferences
Expos/Car Shows



Attachment - Item 11.1.2d

Moorabool Shire Council Key Projects – Update May 2018
Scoring of Projects using the Grampians Region – Project Assessment Tool

Author: Rob Croxford
 Date: 29 May 2018

Projects Summary

- Bacchus Marsh Traffic Improvements (Grant Street / Gisborne Road) – Score: **77**.
- Parwan Employment Precinct – Score: **80**.
- Moorabool Community Sports Hub – Score: **86**.
- Sewering of Bungaree and Wallace– Score: **85**.
- Victorian Motor Sports Hub – Fiskville – Score: **62**.
- BRAC – Score: **71**.
- Services for Growing Communities – Enhancing the health and wellbeing of people and communities in Moorabool – Score: **59**

Detail

Key Area	Detail	Score
	Bacchus Marsh Traffic Improvements (Grant Street / Gisborne Road Corridor)	
Project	Brief Introduction to the project.	
	<p>The Bacchus Marsh Traffic Improvements project is an key approach to solving the significant increase in vehicle traffic as a consequence of:</p> <ul style="list-style-type: none"> • Residential growth • The towns strategic transport location • Constraints of a road network built decades ago <p>The project will improve current traffic congestion and future traffic flow between Bacchus Marsh – Geelong Road in the south to Gisborne Road in the north. Local resident movements will also be improved.</p> <p>Key elements of the project along the road corridor include:</p> <ul style="list-style-type: none"> • Holts Lane / western freeway Interchange (work commenced) • Main Street / Grant Street Intersection • Labilliere St / Grant Street • Griffith Street / Grant Street 	9.
Problem	1. Description of the problem you are trying to address	
	<p>Bacchus Marsh is experiencing significant population growth (2.4%) per annum. Infrastructure constructed over 50 years ago is unable to cope with increased traffic volumes and heavy transport movements.</p> <p>The resultant congestion is placing safety at risk and increasing travel times. Amenity has been compromised.</p> <p>The road corridor was at near capacity in 2017. If no action is taken in 2018/19 parts of the corridor will grind to a halt within five years.</p>	9.
	2. Evidence to support the existence of this problem.	

Key Area	Detail	Score
	<p>Council commissioned Cardno in 2014 to complete an Integrated Transport Study for Bacchus Marsh and surrounds. This strategy has been adopted by Council and sets priority projects for the future to reduce congestion, improve safety and provide amenity for those residents living in Bacchus Marsh and surrounds. Local Area Traffic Managements Plans (LATMs) are now complimenting this work.</p> <p>Further, Council is working closely with the VPA to finalise a framework plan for Bacchus Marsh and Planning Scheme amendment that looks to 2041. The issue of traffic and vehicle movements to cope with a doubling of population by 2041 is being addressed through land use and infrastructure planning.</p> <p>A key barrier to the future growth of the town and the nearby Parwan Employment precinct is the construction of an eastern by pass of Bacchus Marsh town centre.</p> <p>An announcement by VicRoads of \$3mil to commence planning for this link has recently been made.</p>	10.
Local and regional benefit	3. The benefits to your area or impacts on your area- (how much of LGA does it impact?) (Are multiple strategic priorities being addressed?)	
	<p>Bacchus Marsh, Darley and West Maddingley along with surrounding districts are directly impacted.</p> <p>Residential amenity, commercial / town centre congestion relief and access to the Parwan Employment precinct are all being addressed by this project. Further transport efficiency and thus time and cost benefits will fall to large truck operators.</p> <p>Finally, an economic benefit will accrue via less time wasted in traffic for local residents and business operators.</p>	8.
Local and regional benefit	4. Relevance of the problem to help implement Local or Regional Plans.	
	<p>The Central Highlands Regional Growth Plan and the Plan Melbourne refresh both designate Bacchus Marsh for strategic growth.</p> <p>The VPA and Central Highlands Group of Councils support the project as a regional initiative.</p>	9.
Appropriateness of response	5. Is the proposed approach the most effective way to respond to the problem?	
	Yes, various staging options have been investigated also. The works listed in the project description are key to reducing the traffic burden.	8.
Appropriateness of response	6. In the project fit for purpose?	
	Yes, significant planning and analysis has been undertaken via the CARDNO study, VPA experts and VicRoads regional office.	7.
Implementation readiness	7. Evidence of strategic and project planning completed?	

Key Area	Detail	Score
	Cardno Study VicRoads Gisborne Road / Grant Street Study and Design, VicRoads/MPA/MSC Eastern Corridor Study (preliminary) Intersection designs have been completed by VicRoads Business case and detailed planning has been undertaken by VicRoads	4.
	8. Level of political, community and business support for the project?	
	Need is recognised as a key impediment to the future growth of Bacchus Marsh by VPA, VicRoads, Traders, Council and local members.	7.
	9. Funding sought and who else is providing funding?	6.
	• Holts Lane / western freeway Interchange (funding announced)	\$2.3 mil
	• Main Street / Grant Street Intersection	\$5.0 mil
	• Labilliere St / Grant Street	\$2.0 mil
	• Griffith Street / Grant Street	\$4.0 mil
	TOTAL SCORE:	77

Key Area	Detail	Score
	Parwan Employment Precinct	
Project	Brief Introduction to the project.	
	<p>The Parwan Employment Precinct is a high potential green field site south of Bacchus Marsh.</p> <p>The precinct contains a cluster of existing employers, available agricultural and industrial land, the Bacchus Marsh Aerodrome and Waste Water Treatment Plant.</p> <p>High-value development opportunities exist for agribusiness such as hydroponic glass house production, red meat processing and poultry breeding/processing and mushroom production.</p> <p>Up to 1,200 jobs could be created in the Precinct.</p> <p>Specifically, as stage 1, it is proposed to connect gas to the area at a cost of \$4.5 mil.</p> <p>Total project for infrastructure is \$12.83 mil.</p>	9.
Problem	1. Description of the problem you are trying to address	
	In order to gain good jobs, 60% of working residents travel outside of the Moorabool Shire on weekdays. Many of these head to the western and central parts of Melbourne and as such spend long hours commuting and away from local communities and facilities.	9.
	2. Evidence to support the existence of this problem.	
	The Parwan Agribusiness Study, Moorabool Economic Development Plan, Industrial Study, Plan Melbourne, Central Highlands Growth Plan, VPA Bacchus Marsh Framework Planning and the RDV / MSC business plan (May 2018) all point to Parwan being a key project for local and regional jobs.	9.
Local & regional benefit	3. The benefits to your area or impacts on your area- (how much of LGA does it impact?) (Are multiple strategic priorities being addressed?)	
	Parwan will provide jobs to the whole of the Shire but most likely Bacchus Marsh and surrounds. This also includes Melton, Golden Plains, Geelong and Wyndham Council areas.	7.
Local & regional benefit	4. Relevance of the problem to help implement Local or Regional Plans.	
	Parwan is recognised as a key project in the Central Highlands Regional Growth Plan. The Central Highlands Councils list it as a key project. Bacchus Marsh is recognised as a key growth centre in the Plan Melbourne Refresh. The VPA lists the project specifically in its planning priorities.	9.
Appropriateness of response	5. Is the proposed approach the most effective way to respond to the problem?	
	<p>The approach is optimal as it builds on existing and proposed and existing investment by the private sector.</p> <p>Further, both the VPA and RDV support the proposed approach.</p>	7.

Key Area	Detail	Score
	A business plan has recently completed with funding assistance from RDV.	
Appropriateness of response	6. Is the project fit for purpose?	
	Yes, significant strategic planning has occurred. Finer grained business and land use planning has now been completed. Local and international businesses have and are committed to further investment.	7.
Implementation readiness	7. Evidence of strategic and project planning completed?	
	The Parwan Agribusiness Study Moorabool Economic Development Plan Industrial Study Plan Melbourne Central Highlands Growth Plan VPA Bacchus Marsh Framework Planning and Business Case (May 2018) This strategic work all point to Parwan being a key project for local and regional jobs.	9.
	8. Level of political, community and business support for the project?	
	Local members, local businesses and the VPA have shown strong support for the project.	8.
	9. Funding sought and who else is providing funding?	
	Private Sector - \$500,000 confirmed for infrastructure beyond industrial estate. Moorabool Council - Up to \$1mil.	6.
	Total project cost \$12.83 mil: Gas - \$4.5 mil Water - \$5.81 mil Sewer - \$2.52 mil	
	Total Score:	80

Key Area	Detail	Score
	BM Regional Community Sports Hub – STAGE 1	
Project	Brief Introduction to the project.	
	<p>The BMRCSH is located at the Bacchus Marsh Racecourse Reserve. The 30 ha space will provide active and passive facilities to 2041 that include:</p> <ul style="list-style-type: none"> • Relocation/development of pony club and associated regional level activities • Construction of sand show jumping area to accommodate regional/State events • Provision of 8 dressage arenas • Construction of camp drafting facilities • Pavilion for equestrian use • Construction of a State/National level cross country course • Construction of a shared path to the site to ensure accessibility • Extension and construction of services and utilities to the site • 2 soccer pitches and a cricket field as a multipurpose field • Sports lighting to 100 lux to multi use field • Cricket practice nets • Multipurpose sports pavilion • BMX track to National competition standard • Construction of a gravel car park and entry road upgrade • Additional overflow parking area south of the BMX track • Paths and perimeter plantings 	9.
Problem	1. Description of the problem you are trying to address	
	The rapid population growth of Bacchus Marsh and the region (76% increase to 2041) is driving the need for additional open space with active and passive recreation facilities. Strategic analysis and anecdotal evidence on participation rates points to full utilisation of existing facilities.	9.
	2. Evidence to support the existence of this problem.	
	<ul style="list-style-type: none"> • The Sports Demand Study 2012 • The Recreation and Leisure Strategy 2015-2021 • The Bacchus Marsh Terre Master Plan 2015 • Bacchus Marsh Framework Plan 2041 (current) • VPA / MSC - Bacchus Marsh Framework Plan 	10.
Local & regional benefit	3. The benefits to your area or impacts on your area- (how much of LGA does it impact?) (Are multiple strategic priorities being addressed?)	
	The Project addresses population growth needs, encourages participation rates, improves health and disease profiles and aides mental health and wellbeing.	9.
Local & regional benefit	4. Relevance of the problem to help implement Local or Regional Plans.	
	Bacchus Marsh and surrounds is listed as a growth centre in the Central Highlands Regional Strategic Plan and Plan Melbourne refresh. Further, the VPA is partnering Council in the strategic planning of this regional town. Of further interest is the proposal to have a nationally accredited BMX track and regional events as part of the equestrian facilities. The Werribee Equestrian centre is in need of expansion to meet demand.	8.

Key Area	Detail	Score
Appropriateness of response	5. Is the proposed approach the most effective way to respond to the problem?	
	Yes, the significant strategic work completed, the business case submitted to the Stronger Regions Fund and the Framework Plan / design all point to a need for greenfield site facility development.	8.
Appropriateness of response	6. In the project fit for purpose?	
	Yes, the business case, detailed design and master plan support a shovel ready project. Parts of the project could be staged if essential.	8.
Implementation readiness	7. Evidence of strategic and project planning completed?	
	<ul style="list-style-type: none"> • The Sports Demand Study 2012 • The Recreation and Leisure Strategy 2015-2021 • The Bacchus Marsh Terre Master Plan 2015 • Bacchus Marsh Framework Plan 2041 (current) • VPA Bacchus Marsh Framework Plan 	9.
	8. Level of political, community and business support for the project?	
	Local members, sporting groups that will use the facilities and council are heavily committed to this project.	9.
	9. Funding sought and who else is providing funding?	
	Council - \$3.30 mil Community - \$0.050 mil State SRV - \$0.2 mil State (other) / Federal - \$3.55 mil Total project - \$7.10 mil	7.
	Total Score:	86

Key Area	Detail	Score
	Sewerage for Bungaree and Wallace	
Project	Brief Introduction to the project.	
	Bungaree and Wallace have been identified in the Regional Growth Plan and Council's Small Towns Study as suited to further population growth. In order to facilitate growth and address issues of being in a potable water catchment it is proposed to sewer Bungaree and Wallace.	9.
Problem	1. Description of the problem you are trying to address	
	Population growth and risks to potable water catchments require Bungaree and Wallace to be sewered. Strategic work and designs to date show that it is feasible to sewer the towns to accommodate growth to around 4000 people.	9.
	2. Evidence to support the existence of this problem.	
	Central Highlands Regional Growth Plan Small Towns Strategy 2016 Sewering of Bungaree and Wallace Study 2015 (MSC & CHW) Gravity Sewer to Ballarat (Urban Enterprise 2016) Draft CHW 2017 – 20121 Water Plan (in progress)	10.
Local & regional benefit	3. The benefits to your area or impacts on your area- (how much of LGA does it impact?) (Are multiple strategic priorities being addressed?)	
	The western part of the shire and its small towns is the key focus. The towns are also peri urban to Ballarat.	9.
Local & regional benefit	4. Relevance of the problem to help implement Local or Regional Plans.	
	The project also provides an opportunity to take growth pressure of the City of Ballarat given its proximity and desirability as a rural living option. Further, the growth towns in Moorabool to the east will also impact further west into the future.	9.
Appropriateness of response	5. Is the proposed approach the most effective way to respond to the problem?	
	This solution also addresses the spare capacity of previously constructed infrastructure in Bungaree and Wallace. 4,000 residents can be accommodated without having to construct new schools, halls and sporting facilities in the two towns to 2041.	8.
Appropriateness of response	6. In the project fit for purpose?	
	Yes, designs and costing have been completed.	8.
Implementation readiness	7. Evidence of strategic and project planning completed?	
	Central Highlands Regional Growth Plan Small Towns Strategy 2016 Planning Scheme Amendment C78	9.

Key Area	Detail	Score
	Sewering of Bungaree and Wallace Study – AECOM 2014 (MSC & CHW) Gravity Sewer to Ballarat (Urban Enterprise 2016) Draft CHW 2017 – 20121 Water Plan (in progress)	
	8. Level of political, community and business support for the project?	
	Businesses have committed verbally to funding contributions. Council has provided for \$1mil in its financial plan. Local members support the proposal. CHW is actively considering including the project in the 2017-2021 Water Plan.	7.
	9. Funding sought and who else is providing funding?	
	Council up to - \$1 mil Central Highlands Water - \$2.53 mil Business and developers - \$1.0 mil Government - \$3.06 mil Total Stage 1 Bungaree - \$7.59 mil	7.
	Total Project Score:	85.

Key Area	Detail	Score
	Victorian Motor Sports Hub - Fiskville	
Project	Brief Introduction to the project.	
	The proposed Motorsports Facility at Fiskville will be Australia's premier motoring hub - an innovative regional facility providing unrivalled and versatile community, motorsport, education and industry spaces that boosts the region's economy for local businesses, provides opportunities for tourism and job creation. A business case is required to advance the concept further.	9.
Problem	Description of the problem you are trying to address	
	<p>The previous CFA Training Facility at Fiskville delivered a significant local economic benefit to the Moorabool Shire, and to the township of Ballan in particular.</p> <p>Since the closure of the facility in 2015, the Shire has been working with the Victorian Government to stimulate local economic activity, including through the partial re-establishment of CFA training activities.</p> <p>While the delivery of local economic activity is a broader policy matter for the Shire and the Victorian Government, the future use or development of the land at Fiskville provides an opportunity to stimulate local economic throughput and jobs.</p> <p>Racing clubs in Ballarat, Geelong and hard to locate sports in Wyndham have expressed a desire for a new facility to solve noise, amenity that comes with residential growth in vicinity of existing facilities.</p> <p>Further, the racetracks at Sandown and Calder Park are under pressure to relocate.</p> <p>The Motor Sports Hub solves a problem both in Melbourne and regionally for motor sport activities.</p>	7.
	Evidence to support the existence of this problem.	
	Meetings with CAMMS and clubs from surrounding areas have confirmed the need for a new regional facility.	5.
Local & regional benefit	The benefits to your area or impacts on your area- (how much of LGA does it impact?) (Are multiple strategic priorities being addressed?)	
	The proposed facility is located in the central / west of the Moorabool Shire and has support from the Central Highlands Group and council's and the Cities of Ballarat Geelong and Wyndham.	7.
Local & regional benefit	Relevance of the problem to help implement Local or Regional Plans.	
	The project has been rated as a regional project by the CH Group of Council's.	6.

Key Area	Detail	Score
Appropriateness of response	Is the proposed approach the most effective way to respond to the problem?	
	It is an innovative response to several issues in Melbourne and regionally that can be solved by the undertaking of a business case to advance the concept.	8.
Appropriateness of response	In the project fit for purpose?	
	A business case will determine this.	4.
Implementation readiness	Evidence of strategic and project planning completed?	
	A high level review was undertaken by the City of Ballarat. It is also understood the State government has undertaken a preliminary assessment of the site.	4.
	Level of political, community and business support for the project?	
	The Central Highlands Group of Council's has listed this as a priority project. Further surrounding Councils have also expressed support.	5.
	Funding sought and who else is providing funding?	
	Moorabool shire - \$100,000 City of Ballarat - \$100,000 Cities of Geelong and Wyndham – in principle State / Federal Government - \$100,000 requested	7.
	Total Score:	62.

Key Area	Detail	Score
	BRAC	
Project	Brief Introduction to the project.	
	Six councils along the Ballarat / Ararat Line have joined together to form the Ballarat Rail Action Committee which is advocating on behalf of communities along the rail line to attract further government investment in much needed rail infrastructure and service improvements.	9.
Problem	Description of the problem you are trying to address	
	Electrification to Melton, duplication of the line to Ballarat and the completion of a Network Development Plan to provide a business case for the much needed investment in the line.	8.
	Evidence to support the existence of this problem.	
	Rail Futures has completed background papers and a detailed assessment of need.	8.
Local & regional benefit	The benefits to your area or impacts on your area- (how much of LGA does it impact?) (Are multiple strategic priorities being addressed?)	
	Each council along the line stands to gain form improvements that are underway or planned. The key is the removal of bottlenecks in the metro system	8.
Local & regional benefit	Relevance of the problem to help implement Local or Regional Plans.	
	In order to better serve our growing populations and to provide improved journey times to work, education and recreation destinations a world class public transport system is required.	7.
Appropriateness of response	Is the proposed approach the most effective way to respond to the problem?	
	Lobbying for improved investment is the key task of local government given it does not own or control the rail line.	7.
Appropriateness of response	In the project fit for purpose?	
	Yes. A network development plan will provide a clear road map post the completion of the current \$518 mil investment. Population growth in Melton and Brimbank council areas are a clear indication of the need to act now.	6.
Implementation readiness	Evidence of strategic and project planning completed?	6.
	Rail futures documentation. Stage 1 of the program commenced by government.	
	Level of political, community and business support for the project?	
	State and Federal governments are investing in regional	6.
	Funding sought and who else is providing funding?	

Key Area	Detail	Score
	State and Federal governments are investing in regional rail currently with a \$518 mil investment. A network development plan is essential - \$30 mil. Electrification to Melton is overdue - \$50 mil.	6.
	Total Score	71.

Key Area	Detail	Score
	Services for Growing Communities – Enhancing the health and wellbeing of people and communities in Moorabool	
Project	Brief Introduction to the project.	
	The population of the Moorabool Shire and particularly Bacchus Marsh is growing at a significant rate. Assessment of community need across a broad range of social issues has identified an urgent need for greater investment in government and non-government services.	9.
Problem	Description of the problem you are trying to address	
	Investment is required in: <ul style="list-style-type: none"> - Family Violence Services - Drug and alcohol Services - Disability Services - Employment Service providers - Affordable / Social Housing - Mental Health Services - Improved year 12 educational outcomes - Increased jobs for young people. 	7.
	Evidence to support the existence of this problem.	
	Health and Well-being plan Age Well Live Well Strategy Housing Strategy Moorabool community Profile Moorabool Forecast population.	8.
Local & regional benefit	The benefits to your area or impacts on your area- (how much of LGA does it impact?) (Are multiple strategic priorities being addressed?)	
	Whole of shire with particular emphasis on Bacchus Marsh.	5.
Local & regional benefit	Relevance of the problem to help implement Local or Regional Plans.	
	Links to the work of Central Highlands state government departments.	5.
Appropriateness of response	Is the proposed approach the most effective way to respond to the problem?	
	Direct investment would be preferable.	4.
Appropriateness of response	In the project fit for purpose?	
	Project is somewhat general at this stage. The significant gap in service delivery means that investment in any of the above issue will be welcomed by the community.	4.
Implementation readiness	Evidence of strategic and project planning completed?	
	See advocacy doc for full list of the 14 pieces of strategic work that support the need for further investment.	8.
	Level of political, community and business support for the project?	

Key Area	Detail	Score
	Locally there is significant support.	4.
	Funding sought and who else is providing funding?	
	Services investment is difficult to cost in detail. Staff, office accommodation and an operating budget is required	5.
	Total Score	59.

Attachment - Item 11.1.2e

REQUIRED FUNDING

Council	\$3.3M
Community	\$0.050M
State SRV	\$0.2M
State (other)/Federal	\$3.55M

Total Project Cost **\$7.10M**

Note: The cost of all stages of the Reserve is \$19.7M

40. a) Pony Club clubrooms and Camp Draft kitchen/shelter overlooking competition areas. b) Pony Club storage shed.
41. New car park supporting existing harness racing facilities.

42. Relocated harness racing storage and maintenance shed.

43. Harness track infield suitable for overflow use by other reserve activities if required.

44. Shared path along Bacchus Marsh – Balliang Road provides pedestrian and bicycle access to reserve facilities.

45. Fencing to provide for equestrian separation from active sports precinct.

46. Investigate new clubhouse / arrival precinct in locations shown. Precinct to provide improved community profile and access, and to consider other complementary recreation uses (e.g. lawn bowls, croquet).

47. Shared trail network within reserve connecting to trails on Bacchus Marsh – Balliang Road and McCormacks Road, and providing a series of internal loops.

48. Possible stormwater connection to Stonehill, to provide irrigation water.

49. Investigate opportunity to secure a permanent irrigation water supply.

50. Investigate future irrigation and infrastructure requirements and water sources for the site.

LEVEL OF SUPPORT FOR THE PROJECT?

Local Members, sporting groups that will use the facilities and Council are heavily committed to this project. Letters of support have been provided by the Reserve Committee of Management, current and future user groups and the General Local Member.



BACCHUS MARSH REGIONAL COMMUNITY SPORTS HUB



(03) 5366 7100
info@moorabool.vic.gov.au
moorabool.vic.gov.au
facebook.com/mooraboolshirecouncil
twitter.com/mooraboolshire

Mail PO Box 18 Ballan Vic 3342
 Ballan 15 Stead St Ballan
 Bacchus Marsh 215 Main St Bacchus Marsh
 Darley 182 Halletts Way Darley

INTRODUCTION

The Bacchus Marsh Regional Community Sports Hub is located at the Bacchus Marsh Racecourse Reserve. The 30ha space for Stage 1 is part of a 120ha reserve that will provide active and passive facilities to 2041 that include:

- Relocation/development of pony club and associated regional level activities.
- Construction of sand show jumping area to accommodate regional/State events.
- Provision of 8 dressage arenas.
- Construction of camp drafting facilities.
- Pavilion for equestrian use.
- Construction of a State/National level cross country course.
- Construction of a shared path to the site to ensure accessibility.
- Extension and construction of services and utilities to the site.
- 2 soccer pitches and a cricket field as a multipurpose field.
- Sports lighting to 100 lux to multi use field.
- Cricket practice nets.
- Multipurpose sports pavilion.
- BMX track to National competition standard.
- Construction of a gravel car park and entry road upgrade.
- Additional overflow parking area south of the BMX track.
- Paths and perimeter plantings.

THE PROBLEM

The rapid population growth of Bacchus Marsh and surrounding regions (76% increase to 2041) is driving the need for additional open space with active and passive recreation facilities. Strategic analysis and evidence on participation rates points to full utilisation of existing facilities.

Moorabool experiences participation rates in sporting activities well above the national average and requires at least a further 18ha of space to meet demand in Bacchus Marsh alone.

No additional sporting grounds have been constructed since the Melbourne Olympics. Soccer and regional equestrian facilities are particularly challenged. The Recreation and Leisure Strategy (May 2015) and Sports Demand Study (2012) indicates that:

There is a surge in sport and leisure participation that cannot be met via existing facilities. The growth of soccer participation is impacted by a lack of dedicated soccer facilities in Moorabool.

2041 Bacchus Marsh will require:

- Five additional Australian Rules football ovals.
- Five additional cricket ovals.
- Five additional soccer fields.
- Four additional netball courts.
- Two additional indoor sports courts.

EVIDENCE TO SUPPORT THE PROBLEM

- The Sports Demand Study 2012
- The Recreation & Leisure Strategy 2015-2021
- The Bacchus Marsh Racecourse Reserve Terre Master Plan 2015
- Bacchus Marsh Framework Plan 2041 (current)
- VPA/MSC Bacchus Marsh Strategic Work (various)

LOCAL AND REGIONAL BENEFITS

The project addresses population growth needs, encourages participation rates, improves health and disease profiles and aids mental health and well being. A business case has been developed for the total project that sees a BCR of 1.91 based on increased participation and visitation.

Bacchus Marsh and surrounds is listed as a growth centre in the Central Highlands Regional Strategic Plan and is mentioned as a peri urban centre in the Plan Melbourne Refresh 2017.

Further, the VPA is partnering Council in the strategic planning of this regional town. Of further interest is the proposal to have a nationally accredited BMX track and regional events as part of the expanded equestrian facilities. It is worth noting that the Werribee Equestrian Centre is at capacity.

IS THIS AN EFFECTIVE RESPONSE TO THE PROBLEM?

Significant strategic work has been completed. The submission to the Stronger Regions Fund and the Bacchus Marsh Framework Plan all point to a need for greenfield site facility development. The business case, detailed design and master plan support a shovel ready project. Parts of the project could be staged if needed.

PROJECT READINESS

The project has been designed and costed. Strategic work that supports the project includes:

- The Sports Demand Study 2012
- The Recreation & Leisure Strategy 2015-2021
- The Bacchus Marsh Racecourse Reserve Terre Master Plan 2015
- Bacchus Marsh Framework Plan 2041 (current)
- VPA/MSC Bacchus Marsh Strategic Work (various)

KEY MASTER PLAN INITIATIVES

1. Fencing to be upgraded to reserve perimeter to provide enhanced security for reserve users and to control unauthorised vehicle access.
2. High fencing and new tree planting to provide buffer between golf course and active sports precinct, preventing accidental entry to golf course and controlling ball intrusion.

3. Area for investigation into future indoor sports stadium or lawn bowls - subject to separate feasibility study.

4. External hard courts, multi-lined to provide space for netball and tennis courts. Courts to be floodlit to netball competition standards. Courts supported by pavilion providing clubrooms and kiosk/kitchen.

5. Passive recreation area with walking/jogging path, shelters, public toilets, BBQ area and play space.

6. Existing dam to provide water storage for irrigation of golf course and active sports precinct.

7. New reserve entry road, providing access to main oval.

8. Main AFL oval, 165m x 135m playing area with cricket pitch. Perimeter road provides parking around oval. Oval to be fenced, with coaches boxes and a scoreboard.

9. Community oval - informal open space suited to community and small-sided active recreation not requiring full sized oval with associated facilities. Oval supported by barbecues, shelters and play space.

10. Community pavilion with meeting rooms, change rooms, kitchen and public toilets.

11. Network of walking paths throughout reserve link various facilities and provide pedestrian access from adjoining residential areas

12. Mixed use field providing 2 full size soccer pitches (108m x 65m playing area) with perimeter fencing and coaches boxes/player shelters, and central cricket pitch, between soccer pitches, for junior cricket in summer.

13. Main pavilion supporting the main soccer pitches and main oval. Pavilion to include change rooms, social spaces, public toilets, kitchen/kiosk, offices and store rooms. Also includes play space supporting soccer and cricket fields.

14. New reserve entry providing access to soccer and cricket fields, main pavilion, main oval, community oval and building precinct.

15. Mixed use field providing for cricket in summer and 2 soccer pitches in winter with space for junior AFL.

16. Car park supporting tennis/netball courts and passive recreation space - 72 spaces.

17. Informal overflow park area supporting soccer pitches, netball/tennis courts and passive recreation space - 96 spaces.

18. Car park supporting community pavilion and main oval - 84 spaces.

19. Car park supporting main pavilion, main soccer pitches and mixed use field - 220 spaces.

20. Car park supporting community oval and existing building precinct (poultry shed, harness racing club rooms, grand stand) - 132 spaces.

21. Upgrade public toilet to support existing uses in club building precinct - poultry club events, harness racing trials - following sewer connection.

22. Existing poultry club facilities to be retained. Potential future expansion.

23. Existing harness track grandstand to be retained. Potential future upgrade to harness track grandstand.

24. Existing harness racing stables to be retained. Potential future upgrade to harness club stables.

25. Cricket practice nets - 4 synthetic pitches fully enclosed and allowing for community use.

26. BMX track suited to competition events - 1.8km long.

27. Multi-purpose pavilion - club rooms, kitchen/kiosk, change rooms and public toilets.

28. Existing track formalised to provide vehicle access to cricket field, cricket pavilion and car park for 54 cars.

29. Overflow car park / flexible open space.

30. Indicative alignment of cross country equestrian track, 2.5km long.

31. 10 permanent dressage arenas 60m x 20m with 20m circulation space at each end.

32. Flexible open grassed space suitable for warm up area or 4 temporary dressage areas.

33. Sand ménage area suitable for 3 show jumping areas (200m x 80m area in total). Additional area over existing to be initiated and funded by Club.

34. Camp draft arena 120 x 100m with B double access to yards on all edges. Area suitable as a pony club dressage arena.

35. Indicative location of cross country vet check area - location to be confirmed by Pony Club.

36. Existing dam no longer required. To be filled and stabilised as a camping/viewing area overlooking camp draft area and sand arena.

37. General camp draft camping area.

38. Entry road retained as dedicated equestrian access with float parking on both sides of road.

39. Day yards suitable for temporary holding of horses - over 100 yards in total.

SEWER FOR BUNGAREE WALLACE

INTRODUCTION

The Moorabool Shire Small Towns and Settlements Strategy was adopted by Council at its September 2016 meeting. The Strategy provides a strategic framework for the future development of the small towns and settlements within the Shire.

A key component of the Strategy involves facilitating the development of small towns deemed to be in strategic locations and with significant existing infrastructure with the potential for future growth. In the west of the Shire these towns are Bungaree and Wallace.

Central Highlands Water is the authority responsible for sewer and water within the identified western small towns and has agreed to include reference in its 2018-2022 Water Plan to the proposed sewerage of Bungaree and Wallace.

THE PROBLEM

There is significant interest from the local community and residents of Ballarat for lifestyle / smaller town living.

The towns are subject to the Environmental Significant Overlay Schedule 1 (ES01) intended to protect the potable water supply catchments.

Due to this circumstance there is virtually no scope for Council to facilitate growth in the absence of reticulated sewer. Sewerage would also alleviate the public health risks associated with growth and is required for a structure plan.

LOCAL AND REGIONAL BENEFITS

It is believed that growth would assist these towns to become more socially and economically sustainable. The towns are also in an excellent position to grow due to their location near Ballarat, Western Freeway access and each have existing significant social infrastructure such as primary schools, sporting facilities and community halls that have spare capacity.

IS THIS AN EFFECTIVE RESPONSE TO THE PROBLEM?

The existence of an environmental significance overlay due to the proximity to water catchment areas means that septic tanks for the management of waste are not a solution for smaller properties and townships living. Sewerage of the towns is the optimal solution.

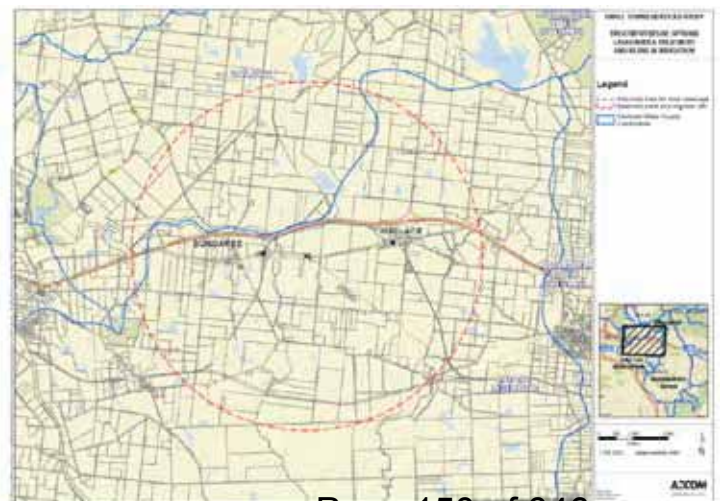
PROJECT READINESS

The Council has previously partnered with CHW to design a sewer system for Bungaree and Wallace which is contained in the work by AECOM.

In May 2017, CHW investigated a low pressure sewer system as a preferred outcome based on a solution on the Mornington Peninsula. CHW with a contribution from Council of \$50,000 is now finalising the design to provide costings with less than 10% contingency.

To be shovel ready the Council will continue to progress as a priority the following projects in parallel with final design work:

- Approval of Planning Scheme Amendment C78 (Small Towns Strategy), to ensure there is official State Government support for facilitating growth in the identified western small towns.
- Development of a Structure Plan, including analysis of constraints.
- Rezoning of further land for residential and commercial use.



LEVEL OF SUPPORT FOR THE PROJECT

The Council has agreed to contribute \$50,000 towards final design of the system and has made provision in its long term financial plan for an additional contribution of up to \$1M.

Central Highlands Water has indicated that it is prepared to fund up to 1/3 of the total capital cost of the final project and meet some of the ongoing operational costs.

These estimates are provided below:

OPTION	CAPITAL COST	ANNUAL OPERATING COST	CAPACITY
Bungaree - Low Pressure Sewerage System	\$4.33M	\$56,000	2000 people
Bungaree and Wallace - Low Pressure Sewerage System	\$7.59M	\$101,500	4000 people

Strategic justification for the project is contained in:

- The Small Towns Strategy 2016.
- The Central Highlands Regional Growth Strategy lists Bungaree as a key town.
- Plan Melbourne Refresh references Moorabool as a key peri urban area.
- Central Highlands Water Plan 2018-2022 references the project.
- Both CWH and MSC have committed substantial funds to the project.

REQUIRED FUNDING

Central Highlands Water	\$2.53M
Moorabool Shire Council (up to)	\$1.0M
Developers/Community	\$1.0M
Government	\$3.06M

Total Project Cost for Bungaree and Wallace System **\$7.59M**

PARWAN EMPLOYMENT PRECINCT

INTRODUCTION

The Parwan Employment Precinct is a high potential green field site of some 306ha south of Bacchus Marsh.

The precinct contains a cluster of existing employers, available agricultural and industrial land, the Bacchus Marsh Aerodrome and a waste water treatment plant.

High-value development opportunities exist for agribusiness such as hydroponic glass house production, red meat processing and poultry breeding/processing and mushroom production.

Up to 1,200 jobs could be created in the Precinct. Specifically, as stage 1, it is proposed to connect gas to the area at a cost of \$4.5M. Total infrastructure costs for the precinct is \$12.83M.

THE PROBLEM

In order to gain good jobs, 60% of working residents travel outside of the Moorabool Shire on weekdays. Many of these head to the western and central parts of Melbourne, and as such spend long hours commuting and away from local communities and facilities.

The Parwan Agribusiness Study, Moorabool Economic Development Plan, Industrial Study, Plan Melbourne, Central Highlands Growth Plan, VPA Bacchus Marsh Framework planning and RDV business planning assistance all point to Parwan being a key project for local and regional jobs.

LOCAL AND REGIONAL BENEFITS

Parwan will provide jobs to the whole of the Shire but most likely Bacchus Marsh and surrounds. This also includes Melton, Golden Plains, Geelong and Wyndham Council areas.

Parwan is recognised as a key project in the Central Highlands Regional Growth Plan. Bacchus Marsh is recognised as a peri urban centre in the Plan Melbourne refresh and VPA strategic planning.

Competitive advantages of the project include:

- Centralised agricultural supply chain;
- Located close to western metropolitan Melbourne;
- Quick access to three national transport routes;
- Choice of international port and air terminals; and
- Generous buffer zones.

IS THIS AN EFFECTIVE RESPONSE TO THE PROBLEM?

The installation of gas infrastructure is optimal as it builds on existing and proposed investment by the private sector. Further, both the VPA and RDV support the proposed approach.

Significant strategic planning has occurred. Finer grained business and land use planning is now underway. Local businesses have and are committed to further investment.

PROJECT READINESS

The Parwan Agribusiness Study (CBRE), Parwan Infrastructure Analysis (Parsons Brinkerhoff, 2015), Moorabool Economic Development Plan, Industrial Study, Plan Melbourne, Central Highlands Growth Plan, VPA Bacchus Marsh Urban Growth Framework planning and RDV business planning assistance all point to Parwan being a key project for local and regional jobs.

A planning scheme amendment (C76) is currently in its final stages to rezone 190 Ha of land to Industrial 1 zone.

A Precinct Structure Plan (PSP) will be developed upon completion of the Bacchus Marsh Framework Planning and Amendment C76.

Designs and costings have been prepared. A detailed business case is in its final stages. All indicators point to the need for gas infrastructure.

LEVEL OF SUPPORT FOR THE PROJECT?

Local Members, local businesses and the VPA have shown strong support for the project.

REQUIRED FUNDING

Gas Project

Private Sector:	\$0.5M
Council (up to) (TBC)	\$1.0M
Victorian Government	\$3.0M
Subtotal	\$4.5M

All Infrastructure

Gas Project	\$4.5M
Water Project	\$5.81M
Sewer Project	\$2.52M

Total Project Cost **\$12.83M**





PROJECT 1: Holts Lane/Western Freeway Interchange



PROJECT 3 & 4: Labilliere Street/Grant Street



PROJECT 5: Griffith Street/Grant Street



PROJECT 2: Main Street/Grant Street Intersection



BACCHUS MARSH TRAFFIC IMPROVEMENTS GRANT STREET/GISBORNE ROAD



(03) 5366 7100
info@moorabool.vic.gov.au
moorabool.vic.gov.au
facebook.com/mooraboolshirecouncil
twitter.com/mooraboolshire

Mail PO Box 18 Ballan Vic 3342
 Ballan 15 Stead St Ballan
 Bacchus Marsh 215 Main St Bacchus Marsh
 Darley 182 Halletts Way Darley

INTRODUCTION

The Bacchus Marsh Traffic Improvements Project (Grant Street/Gisborne Road upgrades) is a key approach to solving the significant increase in vehicle traffic in Bacchus Marsh as a consequence of:

- Residential growth;
- The towns strategic transport location; and
- Constraints of a road network built decades ago.

The project will improve current traffic congestion and future traffic flow between Bacchus Marsh-Geelong Road in the south, to Gisborne Road in the north. Local resident movements will also be improved.

The project includes improvements along the road corridor comprising:

- Holts Lane/Western Freeway Interchange
- Gisborne Road/Grant Street Corridor
- Main Street/Grant Street Intersection
- Labilliere Street/Grant Street
- Griffith Street/Grant Street

THE PROBLEM

Bacchus Marsh is experiencing significant population growth (3%) per annum. Infrastructure constructed over 50 years ago is unable to cope with increased traffic volumes and heavy transport movements.

The resultant congestion is placing safety at risk and

increasing travel times. Reduced amenity, employment and investment is occurring because of congestion and noise.

The road corridor is near capacity in 2017. If we do nothing we will see the corridor grind to a halt in the next five years at certain points.

Council commissioned Cardno in 2014 to complete an Integrated Transport Study for Bacchus Marsh and surrounds. This strategy was part funded by VicRoads, has been adopted by Council and sets priority projects for the future to reduce congestion, improve safety and provide amenity for those residents living in Bacchus Marsh and surrounds.

Further, Council is working closely with the VPA to finalise a framework plan for Bacchus Marsh that looks to 2041. The issue of traffic and vehicle movements to cope with a doubling of population by 2041 is also being addressed through land use and infrastructure planning.

A key barrier to the future growth of the town is the improvement of the existing 14,000 traffic movements in the Grant Street/Gisborne Road corridor of Bacchus Marsh town centre. The maximum capacity of the corridor is 15,000 movements per day.

The Central Highlands Regional Growth Plan (2014) lists Bacchus Marsh as a Regional Centre and an area for future growth opportunities. Further, it notes the need to resolve north south traffic routes. The group of eight Councils that make up the Central Highlands Councils Victoria have consistently rated the Bacchus Marsh traffic issues as a key regional project for attention.

LOCAL AND REGIONAL BENEFITS

Bacchus Marsh, Darley and West Maddingley, along with surrounding districts, are directly impacted. Residential amenity, commercial/town centre congestion relief and access to the Parwan Employment Precinct are all being addressed by this project.

Further, transport efficiency and thus time and cost benefits will fall to large truck operators on a State wide basis. Finally, an economic benefit will accrue via less time wasted in traffic for local residents and business operators.

The Central Highlands Regional Growth Plan designates Bacchus Marsh for strategic growth. Reference is also made to peri-urban towns in the Plan Melbourne Refresh. The Central Highlands group of Councils also lists this as a key project.

IS THIS AN EFFECTIVE RESPONSE TO THE PROBLEM?

Significant planning and analysis has been undertaken via the CARDNO (BMITS) study, VPA experts and VicRoads regional office and Eastern Corridor Study.

PROJECT READINESS

VicRoads has completed preliminary designs and costings of each of the five [5] projects. The need is recognised as a key impediment to the future growth of Bacchus Marsh by VPA, VicRoads, Traders, Council and local members.

LEVEL OF SUPPORT FOR THE PROJECT?

The need is recognised as a key impediment to the future growth of Bacchus Marsh by VPA, VicRoads, traders, Council and local members.

REQUIRED FUNDING

Project 1 Holts Lane/Western Freeway \$2.3M
Funded by VicRoads
Final design/tender 2017
Commence construction 2018

Project 2 Main St/Grant St Intersection \$5.0M
Project 3/4 Labilliere St/Grant St \$2.0M
Project 5 Griffith St/Grant St \$4.0M



Victorian Motor Sports Hub Fiskville



INTRODUCTION

The proposed Motorsports Facility at Fiskville will be Australia's premier motoring hub - an innovative regional facility providing unrivalled and versatile community, motorsport, education and industry spaces that boosts the region's economy for local businesses, provides opportunities for tourism and job creation.

The development of Fiskville as a motorsports facility is supported by the Ballarat City Council, City of Greater Geelong and also industry partners:

- Confederation of Motorsport Australia (CAMS);
- Drag Racing Australia; and
- Motorcycling Australia.

The total project cost will be in range \$50-\$60M, and in order to gain interest of State Government and other interested investors, it is proposed to prepare a business case which will provide the key stakeholders a platform for further planning and future investment in the site, and showcase the beneficial attributes of the site to deliver local economic stimulus and jobs.



The motorsport facility will fill the gap left by declining facilities within Victoria and the potential replacement of Sandown Raceway. It will be the first venue of this scale and scope targeting multiple users across industry sectors, bringing together multiple codes in one purpose built facility.

Based on current levels of usage, visitation numbers in the first year will be in excess of 250,000 persons. A combination of one day and multi day events will deliver benefits to accommodation, retail and hospitality sectors throughout the greater region.

The facility will deliver new and high levels of visitation providing a gateway into visitation throughout the region.

Targeted Industry Events

- Supercar Events
- Electric Touring Car Racing
- Training & Testing Facility for Emergency Vehicles
- Planned Club Activities

Motorsport Participants across Australia 150,000+	Direct Industry Output (2013) \$2.7B	Direct Value Added (2013) \$1.2B	Direct Economic Output \$693M
Value added to the State Economy \$301M	Motorsport impact in Australia based in Victoria 26%	Employed in the Industry 4222	Average nights Motorsport Participants pay for each year 9 nights

Mail PO Box 18 Ballan Vic 3342

Ballan 15 Stead St Ballan

Bacchus Marsh 215 Main St Bacchus Marsh

Darley 182 Halletts Way Darley

P (03) 5366 7100

E info@moorabool.vic.gov.au

W www.moorabool.vic.gov.au



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BACKGROUND

Fiskville is located between Melbourne and Ballarat, about 10km south of the township of Ballan in the Shire of Moorabool. The site is within 1 hour of Melbourne and Geelong. The land is in the jurisdiction of the Corangamite Catchment Management Authority, and part of the catchment of the Barwon River.

The land is on the west side of the Geelong-Ballan Road. It is essentially rectangular with dimensions of approximately 1,400 metres east-west and 1,080 metres north-south. The area of the site is approximately 150 hectares. The land is owned by the Victorian State Government.

The previous CFA Training Facility at Fiskville delivered a significant local economic benefit to the Shire, and to the township of Ballan in particular.

Since the closure of the facility in 2015, the Shire has been working with the Victorian Government to stimulate local economic activity, including through the partial re-establishment of CFA training activities.

At present the CFA, along with Emergency Management Victoria as the Victorian Government's principal policy and portfolio agency for the site, is undertaking a site contamination clean-up under the direction of the Environment Protection Authority. Beyond clean-up, there is no policy position on the future use of the site. Any future land use will be encumbered by its contamination and subject to heritage, environmental and policy considerations

While the delivery of local economic activity is a broader policy matter for the Shire and the Victorian Government, the future use or development of the land at Fiskville provides an opportunity to stimulate local economic throughput and jobs.

WHERE TO FROM HERE

To progress the project further a business case is required to inform an investment decision, which will include both local and State Government, and potentially private sector partners. To do a full business case to secure a funding decision, it will cost up to 1% of the overall project budget. A business case for a motor sports hub in the order of \$50M to \$60M will cost in range of \$300,000 to \$500,000. A significant portion of this is in design and engineering services and due diligence, as well as economic and financial modelling, plus the project management and drafting fees of pulling the documentation together. As this falls outside the capacity of the Local Government, it is proposed that a partnership be formed with other key stakeholders to raise the required funds to undertake the full business case.

Funding Available

Ballarat City Council	\$100,000 (in principle commitment)
Moorabool Shire Council	\$100,000 (in principle commitment)

Potential Funding Sources for Shortfall

Regional Development Victoria
Geelong City Council
Emergency Victoria
Sports and Recreation Victoria



The facility will be designed as a multi purpose venue.

MOTORSPORT

Sealed circuit
Motocross track
Drag strip
Autocross track
Speedway
Go-kart track
4WD test track
Hill climb

INDUSTRY DEVELOPMENT

Vehicle testing
Manufacturers
Workshops
Driver training
Research
Product testing

DESTINATION VENUE

Car shows
Trade shows
Swap meets
Concerts
Entertainment
Conferences
Expos/Car Shows



1862



STRATEGY FOR A HIGH PERFORMING BALLARAT RAILWAY

BALLARAT RAIL ACTION COMMITTEE
MAY 2018



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'Ballarat needs a world class railway – our ambition is to have the best regional railway in Australia'

- Councillor Samantha McIntosh, Mayor for City of Ballarat
- Councillor David Clark, Mayor of Pyrenees Shire Council
- Councillor Gwenda Allgood, Acting Mayor Ararat Rural City Council

KEY ARGUMENTS FOR A HIGH-PERFORMANCE BALLARAT TRAIN SERVICE

- The Ballarat line is already at near capacity for peak period travel
- The 2017-18 upgrade program will improve train service reliability and add off-peak frequency but won't provide trains with more seats or enable faster journeys
- Strong growth will continue for rail travel to Melbourne; improved services for travel into Ballarat will also be an attractive option for workers and students from Melbourne's booming west and places west of Ballarat
- Ballarat's population will grow by over 70% by 2050 – high performance rail is vital infrastructure to make this growth liveable
- Ballarat region's excellent housing stock and lower housing costs can help address Melbourne's need for more affordable housing
- Ballarat is now home to nationally significant trip attractors such as Sovereign Hill, The Art Gallery of Ballarat and Eureka Stadium and rail can offer convenient access to these sites.



Over the past two decades, Victorian Governments have invested over \$6 billion dollars in improving regional rail passenger services, providing faster journey times, and more frequent and reliable rail services to many parts of Victoria.

Substantial effort and funding has also been put into the development of better co-ordinated road coach and urban bus services, with the overall result that Victoria as a whole has the best regional passenger services of any Australian state.

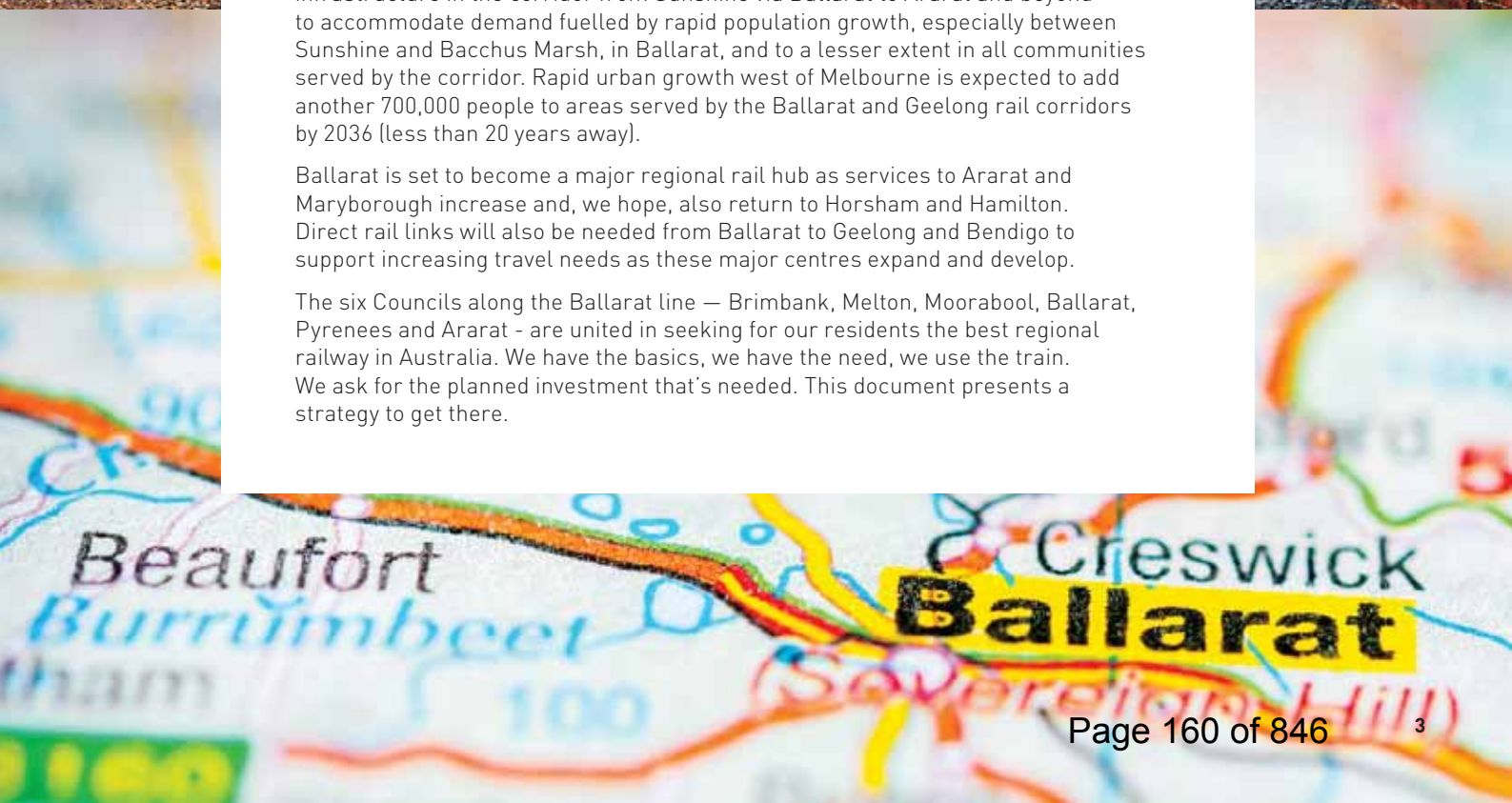
The railway between Melbourne, Ballarat and Ararat provides a critical transport link for the communities it serves, including extended catchments that are connected to the railway by bus and coach services. The role of the railway is expected to become even more vital in coming years as population growth continues and the road network is increasingly unable to accommodate travel demand.

The railway between Melbourne and Ballarat is now an intensely used commuter line, having seen in usage more than triple over the past decade as journey times have been reduced by successive investments in the Regional Fast Rail, VLocity railcars and Regional Rail Link (RRL) projects. A further \$518 million was committed to further improvements in the 2016 State budget. Despite these welcome investments, much of the line will still be single track, resulting in delays while trains wait to pass each other, and other infrastructure including stations, signalling, train stabling, car parking, security and bus and coach connections require further improvement.

The next 20 years will require transformative development of rail services and infrastructure in the corridor from Sunshine via Ballarat to Ararat and beyond to accommodate demand fuelled by rapid population growth, especially between Sunshine and Bacchus Marsh, in Ballarat, and to a lesser extent in all communities served by the corridor. Rapid urban growth west of Melbourne is expected to add another 700,000 people to areas served by the Ballarat and Geelong rail corridors by 2036 (less than 20 years away).

Ballarat is set to become a major regional rail hub as services to Ararat and Maryborough increase and, we hope, also return to Horsham and Hamilton. Direct rail links will also be needed from Ballarat to Geelong and Bendigo to support increasing travel needs as these major centres expand and develop.

The six Councils along the Ballarat line — Brimbank, Melton, Moorabool, Ballarat, Pyrenees and Ararat - are united in seeking for our residents the best regional railway in Australia. We have the basics, we have the need, we use the train. We ask for the planned investment that's needed. This document presents a strategy to get there.



OUR VISION FOR THE BALLARAT RAILWAY

An extremely reliable and fast rail connection from Ararat and Ballarat to Melbourne Southern Cross, supporting the needs of the corridor's booming population to travel to Ballarat, Melbourne, Melbourne Airport and connected places by quicker and more effective means than car travel, supporting inwards domestic and international tourism and allowing a travel time between Ballarat and Southern Cross of 55 minutes by 2030 and 45 minutes by 2050.



OUR 2020 TARGET

95%

Reliability

65

Minute journey

30

Minute peak frequency

OUR 2030 TARGET

98%

Reliability

55

Minute journey

20

Minute peak frequency

OUR 2050 TARGET

100%

Reliability

45

Minute journey

15

Minute peak frequency

THE ACTIONS NEEDED TO REALISE THIS VISION:

- A corridor development plan
- Electrification to Melton
- Quadruplication between Sunshine and Melton
- Duplication of more single line sections
- Creation of new Warrenheip Parkway station
- Raising track speed wherever practicable
- Longer platforms for longer trains
- Better station facilities
- Better bus connections

THESE ARE REALISTIC ASPIRATIONS THAT CAN BE ACHIEVED IF:

- A long term Ballarat rail corridor plan is developed and implemented
- The required investments are implemented sequentially
- Involvement is achieved from all levels of government
- The community is engaged and excited as each upgrade is implemented

PROPOSED INFRASTRUCTURE INVESTMENT PROGRAM

2018 – 2022

- Railway electrification – Southern Cross to Sunshine (RRL lines) and to Melton
- Ardeer and Deer Park – station reconstruction to allow for track quadruplication with 250m platforms for longer current diesel and future metro electric trains
- Level crossing removals at Fitzgerald Road, Derrimut Road and Robinsons Road
- Caroline Springs – Rockbank – Melton track duplication*
- Caroline Springs, Rockbank, Toolern, Melton and Bacchus Marsh – platform extensions to 250m for metro electric trains
- Provision for future station at Hopkins Road
- New station at Toolern (with provision for Ferris Road level crossing removal)*
- Bacchus Marsh – additional platform, removal of existing carriage sidings and additional car parking*
- Maddingley – new carriage sidings at Kerr’s Road*
- Ballan – new 5km passing lane, additional platform and car parking
- Bungaree Loop via Wallace and Bungaree to close (removes 5 level crossings)
- Bungaree direct line – new 4km passing lane*
- Ballarat station improvements (incl. DDA compliance) and additional car parking
- Wendouree – additional platform and car parking*
- Ballarat to Geelong, Maryborough, Mildura, Sea Lake and Manangatang – track conversion to standard gauge (part of Murray Basin Rail Project)

2023 – 2026

- Opening of Melbourne Metro tunnels – releases capacity on RRL lines by diverting Melton trains onto separate tracks at Hopkins Road
- Sunshine – grade separated junction of Bendigo line with Melton suburban lines
- Sunshine to Caroline Springs and Hopkins Road – track quadruplication
- Deer Park – two additional platforms
- Re-arrangement of Robinsons Road Junction
- Melton – third 250m platform for terminating trains
- Telephone Road to Parwan Loop and Bacchus Marsh track duplication including bi-directional signalling for overtaking movements
- Warrenheip – new Parkway station with parking for 1000+ cars
- Ballarat station – track and platform re-arrangement for better train/train and train/road coach/bus interchange
- Eureka Stadium – new platform and signalling
- Ballarat to Wendouree – track duplication and dual gauging
- Ballarat West – new train stabling sidings and servicing facility
- Wendouree to Ararat – track conversion to standard gauge
- All stations – additional car parking and improved bus interchanges

2027 – 2030

- Sunshine – new platforms for fast line to Melbourne Airport
- Hopkins Road to Melton – track quadruplication
- Hopkins Road – new station (linked to level crossing removal)
- Level crossing removals at Hopkins Road and Leakes Road
- Rockbank – station reconstruction (linked to Leakes Road level crossing removal)
- Level crossing removals at Paynes Road, Mount Cottrell Road and Ferris Road
- Level crossing removals at Station Street and Coburns Road
- Melton – station re-construction (linked to Station Street and Coburns Road level crossing removals)
- Melton to Telephone Road - track duplication (including Melton Weirbridge) and bi-directional signalling for overtaking movements
- Parwan – new station
- Warrenheip to Ballarat East – third (standard gauge) track linked to Geelong line
- Warrenheip Parkway station – additional platforms

2031 – 2040

- Rowsley to Ballan – passing lane track duplication (incorporating Bank Box passing loop);
- Ballan passing lane to Bungaree loop – duplication
- Bungaree passing lane to Warrenheip – track duplication
- Trawalla – new crossing loop between Wendouree and Beaufort

2041 – 2050

- New part tunnelled line between Southern Cross, West Footscray and Sunshine for Geelong and Ballarat line fast regional trains
- Extensive curve straightening to permit 200 km/h running where practicable
- Level crossing removal program Rowsley to Warrenheip
- High voltage (25Kv AC) electrification Southern Cross to Ballarat for new high performance regional trains, replacing VLocity fleet

*These projects form part of the current Ballarat Line Upgrade (BLU) project.

IMPLEMENTATION PLAN 2018 – 2026

PROPOSED INFRASTRUCTURE INVESTMENT PROGRAM

THE BALLARAT LINE UPGRADE

The \$518 million allocation for the Ballarat Line upgrade in the 2016 State Budget will do much to help improve train service reliability and provide more passing lanes and platforms that will allow for more off-peak services. But much more is needed to support and encourage regional growth. The current upgrade doesn't include platform extensions for the longer trains with more seats that will soon be needed and it can't deliver the faster journey times Ballarat people want, especially for journeys to work.

MELTON ELECTRIFICATION

Electrifying the railway to Melton will triple its carrying capacity — electric trains can carry 1,100 or more people compared with 444 seats in a 6-car VLocity set. Population growth in Brimbank, Melton and Moorabool requires electrification, but the important connection with Ballarat can be retained, making Melton an interchange station with access to both suburban and regional trains. By 2026, it will also connect into the Melbourne Metro tunnels and release precious capacity on the RRL lines in from Deer Park, permitting more peak period services from and to Ballarat and Geelong.

QUADRUPLICATION TO MELTON

The Ballarat line currently tries to serve both suburban and regional passengers — but mixing regional and suburban trains makes regional journeys much longer. Faster Ballarat trains will increasingly be caught behind frequent suburban trains that run at much lower average speeds, because of stops at suburban stations.

It is therefore vital that suburban and regional trains are segregated. Quadruplication (two additional express tracks) from Sunshine to Melton, extending the previously completed Regional Rail Link tracks between Sunshine and Southern Cross, together with duplication from Melton to Bacchus Marsh including signalling designed for overtaking by Ballarat express trains, is how this segregation and faster trips can be achieved on the Ballarat line.

COMPLETING DUPLICATION BACCHUS MARSH TO BALLARAT

Ultimately, the entire line to Ballarat needs to be duplicated. Grade separation will be needed to eliminate most level crossings and the line upgraded for 200 km/h operation where grades and curves allow it. These investments will allow the world class train service Ballarat needs. The Freeway has been duplicated; the railway will also need full duplication soon!



IMPLEMENTATION PLAN 2018 – 2026

PROPOSED INFRASTRUCTURE INVESTMENT PROGRAM



BOOMING DEMAND FOR RAIL TRAVEL

Already Ballarat citizens are provided with 22 trains a day. Very soon, the peak services will be filled to capacity. In the next ten years at least 30 trains a day will be needed, with a 20-minute service in the two-hour peak in each direction.

BOOMING POPULATION

Ballarat's population is growing at 1.9% a year, and the present level of 104,000 will reach 137,000 by 2031 and could be 175,000 by 2050. By then, population of the wider Ballarat Region is likely to exceed 250,000. We must have the infrastructure to service that population.

High capacity electric trains being built now can carry 1,100 or more passengers; platforms will be built or extended to suit them. They need to run to Melton.



TRACK AND ROLLING STOCK

To provide for the needs of the next 5 and 10 years, investment is needed now in extra tracks, lengthened platforms and longer trains with more seats to support the level of service that will be needed. This planning must be done now!

The journey to work on Melton/Bacchus Marsh/Ballarat BOOMING POPULATION line trains sometimes looks like this...



ACCORDING TO THE VICTORIAN GOVERNMENT'S OFFICIAL POPULATION GROWTH FORECASTS VICTORIA IN FUTURE 2016:

The fastest growing metro municipality to 2051 will be Melton, served by the Ballarat line (4.4% growth)

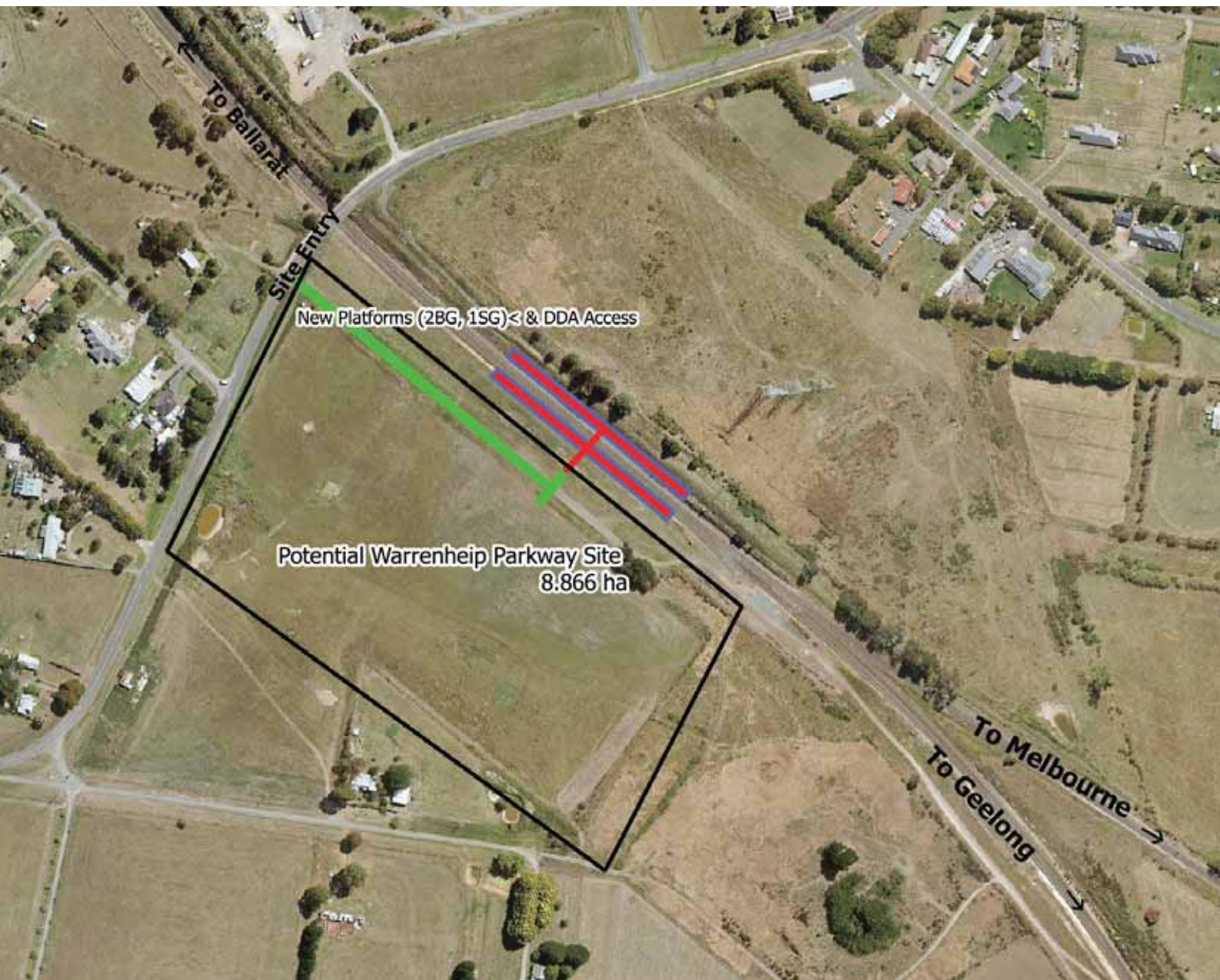
The second fastest regional growth area to 2051 will be Moorabool (2.4% growth)

With 1.9% growth, Ballarat's* population will be over 250,000 by 2051

The largest growth in numbers to 2051 will be Wyndham – (an additional 198,000 people) – Wyndham Vale trains will still be sharing the inner end of the Ballarat line

(Quadruplication will allow electric trains to Melton to operate on separate tracks).

WARRENHEIP PARKWAY STATION



IT'S THE TOTAL JOURNEY THAT COUNTS

The whole commute between Ballarat and Melbourne, or vice versa, includes the time needed to get to the station, wait for the train, and complete the journey. The journey time on the train can be expedited by better rail infrastructure, fewer curves and stops and faster rolling stock. But the journey to and from the station is very important too.

Many people want to drive to the station, and they need to be able to find a parking spot easily, leave their car in a safe place, and get easily to the platform. Our Warrenheip Parkway proposal, illustrated above, is designed for this purpose. It is planned to be an integrated new station complex at Warrenheip that will serve both Ballarat to Melbourne trains and future Ballarat to Geelong trains. It is designed to accommodate 1,000+ vehicles, within no more than a 5-minute walk to the platform, a convenient bus interchange and accommodation for a large number of bicycles.

There is no cost-efficient way to provide this many car parks in central Ballarat. And a Warrenheip Parkway will be ideal for all those living on the Melbourne side of Ballarat, as well as those from Mount Helen and Buninyong. It will complement the similar facility at Wendouree, already well used by those on the western side of the city.

The Ballarat railway can provide a fast gateway for residents and tourists to the region's unique tourist attractions, communities and natural beauty.



BALLARAT RAIL ACTION COMMITTEE

For more information, contact:

Kwabena Ansah
Melton City Council
PO Box 21
Melton VIC 3337
03 9747 7200

Email: kwabena.ansah@melton.vic.gov.au

A joint project of:





STRATEGY FOR MANAGING EXPLOSIVE PASSENGER GROWTH ON THE MELTON BACCHUS MARSH RAILWAY

BALLARAT RAIL ACTION COMMITTEE
MAY 2018

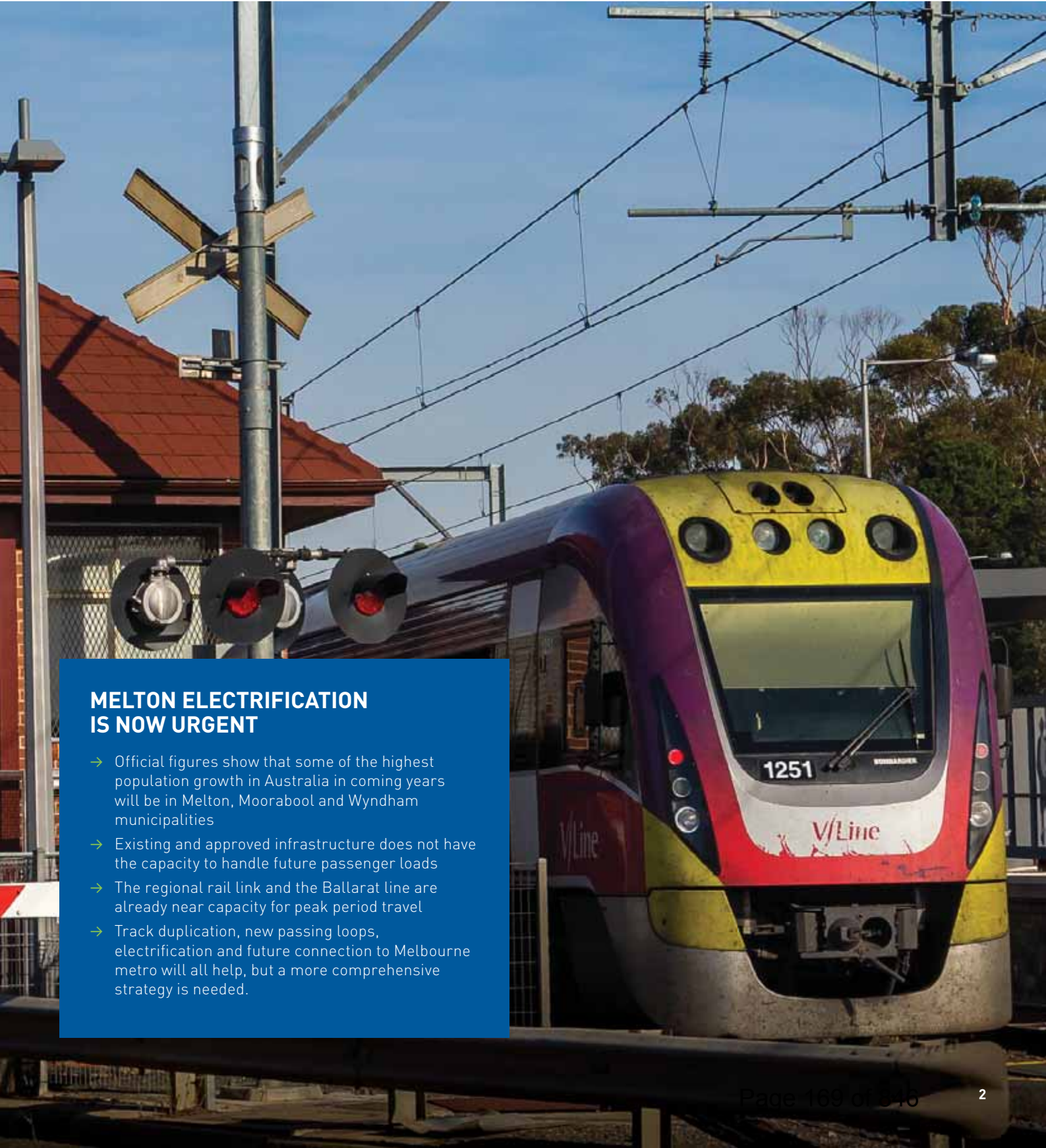
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'Melton Electrification is urgent, and needs to happen now'

- Councillor Margaret Giudice, Mayor of Brimbank City Council
- Councillor Bob Turner, Mayor of Melton City Council
- Councillor Paul Tatchell, Mayor of Moorabool Shire

MELTON ELECTRIFICATION IS NOW URGENT

- Official figures show that some of the highest population growth in Australia in coming years will be in Melton, Moorabool and Wyndham municipalities
- Existing and approved infrastructure does not have the capacity to handle future passenger loads
- The regional rail link and the Ballarat line are already near capacity for peak period travel
- Track duplication, new passing loops, electrification and future connection to Melbourne metro will all help, but a more comprehensive strategy is needed.

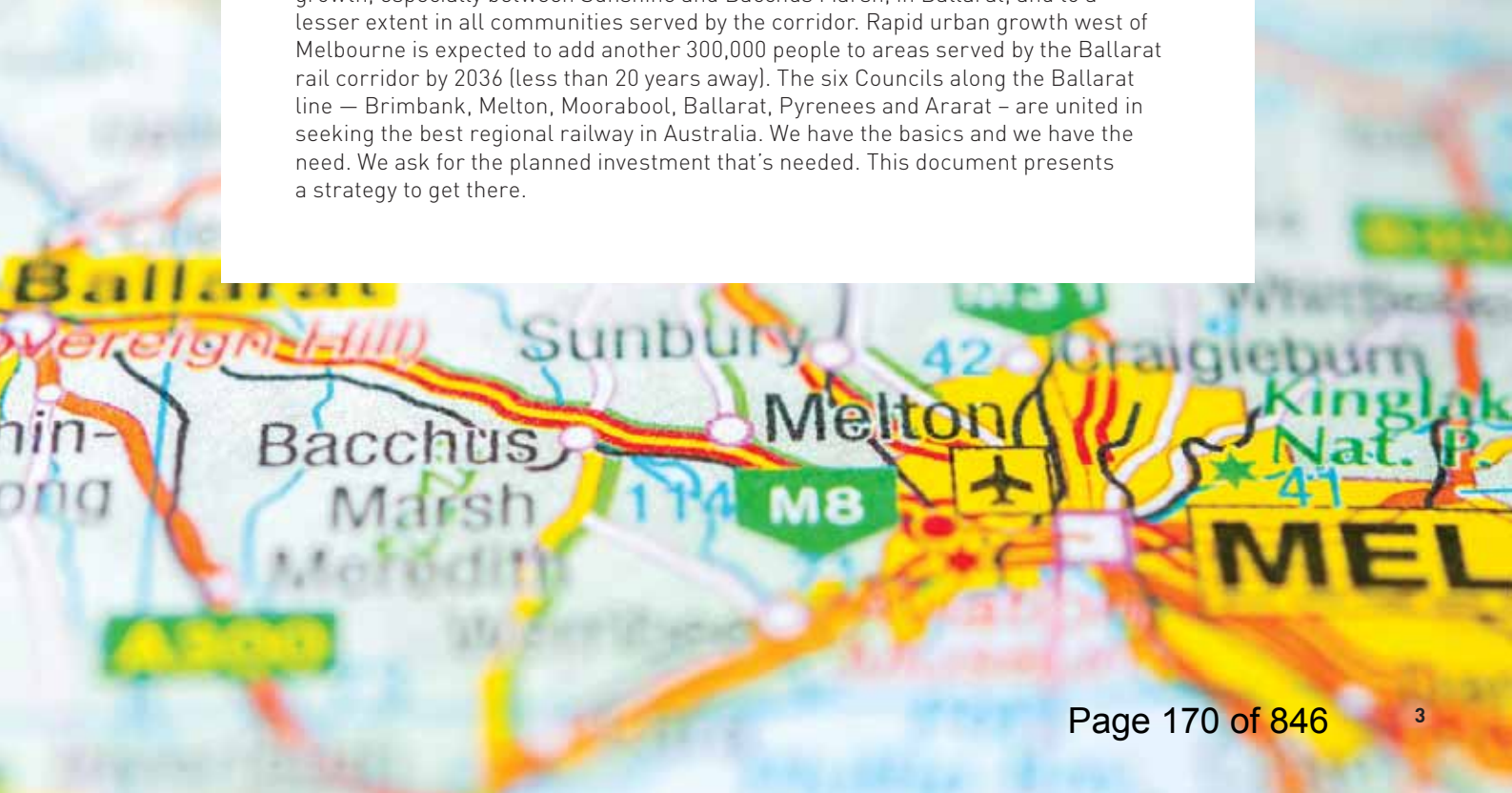




Suburbs and municipalities west of Melbourne are experiencing unprecedented population growth as they transform from lightly populated outer suburbs and agricultural regions into densely populated suburbs.

The railway between Melbourne, Melton, Bacchus Marsh, Ballan and Ballarat provides a critical transport link for the communities it serves, including extended catchments that are connected to the railway by bus and coach services. The role of the railway will be fundamental in coming years as explosive population growth places huge stress on our road and rail systems. Both need to have the capacity to handle the needs of much larger populations. The railway between Melbourne and Ballarat is already an intensely used commuter line, having seen usage more than triple over the past decade as journey times have been reduced by successive investments in the Regional Fast Rail, VLocity railcars and Regional Rail Link projects.

A further \$518 million was committed to further improvements in the 2016 State budget. Despite these investments much of the line will still be single track, resulting in delays while trains wait to pass each other, and other infrastructure including stations, signalling, train stabling, car parking, security and bus and coach connections require further improvement. The next 20 years will require transformative development of rail services and infrastructure in the corridor from Sunshine via Ballarat to Ararat to accommodate demand fuelled by rapid population growth, especially between Sunshine and Bacchus Marsh, in Ballarat, and to a lesser extent in all communities served by the corridor. Rapid urban growth west of Melbourne is expected to add another 300,000 people to areas served by the Ballarat rail corridor by 2036 (less than 20 years away). The six Councils along the Ballarat line — Brimbank, Melton, Moorabool, Ballarat, Pyrenees and Ararat – are united in seeking the best regional railway in Australia. We have the basics and we have the need. We ask for the planned investment that's needed. This document presents a strategy to get there.



OUR VISION FOR THE MELTON-BACCHUS MARSH RAILWAY

An efficient, reliable and high capacity outer suburban railway to support the travel needs of the corridor's booming population, serving Melton and Bacchus Marsh with very frequent, reliable trains directly linking our communities with Melbourne's western suburbs, the Parkville university/hospital precinct, the CBD and the south east suburbs, and with excellent connections to Melbourne Airport, Geelong and Ballarat.



Population Melton & Moorabool LGAs



CURRENT POSITION

185,000

Population

6 peak hours diesel trains
+ **another 4** at Bacchus Marsh
shared with Ballarat passengers

30

Off-peak trains every 30 minutes
Evenings and weekends – hourly

BY 2026

There will be extreme overcrowding on this railway unless electrification is extended to Melton

260,000

Population

12 peak hour electric trains from Melton + **4** each way from/to Ballarat with connections at Melton

20

Off-peak trains every 20 minutes
Evenings/weekends half-hourly

BY 2030

Electric trains increased from 7 cars to 10 cars to meet demand

315,000

Population

12 peak hours electric trains + **6** each way from/to Ballarat with connections at Melton

10

Melton trains every 10 minutes at all non-peak times

BY 2040

435,000

Population

18 peak hours electric trains + **6** each way from/to Ballarat with connections at Melton

10

Melton trains every 10 minutes at all non-peak times

THE ACTIONS NEEDED TO REALISE THIS VISION:

- A corridor development plan
- Electrification to Melton
- Quadruplication between Sunshine and Melton
- Duplication between Melton and Bacchus Marsh
- Re-working the junctions at Sunshine and Deer Park
- Elimination of level crossings
- New and upgraded stations
- More car parks
- New trains
- Better bus connections

THESE ARE REALISTIC ASPIRATIONS THAT CAN BE ACHIEVED IF:

- A long term corridor plan is developed and implemented
- The required investments are implemented sequentially
- There is involvement from all levels of government
- The community is engaged and excited as each upgrade is implemented

PROPOSED INFRASTRUCTURE INVESTMENT PROGRAM

2018 – 2022

- Railway electrification – Southern Cross to Sunshine (RRL lines) and to Melton
 - Ardeer and Deer Park – station reconstruction to allow for track quadruplication with 250m platforms for longer current diesel and future metro electric trains
 - Level crossing removals at Fitzgeralds Road, Derrimut Road and Robinsons Road
 - Caroline Springs – Rockbank – Melton track duplication*
 - Caroline Springs, Rockbank, Toolern, Melton and Bacchus Marsh – platform extensions to 250m
 - Provision for future station at Hopkins Road
 - New station at Toolern (with provision for Ferris Road level crossing removal)*
 - Bacchus Marsh – additional platform, removal of existing carriage sidings and additional car parking*
 - Maddingley – new carriage sidings*
 - Ballan – new 5km passing lane, additional platform and car parking*
 - Bungaree direct line – new 4km passing lane to replace old Bungaree Loop line*
-

2023 – 2026

- Opening of Melbourne Metro tunnels – releases capacity on RRL lines by diverting Melton trains onto separate tracks at Hopkins Road
 - Sunshine – grade separated junction of Bendigo line with Melton suburban lines
 - Sunshine to Caroline Springs and Hopkins Road – track quadruplication
 - Deer Park – two additional platforms and re-aligned junction to Geelong line
 - Re-arrangement of Robinsons Road Junction
 - Melton – third 250m platform for terminating trains
 - Telephone Road to Parwan Loop and Bacchus Marsh track duplication including bi-directional signalling for overtaking movements
 - All stations – additional car parking and improved bus interchanges
-

2027-2030

- Sunshine – new platforms for fast line to Melbourne Airport
- Hopkins Road to Melton – track quadruplication
- Hopkins Road – new station (linked to level crossing removal)
- Level crossing removals at Hopkins Road and Leakes Road
- Rockbank station re-construction (linked to Leakes Rd level crossing removal)
- Level crossing removals at Paynes Road, Mount Cottrell Road and Ferris Road
- Paynes Road – new station
- Level crossing removals at Station Street and Coburns Road
- Melton station re-construction (linked to Station Street and Coburns Road level crossing removals)
- Melton to Telephone Road track duplication (including Melton Weir bridge) and bi-directional signalling for overtaking movements
- Parwan – new station

*These projects form part of the current Ballarat Line Upgrade (BLU) Project.

IMPLEMENTATION PLAN 2018 – 2026

PROPOSED INFRASTRUCTURE INVESTMENT PROGRAM

THE BALLARAT LINE UPGRADE

The \$518 million allocation for the Ballarat Line upgrade in the 2016 State Budget will do much to help improve train service reliability and provide more passing lanes and platforms. But much more is needed to support massive growth in Melbourne's west. The current upgrade doesn't include platform extensions for longer trains that will soon be needed or to commence preparatory works for urgently needed electrification to Melton.

MELTON ELECTRIFICATION

Electrifying the railway to Melton will triple its carrying capacity – 9-car electric trains can safely carry 1,400 or more people per train compared with 444 seats in a 6-car VLocity set. Population growth in Brimbank and Melton requires electrification, but the important connection with Ballarat can be retained, by making Melton an interchange station with access to both suburban and regional trains. By 2026, the electrified tracks will connect into the Melbourne Metro tunnels giving direct access to the university and medical precincts at Parkville, the new CBD stations and the south-eastern suburbs.

THE CRITICAL NEED TO REDUCE CAR DEPENDENCY

Suburbs served by the Melton/Bacchus Marsh railway are highly car dependent, with around 85% of weekday trips being made by car. The road network cannot absorb this ever-increasing demand. Over reliance on cars reflects the present inadequacy of available public transport options and results in high economic costs and social disadvantage for residents. These trends are unsustainable.

Major rail service improvements with better bus connections are needed now and into the future. They are critical for access to education, employment and leisure opportunities for the fast-growing communities to the west of Sunshine in Brimbank and throughout the City of Melton and Moorabool Shire.

MELTON'S PEAK PERIOD TIMETABLE CHALLENGE

There are few Melbourne metropolitan stations with a less frequent and less consistent peak period train service than Melton - the busiest station on the Ballarat line. Weekday trains arriving at Southern Cross between 07.00 and 09.00 leave Melton at 06.30, 06.43, 07.19, 07.31, 07.48 and 08.15. In the afternoon peak, it's slightly better with trains leaving Southern Cross at 16.10, 16.35, 17.00, 17.10, 17.19, 17.35 and 17.59. Most of these trains are already at or near 100% seat occupancy with many standees.

When the line is duplicated between Caroline Springs and Melton by late 2018 or early 2019, services will be more reliable and off-peak frequency is expected to improve. But the Regional Rail Link lines between Southern Cross and Sunshine are already at near full capacity at peak times with little room for additional services before Melton is connected to the Melbourne Metro tracks by 2025. That's 7 years away! By then, the combined effects of population growth, road congestion and the new station at Toolern will likely see rail patronage inbound from Melton more than double.

How then can the railway cope if almost no additional peak trains can be provided for another 7 years? The short-term answer lies in operating longer trains with more seats, hence the need for platform lengthening. It also lies in bringing forward Melton and Wyndham Vale electrification works with interim services provided to Melton, initially using high capacity 9-car electric trains serviced and staffed from a new depot at Wyndham Vale.

A commitment in 2018 could have these services running by 2022.

QUADRUPLICATION TO MELTON

The Bacchus Marsh/Ballarat line currently tries to serve both suburban and regional passengers – but mixing regional and suburban trains makes regional journeys much slower. Ballarat trains will increasingly be caught behind frequent suburban trains that run at much lower average speeds, because of stops at suburban stations. It is therefore vital that suburban and regional trains are segregated. Quadruplication (two additional express tracks) from Sunshine to Melton, extending the previously completed Regional Rail Link tracks between Sunshine and Southern Cross, together with duplication from Melton to Bacchus Marsh including signalling designed for overtaking by Ballarat express trains, is how this segregation can be achieved on the Ballarat line.



IMPLEMENTATION PLAN 2018 – 2026

PROPOSED INFRASTRUCTURE INVESTMENT PROGRAM



BOOMING POPULATION

Ballarat's population is growing at 1.9% a year, and the present level of 100,000 will reach 198,000 by 2031 and 250,000 by 2050. To that add 400,000 in Melton and Moorabool. We must provide the infrastructure to service that population.

High capacity electric trains being built now can carry 1,500 passengers; platforms will be built or extended to suit them. They need to run to Melton.



TRACK AND ROLLING STOCK

To provide for the needs of passengers currently and into the future, investment is needed now in extra tracks, lengthened platforms and longer trains with more seats to support the level of service that will be needed. This planning must be done now!

COMPLETING DUPLICATION BACCHUS MARSH TO BALLARAT

Ultimately, the entire line beyond Melton to Ballarat needs to be duplicated. It also needs to be protected by active crossing protection and grade separation. Wherever possible, it should be upgraded for 200 km/h operation where grades and curves allow it. These investments will allow the world class train service the region needs. The Freeway has been duplicated; the railway will also need duplication soon!

The journey to work on Melton/Bacchus Marsh/Ballarat BOOMING POPULATION line trains sometimes looks like this...

Current diesel VLocity trains are popular but were designed for fast running from regional centres such as Geelong, Ballarat, Bendigo and further afield. With seats for only 444 people per 6-car set, internal layouts and doors that do not allow rapid passenger access and egress, they are not suited to the frequent suburban services essential to accommodate the burgeoning urban growth facing Melton, Brimbank and Wyndham.



ACCORDING TO THE VICTORIAN GOVERNMENT'S OFFICIAL POPULATION GROWTH FORECASTS VICTORIA IN FUTURE 2016:

The fastest growing metro municipality to 2051 will be the city of Melton, served by the Ballarat line (4.4% growth)

The second fastest regional growth area to 2051 will be Moorabool (2.4% growth)

Ballarat is not far behind (1.9% growth); Ballarat's* population will be over 250,000 by 2051

The largest growth in numbers to 2051 will be Wyndham – (an additional 198,000 people) – Wyndham Vale trains will still be sharing the inner end of the Ballarat line

(Quadruplication will allow electric trains to Melton to operate on separate tracks).

A VISION FOR MELTON STATION

Quadruplication to Melton will necessarily include removal of the Station and Exford Roads level crossing. An option would be to re-construct Melton Station and rejuvenate the surrounding station precinct, opening up the entire station precinct for a wide range of new possibilities.



Source: Level Cross Removal Authority.

REJUVENATING STATION PRECINCTS

The whole commute from Ballarat line stations to Melbourne, or vice versa, includes the time needed to get to the station, wait for the train, and complete the journey. The journey time on the train can be expedited by better rail infrastructure, fewer curves and stops and faster rolling stock. But the journey to and from the station is very important too.

Many people want to drive to the station, and they need to be able to find a parking spot easily, leave their car in a safe place, and get easily to the platform. With electrification and quadruplication Melton Station and its immediate surrounds will need to be completely redesigned and rebuilt, with the level crossings removed at Station Street and Coburns Road. This will present an opportunity to implement cutting edge design in the area and rejuvenate the entire station precinct.

Buses and bikes also will play an increasingly key role in getting people to the station. Safe bike parking needs to be provided, and relevant bus routes enhanced to provide convenient train connections, with a well-designed, bright and safe interchange.

Explosive population growth over the next 30 years will require electrification and quadruplication of the Ballarat line to Melton. A corridor development plan is needed now!

STEPS IN PLACE NOW

1. The current \$518 million Ballarat line upgrade project will help, with duplication from Caroline Springs to Melton, extra platforms, passing lanes and elimination of the circuitous bungaree loop.
2. Electrification of the Melton line by around 2026 and its connection to the Melbourne metro tracks and tunnels is planned but not yet committed. It will allow higher capacity and more frequent trains as far as Melton.
3. High capacity electric trains now on order can take 1,500 passengers per train compared with 444 seats in a 6-car Vlocity set.

EXTRA STEPS THAT ARE NEEDED

1. A corridor development plan, involving the community and all levels of government.
2. A commitment to early electrification to Melton.
3. Quadruplication Sunshine to Melton to allow regional trains to bypass stopping suburban trains.
4. New station/interchanges at Deer Park, Toolern, Melton and Bacchus Marsh.

BALLARAT RAIL ACTION COMMITTEE

For more information, contact:

Kwabena Ansah
Melton City Council
PO Box 21
Melton VIC 3337
03 9747 7200

Email: kwabena.ansah@melton.vic.gov.au

A joint project of:



Services for Growing Communities

Enhancing the Health & Wellbeing of People and Communities in Moorabool



INTRODUCTION

Through the development of the Council Plan 2017-2021 and other strategic documents (outlined below), a number of key service gaps/priorities have been identified which are recognised as having particular strategic importance for the future of the Shire.

The strategies and plans are Health and Wellbeing Plan; Age Well Live Well Strategy & Access and Inclusion Plan; Community Development Strategy; Volunteer Strategy; Small Towns Settlement Strategy; Community Infrastructure Framework/Plan; Municipal Early Years Plan; Housing Strategy; and Environment Strategy.

The Council recognises the community service organisations that are already operating in the municipality and wishes to continue to support them and their growth.

Likewise, the Council recognises the population growth and changing needs of the community and the need to attract additional investment in community services now and into the future.

THE PROBLEM

The population of the Moorabool Shire, particularly at its eastern end (Bacchus Marsh and surrounds), has grown and is continuing to grow at a significant rate. An assessment of community needs across a broad range of issues and associated gap analysis has identified an urgent need for greater investment in government and non-government services across the municipality.

The Moorabool Shire population forecast for 2018 is 34,030 and is forecast to grow to 53,270 by 2041.

The population forecast for persons aged 15-24 in Moorabool for 2018 is 5,571 and is forecast to grow to 8,126 by 2041.

The population forecast for persons aged 0-65 years in Moorabool for 2018 is 29,102 and is forecast to grow to 43,248 by 2041.

Through Council's strategic planning work significant consultation with community members, agencies and government departments has identified the need for significant recurrent investment in the following service areas:

Family Violence Support Services and Men's Behaviour Change Programs: Recurrent funding for the WRISC Family Violence Services in Moorabool.

Drug & Alcohol Services: Increased investment in the provision of prevention, early intervention, counselling and rehabilitation services.

Disability Services: National Disability Insurance Scheme (NDIS).

Employment Service Providers: Job active providers, employment and training brokerage services and community based vocational education and training programs and services.

Affordable/Social Housing: Increased numbers of social housing including transitional and public housing.

Mental Health Services: Counselling and support services.

Improved Educational Outcomes: Investment required to significantly increase the number of students in Moorabool completing Year 12 or equivalent.

Increased Jobs for Young People: Investment in skills and training to better equip young people to obtain employment.

LOCAL AND REGIONAL BENEFITS

There are a wide range of factors influencing health and wellbeing, such as individual, social, cultural, economic and environmental. Social, economic and environmental factors include employment, housing, social connections, access to transport and healthcare facilities, income and education levels.

Mail PO Box 18 Ballan Vic 3342

Ballan 15 Stead St Ballan

Bacchus Marsh 215 Main St Bacchus Marsh

Darley 182 Halletts Way Darley

P (03) 5366 7100

E info@moorabool.vic.gov.au

W www.moorabool.vic.gov.au



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A holistic approach to health recognises the influence of the social, economic, psychological and environmental well-being of the community on people's health. It is through partnerships, collaboration and community involvement that health and wellbeing outcomes can be achieved.

Economic Development has a pivotal role in connecting local people to jobs. Significant opportunities exist for economic growth in education, health care and service industries along with tourism. More local jobs are needed to increase local economic resilience and opportunities.

IS THIS AN EFFECTIVE RESPONSE TO THE PROBLEM?

Increased provision of a range of community services, along with improvements in educational attainment, skills, training and local jobs is an effective multi-faceted approach to responding to the problems.

Addressing the problems requires action from all levels of government in partnership with non-government organisations, community groups and individuals.

PROJECT READINESS

Service providers including Council are ready and in need of increased investment in existing and new services to meet the current and project needs of the growing communities of Moorabool. An expansion of the existing services in Moorabool is ready to happen.

There is evidence of the needs - identified gaps in services, demand for an expansion to existing and development of new services and a significant and continuing growth in population.

The WRISC Family Violence Services was initially funded as a pilot program and early this year was funded for a further 12 months which concludes in June next year. WRISC Family Violence Service requires recurrent funding to continue its vital and successful services in Moorabool.

Community Health Services are ready for increased investment in drug, alcohol and mental health services.

The education and training sector are ready to deliver new and expanded services for young people and eligible jobseekers to address the relatively low levels of students completing year 12 or equivalent, and relatively high levels of unemployment among younger and middle aged people.

LEVEL OF SUPPORT

The Council works in partnership and collaboration with existing service providers across the organisation. Council leads and helps facilitate a co-ordinated approach to the planning and provision of services across the municipality.

Council works with government and non-government organisations to evidence the needs for services and to reduce any duplication and fragmentation.

Council has a strong and effective working relationship with a broad range of services (government and non-government) which come together regularly through the Council established and resourced Moorabool Health and Wellbeing Committee.

Council itself is a significant provider, funder and co-funder of services delivered across a range of age groups throughout the municipality.

STRATEGIC JUSTIFICATION FOR PROPOSED INVESTMENT IN SERVICES

- Moorabool Council Plan 2017-2021
- Moorabool Health and Wellbeing Plan 2017-2021
- Moorabool Age Well Live Well Strategy & Access and Inclusion Plan 2015-2021
- Moorabool Community Development Strategy 2015-2021
- Moorabool Volunteer Strategy 2015-2021
- Moorabool Youth Strategy 2013-2016 (Currently being revised for 2017-2021)
- Moorabool Small Towns Settlement Strategy 2016
- Moorabool Community Infrastructure Framework 2017
- Moorabool Municipal Early Years Plan 2015-2021
- Bacchus Marsh Housing Strategy 2017
- Moorabool Environment Strategy 2017
- Moorabool Economic Development Strategy 2015
- Moorabool Community Profile - <https://profile.id.com.au/moorabool>
- Moorabool Forecast Population - <https://forecast.id.com.au/moorabool>

REFERENCES

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- <https://www.moorabool.vic.gov.au/sites/default/files/MSC-Volunteer-Strategy%20FINAL%20for%20OMC.pdf>
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- <https://www.moorabool.vic.gov.au/residents/family-services/family-and-children/planning-families-and-children>
- <https://www.moorabool.vic.gov.au/sites/default/files/Housing%20Bacchus%20Marsh%20to%202020.pdf>

Attachment - Item 11.1.2f

MOORABOOL SHIRE COUNCIL – Advocacy Projects

MAJOR ADVOCACY PROJECTS							
Project No	Project Name	Locality	Current Council allocation	External funding requested (M)	Other	Total Project Cost (M)	Status
1	Bacchus Marsh Traffic Improvements - Eastern Link Road Planning Study	Bacchus Marsh	-	\$2.8M	-	\$2.8M	Funded
2a	Bacchus Marsh Traffic Improvements – Gisborne / Holts / Western Freeway Intersection	Bacchus Marsh	-	\$2.3M	-	\$2.3M	Funded
2b	Bacchus Marsh Traffic Improvements - Main St / Grant St / Gisborne Rd Intersection	Bacchus Marsh	-	\$3.5M	-	\$3.5M	Scoped (advoc doc = \$5mil)
2c	Bacchus Marsh Traffic Improvements - Grant St/Labilliere St Intersection	Bacchus Marsh	-	\$2.0M	-	\$2.0M	In Planning
2d	Bacchus Marsh Traffic Improvements - Grant St / Griffith St / Station St Intersection	Bacchus Marsh	-	\$3.5M	-	\$3.5M	Scoped (advoc doc = \$4mil)
3a	Parwan Employment Precinct – Gas	Parwan	\$1.0M	\$3.0M	\$0.5M	\$4.5M	In Planning
3b	Parwan Employment Precinct – Water	Parwan	-	\$5.81M	-	\$5.81M	In Planning
3c	Parwan Employment Precinct – Sewer	Parwan	-	\$2.52M	-	\$2.52M	In Planning
4	Bacchus Marsh Regional Community Sports Hub	Maddingley	\$4.6M	\$3.8M	0.25M	\$8.65M	Shovel Ready
5	Sewer for Small Towns - Bungaree & Wallace	Bungaree	\$1.0	\$3.06M	3.53M	\$7.59M	Scoped

SMALL/MEDIUM PROJECTS - IN CURRENT CAPITAL IMPROVEMENT PROGRAM

Project No	Project Name	Locality	Current Council allocation	External funding requested	Other	Total Project Cost	Status
1	Mason Lane Reserve - West Pavilion Upgrade /Public Toilet / Playground The upgrade incorporates internal refurbishments to the existing building and the construction of a new storage shed. The existing pavilion has a lack of storage space, the toilets and change room facilities are in poor condition and not suitable for the main user group the Bacchus Marsh Athletics Club to host athletic completions. The Bacchus Marsh Athletic Club is experiencing rapid growth in young participants and require the necessary facilities to cater for this.	Bacchus Marsh	\$200,000	\$100,000	-	\$300,000	Shovel Ready
2	Darley Park Sports Oval Lighting The project will provide new sports oval lighting to a minimum of 150 lux to the Darley Park Oval. The oval is the only AFL Goldfields recognised regional facility in Moorabool Shire and will ensure that it meets AFL Victoria lighting standards. The project will allow tenant clubs to increase their participation and membership through increased training times and loads, as well as improving safety to all participants. Tenant clubs will also be able to host night matches providing a financial and social boost to community clubs and the local community.	Darley	\$130,000	\$50,000	\$75,000	\$225,000	Shovel Ready (stage 2 CSRF)
3	Maddingley Park Passive Area Irrigation Maddingley Park is the premier passive recreation reserve in the area and attracts many visitors from outside of Moorabool. This project includes the installation of irrigation infrastructure to service the passive areas with Maddingley Park Recreation Reserve to improve the user experience and amenity of the reserve all year round.	Bacchus Marsh	\$100,000	\$150,000	-	\$250,000	Shovel Ready (stage 2 CSRF)
4	Peppertree Park Upgrade and Pedestrian Bridge over Werribee River The construction of a pedestrian bridge over the Werribee River is an identified project in Council's hike and bike strategy. The bridge would connect the existing Peppertree Park, river walking trails and public pool with public toilets and walking trails on the south side of the river.	Bacchus Marsh	\$250,000	\$500,000	-	\$750,000	Feasibility
5	Ballan Streetscape Upgrade – Stage 2 The upgrade of Inglis Street, Ballan includes replacing the current outdated brick paving with a combination of bluestone paving, asphalt surfacing and landscaped areas. The project also includes the formalisation of commercial areas, improvements to on-street parking opportunities and an enhanced landscape layout. Stage 1 of 2 of the project will be constructed in 2017/2018 with further funding required to complete stage 2 of the project.	Ballan	\$600,000	\$600,000	-	\$1.2M	Shovel Ready
6	Ballan Recreation Reserve – Netball / Tennis Court and Facilities Upgrade The project includes the reconstruction of the existing netball and tennis court area to include two dedicated and female friendly change rooms (\$120K), netball courts, three tennis courts and an associated pavilion to service both the Netball Club and Tennis Club. The project will reconstruct the poor existing playing surface to include the required specifications for both sports.	Ballan	\$200,000	\$250,000	-	\$450,000	Scoped

7	Gordon Recreation Reserve - Additional Netball Court	Gordon	\$100,000	\$100,000	\$50,000	\$250,000	Scoped
	<p>The project includes the construction of an additional netball court adjacent to the existing court and lighting of the existing court at the Gordon Recreation Reserve. The project will enable better use of existing court space, cater for training needs and create warm up areas for competition days.</p>						
8	Gordon Recreation Reserve - Sewer Connection	Gordon	\$25,000	\$100,000	-	\$125,000	Shovel Ready
	<p>The township of Gordon has been sewered in recent years, however the sewerage scheme did not extend to the Recreation Reserve that is on Crown Land. The existing septic system is failing at the reserve posing a health risk to the public and adjoining properties. After investigation of options to address the issue, extension of the sewer to the Reserve is the optimal option to address the risks.</p>						
9	Gordon Streetscape Upgrade	Gordon	\$350,000	\$350,000	-	\$700,000	Shovel Ready
	<p>This project is the formalisation of Main Street, Gordon from the Old Western Highway through to Stanley Street. The project will include improved pedestrian linkages, formalised intersections, drainage improvements including kerb and channel construction, landscaping and improved access to community buildings.</p>						
10	Greendale Recreation Reserve Amenities Upgrade	Greendale	\$50,000	\$50,000	-	\$100,000	Scoped
	<p>The existing public amenities at the Greendale Reserve are considered inadequate for current usage levels. An extension of the existing amenities will cater for the needs of the Reserve and public for the events that are held there.</p>						
11	Wallace Recreation Reserve - Sports Oval Irrigation and Lighting	Wallace	\$50,000	\$150,000	\$50,000	\$250,000	Shovel Ready
	<p>The project involves the installation of sports oval lighting at the Wallace Recreation Reserve to training standard along with the installation of an automated irrigation system to provide better utilisation and condition of the existing oval surface. The project will allow tenant clubs to increase their participation and membership through increased training times and loads, as well as improving safety to all participants.</p>						
12	Dunnstown Recreation Reserve - Sports Oval Lighting	Dunnstown	\$50,000	\$100,000	\$50,000	\$200,000	Scoped
	<p>The project involves the installation of sports oval lighting at the Dunnstown Recreation Reserve to training standard to provide better utilisation and condition of the existing oval surface. The project will allow tenant clubs to increase their participation and membership through increased training times and loads, as well as improving safety to all participants.</p>						
13	Bungaree Recreation Reserve - Sports Oval Lighting	Bungaree	\$50,000	\$100,000	\$50,000	\$200,000	Scoped
	<p>The project involves the installation of sports oval lighting at the Bungaree Recreation Reserve to training standard to provide better utilisation and condition of the existing oval surface. The project will allow tenant clubs to increase their participation and membership through increased training times and loads, as well as improving safety to all participants.</p>						
14	Elaine Recreation Reserve - Water & Irrigation	Elaine	\$25,000	\$80,000	\$36,050	\$141,050	Scoped
	<p>This project involves the supply of water and irrigation to the Elaine Recreation Reserve. The project will allow tenant clubs to increase their participation as well as improving safety to all participants.</p>						

POSSIBLE PROJECT PACKAGES

Project No	Project Name	Locality	Current Council allocation	External funding requested	Other	Total Project Cost	Status
1	Moorabool Play Space Upgrades – Scalable	Various	\$150,000	\$450,000	-	\$600,000	Feasibility
	<p>The project involves the upgrade of play spaces across Moorabool to address gaps in service, lack of diversity and condition of the assets. The proposed upgrade is supported by the Recreation and Leisure Strategy and would increase participation and utilisation of open space areas and thus improved health and wellbeing.</p>						
2	Street Lighting Bulk Lamp Changeover to LED	Shire Wide	\$300,000	\$600,000	-	\$900,000	Shovel Ready
	<p>Council has developed a business case to undertake a bulk lamp changeover of its street lighting to LED. There are numerous environmental benefits to the proposed project and financial assistance is required to roll out the project across the municipality.</p>						
3	Aquatics Upgrades - Splash Parks	Bacchus Marsh	\$200,000	\$400,000	-	\$600,000	Feasibility
	<p>The project involves the creation of a splash park in Bacchus Marsh and Ballan to provide diversity in the aquatic and recreation experience of residents in the area. The proposed upgrade is supported by the community and would increase participation and utilisation of open space areas and thus improved health and wellbeing.</p>						

11.1.3 Reserve Funds

Introduction

Author: Rob Croxford.

This report addresses the resolution of Council in relation to the use of Council Reserve / Ward funds.

Background

At the meeting on 2 May 2018 the Council resolved:

“That a report to Council be presented to the next meeting that addresses guidelines for utilising ward funds and whether they should continue going forward.”

The definition of “ward funds” is not technically correct as the Annual Report sets out the allocation of equity/reserves in the balance sheet as “other reserves”. Within several of the reserves is a split of the total balance by the four wards that make up the Moorabool Shire, thus reference to ward funds.

The Council also operates a community grants/community development process and this could provide some guidance on the allocation of projects from reserves.

It has been customary for Councillors to bring forward projects on behalf of the community outside of the community grants and budgetary processes due to an opportunity arising outside of annual cycles or of an urgent nature.

With a view to recent changes to the Local Government Act and guidelines from Local Government Victoria the allocation of funds to community groups from Reserve Funds has always been by Council resolution.

Proposal

Definition of Ward / Other Reserves

As mentioned above the Annual Report sets the balance and purpose of the Council’s “other reserves”.

The list of reserves that have been further split by ward include:

Recreation Facilities Reserve

The purpose of this reserve is to provide funding for recreational facilities. Funded from developer contributions, this reserve requires that recreation facilities be established within proximity to the relevant new subdivision.

The income streams to the reserve relate to 5% subdivision contributions in lieu of land under the Planning and Environment Act. The contributions are statutory and need to be accounted for in some detail to ensure there is a nexus between the contribution and the geographical area.

Expenditure has historically been for new infrastructure, however in recent time’s renewal and upgrade expenditure and strategic studies in support of future investment have also been made. Given the contributions from

developers are for the additional stress the subdivisions place on recreation infrastructure, it is suggested that the funds only be used for new and upgrade infrastructure.

The need to demonstrate a nexus between funds collected and the project expenditure also leads to consideration on how the Reserve is accounted for. It is suggested that the split of the reserve go further by accounting for the funds by township and where possible suburb of larger areas such as Bacchus Marsh.

Development Works Reserve

The purpose of this reserve is to provide improved facilities within the municipality, funded through funds allocated to the reserve by Council.

Income streams are largely from rental agreements for property, buildings and telecommunication towers.

Expenditure has largely been for new or renewal infrastructure.

A significant component of the Reserve is the Industrial Estate component with a balance of \$1.630 mil. This component needs to be separated out from the ward fund conversation as it represents the proceeds from the sale of the Hillside Estate and can be applied to other economic / subdivision projects. The SFP has nominated \$1mil of the Industrial Estate to be contributed to the Parwan industrial estate gas project.

Other Reserves that are not accounted for on a ward basis include:

- Car Park Reserve;
- Storm Water Management Reserve;
- Closed Landfill Reserve;
- Defined Benefits Superannuation Reserve;
- Capital Works Seed Funding Reserve;
- Developer Contributions Reserve;
- Essence Estate Playground; and
- Loan Repayment Reserve.

A full list is set out in (Attachment 11.1.3a).

History and Balance of the Reserves

A listing of the activity in the reserves for the past three years is set out in (Attachment 11.1.3b).

Governance

The Local Government Act Amendment (Improved Governance) Bill 2015 is now in force and a new section 195A has been inserted:

“195A Prohibition of Councillor discretionary funds

A Council must not adopt or implement a policy under which a Councillor is allocated a fixed or other amount of funds for the purpose of enabling the Councillor to nominate—

- (a) *a particular person, body or organisation to whom the funds are to be paid; or*
- (b) *a particular fund in respect of which the funds are to be applied."*

A copy of the provision is set out in (Attachment 11.1.3c).

Moorabool Council complies with this section in that all allocations are made via a Council resolution. There is an opportunity to improve governance as some of the resolutions have occurred through urgent business, either in the allocation to the reserve or to fund projects in the community. Ideally an assessment process is required.

The use of the community grant process or community development fund process would be optimal in the allocation of funds in the future.

Alternatively, given that expenditure can only occur via Council resolution the Council could still account for the reserves by ward if it so chooses.

Community Grants/Community Development Fund

The Council in October 2017 adopted the guidelines for the community grants program which included a community development component.

Council makes available \$140,000 annually under the community grants component and \$100,000 under the community development component.

The submission of projects and allocation of funds through analysis (policy and guidelines) and ultimately Council decision is considered best practice for the governance of scarce ratepayer funds.

The above processes do not, however, resolve urgent issues and opportunities that come forward from the community for which there is no capital or recurrent budget.

Resolution of Urgent Issues and Seizing Opportunities

The Council has established the Capital Works Seed Funding Reserve to take advantage of political announcements needing matching funding from Council in the lead up to State and Federal elections.

An amount of 0.25% of rates has been invested in the Reserve for the past three years amounting to \$318,084. After accounting for expenditure of \$48,333 that has been funded from this reserve the balance is estimated to be \$269,751 at 30 June 2018.

The fund is for use Shire wide and will be allocated by Council resolution through the budget or Council meeting format.

Urgent projects or operational issues are not provided for specifically in the definition of the reserves above and have tended to be drawn from the Development Works Reserve on a ward basis or as an over budget expenditure.

The Council may wish to make a provision through future budgets for urgent works or issues relating to community groups / reserves / halls.

Policy Implications

The proposal to consider the future use of other reserves is consistent with the proposed Council Plan 2017 – 2021.

Financial Implications

Cash flow issues would occur if significant reserve funds were accessed in any one year. The Strategic Financial Plan and subsequent budgets are aiming to “cash back” reserves in the medium term.

The expenditure of unbudgeted funds or the future allocation of funds as discussed in the report to meet urgent issues or seize opportunities will need to be considered in future budget processes.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Poor Governance	Expenditure from reserve funds is not made in a transparent way	low	Council resolution is required to expend funds.

Community Engagement Strategy

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Nil					

Communications and Consultation Strategy

Any proposed changes to the community grants or community development fund will need to be communicated to community groups / applicants.

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.

Author – Rob Croxford.

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

Conclusion

A review of the “other” reserves of Council has shown that stronger guidance on their purpose and use is required.

It is concluded that the Development Works Reserve excluding the industrial estate component should be closed and moved to the next round of the Community Grants process and that the Recreation Facility Reserve be tightened to be used only for new and upgrade capital projects. Accounting on a township or suburb basis is suggested to show the nexus between the funds collected and projects.

In order to provide a source of funds for urgent or opportunistic projects, outside of the community grants process, it is concluded that a new Shire wide reserve is required.

Recommendation:

That commencing from 1 July 2018:

- 1. Contributions to the Development Works Reserve cease and that revenue streams be treated as general revenue.**
- 2. That the balances of the Development Works Reserve excluding the Industrial Estate component be transferred to the next round of the Community Grants (Development stream) Fund process.**
- 3. That the component of the Development Works Reserve named “Industrial Estate” amounting to \$1,630,522 be transferred to a new Reserve called “Industrial Estate Reserve” to fund future opportunities for industrial subdivision or economic development activity of a capital nature in and around Bacchus Marsh.**
- 4. That use of the Recreation Facilities Reserve fund be tightened to only be applied to new and upgrade capital recreation projects following a report from officers to Council.**
- 5. That the Recreation Facilities Reserve fund be accounted for on a township or suburb basis to ensure there is nexus between the development contribution and project expenditure.**
- 6. That the Capital Works Seed Funding Reserve be renamed the Community Seed Funding Reserve and continue post the next State and Federal election and that the Council continues to contribute 0.25% of rate revenue to the Reserve annually.**
- 7. That the purpose of the Community Seed Funding Reserve be to respond to urgent and opportunistic requests from the community and government on a Shire wide basis. Expenditure from the Reserve will be by Council resolution after considering a report from officers based on the Community Grants policy and guidelines.**
- 8. That the Annual Accounts and Annual Report be updated to reflect the Council’s position on reserve funds.**

Report Authorisation

Authorised by: 

Name: Rob Croxford

Title: Chief Executive Officer

Date: Thursday, 18 May 2018

Attachment - Item 11.1.3a

Note 26 Reserves (cont.)

	Balance at beginning of reporting period \$'000	Transfer from accumulated surplus \$'000	Transfer to accumulated surplus \$'000	Balance at end of reporting period \$'000
(b) Other reserves				
2017				
Car park reserve	43	-	-	43
Recreation facilities	868	197	(207)	857
Development works	1,800	46	(91)	1,755
Social infrastructure reserve	212	-	(194)	18
Storm water management	73	-	-	73
Closed landfill	597	130	-	728
Defined benefits	180	67	-	248
Capital works seed funding	132	67	-	199
Capital works contributions reserve	14	-	-	14
Developer contribution reserve	987	-	-	987
Essence Estate Playground	20	-	(20)	-
LGFV Loan repayment reserve	783	1,528	-	2,311
Total statutory and other reserves	5,708	2,036	(512)	7,232
2016				
Car park reserve	43	-	-	43
Recreation facilities	715	316	(163)	868
Development works	1,885	65	(151)	1,800
Social infrastructure reserve	174	38	-	212
Storm water management	73	-	-	73
Closed landfill	372	225	-	597
Defined benefits	116	64	-	180
Capital works seed funding	116	64	(48)	132
Capital works contributions reserve	14	-	-	14
Developer contribution reserve	799	880	(693)	987
Essence Estate Playground	-	20	-	20
LGFV Loan repayment reserve	-	783	-	783
Total statutory and other reserves	4,307	2,455	(1,055)	5,708

Car park reserve

The purpose of this reserve is to provide improved parking facilities in urban areas.

Recreation facilities reserve

The purpose of this reserve is to provide funding for recreational facilities. Funded from developer contributions this reserve requires that recreation facilities be established within the proximity of the relevant new subdivision.

Development works reserve

The purpose of this reserve is to provide improved facilities within the municipality, funded through funds allocated to the reserves by Council.

Social Infrastructure reserve

The purpose of this reserve is to provide funding for increased social infrastructure requirements arising out of new subdivisions and developments and is funded by a levy on developers.

Storm water management reserve

The purpose of this reserve is to provide funding for future storm water management works which will be required for future subdivisions at the western end of Holts Lane in Darley.

Closed landfill reserve

The purpose of this reserve is to provide funding for future site remediation works related to closed landfills within Moorabool Shire.

Defined benefits reserve

The purpose of this reserve is to provide funding for future liability calls related to the Defined Benefits Superannuation scheme.

Capital works seed funding reserve

The purpose of this reserve is to provide a funding platform for the planning and advancement of future Capital Works projects.

Capital works contributions reserve

The purpose of this reserve is to provide funding for future capital works, such as road works, associated with specific developments funded by contributions from the developer.

Note 26 Reserves (cont.)

Developer contribution reserve

The purpose of this reserve is to provide funding for various agreed infrastructure requirements arising from new developments and is funded from developer contributions.

Essence Estate Playground

The purpose of this reserve is to provide funding towards the construction of a playground at the Stage 5 Reserve in Essence Estate, Bacchus Marsh.

LGFV loan repayment reserve

The purpose of this reserve is to provide funding for the repayment of the principal component of loans held through the Local Government Funding Vehicle (LGFV). These loans are interest only until maturity.

	2017 \$'000	2016 \$'000
Note 27 Reconciliation of cash flows from operating activities to surplus/(deficit)		
Surplus/(deficit) for the year	14,823	7,825
Depreciation/amortisation	8,209	7,398
(Profit)/loss on disposal of property, infrastructure, plant and equipment	3,866	1,682
Contributions - non-monetary assets	(4,978)	(5,481)
Interest expense	790	724
Loss on revaluation of assets	-	324
Work in progress from previous year expensed	247	18
<i>Change in assets and liabilities:</i>		
(Increase)/decrease in trade and other receivables	(550)	(605)
(Increase)/decrease in prepayments	(74)	(19)
(Increase)/decrease in accrued income	(1,425)	(1,087)
Increase/(decrease) in trade and other payables	1,834	121
(Increase)/decrease in inventories	(2)	(1)
Increase/(decrease) in provisions	(451)	334
Net cash provided by/(used in) operating activities	22,290	11,233

Note 28 Financing arrangements

Bank overdraft	750	750
Credit card facilities	200	200
Other facilities	-	-
Total facilities	950	950
Used facilities	-	-
Unused facilities	950	950

Attachment - Item 11.1.3b

Funding Reserves - 30 June 2018

Statutory Reserves

Recreational Facilities Reserve (90000-1085-0)	Cost Centre	Current Balance \$	Ward			
			Woodlands \$	East Moorabool \$	West Moorabool \$	Central \$
Opening Balance - 1 July 2017						
		887,248	77,843	364,932	51,289	303,182
Contributions in 2017/18						
Public Open Space Contributions (current actuals)	15075	125,000		64,750		60,250
Reversal of incorrect Charges from 2015/16 *		(58,000)		(58,000)		
		67,000	-	6,750	-	60,250
Projects Not Completed in 2016/17						
Projects Funded in 2017/18						
Taverner Street Land Purchase **	80182	50,000		50,000		
Aquatic Water Play Strategy	18521	50,000		50,000		
Ballan Recreation Reserve Masterplan	18522	50,000				50,000
Maddingley Park Sports Lighting Upgrade	89403	75,000		75,000		
Maddingley Park Pavilion Extension	82800	24,000		24,000		
		249,000	-	199,000	-	50,000
Closing Balance - 30 June 2018						
		675,248	77,843	172,682	51,289	373,432

* Charges were raised in the 2015/16 financial year. However, the Open Space contribution was not finalised and has been deferred pending further development of the land (Merimu).
 ** A further \$295,000 is committed out of the East Moorabool Reserve for the purchase of this Land (post 30 June 2018). Total purchase price is \$550,000, and \$50,000 is to be paid each June up until 2019. The final payment of \$245,000 is due December 2019.

Social Infrastructure Reserve (90000-1088-0)	Cost Centre	Current Balance \$	Ward			
			Woodlands \$	East Moorabool \$	West Moorabool \$	Central \$
Opening Balance - 1 July 2017						
		17,836	1,800	10,836	3,600	1,800
Contributions Refunded in 2017/18						
Refunds	15085	11,700		6,300	3,600	1,800
		11,700	-	6,300	3,600	1,800
Projects Funded in 2017/18						
Closing Balance - 30 June 2018						
		6,136	1,800	4,336	-	-

Car Park Reserve (90000-1110-0)	Cost Centre	Current Balance \$	Ward			
			Woodlands \$	East Moorabool \$	West Moorabool \$	Central \$
Opening Balance - 1 July 2017						
		43,074	-	43,074	-	-
Contributions in 2017/18						
		-	-	-	-	-
Projects Funded in 2017/18						
		-	-	-	-	-
Closing Balance - 30 June 2018						
		43,074	-	43,074	-	-

Development Works Reserve (90000-1115-0)	Cost Centre	Current Balance \$	Ward				
			Woodlands \$	East Moorabool \$	West Moorabool \$	Central \$	Industrial Estate \$
Opening Balance - 1 July 2017							
		1,754,887	8,868	86,847	2,435	57,987	1,630,522
Contributions in 2017/18							
Rental Income - Pykes Creek	10790	1,337	1,337				
Rental Income - Leigh Creek	10790	21,049			21,049		
Rental Income - Greendale Reserve	10790	1,122	1,122				
Rental Income - Communication Tower (Vodafone)	11171	7,649		7,649			
Rental Income - Communication Tower (Telstra)	11171	15,914		15,914			
		47,070	2,459	23,563	21,049	-	-
Projects Funded in 2017/18							
Taverner Street Feasibility Study	15079	-					
Maddingley Park BBQ	81929	7,909		7,909			
Bacchus Marsh Mens Shed		3,000		3,000			
		10,909	-	10,909	-	-	-
Closing Balance - 30 June 2018							
		1,790,818	9,324	89,501	23,484	57,987	1,630,522
Total Statutory Reserves 30 June 2018		2,515,275	88,967	289,593	74,774	431,419	1,630,522

Funding Reserves - 30 June 2018

Discretionary Reserves

Stormwater Management Reserve (90000-1116-0)	Cost Centre	Current Balance \$	Ward				
			Woodlands \$	East Moorabool \$	West Moorabool \$	Central \$	Shire Wide \$
Opening Balance - 1 July 2017		72,740	-	-	-	-	72,740
Contributions in 2017/18							
Funds Used in 2017/18							
Closing Balance - 30 June 2018		72,740	-	-	-	-	72,740

Closed Landfill Contingency Reserve (90000-1117-0)	Cost Centre	Current Balance \$	Ward				
			Woodlands \$	East Moorabool \$	West Moorabool \$	Central \$	Shire Wide \$
Opening Balance - 1 July 2017		727,770	-	-	-	-	727,770
Contributions in 2017/18 Transfer to Reserve		130,410					130,410
Funds Used in 2017/18 Strategic Waste Projects Officer (actual cost to be done at year end))		46,500	-	-	-	-	46,500
Closing Balance - 30 June 2018		811,680	-	-	-	-	811,680

Defined Benefits Future Call Reserve (90000-1118-0)	Cost Centre	Current Balance \$	Ward				
			Woodlands \$	East Moorabool \$	West Moorabool \$	Central \$	Shire Wide \$
Opening Balance - 1 July 2017		247,772	-	-	-	-	247,772
Contributions in 2017/18 Transfer (0.25% of Rates)		70,313					70,313
Funds Used in 2017/18		70,313	-	-	-	-	70,313
Closing Balance - 30 June 2018		318,085	-	-	-	-	318,085

Capital Works Seed Funding Reserve (90000-1119-0)	Cost Centre	Current Balance \$	Ward				
			Woodlands \$	East Moorabool \$	West Moorabool \$	Central \$	Shire Wide \$
Opening Balance - 1 July 2017		199,433	-	-	-	-	199,433
Contributions in 2017/18 Transfer (0.25% of Rates)		70,313					70,313
Funds Used in 2017/18		70,313	-	-	-	-	70,313
Closing Balance - 30 June 2018		269,791	-	-	-	-	269,791

Capital Works Contributions Reserve (90000-1121-0)	Cost Centre	Current Balance \$	Ward				
			Woodlands \$	East Moorabool \$	West Moorabool \$	Central \$	Shire Wide \$
Opening Balance - 1 July 2017		14,000	-	-	-	-	14,000
Contributions in 2017/18 Contributions	15095	-					
Funds Used in 2017/18		-	-	-	-	-	-
Closing Balance - 30 June 2018		14,000	-	-	-	-	14,000

LGFV Loan Repayment Reserve (90000-1112-0)	Cost Centre	Current Balance \$	Ward				
			Woodlands \$	East Moorabool \$	West Moorabool \$	Central \$	Shire Wide \$
Opening Balance - 1 July 2017		2,310,931	-	-	-	-	2,310,931
Contributions in 2017/18 Contributions	19551	-					
Funds Used in 2017/18		-	-	-	-	-	-
Closing Balance - 30 June 2018		2,310,931	-	-	-	-	2,310,931

Total Discretionary Reserves 30 June 2018		3,797,187	-	-	-	-	14,000	3,783,187
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Funding Reserves - 30 June 2018

Developer Contributions Reserves

Developer Contributions Reserve (90000-1114-0)	Cost Centre	Current Balance \$	Project				
			Woodlands \$	East Moorabool \$	West Moorabool \$	Central \$	Shire Wide \$
Opening Balance - 1 July 2017		986,605	-	986,605	-	-	-
Contributions in 2017/18 West Maddingley Development	19986	-					
Funds Used in 2017/18 2. Griffith Street Upgrade - West 4. Intersection - Griffith / McCormack / Bacchus Marsh Balliang Road		46,349 60,144 106,493	- - -	46,349 60,144 106,493	- - -	- - -	- - -
Closing Balance - 30 June 2018		880,112	-	880,112	-	-	-
Total Developer Contribution Reserves 30 June 2018		880,112	-	880,112	-	-	-
Total All Reserves 30 June 2018		7,192,574	88,967	1,169,705	74,774	445,419	5,413,709

Attachment - Item 11.1.3C



Department of Environment
Land, Water & Planning

Circular 25/2015

8 Nicholson Street
East Melbourne, Victoria 3002
PO Box 500
East Melbourne, Victoria 8002
www.delwp.vic.gov.au

To All Chief Executive Officers
(as addressed)

Dear CEO

LOCAL GOVERNMENT AMENDMENT (IMPROVED GOVERNANCE) BILL 2015

As you may be aware, the Local Government Amendment (Improved Governance) Bill 2015 was passed by the Legislative Council on 20 October 2015 and is currently expected to receive Royal Assent on 27 October 2015. The Bill contains major reforms for councillor conduct processes that will become operative over coming months and improvements to council electoral procedures in time for the 2016 elections.

Copies of the Act may be downloaded from the Victorian Parliament website and I would encourage you to do so.

The provisions of the Bill will come into effect in stages and you will be informed of the dates that sections come into operation ahead of their implementation. Local Government Victoria will also provide information on each of the major provisions in circulars, fact sheets and guidance notes.

I advise that the restriction on councillor discretionary funds and the new definitions of the roles of councillor and functions of the Mayor and CEO outlined in clauses 6, 7, 9, 11, 77 and 80 will be the first to be proclaimed and are likely to come into effect in November 2015.

This means that councils will no longer be able to have councillor discretionary funds, often called ward funds. If your council has such a fund you are advised to take steps to comply with the new requirements of the Bill as soon as possible.

Attached is an overview of the major provisions contained in the Bill. Should you have any queries in relation to them please contact Zane Gaylard, Senior Governance and Legislation Analyst, on 03 994 88509 or by email on zane.j.gaylard@delwp.vic.gov.au

Yours sincerely

Colin Morrison
Acting Executive Director
Local Government Victoria

22/10/2015

LOCAL GOVERNMENT AMENDMENT (IMPROVED GOVERNANCE) BILL 2015
OVERVIEW OF MAJOR PROVISIONS

Provisions to be proclaimed first

- Description of the role of councillor to participate in decision-making of the council, represent the local community in that decision-making and contribute to the strategic directions of the council but does not include the functions of the CEO.
- Description of the functions of mayors as providing guidance to councillors in relation to their role including observation of the councillor conduct principles, acting as principal spokesperson, supporting good working relations between councillors and civic and ceremonial duties.
- Expands on the functions of the CEO to provide council with appropriate legal advice, provide support to a mayor and manage interactions between staff and councillors.
- Prohibiting the use of ward funds.

Provisions to be proclaimed at a later date or dates

- Making signing the council code of conduct a qualification for being a councillor.
- Having effective enforcement mechanisms in codes of conduct – including mandatory resolution procedures and explicitly providing for council to impose sanctions on councillors who breach the code.
- Better distinctions between the different levels of misconduct including in the definition of serious misconduct - including bullying of another councillor or council staff, improperly directing council staff and releasing confidential information.
- A new Principal Councillor Conduct Registrar within government to manage all councillor conduct panel processes, including ensuring all internal council processes are followed and applications are based on evidence before a panel is established.
- Providing more powers to councillor conduct panels to enforce their own processes and removal of the right of referral to VCAT. This includes empowering panels to hear serious misconduct matters and to suspend councillors found to have engaged in serious misconduct for up to six months.
- Giving the Minister for Local Government the power to appoint municipal monitors, separate from the inspectors of municipal administration, to monitor councils.
- Giving the Minister for Local Government the power, on the advice of a municipal monitor, to stand down an individual councillor where an application for serious or gross misconduct has been made and their behaviour threatens health and safety, prevents council from functioning, or is inconsistent with the role of Councillor.
- Giving the Minister for Local Government a new power to direct improvements in governance on the advice of a municipal monitor or the Chief Municipal Inspector.
- Providing a new role for the Chief Municipal Inspector in investigating serious and gross misconduct and making applications for councillor conduct panels for serious misconduct and VCAT for gross misconduct.
- Requiring council audit committees to have an independent chair with the authority to require the tabling of audit committee reports at council meetings.
- Making the VEC the statutory provider of election services removing the need for councils to seek exemptions from tendering for this service.
- Removing the requirement for an exhibition roll and enabling returning officers to remove ineligible candidates from ballot papers.

PARLIAMENT OF VICTORIA

**Local Government Amendment (Improved
Governance) Bill 2015**

TABLE OF PROVISIONS

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4 Amendment of section 63—Oath of office	3
5 Section 64 substituted	4
6 New section 65 inserted	4
7 New section 73AA inserted	5
8 Amendment of section 76C—Councillor Code of Conduct	6
9 Amendment of section 94A—Functions of the Chief Executive Officer	6
10 Amendment of section 139—Audit committee	7
11 New section 195A inserted	8
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12 Definitions	8
13 Amendment of section 29—Disqualifications	12
14 Amendment of section 72—Term of office	12
15 Amendment of section 76C—Councillor Code of Conduct	12
16 Amendment of section 76E—Improper direction and improper influence	14
17 Amendment of section 77—Confidential information	15
18 New Division 1AB inserted in Part 4	17
19 Repeal of section 81A	20
20 Amendment of section 81B—Application to Councillor Conduct Panel	20
21 Section 81C substituted	21
22 Repeal of section 81D	23
23 Amendment of section 81E—Application on grounds of gross misconduct	23
24 Amendment of section 81F—Parties to a VCAT proceeding	23

11 New section 195A inserted

After section 195 of the Principal Act **insert**—

"195A Prohibition of Councillor discretionary funds

5 A Council must not adopt or implement a policy under which a Councillor is allocated a fixed or other amount of funds for the purpose of enabling the Councillor to nominate—

- 10 (a) a particular person, body or organisation to whom the funds are to be paid; or
- (b) a particular fund in respect of which the funds are to be applied."

15 **Division 2—Councillor conduct**

12 Definitions

(1) In section 3(1) of the Principal Act **insert** the following definitions—

20 "***bullying*** by a Councillor means the Councillor repeatedly behaves unreasonably towards another Councillor or member of Council staff and that behaviour creates a risk to the health and safety of that other Councillor or member of Council staff;

25 ***Councillor Conduct Panel*** means a panel of 2 people selected by the Principal Councillor Conduct Registrar under section 81V;

30 ***gross misconduct*** by a Councillor means behaviour that demonstrates that a Councillor is not of good character or is otherwise not a fit and proper person to hold the office of Councillor;

11.2 GROWTH AND DEVELOPMENT

11.2.1 Amendment C88 – Ballan Strategic Directions

Introduction

Author: Geoff Alexander
General Manager: Satwinder Sandhu

Background

In November 2017, Council adopted the Ballan Strategic Directions (BSD) to plan for the future residential, commercial and industrial growth of Ballan through to the year 2041. The document includes (but is not limited to) an updated suite of residential zones, the identification of residential growth areas, design guidelines for existing areas and a plan for an enhanced open space network. The BSD also identifies a number of local infrastructure needs and future actions for Council relating to movement networks, residential development, open space, community facilities, urban form and non-residential uses.

Amendment C88 has been prepared to implement key recommendations of the BSD within the Moorabool Planning Scheme. In the absence of an amendment, the document holds little statutory weight.

The purpose of this report is to seek Council's support to request Ministerial authorisation to proceed with the amendment and exhibit the amendment for public comment.

This report also includes a response to the Council resolution from 4 April, 2018 in relation to Amendment C88:

That Council defer the Amendment C88 report to next Ordinary Meeting of Council to allow officers to give due consideration to updating the Ballan Framework Plan report to reconsider 400 Old Melbourne Road for appropriate zoning.

Proposal

Amendment C88 seeks to implement key recommendations from the BSD and include the BSD as a reference document to the Moorabool Planning Scheme. The amendment proposes:

Substantial revisions to Clause 21.08 (Ballan) in order to:

- Recognise Ballan's role as a town that will accommodate growth and change, which aligns with the Central Highlands Regional Growth Plan.
- Implement a township boundary for the growth of Ballan.
- Promote particular strategies identified as important to Ballan under the BSD. These strategies are grouped under the following themes: "Character and Sense of Place", "Environment", "Residential Growth and Infill", "Town Centre" and "Non Residential Uses Outside the Town Centre". Strategies include consolidation around the town centre, promoting the country feel, maintaining separation distances between farms and urban uses and ensuring urban development is responsive to waterways (including the Werribee River).

- An updated Ballan Framework Plan, which includes future growth areas for Ballan as per the BSD.
- Remove redundant information that has been superseded by the BSD, including strategies related to township growth and housing.

The proposed updated version of Clause 21.08 is included at **Attachment 11.2.1a** to this report.

Furthermore, the amendment proposes to include the BSD as a reference document to Clause 21.11 (reference documents) to give the BSD statutory weight within the Moorabool Planning Scheme. This is included at **Attachment 11.2.1b** to this report.

The amendment proposes the rezoning of some existing residential areas in Ballan. Certain land is proposed to be rezoned from the General Residential Zone (GRZ) to the Neighbourhood Residential Zone (NRZ) with schedules that include either a 1400 sq.m minimum lot size or an 800 sq.m minimum lot size depending on the area. Rezoning will help to limit development potential in the parts of the town that are less accessible from the centre, as well as to preserve the existing, low density character of these areas. Limitation of development potential north of the river has the added benefit of mitigating the potential for large amounts of future traffic on the two bridges which cross the Werribee River.

The specific land proposed for rezoning is depicted within Figure 1 below. Formal rezoning maps are included at **Attachment 11.2.1c** to this report.

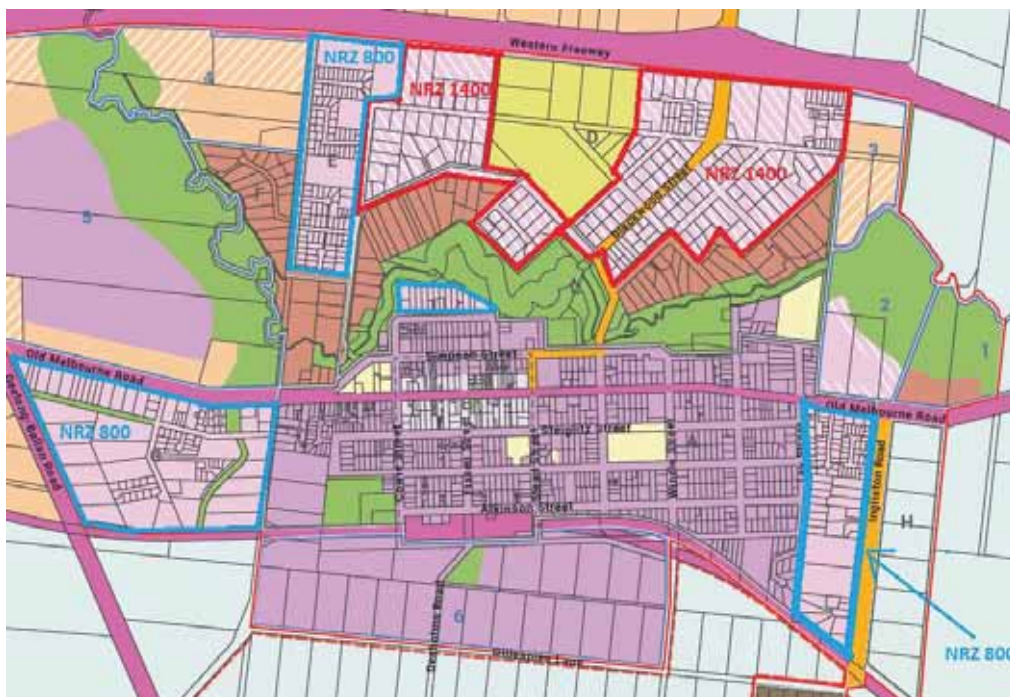


Figure 1

In order to implement the zoning above, the amendment proposes the development of two new Neighbourhood Residential Zone schedules with key features listed below.

Schedule	Minimum Lot Size	ResCode variations
NRZ6 (depicted in Map 1 as the area outlined in red).	1400 sq.m	1.2m maximum front fence height (compared to the default 1.5 metre maximum)
NRZ7 (depicted in Map 1 as the area outlined in blue).	800 sq.m	1.2m maximum front fence height (compared to the default 1.5 metre maximum)

Table 1

The proposed new residential zone schedules are included at **Attachment 11.2.1d and e** to this report.

In addition the amendment proposes the rezoning of the Ballan Industrial estate from the Industrial 2 Zone to the Industrial 1 Zone as depicted in Map 2 below. The formal rezoning map is also viewable at **Attachment 11.2.1c**.

Rezoning of the industrial area (Figure 2) is proposed because the current Industrial 2 Zone provides for industrial land uses which require buffer distances from residential areas. The proposed Industrial 1 Zone is better suited for the precinct due to its close proximity to residential neighbours. The rezoning will not affect the existing uses in the industrial precinct but will restrict the ability for heavy industrial land uses that require buffers distances from residential properties locating within the industrial estate.



Figure 2

In addition the amendment proposes rezoning of a small part of the Golf club site from the General Residential Zone to the Special Use Zone 3. The SUZ3 applies to the vast majority of the golf club site and is specifically intended for golf courses.

The rezoning is depicted in Figure 3.



Figure 3

Future Amendments based on the BSD

Amendment C88 does not, of itself, entirely implement the Ballan Strategic Directions. It does not for instance rezone identified future growth areas. This is proponent driven. What C88 does however do is guide the expectations through guidelines as to how future growth areas will be delivered.

The BSD indicates that rezoning of the western growth precinct (precinct 5) will be facilitated through a proponent lead amendment.

The BSD indicates precinct 6 (the southern growth precinct) will be likely rezoned in the long term (10+ years). The 1st of November, 2017 resolution of Council also provided land owners with circumstances under which the rezoning of this precinct could be brought forward.

Response to April 04, 2018 Resolution

400 Old Melbourne Road, Ballan

At the April 4 2018 Ordinary Meeting of Council the following alternate resolution was carried in relation to Amendment C88:

That Council defer the Amendment C88 report to next Ordinary Meeting of Council to allow officers to give due consideration to updating the Ballan Framework Plan report to reconsider 400 Old Melbourne Road for appropriate zoning.

Following the resolution officers have reviewed the zoning for 400 Old Melbourne Road. Notably a submission from the owners of 400 Old Melbourne Road, Ballan was lodged during the preparation of the amendment.

The submission argues for zoning that provides the potential for greater density of development at the subject property. The submission provides a number of points including that lots directly opposite the land are already developed as units (or proposed to be) and that maintaining the rural zoning of the property does not provide meaningful protection.

Analysis

The portion of the site identified as Public Park and Recreation Zone is a river buffer area and is a requirement of Melbourne Water. This portion of the site is unable to be reconsidered for alternative zoning. The remaining portion of the site identified as Rural Living Zone can be reconsidered, however any reconsideration of the future zoning of this land needs to be consistent with the strategic intent of BSD.

The site is located on the western edge of Ballan, in what is identified in the BSD as a 'gateway' to the township. The BSD places importance on the western and eastern gateways to Ballan as entry points which signal the first impressions for visitors to the town. BSD seeks to create natural rural gateways to the township by providing for rural residential lots on the periphery of the township, which transition into low density and larger residential lots as you enter the township.

Having regard to the BSD and the significance of the 'gateways' to the township, it is considered that the area outlined in red in Figure 4 below can be identified as "General Residential Zone" within the BSD and "Greenfield Growth (Urban Residential)" in the Clause 21.08 Framework Plan.

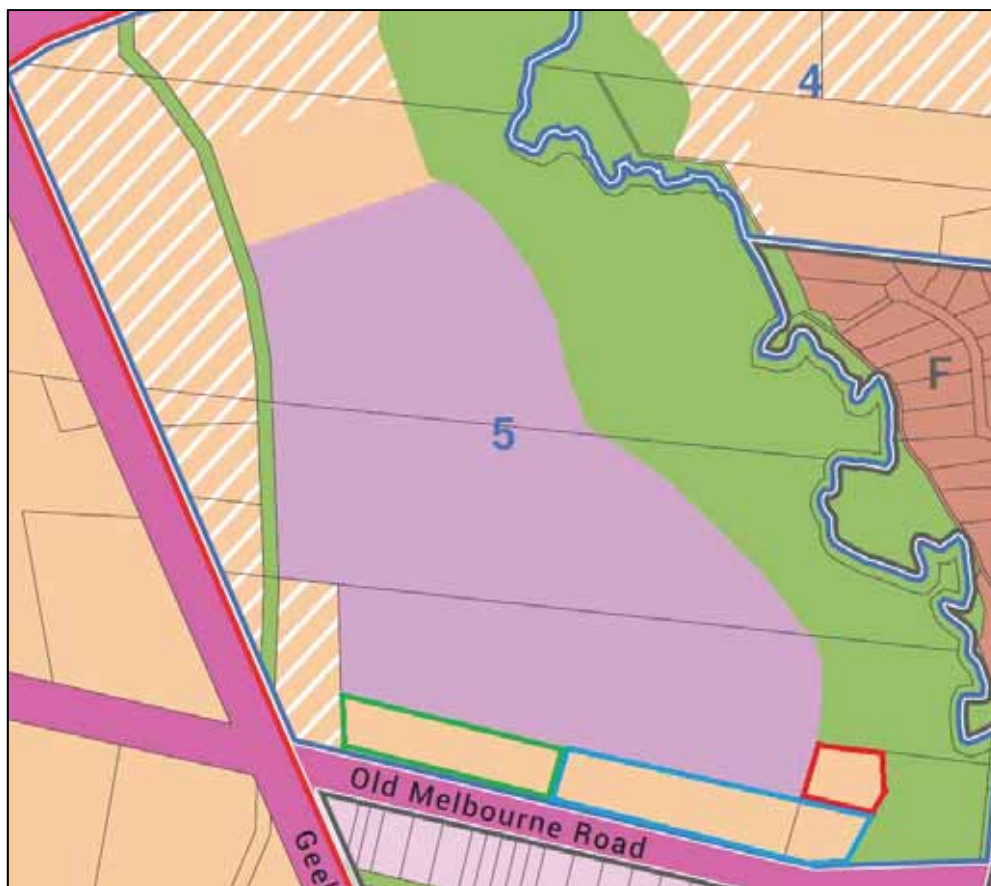


Figure 4

The re-identification of this portion of the site as General Residential is considered appropriate for two reasons. Firstly it would ensure consistency with BSD which seek to identify the core of the Western Growth Precinct for greenfield growth. Secondly, it retains a corridor along the southern portion of the site to provide for lower density development consistent with the intent of BSD.

In relation to the southern part of the property, and the intent of the BSD, it is worth taking into account the principles that have been applied upon approach to Ballan from Melbourne (the eastern entrance to town). Transitional zoning has been proposed for eastern entrance with a gradual increasing of residential land density moving closer to Ballan. It is considered that the same principle should apply upon approach to Ballan from the Ballarat side and that the change should apply to the adjoining land to the west.

The density achieved on the southern side of Old Melbourne Road is not an appropriate outcome to the north, noting the opportunity to achieve a more sympathetic density consistent with the landscape character approaching Ballan town centre from the west. Precinct 5, which includes the subject land has a number of sensitive interfaces as a gateway site.

It is proposed that the area in Figure 4 outlined in green could remain as is (Rural Living Zone 4000 square metre blocks) and the area outlined in blue be changed to Low Density Residential Zone. This would provide for increased residential density on the subject site whilst ensuring a low density gateway and transition of lot sizes consistent with the BSD. The current mapping in Clause 21.08 does not need to be changed to accommodate this change as the current terminology “Minimal Growth (Proposed Low Density Residential)”

is broad enough to accommodate both the Rural Living Zone and the Low Density Residential Zone.

Proposal in Response to April 4 2018 Resolution

For the Ballan Framework Plan map in the proposed Clause 21.08 (Ballan):

- Re-designate the area outlined in red in Figure 4 to Greenfield Growth (Urban Residential).

For the proposed zoning map within the Ballan Strategic Directions (Pg 91):

- Re-designate the area outlined in red in Figure 4 to the General Residential Zone.
- Re-designate the area outlined in blue in Figure 4 to the Low Density Residential Zone.

Timeline and Next Steps

A brief summary of the typical steps with an amendment are outlined as follows:

- Step 1: Requesting an amendment (if proponent based)
- Step 2: Authorisation (Council resolution – current stage)
- Step 3: Preparation
- Step 4: Exhibition
- Step 5: Submissions, Panels and Advisory Committees
- Step 6: Adoption
- Step 7: Approval

Subject to receiving permission from Council to proceed to seek Ministerial; Authorisation, the amendment will be placed on public exhibition with a report on submissions to be tabled in coming months.

Policy Implications

The Council Plan 2017 – 2021 provides as follows:

Strategic Objective 3: Stimulating Economic Development

Context 3A: Land Use Planning

The proposed adoption of the BSD is consistent with the Council Plan 2017 – 2021.

Financial Implications

Preparation and processing of the amendment is being undertaken in-house by Council's Strategic Planning and Development team.

Costs for the amendment including any Panel hearing is already provided within the 2017/18 budget of Strategic Planning and Development.

Risk & Occupational Health & Safety Issues

There are no identified risks associated with the amendment.

Communications and Consultation Strategy

Implementation of the amendment will include statutory notification processes. Submitters to the Planning Scheme Amendment will have the ability to present to a Planning Panel to be appointed by the Minister for Planning.

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 – Geoff Alexander

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

Conclusion

The Ballan Strategic Directions provides a framework for the long term planning of Ballan.

Amendment C88 is proposed in order to implement the key recommendations of the BSD. It provides a substantial update to Clause 21.08 (Ballan) including a revised framework plan for the town.

The amendment also includes some rezoning. Existing residential areas far from the core of the town are proposed to be rezoned to limit their future development potential and help keep Ballan compact around the commercial centre and the train station. In addition the rezoning of the existing industrial precinct from the Industrial 2 Zone to the Industrial 1 Zone is proposed because the Industrial 1 Zone is better suited for an area within close proximity to residential neighbours.

The amendment does not propose to rezone any land within the identified future growth areas, which is anticipated to occur through separate processes.

There have now been further changes made in relation to the zoning of 400 Old Melbourne Road and some land to the west which is an appropriate response to the issues identified.

It is considered appropriate to submit the Amendment to the Minister for Planning for authorisation to prepare and exhibit the Amendment.

Recommendation:**That Council:**

1. Update the Ballan Framework Plan in Clause 21.08 and the zoning map on page 91 of the Ballan Strategic Directions as per the proposal in the section of this report titled "Proposal in Response to 4 April, 2018 Resolution".
 2. Resolves to authorise the CEO to:
 - (a) Prepare Planning Scheme Amendment documents to implement the Ballan Structure Plan into the Moorabool Planning Scheme, generally in accordance with the documentation attached; and
 - (b) Update NRZ Schedules 6 and 7 to include side setbacks consistent with the design objectives of Ballan Strategic Directions.
 3. Resolve, in accordance with Section 8A (2) of the *Planning and Environment Act 1987*, to request authorisation to prepare Amendment C88 to the Moorabool Planning Scheme.
 4. Exhibit Amendment C88 in accordance with the *Planning and Environment Act 1987*, subject to receiving authorisation from the Minister for Planning for a period of no less than six (6) weeks.
-

Report AuthorisationAuthorised by: 

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Tuesday, 15 May 2018

Attachment - Item 11.2.1a

21.0809/10/2014
C72Proposed
~**BALLAN****21.08-1**26/02/2009
C34Proposed
d C88**Key Issues and Influences**

Ballan is the second largest town within the Shire, comprising 2,985 persons in 2016 and projected to grow to 5,910 by 2041. It is a rural service centre and a commuter town with many residents travelling to Ballarat, Bacchus Marsh, or Melbourne for work. An industrial estate, local businesses and retail and wholesale trade provide local employment.

The Werribee River is the main environmental feature and physically divides the town into two distinct areas. There is a strong heritage streetscape appearance in the commercial centre and a range of health and community facilities including a hospital, maternal and child health centre, kindergarten, ~~s~~State and ~~e~~Catholic primary schools and recreational areas including the golf course and swimming pool to support the residents.

~~Ballan's strong historical character and rural setting needs to be recognised in planning considerations and in the preparation of detailed development plans to guide development before any rezoning takes place. Ballan has an important role in forming part of Moorabool's growth areas, secondary to the main growth fronts in Bacchus Marsh. As growth occurs, the town's point of difference in housing, lifestyle choices, and rural amenity needs to be maintained in the long term, such that Ballan does not adopt a typical suburban role in the future. It's strong historical character and rural setting need to be recognised to ensure future development is planned and undertaken sympathetically.~~

~~In parallel with its settlement role, Ballan's socio-economic role is significant. The town provides the only substantial retail centre within Moorabool Shire, other than Bacchus Marsh, and is an important location for meeting local needs. In more recent years, Ballan has also performed a niche tourism role through a number of regular markets, annual festivals, shops and gourmet cafes. This role is anticipated to grow and become an integral component of Ballan in the future. Accordingly, Ballan's function in catering for both local residents and visitors needs to be protected and enhanced into the future. An important measure in achieving this will be to encourage commercial uses oriented towards generating high activity, in combination with community facilities within or proximal to the core which increase the level of activity.~~

~~Changing demographic structure, household needs, and lifestyle needs will support and demand a wider range of housing types and forms. Well planned, high quality, high amenity, medium density housing will need to be provided for in the context of the importance of the existing residential and neighbourhood character of Ballan. Residential development immediately south of the railway station will be investigated to facilitate residential growth within walkable distances of the railway station.~~

The town centre ~~shall~~will retain its existing compact form and core, and new commercial use and development will be encouraged to locate within the town centre. New commercial use and development should be compatible with existing amenity and streetscape. Development of increased local level convenience retail facilities will be supported in the town centre. Use of existing shops in the town centre will be encouraged prior to construction of new buildings on the fringe of the town centre. Further expansion outside the existing boundaries is to be avoided in order to support the town's functionality and appeal. Additionally, the built form of the town centre is highly important, and it is necessary to ensure that future development responds meaningfully to the strong historic elements.

The Ballan Industrial Precinct provides for diverse mix of business activities including manufacturing, transport and service companies. The Precinct is located in close proximity to the residential population, and is most suited to light industrial uses.

21.08-2 Objective—Township Growth

09/10/2014
C72

To identify and manage urban growth opportunities in the short term in the north east corner of Ballan and to the south of the railway line (between Gillespie’s Lane and the railway line).

Strategies

- Provide for managed and staged residential growth in Ballan, as indicated in the Ballan Framework Plan, which is focused between the town centre and the railway station, and the designated residential growth areas.
- Provide a clear township boundary definition for future population and urban growth that takes into account existing residential zoning, rural residential areas north of the Freeway and planned residential growth areas.
- Prepare and apply a relevant Structure Plan for the designated residential growth areas.
- Investigate flood risks, buffer issues between the industrial land and the interface with the railway station for the proposed residential growth area to the south of the railway station between it and Gillespie’s Lane.
- Require Development Plan Overlays for any residential rezoning of land marked as “short term growth” in the Ballan Framework Plan.
- Protect the urban and landscape elements that contribute to the township’s heritage and rural character.
- Contain urban growth by promoting infill development.

21.08-3 Objective—Housing

26/02/2009
C34

To provide diversity in housing that is in character with the township and provides for continued growth of the town as a regional centre.

Strategies

- Encourage re-subdivision of large lots including limited well designed medium density development within 500 metres of the town centre and railway station.

21.08-2 Objective—Character and Sense of Place

DD/MM/YYYY
Proposed
C88

To protect and enhance Ballan’s character and sense of place as a country town, with historic built form and streetscapes, surrounded by scenic rural and natural areas.

Strategies

- Implement and maintain a township boundary until the planned level of growth is nearing completion and there is demonstrable demand for further growth.
- Prioritise residential development within the township boundary, in accordance with the Ballan Framework Plan, to enhance the town’s sense of place.
- Ensure a clear separation between urban development and farming activities is retained.

- Ensure new development meaningfully responds to environmental assets, landscape features, and views, including the Werribee River and its tributaries.
- Emphasise the country feel of the town by creating ‘gateways’ that:
 - Feature large residential and rural residential allotments along the key approaches into town, as illustrated in the Ballan Framework Plan;
 - Enable the siting of dwellings with generous front and side setbacks, and providing predominantly low, open-style fencing to contribute towards the experience of the town’s regional setting; and
 - Retain and enhance existing vegetation.
- Consolidate land uses and activities to strengthen the town core.
- Create a path network that facilitates walking and cycling to the train station, the town core, open space and other key destinations within the town.

21.08-3 Objective—Environment

DD/MM/YYYY
Proposed C88

To protect and enhance Ballan’s environmental features as part of future development.

Strategies

- Encourage the retention of all tributaries in growth precincts, and provide appropriate buffers in accordance with Melbourne Water requirements.
- As part of new development, require, as appropriate, the dedication of public land reserves associated with the Werribee River, and seek improvements to the river’s ecology and amenity through re-vegetation and landscaping.
- Ensure stormwater runoff is managed to minimise impacts on the Werribee River and its tributaries.

21.08-4 Objective—Residential Development

DD/MM/YYYY
Proposed C88

To guide residential development in accordance with Ballan’s future character and demographic needs.

Strategies

- Support both infill and greenfield residential development to provide balance and diverse housing opportunities.
- Ensure residential rezoning proposals, master/development plans, and subdivision have regard for Ballan’s character and sense of place by:
 - Reinforcing the predominant character of the town through widened tree lined streets within new subdivisions.
 - Requiring new development to contribute to enhancing pedestrian and cycling links external to their developments to ensure strong connectivity to the town centre core and key destinations is achieved.
 - Ensuring new road alignments to respond to topography, capture key views and respond to existing vegetation through deviations, deflections or localised road widening.

- Providing diverse open spaces and places in Ballan’s growth precincts by incorporating and responding to natural features such as existing vegetation, topographical features and other character elements that contribute to Ballan’s character and natural landscape.
- Ensuring growth precincts provide a diverse range of lot sizes which reflect the country lifestyle character of Ballan;
- Retaining the landscape character of the Werribee River by protecting a sufficient corridor along the river and its tributaries.
- Providing diverse streetscapes, strong connectivity to public spaces and retaining the valued characteristics that make Ballan a special place.
- Ensure new development provides path networks which:
 - Integrate with existing or planned open space networks, and include pathways within the open space where it is part of the property undergoing development.
 - Connect to existing networks, or extend along the development’s boundary until the point at which they would connect with planned external networks.
- In Minimal Residential Growth Areas:
 - Encourage low density housing types, generally in the form of detached housing with dual occupancies only considered on sites that do not compromise the preferred neighbourhood character.
 - Conserve and enhance those elements that contribute to the environmental significance, heritage values and the preferred neighbourhood character of the precinct.
 - Encourage new dwellings to be setback from all boundaries a sufficient distance to accommodate adequate landscaping and to maintain the sense of spaciousness.
 - Encourage new dwellings to be designed in accordance with the predominant building height of the street.
- In Natural Residential Growth Areas:
 - Encourage low scale medium density housing and alternative housing typologies (such as co-housing, retirement villages, aged care, etcetera) on lots that are accessible to public transport, the town centre core and open space.
 - Discourage boundary to boundary development.
 - Encourage new dwellings to not exceed the predominant building height of the street by more than one storey, unless an innovative design or housing typology is proposed that will complement the preferred character of the area.
- In Greenfield Residential Growth Areas:
 - Enable development in accordance with the Ballan Framework Plan.
 - Support the logical sequencing of development within the defined settlement boundary in a manner that can efficiently access existing services, and bring forward key infrastructure and services where needed.
 - Avoid interim subdivision of land identified as ‘greenfield’ to minimise further fragmentation and maintain its growth potential.
 - Ensure development density responds to topography, landscape, vegetation, and natural features.
 - Provides passive open space within 400m walkable catchments as part of future subdivision to meet passive recreation needs for future residents.

- Encourage a diversity of lot sizes and housing choices.

21.08.5
DD/MM/YYYY
Proposed C88

Objective—Town Centre

To retain the town centre core as the main commercial and retail precinct with supporting non-residential uses.

Strategies

- Support growth of existing and establishment of new higher order education and health related uses.
- Encourage the expansion of existing health facilities to occur in proximity to existing services and facilities.
- Encourage commercial development to be consolidated within the existing town centre through infill development, and discourage rezoning for commercial purposes outside the town centre.

Encourage the redevelopment of underutilised sites and where possible, the retrofitting of existing buildings to provide for commercial or office uses.

- Ensure new development complements the character of the town core, having regard to its heritage places, zero to small setbacks from the street, materials, roof forms, etcetera.
- Encourage tourism focused uses such as accommodation, food, beverage, arts and craft, and other such uses to enhance the visitor experience.

21.08-6 Objective—Industrial Precinct

DD/MM/YYYY
Proposed C88

To ensure the industrial precinct is retained as a significant employer within the town while also providing a range of service based industrial uses to Ballan and the region.

Strategies

- Maintain the extent of existing industrial zoning to the south-east of the town, and only rezone land for expansion in response to low vacancy and demonstrable demand.
- Encourage industrial uses to locate with the industrial precinct.
- Support the establishment of a range of industrial uses, scaled in accordance with the subsidiary role of Ballan within the broader region.
- Ensure residential development does not encroach on the industrial precinct.

21.08-407 Implementation

26/02/2009
C34
Proposed
C88

Zones and Overlays

Specific application of zones and overlays to achieve the strategic objectives includes:

- ~~Apply Development Plan Overlays for existing undeveloped areas to improve integration of infill development; and~~
- ~~Apply Development Contributions Plan Overlays to support the provision of appropriate social and physical infrastructure.~~

Application Requirements

An application for rezoning in accordance with the Ballan Framework Plan must be accompanied by the following information, as appropriate:

- A development plan that responds to the precinct-specific guidelines and recommendations of Ballan Strategic Directions.
- A development contributions framework that sets out the provision of infrastructure and contributions, in accordance with the recommendations provided in Ballan Strategic Directions.

Policy guidelines

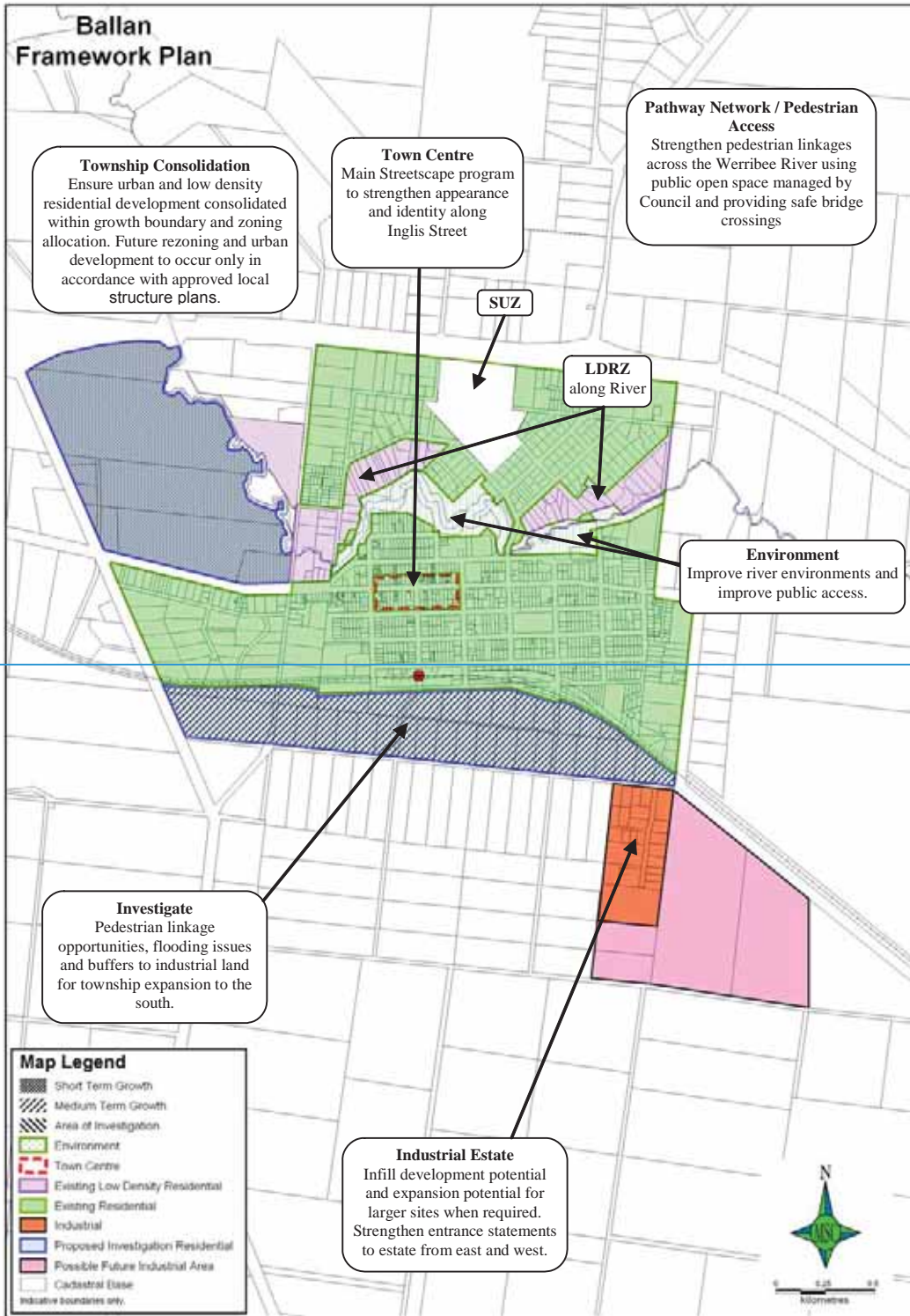
When deciding on an application for use, development or subdivision the following local policies will be considered, as appropriate:

- Ballan Strategic Directions

21.08-8 Further Strategic Work

DD/MM/YYYY
Proposed C88

- ~~Prepare and implement a Development Contributions Plan.~~
- Consider preparing a development contributions scheme to support the provision of appropriate physical infrastructure for growth precincts and their linkages to the town centre.
- Prepare Urban Design Guidelines for residential subdivision and the town centre, addressing the public realm, built form, subdivision design, waterways, natural environment and landscape, front fencing and sustainability.
- Prepare an implementation strategy for the delivery of the path networks.
- Prepare a landscape masterplan for the Werribee River open space network to ensure the delivery of an open space network that is functional, complementary to Ballan's character and the natural environment.
- Prepare Street Tree Planting Guidelines for subdivision and town centre landscaping.



Attachment - Item 11.2.1b

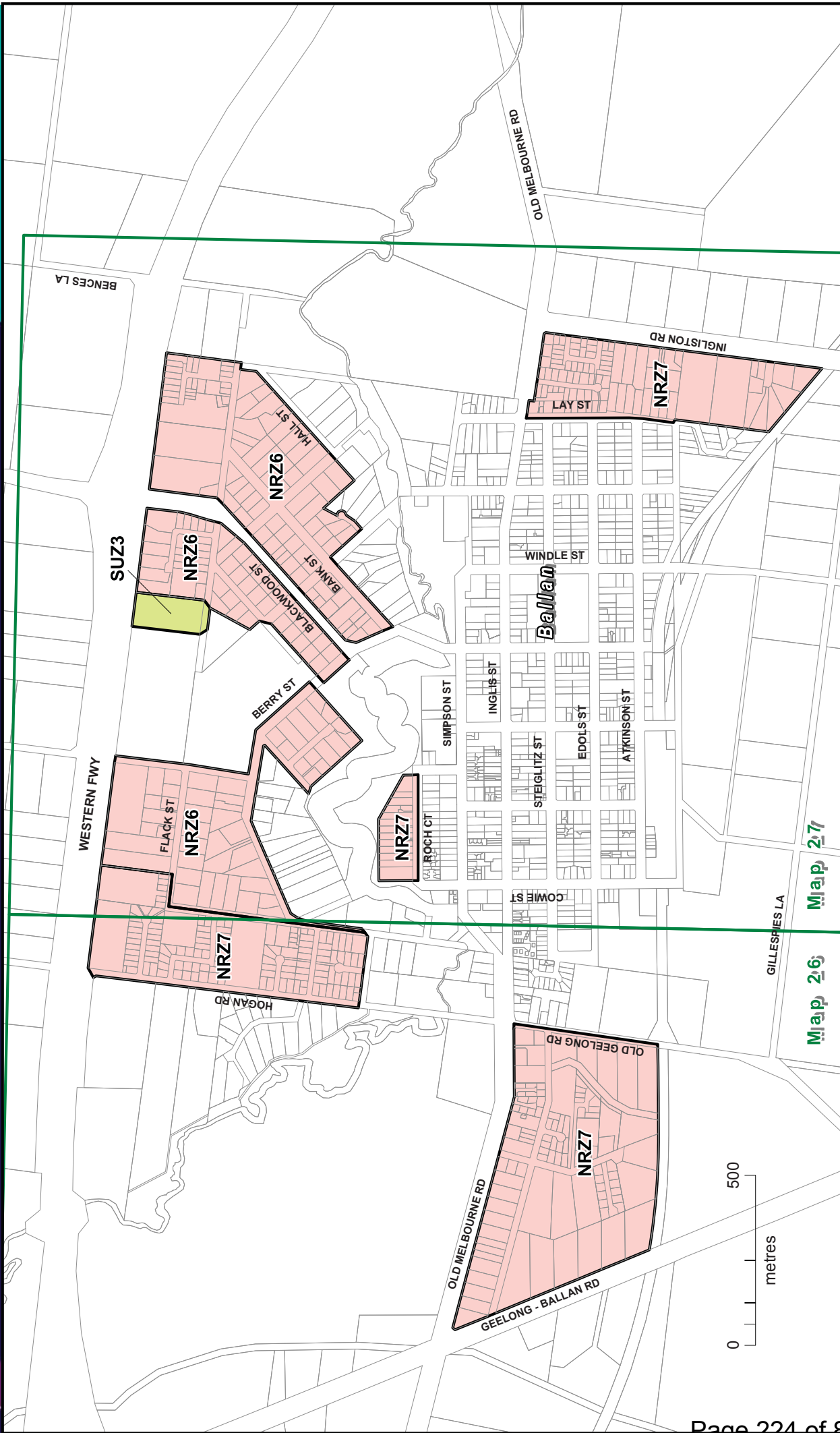
21.11

[10/11/2011
Proposed C88](#)

REFERENCE DOCUMENTS

- Bacchus Marsh Accessibility, Parking, and Traffic Management Strategy 2003.
- Bacchus Marsh Gateways Strategy 2003.
- Bacchus Marsh Heritage Study, 1995.
- Bacchus Marsh Tracks and Trails Master Plan 2004-2005.
- [Ballan Strategic Directions 2017.](#)
- Bences Road Local Area Structure Plan Report 2007.
- Growing Moorabool, Economic Development Strategy, 2006.
- Moorabool Growth Management Strategy, 2002.
- Moorabool Industrial Areas Strategy, 2001.
- Moorabool Shire Council Roadside Management Plan, 2001.
- Moorabool Social Infrastructure Plan 2007.
- Moorabool Shire Land Use and Development Strategy 1997.
- Moorabool Municipal Fire Prevention Plan.
- River Red Gums in the Bacchus Marsh Valley, December 2008

Attachment - Item 11.2.1c



Part of Planning Scheme Maps 26 & 27

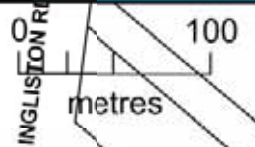
LEGEND

- NRZ NEIGHBOURHOOD RESIDENTIAL ZONE
- SUZ3 SPECIAL USE ZONE - SCHEDULE 3

| Planning Mapping Services |
 | Planning Information Services |
 | Planning |

AMENDMENT C88





Map 27

Map 28

GILLESPIES LANE

SMALLMANS ROAD

IN1Z

HADDON DRIVE

Ballan

LEGEND

Part of Planning Scheme Maps 27 & 28

IN1Z INDUSTRIAL 1 ZONE

AMENDMENT C88



Attachment - Item 11.2.1d

[DD/MM/YYYY](#)
[Proposed C88](#)

SCHEDULE 6 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as [NRZ6](#).

LANDSCAPE RESIDENTIAL 2

1.0 Neighbourhood character objectives

[DD/MM/YYYY](#)
[Proposed C88](#)

To maintain an open and spacious character through the retention and creation of large lots that are predominantly occupied by single dwellings, with wide frontages and substantial setbacks around the dwellings.

To protect the character and identity of the town by establishing a transition from rural to residential areas.

To encourage low, open front fencing, combined with generous landscaping to emphasise the country 'feel' of the township.

2.0 Minimum subdivision area

[DD/MM/YYYY](#)
[Proposed C88](#)

The minimum lot size for subdivision is 1,400 square metres.

3.0 Permit requirement for the construction or extension of one dwelling on a lot

[DD/MM/YYYY](#)
[Proposed C88](#)

	Requirement
Permit requirement for the construction or extension of one dwelling on a lot	None specified
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	None specified

4.0 Requirements of Clause 54 and Clause 55

[DD/MM/YYYY](#)
[Proposed C88](#)

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	<u>1.2 metres maximum</u>

5.0 Number of dwellings on a lot

[DD/MM/YYYY](#)
[Proposed C88](#)

None specified.

6.0 Maximum building height requirement for a dwelling or residential building

[DD/MM/YYYY](#)
[Proposed C88](#)

None specified.

7.0 Application requirements

[DD/MM/YYYY](#)
[Proposed C88](#)

The following application requirements apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- A landscape plan showing how the proposal:
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct; and
 - Makes provision for new landscaping that contributes towards the neighbourhood character objectives.

8.0 Decision guidelines

[DD/MM/YYYY](#)
[Proposed C88](#)

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09, and must be considered by the relevant authority, as appropriate:

- Whether adequate sized open space and setbacks are provided for the retention and growth of existing and new canopy trees.

Attachment - Item 11.2.1e

[DD/MM/YYYY](#)
[Proposed C88](#)

SCHEDULE 7 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ7**.

LANDSCAPE RESIDENTIAL 3

1.0 Neighbourhood character objectives

[DD/MM/YYYY](#)
[Proposed C88](#)

To maintain an open and spacious character through the retention and creation of large lots that are predominantly occupied by single dwellings, with wide frontages and substantial setbacks around the dwellings.

To protect the character and identity of the town by establishing a transition from rural to residential areas.

To encourage low, open front fencing, combined with generous landscaping to emphasise the country 'feel' of the township.

2.0 Minimum subdivision area

[DD/MM/YYYY](#)
[Proposed C88](#)

The minimum lot size for subdivision is 800 square metres.

3.0 Permit requirement for the construction or extension of one dwelling on a lot

[DD/MM/YYYY](#)
[Proposed C88](#)

	Requirement
Permit requirement for the construction or extension of one dwelling on a lot	None specified
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	None specified

4.0 Requirements of Clause 54 and Clause 55

[DD/MM/YYYY](#)
[Proposed C88](#)

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	<u>1.2 metres maximum</u>

5.0 Number of dwellings on a lot

[DD/MM/YYYY](#)
[Proposed C88](#)

None specified.

6.0 Maximum building height requirement for a dwelling or residential building

[DD/MM/YYYY](#)
[Proposed C88](#)

None specified.

7.0 Application requirements

[DD/MM/YYYY](#)
[Proposed C88](#)

The following application requirements apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- A landscape plan showing how the proposal:
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct; and
 - Makes provision for new landscaping that contributes towards the neighbourhood character objectives.

8.0 Decision guidelines

[DD/MM/YYYY](#)
[Proposed C88](#)

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09, and must be considered by the relevant authority, as appropriate:

- Whether adequate sized open space and setbacks are provided for the retention and growth of existing and new canopy trees.

11.2.2 Corangamite Catchment Management Authority – Catchment Partnership Agreement

Introduction

File No.: 20/01/010, 20/02/017
Author: Justin Horne
General Manager: Satwinder Sandhu

Background

In September 2014, the Victorian Auditor-General's Office (VAGO) completed a review into the effectiveness of Catchment Management Authorities (CMA) in Victoria.

The VAGO report identified that while the Regional Catchment Strategies (RCS) developed by the CMAs provide a six (6) year implementation program, and that there is good engagement during this process. It was noted that the CMAs needed to improve the monitoring and reporting of projects against the targets of the Regional Catchment Strategies.

In 2017, at the request of the Minister for Water, Lisa Neville, the CMAs were required to develop Region Catchment Partnership Agreements (CPA).

The purpose of the CPAs are to:

- Strengthen coordination, collaboration and accountability;
- Reduce duplication;
- Provide clarity on roles and responsibilities of catchment management partners (such as Local Government and Water Authorities); and
- Ensure the community have a positive and integrated experience of catchment management.

These outcomes will help focus the work of the Partnership and ensure that all partners are clear as to the scope of the Agreement and why it exists.

Corangamite Regional Partnership Agreement

In December 2017, The Corangamite Catchment Management Authority CEO, Graham Phelps emailed requesting participation of the CEO in the process of the developing the Corangamite Regional Partnership Agreement.

In addition to Council, surrounding Councils, water authorities, Parks Victoria, and DELWP were involved.

The Corangamite Catchment Management Authority have recently completed the Corangamite Catchment Partnership Agreement (CCPA) and is seeking Council endorsement.

At its core, the role of the CCPA is to assist in the implementation of the Regional Catchment Strategy through:

- Identifying the regional priorities that will require cross-organisational collaboration to be successfully addressed and managed;
- Accounting for legislative responsibilities, and describe and clarify policy implementation and regionally specific roles of the partners;
- Supporting development and implementation of the Corangamite Regional Catchment Strategy and monitor progress through a collaborative process with all partners;
- Identifying any relevant regional issues and develop options for resolving them;
- Reviewing new relevant government policies to identify those that will require cross-organisational cooperation and collaboration for implementation;
- Ensuring that all relevant partners may be signatories and are involved in all relevant issues, decisions and policy implementation in a timely and collaborative manner; and
- Identifying and committing to the delivery of regional priorities as identified annually in the work plan.

By implementing the CCPA, it is expected that the following six (6) outcomes will be achieved:

1. Healthier and more productive land, biodiversity and water assets, and ecosystems;
2. Improved regional economic wellbeing and liveability;
3. Greater community ownership and stewardship of our natural assets.
4. Shared understanding of impacts;
5. Better value for money from investment in natural resource management; and
6. Strengthened implementation of the Corangamite Regional Catchment Strategy and other key state and regionally relevant policies as required.

Implications to Moorabool Shire

The CCPA outlines a mechanism to facilitate improved collaboration between various stakeholders within the Corangamite Catchment Management Authority boundaries. The CCMA expect that by strengthening relationships between stakeholders, that better identification of issues and responses can be developed.

Council is not required or expected to undertake actions beyond our established legislated responsibilities. The CRPA has outlined the responsibilities of each authority/organisation in the schedules to the agreement.

As outlined above, the outcomes of this improved collaboration model presents Council with the opportunity to continue to advocate for:

- Increased water flows for the Moorabool River from its head waters at the Moorabool Reservoir;
- Integration with any projects identified in the Central Highlands Integrated Water Management plan (currently under development); and

- Integration of pest plant and animal programs being implemented by agencies in Moorabool with existing Council and community led projects (e.g. gorse and blackberry control programs).

In addition, the CCPA will also present staff with the opportunity to learn and share outcomes of projects being implemented by Moorabool Shire such as:

- Annual roadside and reserve pest plant and animal programs; and
- Collaboration projects with Landcare and community groups.

Endorsement of the CCPA does not require any financial support from Council beyond the current budget allocation for the implementation of existing programs.

However, there will be staff time required to attend Partnership, Project Sponsor and sub-committee/working group meetings.

It is expected that the Partnership and Project Sponsor meetings will be held twice per year. It is anticipated that the Partnership meetings will be attended by a senior representative of the organisation, while the Project Sponsor meetings may be attended by a nominated representative.

The sub-committee/working group meetings will be established as required with their timeframes to be determined depending on the scope of the matter they are created to address. A Terms of Reference will be created for each sub-committee/working group which will be approved by the Partnership group.

Policy Implications

The Council Plan 2017 – 2021 provides as follows:

Strategic Objective 2: Minimising Environmental Impact

Context 2B: Natural Environment

Moorabool Sustainable Environment Strategy: Implement the action plan.

Financial Implications

There are no immediate financial implications associated with the consideration of this report, beyond the current allocation of funding to manage, enhance and promote existing environmental assets owned and or managed by Council.

Risk & Occupational Health & Safety Issues

There are no direct risk or occupational health and safety issues associated with the recommendation within this report.

Community Engagement Strategy

No Community Engagement is proposed.

Communications and Consultation Strategy

No Community Engagement or consultation is proposed.

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 – Justin Horne

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

Conclusion

In 2017 at the request of the Minister for Water, Lisa Neville, the CMAs were required to develop Region Catchment Partnership Agreements (CPA).

The purpose of the CPAs are to:

- Strengthen coordination, collaboration and accountability;
- Reduce duplication;
- Provide clarity on roles and responsibilities of catchment management partners (such as Local Government and Water Authorities); and
- To ensure the community have a positive and integrated experience of catchment management.

The Corangamite Catchment Management Authority have recently completed the Corangamite Catchment Partnership Agreement (CCPA) and are seeking formal endorsement from Council.

In endorsing the CCPA, there are no expectations beyond our current financial and legislated commitments. The CCPA also presents Council with the opportunity to continue to advocate for improved outcomes for the Moorabool River, ensure projects proposed to be implemented in Moorabool align and integrate with existing work being undertaken by Council and local communities.

Recommendation:

That Council:

1. **Endorse the Corangamite Catchment Partnership Agreement (Attachment 11.2.2).**
2. **Delegates the CEO to sign the Corangamite Catchment Partnership Agreement (Attachment 11.2.2).**
3. **Invites the Corangamite Catchment Management Authority to present to Council on the Catchment Partnership Agreements and regional priorities relevant to Moorabool Shire.**

Report Authorisation

Authorised by:

Name:


Satwinder Sandhu

Title:

General Manager Growth and Development

Date:

Tuesday, 15 May 2018

Attachment - Item 11.2.2



CORANGAMITE CATCHMENT PARTNERSHIP AGREEMENT

JUNE 2018

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1. PURPOSE

The Department of Environment, Land, Water and Planning, Catchment Management Authorities and catchment management partners are committed to working together to improve the management of land, water and biodiversity resources across Victoria.

The purpose of the Corangamite Catchment Partnership Agreement is to strengthen coordination, collaboration and accountability, reduce duplication, and provide clarity on roles and responsibilities between catchment management partners by working together on significant regional challenges and opportunities with the aim of generating tangible, positive impacts on the prosperity of the region.

The following outcomes for the community and environment will be delivered through this Corangamite Catchment Partnership Agreement:

1. Healthier and more productive land, biodiversity and water assets, and ecosystems
2. Improved regional economic wellbeing and liveability
3. Greater community ownership and stewardship of our natural assets
4. Shared understanding of impacts
5. Better value for money from investment in natural resource management
6. Strengthened implementation of the Corangamite Regional Catchment Strategy and other key state and regionally relevant policies as required

This Agreement is consistent with the *State-wide Framework for Catchment Partnership Agreements* which outlines the principles, priorities, critical success factors, and governance for all Catchment Partnerships.

2. ROLE OF THE CATCHMENT PARTNERSHIP

The Catchment Partnership will:

- Identify the regional priorities that will require cross-organisational collaboration to be successfully addressed and managed
- Account for legislative responsibilities, and describe and clarify policy implementation and regionally specific roles of the partners
- Support development and implementation of the Corangamite Regional Catchment Strategy and monitor progress through a collaborative process with all partners
- Identify any relevant regional issues and develop options for resolving them
- Review new relevant government policies to identify those that will require cross-organisational cooperation and collaboration for implementation
- Ensure that all relevant partners may be signatories and are involved in all relevant issues, decisions and policy implementation in a timely and collaborative manner
- Identify and commit to the delivery of regional priorities as identified annually in the work plan

3. PRINCIPLES

The following principles will assist in creating a collaborative atmosphere to support the efficient and effective function of the Partnership, and help guide decision-making where it is unclear.

These principles are common to all Catchment Partnerships. Principles listed in italics are region specific principles that partners have added to improve the Partnership.

COLLABORATION

- *Partners have clarity about a shared sense of purpose, which is to work together and take action on significant regional challenges and opportunities with the aim of generating tangible, positive impacts on the prosperity of the region*
- *Partners will show courage, lead by example and adopt a 'best for the region' view in addressing difficult and regionally specific challenges or opportunities*
- Partners are committed to mutual success and delivery on commitments
- Partners will keep each other abreast of their respective strategic directions, creating an environment of 'no surprises'. They will use agreed efficient and effective business practices
- Partners will communicate proactively and openly
- Partners will work together to find mutually beneficial solutions on shared issues
- *Partners will use the Catchment Partnership Agreement complementary to and in collaboration with existing partnerships, forums and collaborations*

SHARED DECISION-MAKING

- *Partners will adopt an innovative and creative approach to solving problems and making decisions, whilst acknowledging and learning from existing information, knowledge and prior experience*
- Partners will seek input on issues or decisions that have an impact on other partners
- Partners will work together *and use structured decision making* to find solutions to complex, cross-organisational issues, *rather than simply discussing issues*

AN ENDURING AND EFFECTIVE PARTNERSHIP

- Partners will provide a long-term organisational commitment to the partnership, at a senior-level, that will transcend changes to leadership at a State level or within an organisation
- Partners will work to make their shared work cost effective and mutually beneficial

MUTUAL RESPECT

- Partners acknowledge and value each other's contribution to regional strategies and plans
- Partners respect the role of other agencies and their interest in issues that may affect their individual objectives

COMMUNITY FOCUS

- Partners recognise that communities are diverse and will ensure all engagement with the community is accessible, flexible and consistent
- Partners will work together to create an outwardly-facing partnership that seeks and welcomes contact and contribution from the community
- Partners will have an 'open door' approach in which the community will be directed appropriately no matter which partner they approach
- Partners will work together to provide communities with clarity about their roles and responsibilities

4. GOVERNANCE

The agreed governance structure to support effective implementation of the priorities identified by the Partnership is described below. Measuring the effectiveness of the Partnership from an operational and collaboration perspective will provide an indicator of the Partnership's likely ability to successfully implement its stated priorities.

MEMBERSHIP

Partnership signatory members include at a senior level (subject to confirmation):

- Corangamite Catchment Management Authority
- Department of Environment, Land, Water and Planning - South West
- Environment Protection Authority
- Parks Victoria
- Barwon Water
- Central Highlands Water
- Southern Rural Water
- Wannon Water
- Trust for Nature
- Wathaurung Aboriginal Corporation (Wadawurrung)
- Eastern Maar Aboriginal Corporation
- Department of Economic Development, Jobs, Transport and Resources
 - Regional Development Victoria
 - Agriculture Victoria
- Borough of Queenscliffe
- City of Greater Geelong
- City of Ballarat
- Colac Otway Shire
- Corangamite Shire
- Golden Plains Shire
- Moorabool Shire
- Moyne Shire

Non-signatory members

The Partnership may identify a number of region-specific non-signatory member organisations who may participate in meetings or have an interest in delivery of shared objectives. These organisations and the method of engaging with them will be detailed in Schedule 3. Other relevant regional processes or agreements are outlined in Schedule 3. Non signatory members will be invited to attend meetings when relevant, will receive all meeting minutes and annual work plan quarterly reports, and will be invited to participate in priority project working groups as relevant.

GOVERNANCE ROLES AND RESPONSIBILITIES OF PARTNERSHIP MEMBERS

Chair

The Chief Executive Officer of the relevant Catchment Management Authority will chair the Catchment Partnership for a minimum of two years to enable consistency during the establishment stage. The Chief Executive Officer of the Catchment Management Authority can facilitate chairing arrangements for the Partnership to account for existing processes where they are relevant and if they are functioning effectively.

The Partnership may agree to continue this arrangement into perpetuity or to rotate Chairs in an agreed process on an annual basis following the initial two-year period.

Secretariat

The responsibility for providing the secretariat for meetings will lie with the Catchment Management Authority, recognising its role in promoting co-operation of organisations involved in the management of land and water resources in the region. The secretariat will prepare the agenda and minutes for Partnership meetings and will track the agreed actions. It is expected that Partnership Members will assemble papers for consideration of the meeting.

MEETINGS

Representatives

Representatives of Partnership Member organisations that attend Partnership Meetings need to be at a senior level from within their own organisation and empowered by their organisation to contribute to decision-making.

Project Sponsor

Each partner that signs against a specific priority or role within the Annual Plan agrees to nominate a Project Sponsor at a senior level from within their organisation that is committed to working towards delivery of that priority. This may or may not be the same person as representative of the Partnership Member organisation that attend Partnerships Meetings.

Frequency

Meetings will occur twice a year unless agreed otherwise by the Partnership Members.

Quorum

A meeting of the Partnership is quorate when at least half of the signatory organisations are represented.

SUB-COMMITTEES AND WORKING GROUPS

The Partnership can agree to establish sub-committees and working groups. These can be standing committees or time-limited. Sub-committees and working groups will have Terms of Reference agreed by the Partnership. The Terms of Reference will be reviewed annually.

The Partnership can delegate responsibilities and decision-making to sub-committees, with decisions made by sub-committees to then be noted by the full Partnership meeting.

DECISION-MAKING PROCESSES

The Partnership will seek solutions and approaches that accord with the shared interests of Partnership Members.

At times, formal decisions may be needed. Formal decisions are made when agreed upon by a majority of signatory Partnership Members (regardless of attendance at the meeting). A decision that has a material impact on a partner (e.g. a role to implement a policy or address a specific priority in Schedule 2 or in the Annual Plan) must include that partner in the decision process.

The Partnership recognises that different partners have different decision making processes. Those decision-making processes will be considered in the spirit of the Partnership principles.

Out-of-session decisions

From time to time, out-of-session decisions may be required to respond to urgent needs. Where possible, these should be flagged in advance at Partnership meetings.

The Chair is empowered to seek an out-of-session decision via email. Appropriate time will be allowed for Partnership Members to consider any supporting material.

Dispute resolution

If a dispute arises that cannot be resolved it will be referred to the respective senior managers of the agencies for resolution.

ANNUAL PLAN

The Partnership will agree on an Annual Plan consistent with the Corangamite Regional Catchment Strategy and relevant state and regional policies and strategies listed in Schedule 2 which will guide the program of meetings and the shared work of Partnership Members. The Annual Plan also provides the flexibility for a partner to sign against a specific priority or role.

Guidelines to assist in the development of the Annual Plan are provided in Attachment 1 of the *State-wide Framework for Catchment Partnership Agreements*.

MONITORING, EVALUATION AND REPORTING PROCESSES

The Partnership will schedule monitoring, evaluation and reporting activities as part of its program of meetings, consistent with its monitoring, evaluation and reporting framework. Requirements are outlined in Section 5.

Guidelines to assist in the development of the monitoring, evaluation and reporting process are provided in Attachment 2 of the *State-wide Framework for Catchment Partnership Agreements*.

PARTNERSHIP AGREEMENT REVIEW

The Partnership will review the Catchment Partnership Agreement for currency and relevance every two years and may agree to any changes to region-specific aspects of the Agreement or Annual Plan, consistent with the State wide Framework. Outcomes from the review every two years should be included in the annual reporting for that year (refer to Section 5).

Partnerships may convene a working group to undertake this review and make recommendations to the Partnership.

SCHEDULES TO THE AGREEMENT

Schedule 1: Legislative Responsibilities

Schedule 1 details the relevant legislative responsibilities of Partnership Member organisations that are common to all Partnerships and those specific to regional circumstances. *It should be noted that levels to which activities are undertaken will be dependent on a range of factors, including resources, priority work deliverables, annual work plans and other regional specific reasons.*

Schedule 2: Policy Changes

Schedule 2 details the relevant responsibilities of Partnership Member organisations under Victorian Government policy and for implementation of region-level policy. This schedule is to be updated as policy is released through discussion within the Partnership.

Schedule 3: Non-signatory Partners

Schedule 3 records non-signatory partners to the Partnership Agreement who may participate in meetings and delivery of shared objectives.

Schedule 4: Other Partnerships and Agreements

Schedule 4 records other formal or informal arrangements that are existing and operating effectively to mitigate duplication between partnership arrangements. It records any partnerships that are separate from the Catchment Partnership but are relevant to its work.

5. MONITORING, EVALUATION AND REPORTING

Consistent and targeted monitoring, evaluation and reporting is essential for effective catchment management. Monitoring, evaluation and reporting mechanisms the Catchment Partnership Agreement focus on a consistent set of critical success factors linked to the shared state-wide principles.

PARTNERSHIP CRITICAL SUCCESS FACTORS

The Partnership will know it is succeeding when:

- The Catchment Partnership Agreement is developed for the region (replacing the regional operating agreement) involving relevant key catchment partners
- Partners to the Catchment Partnership Agreement include (but are not limited to) relevant government departments, water corporations, Parks Victoria, and other state and regionally based organisations and groups related to catchment management
- The Partnership is acting in accordance with the agreed principles
- Key priorities identified in the Annual Plan for the Catchment Partnership are focussed on significant regional challenges and opportunities, with the aim of generating tangible, positive impacts on the prosperity of the region, and these priorities are being implemented
- The Corangamite Regional Catchment Strategy is owned by regional partners and effectively reviewed and reported against critical success factors, and there is stronger community engagement in regional planning and implementation
- Diverse communities are engaged and participate in catchment management
- There are systems in place to include the community in program design and implementation

MONITORING, EVALUATION AND REPORTING FRAMEWORK

A range of mechanisms are already in place for monitoring, evaluating and reporting on the Corangamite Regional Catchment Strategy and thematic or issue based policies and strategies. This agreement is not proposing any additional content based evaluation and monitoring.

The monitoring, evaluation and reporting framework for the Catchment Partnership Agreement will support the Partnership to undertake an assessment of the Partnership and whether it is operating effectively, and to inform continued operation and opportunities for improvement.

Guidelines are provided in Attachment 2 of the *State-wide Framework for Catchment Partnership Agreements*.

The Corangamite Catchment Management Authority will provide a concise annual report to the responsible Minister on the operation and effectiveness of the Partnership.

6. SIGNATORIES TO THE AGREEMENTS

Although the catchment management partners intend to give effect to the Catchment Partnership Agreement for which they are a signatory and to work constructively to honour the terms of the Agreement, they acknowledge that the Agreement does not create, and must not be construed as creating, a legally binding and enforceable contract.

For the Partnership to remain relevant for the region and to account for capacity limitations of some organisations, it may be appropriate for some partners to sign up to specific roles or priorities rather than the Partnership in its entirety.

Signature Representative, Position Organisation Barwon Water Date	Signature Representative, Position Organisation Borough of Queenscliffe Date
Signature Representative, Position Organisation Central Highlands Water Date	Signature Representative, Position Organisation City of Ballarat Date
Signature Representative, Position Organisation City of Greater Geelong Date	Signature Representative, Position Organisation Colac Otway Shire Date

<p>Signature</p> <p>Representative, Position</p> <p>Organisation Corangamite CMA</p> <p>Date</p>	<p>Signature</p> <p>Representative, Position</p> <p>Organisation Corangamite Shire</p> <p>Date</p>
<p>Signature</p> <p>Representative, Position DEDTJR (Agriculture Victoria)</p> <p>Organisation</p> <p>Date</p>	<p>Signature</p> <p>Representative, Position DELWP (Regional)</p> <p>Organisation</p> <p>Date</p>
<p>Signature</p> <p>Representative, Position Eastern Maar Aboriginal Corporation</p> <p>Organisation</p> <p>Date</p>	<p>Signature</p> <p>Representative, Position Environment Protection Authority</p> <p>Organisation</p> <p>Date</p>
<p>Signature</p> <p>Representative, Position Golden Plains Shire</p> <p>Organisation</p> <p>Date</p>	<p>Signature</p> <p>Representative, Position Moorabool Shire</p> <p>Organisation</p> <p>Date</p>

<p>Signature</p> <p>Representative, Position Moyne Shire</p> <p>Organisation</p> <p>Date</p>	<p>Signature</p> <p>Representative, Position Parks Victoria</p> <p>Organisation</p> <p>Date</p>
<p>Signature</p> <p>Representative, Position Southern Rural Water</p> <p>Organisation</p> <p>Date</p>	<p>Signature</p> <p>Representative, Position Surf Coast Shire</p> <p>Organisation</p> <p>Date</p>
<p>Signature</p> <p>Representative, Position Trust for Nature</p> <p>Organisation</p> <p>Date</p>	<p>Signature</p> <p>Representative, Position Wannon Water</p> <p>Organisation</p> <p>Date</p>
<p>Signature</p> <p>Representative, Position Wathaurong Aboriginal Corporation (Wadawurrung)</p> <p>Organisation</p> <p>Date</p>	

SCHEDULE 1: LEGISLATIVE RESPONSIBILITIES RELATED TO NATURAL RESOURCE MANAGEMENT

Schedule 1 details the relevant legislative responsibilities of Partnership Members that are common to all Partnerships and those specific to regional circumstances.

Program Theme	Program description	Lead Responsibility	Supporting Partner/s*	Legislative Responsibilities
Threatened Species	<ul style="list-style-type: none"> Threatened species policy and strategy, and the provision of advice to Ministers/government Administration of Flora and Fauna Guarantee Act 1988 and Wildlife Act 1975, e.g. listing of threatened species, development of Action Statements, issuing of authorisations relating to the taking, movement, keeping, breeding, displaying, etc. of threatened species Conservation management of threatened flora and fauna Implement and facilitate actions for the recovery of threatened species and improve knowledge of threatened species Conduct research into the status of threatened species and methods to ameliorate threatening processes Provide advice regarding proposals that impact on threatened species on public and private land Undertake compliance activities 	DELWP	Parks Victoria, Trust for Nature, CCMA	Flora & Fauna Guarantee Act 1988 Wildlife Act 1975
		<ul style="list-style-type: none"> On ground management of threatening processes for the conservation of threatened species (e.g. predator control, exotic herbivore control, invasive marine species) in parks and reserves managed by Parks Victoria 	DELWP	National Parks Act 1975 Catchment & Land Protection Act 1994 Flora & Fauna Guarantee Act 1988
	<ul style="list-style-type: none"> Conservation management of threatened flora and fauna on water corporation-owned land Support responsible land managers (such as private landholders, local government and Parks Victoria) to manage threatened species outside of water corporation-owned land. Liaise with DELWP in providing advice to local government and the development industry on waterway-related habitat requirements for rare and threatened species in their role as a referral authority on developments 	Water corporations	Parks Victoria, DELWP	Water Act 1989 Flora & Fauna Guarantee Act 1988

Program Theme	Program description	Lead Responsibility	Supporting Partner/s*	Legislative Responsibilities
Native Vegetation and regulation and management	<ul style="list-style-type: none"> Conduct compliance activities on certain classes of public land Support implementation of the native vegetation regulations by: <ul style="list-style-type: none"> providing advice regarding on proposals to remove native vegetation to applicants (including as a referral authority and on public land) assisting consistent application of the regulations (training, stakeholder engagement, compliance, database management and reporting) Support policy development for native vegetation protection and management within the Victoria Planning Provisions Services for biodiversity, conservation, ecosystem/s functioning, heritage recreation and tourism performance audit (annual strategic sample) 	DELWP	LGAs, CCMA	Planning & Environment Act 1987 Conservation, Forests & Lands Act 1987 Flora & Fauna Guarantee Act 1988 Land Act 1958 Wildlife Regulations 2013
Wildlife	<ul style="list-style-type: none"> On ground vegetation management – grazing, fire, herbivore control in parks and reserves Manage interactions between wildlife and people and sustainable use Policy and strategy for wildlife management and the provision of advice to relevant Ministers/Government Administer Wildlife Act 1975 and its regulations including issuing authorisations for the taking, possession, trading, moving, destruction, sale, breeding, disturbance, and rehabilitation of wildlife Education of public regarding wildlife including promoting positive attitudes towards wildlife and an understanding of shared responsibilities Undertake compliance activities 	Parks Victoria	DELWP	Flora & Fauna Guarantee Act 1988 Wildlife Act 1975 Wildlife Act 1975
Weeds and Pest Policy, Strategy and Investment	<ul style="list-style-type: none"> Develop weed and pest animal policy and strategy for weeds and pest animals for biodiversity protection and public land management Provide policy advice, and advice to Minister / Government Strategic investment, planning and reporting for weeds and pests on public land 	DELWP	CCMA, Parks Victoria, LGAs	Catchment & Land Protection Act 1994 Flora & Fauna Guarantee Act 1988 Conservation, Forests & Lands Act 1987 National Parks Act 1975

Program Theme	Program description	Lead Responsibility	Supporting Partner/s*	Legislative Responsibilities
Private Land Protection and Conservation	<ul style="list-style-type: none"> Decision-support for strategic weed and pest animal management for the protection of key biodiversity assets Strategic conservation planning and implementation on private land Protect native flora and fauna on private land in perpetuity through conservation covenants Support landowners with covenants with advice through the stewardship support program Purchase environmentally significant land through the Revolving Fund Acquisition and maintenance of properties with high conservation value Arrange eco-market agreements between proponents who have biodiversity offset requirements and landowners who want to protect the native vegetation on their properties Section 69 agreements for permanent protection and management of biodiversity values 	Trust for Nature	CCMA, DELWP, LGAs, Traditional Owner Groups	Victorian Conservation Trust Act 1972 Flora & Fauna Guarantee Act 1988
Permanent protection	<ul style="list-style-type: none"> Section 69 agreements for permanent protection and management of biodiversity values 	DELWP		Conservation, Forests & Lands Act 1987
CROWN LAND MANAGEMENT				
Crown Land Management (excluding fire)	<ul style="list-style-type: none"> Undertake assessment of Crown water frontages Set licence conditions on basis of review Administer licences and integrate their management with general waterway management Stewardship of Crown Land Reserves (including delegated management) and support of Committees of Management Public land and sustainable forest management services, excluding protected area estate delegated to Parks Victoria Benefits to the community through effective management of Victoria's public land assets <p>Provide management services for the protected area estate as agreed in the Management Services Agreement with the Secretary DELWP:</p> <ul style="list-style-type: none"> all areas reserved under the National Parks Act 1975 all areas reserved under the Wildlife Act 1975 	DELWP	CCMA	Land Act 1958
		DELWP		Management Services Agreement Land (Reserves) Act 1978
		Parks Victoria	DELWP, CCMA, Traditional Owner Groups	National Parks Act 1975 Crown Land (Reserves) Act 1978 Land Conservation Act 1970 Heritage Rivers Act 1992

Program Theme	Program description	Lead Responsibility	Supporting Partner/s*	Legislative Responsibilities
	<ul style="list-style-type: none"> nominated Crown land reserved under the Crown Land (Reserves) Act 1978 conservation reserves reserved under the Crown Land (Reserves) Act 1978 and managed in accordance with approved land use recommendations under the Land Conservation Act 1970 areas reserved under the Heritage Rivers Act 1992 planning for all Ramsar sites and management of some sites, as well as nominating additional Ramsar sites within the region Conserve, protect and enhance natural and cultural heritage assets 			Conservation, Forests & Lands Act 1987 Water Industry Act 1994 Wildlife Act 1975
CULTURAL HERITAGE				
	<ul style="list-style-type: none"> Meet cultural heritage obligations Understand Settlement Agreements with Traditional Owner Corporations Supporting Participation Strategies 	All		Native Title Act 1993 Victorian Traditional Owner Settlement Act 2010
EMERGENCY MANAGEMENT, RESPONSE AND RECOVERY				
Biosecurity	<ul style="list-style-type: none"> Biosecurity events including exotic animal disease, plant pest or disease, rapid and significant increases in established pest populations (e.g. plague locusts) 	DEDJTR – Biosecurity		Plant Biosecurity Act 2010 Livestock Disease Control Act 1994
Wildlife Emergencies	<ul style="list-style-type: none"> Coordinate and respond to wildlife emergencies Control agency for the following wildlife emergencies as determined by the Emergency Management Manual Victoria (EMMV): Cetacean stranding, entanglements and vessel strike Wildlife affected by marine pollution Is the lead agency for management of wildlife welfare issues arising from declared emergencies as determined by the Emergency Management Manual Victoria (EMMV). This includes wildlife affected by fire and flood 	DELWP	Parks Victoria, LGAs, CCMA, EPA	Emergency Management Act 1986 & Emergency Management Act 2013 Wildlife Act 1975

Program Theme	Program description	Lead Responsibility	Supporting Partner/s*	Legislative Responsibilities
Fire Management	<ul style="list-style-type: none"> Reduced impact of bushfires and other extreme events on people, infrastructure and the environment Compliance activities targeted towards bushfire prevention 	DELWP Parks Victoria	LGAs, CFA, Traditional Owner Groups, CCMA	Forests Act 1958 National Parks Act 1975 Code of Practice for Bushfire Management on Public Land 2012 Regional Fire Operations Plans
	<ul style="list-style-type: none"> Fire management in the closed special water supply catchment areas, carried out through existing arrangements in place between the water corporation and Parks Victoria and (in draft) DELWP 	DELWP with support from Parks Victoria and Water Corporations		Water Act 1989 Code of Practice for Bushfire Management on Public Land 2012 Regional Fire Operations Plans
	<ul style="list-style-type: none"> Agricultural relief and recovery including restoration of farm fences, animal welfare (non-wildlife), pasture management and dam management 	DEDJTR	LGAs, CCMA	Regional Fire Operations Plans
	SALINITY			
Irrigation Salinity	<ul style="list-style-type: none"> Prepare regionally specific irrigation development guidelines which are consistent with the Irrigation Development Guidelines Advisory Note, or subsequent guidance Coordinate and monitor new irrigation developments through the implementation of Irrigation Development Guidelines 	CCMA	Water corporations	Water Act 1989
	<ul style="list-style-type: none"> Planning/coordination through Regional Soil Health Strategy or Salinity Action Plan Works/grants 	CCMA	DEDJTR	Catchment & Land Protection Act 1994
Dryland Salinity	<ul style="list-style-type: none"> Develop and coordinate the implementation of Land and Water Management Plans, or their equivalent, in accordance with the Regional Catchment Strategy and relevant state policy, framework, strategy, plan or guideline Monitor and report on progress of implementation against management action and targets in Land and Water Management Plans, or their equivalent, in accordance with any guidelines issued to the CCMA Report to DELWP annually on the allocation and uptake of salinity credits, salinity management activities and any changes to monitoring included in the Basin-wide Core Salinity Monitoring Network 	CCMA	DEDJTR, DELWP	Catchment & Land Protection Act 1994
Salinity Management	<ul style="list-style-type: none"> Report to DELWP annually on the allocation and uptake of salinity credits, salinity management activities and any changes to monitoring included in the Basin-wide Core Salinity Monitoring Network 	CCMA		

Program Theme	Program description	Lead Responsibility	Supporting Partner/s*	Legislative Responsibilities
WEEDS AND PESTS				
Weed and Pest Animal Regulation and Compliance	<ul style="list-style-type: none"> Regulation and compliance programs on private and public land and supporting community led action 	DEDJTR	CCMA, LGAs, Trust for Nature	Catchment & Land Protection Act 1994
Weed and Pest Animal On-ground Management	<ul style="list-style-type: none"> Management of priority non-indigenous weeds (pest plants) and pest animals, including management of new high risk incursions Regional/Catchment strategic direction, policy and priority setting Management and monitoring of [State-funded] cross tenure programs targeting priority species Provision of technical advice to assist development of regional strategies Development of regional priorities (as part of planning process) with all key stakeholders Meet obligations under the Catchment and Land Protection Act 1994 for weed and pest animal management 	DELWP	DEDJTR, CCMA, LGAs, Trust for Nature	Conservation, Forests & Land Act 1987 Catchment & Land Protection Act 1994
Pest Management-planning	<ul style="list-style-type: none"> Provide management services for the protected area estate as agreed in the Management Services Agreement with the Secretary DELWP Prepare for, respond to and recover from fire and other emergencies Meet obligations under the Catchment and Land Protection Act 1994 for weed and pest animal management Reducing the impact of weeds and pest on key natural values on the protected area estate Weed and Pest Animal Management Provide grants to landholders, community groups, Parks Victoria and local government to help manage waterway-related weeds and pests on their own land (< 20 m from waterway) Undertake regional planning for pest management in accordance with the Regional Catchment Strategy and relevant state policy, framework, strategy, plan or guideline Monitor and report on progress of implementation against priorities and targets in regional plans Advise the Minister on regional priorities for pest management 	Parks Victoria Water corporations & CCMA CCMA	DELWP Parks Victoria, LGAs, Trust for Nature DEDJTR, Parks Victoria, DELWP, LGAs, Trust for Nature	Crown Land (Reserves) Act 1978 Land Conservation Act 1970 Heritage Rivers Act 1992 Parks Victoria Act 1998 Catchment & Land Protection Act 1994 Water Act 1989 Statement of Obligations Catchment & Land Protection Act 1994 Catchment & Land Protection Act 1994

Program Theme	Program description	Lead Responsibility	Supporting Partner/s*	Legislative Responsibilities
WATER				
Environmental Water	<ul style="list-style-type: none"> • Manage waterways and the Environmental Water Reserve • Plan for the management of environmental water in the short and long term in accordance with regional waterway strategies and state policy • Provide on ground works programs for environmental water management and enhanced environmental water delivery • Provide referral advice for statutory planning • Delivery against the Ministerial Determinations for Water Use Objectives • Prepare for each water season, seasonal proposals for the application or use of water in the Water Holdings • Monitor programs to facilitate adaptive management of environmental water • Act as a referral authority for both surface water and groundwater extraction licences • Act as a referral authority for take and use water licensing and dams on waterways • Participating in the development of local management plans, amendments to environmental and bulk entitlements and other water management processes as required 	CCMA	Water corporations, Traditional Owner Groups	Water Act 1989
Floodplain Management	<ul style="list-style-type: none"> • Develop and coordinate implementation of a regional floodplain management strategies • Act as referral authority for floodplain matters including the following tasks: <ul style="list-style-type: none"> ○ liaise with local government to include floodplain requirements in planning schemes ○ Provide technical advice to community on flooding ○ Provide flood advice and respond to flood inquiries ○ Coordinate flood response programs for waterways ○ Victorian Civil and Administrative Tribunal (VCAT) appeals ○ Updates to flood databases ○ Licensing works on waterways ○ Issue works on waterways permits 	CCMA	LGAs	Water Act 1989

Program Theme	Program description	Lead Responsibility	Supporting Partner/s*	Legislative Responsibilities
	<ul style="list-style-type: none"> Act as referral authority for floodplain related matters and building referrals 			
Water Supply	<ul style="list-style-type: none"> Urban and rural water supply Four of the water corporations provide rural water services, which include water delivery for irrigation and domestic and stock purposes, drainage, and salinity mitigation services 	Water corporations	LGAs	Water Act 1989
Wastewater	<ul style="list-style-type: none"> Sewerage and trade waste disposal and treatment Recycled water and drainage services 	Water corporations	LGAs	Water Act 1989
Water Quality	<ul style="list-style-type: none"> Use of environmental laws, policies and regulatory controls to protect the water environment Ensure water is safe for humans, animals and plants, and suitable for other important uses, like swimming Administer more specific laws to protect water environments, including the Pollution of Waters by Oil and Noxious Substances Act 1986, which deals with waste such as oil, chemicals and litter from ships Run a range of programs aimed at improving the quality of water environments and preventing water pollution 	Environment Protection Authority	CCMA, LGAs	Environment Protection Act 1970
WATERWAYS AND DRAINAGE				
Waterway Management	<ul style="list-style-type: none"> Develop a regional Waterway Strategy for its waterway management district Develop and implement regional work programs to maintain or improve the environmental condition of waterways (rivers, estuaries and wetlands) Authorise works on waterways and act as a referral body for planning applications, licences to take and use water and construct dams, for water use and other waterway management issues Administer licences for the extraction of sand and gravel from waterways Provide grants to landholders, community groups and local government to undertake works to improve waterway condition Assist in the response to natural disasters and extreme events (such as bushfires and floods) where they affect waterways Provide water quality advice for emergency water quality management (for example, spills and fish deaths) 	CCMA	Water corporations, Parks Victoria, LGAs, EPA, Traditional Owner Groups	Water Act 1989

Program Theme	Program description	Lead Responsibility	Supporting Partner/s*	Legislative Responsibilities
	<ul style="list-style-type: none"> Undertake community participation, stewardship and awareness programs Undertake condition monitoring of waterway health and waterway-related values 			
Rural Drainage	<ul style="list-style-type: none"> Support to reduce environmental and cultural impacts of rural drainage, such as support to prepare environmental and cultural management plans Contribute to capability building for dryland rural drainage management 	CCMA		Water Act 1989
Regional Drainage	<ul style="list-style-type: none"> Provide regional drainage services within its waterway management district Develop and implement plans or schemes related to rural drainage 	CCMA	LGAs, Parks Victoria	Water Act 1989
Groundwater dependent ecosystems	<ul style="list-style-type: none"> Identifying priority groundwater areas to protect and enhance groundwater dependent ecosystems such as wetlands and drought refuges 	Water corporations	DELWP, CCMA	Water Act 1989
Integrated Water Management	<ul style="list-style-type: none"> Maximise best management of water through exploring integrated water management opportunities in all programs (e.g. development service schemes, waterway management activities) 	Water corporations	LGAs, CCMA	Water Act 1989
INTEGRATED CATCHMENT MANAGEMENT				
Policy Priorities Monitoring Advisory	<ul style="list-style-type: none"> Provision of land management services to the public and stakeholders Provision of authoritative land status and land law advice to agencies such as Local Government Authorities, Catchment Management Authorities and Water corporations Services for biodiversity, conservation, ecosystem functioning, heritage recreation and tourism Public land and sustainable forest management services 	DELWP	LGAs, CCMA, Water corporations, Parks Victoria, Traditional Owner Groups	Catchment & Land Protection Act 1994

Program Theme	Program description	Lead Responsibility	Supporting Partner/s*	Legislative Responsibilities
Regional Catchment Planning, Advisory, Monitoring and Reporting	<ul style="list-style-type: none"> Coordinate the development, review and implementation of the Regional Catchment Strategy and related regional sub-strategies or plans which manage priority issues in the RCS and/or are specified by relevant State policies Monitor, evaluate and report on resource condition and management actions contained within the Regional Catchment Strategy and related regional sub strategies or plans Report on the condition and management of the region's land, water and biodiversity resources (Catchment Condition Reporting) Advise relevant Ministers on catchment condition, regional priorities, matters relating to catchment management and land protection, and guidelines for integrated management of land and water resources Work with regional communities, local government and other partners to incorporate local priorities that are appropriately considered into catchment plans and strategies 	CCMA	All	Catchment & Land Protection Act 1994
Investment	<ul style="list-style-type: none"> Coordinate the development, implementation and management of Regional Catchment investment Communication of national, state and regional environmental investment priorities Seek proposals or bids from service providers for the available funds Administer community grants on behalf of Minister(s) to assist in the implementation of the Regional Catchment Strategy and related sub-strategies and plans 	CCMA	DELWP, Australian Government	Catchment & Land Protection Act 1994
Partnerships	<ul style="list-style-type: none"> Promote co-operation of persons and bodies involved in land, water and biodiversity management in the region Promote community understanding and awareness of the importance of land, water and biodiversity resources, for their sustainable use, conservation and rehabilitation 	CCMA	All	Catchment & Land Protection Act 1994
Landcare	<ul style="list-style-type: none"> Regional Landcare coordination and promotion General support to establish and maintain a register of Landcare groups Promote Regional Catchment Strategy priorities to Landcare groups and provide project development support, technical advice and opportunities to develop community skills 	CCMA		Catchment & Land Protection Act 1994

Program Theme	Program description	Lead Responsibility	Supporting Partner/s*	Legislative Responsibilities
	<ul style="list-style-type: none"> Develop and coordinate the implementation of the regional action plan for Landcare and monitor, evaluate and report on progress against priorities and targets 			

*All supporting partners agree to provide support where practicable and possible.

SCHEDULE 2: POLICY CHANGES — RESPONSIBILITIES RELATED TO NATURAL RESOURCE MANAGEMENT

Schedule 2 details the relevant responsibilities of Partnership Members under Victorian Government policy and for implementation of region-level policy. This Schedule should be completed and updated as policy is released, and through discussion within each Partnership.

Policy title	Release date	Relevant action / direction	Region-level implementation responsibility
Protecting Victoria's Environment – Biodiversity 2037	2017	<ul style="list-style-type: none"> Establish forums for biodiversity response planning Coordinate biodiversity forums 	<p>DELWP</p> <p>To be determined by the Partnership</p> <p>To be determined by the Partnership</p>
Water for Victoria	2016	<ul style="list-style-type: none"> Liaise and coordinate with other Catchment Partnerships for biodiversity Numerous actions that most partners are responsible for but in a partnership could achieve greater outcomes 	<p>DELWP, CCMA, LGAs, Traditional Owners, Water corporations, EPA, DEDJTR</p>
Victorian Waterway Management Strategy	2013	<ul style="list-style-type: none"> Numerous actions that most partners are responsible for but in a partnership could achieve greater outcomes 	<p>DELWP, CCMA, LGAs, Traditional Owners, Water corporations, EPA, DEDJTR</p>
Regional Riparian Action Plan (Corangamite)	2015	<ul style="list-style-type: none"> 270 km of riparian land where works have been undertaken to protect or improve its condition by 2020 530 ha of waterway vegetation works undertaken to improve the health and resilience of waterways by 2020 	<p>CCMA, Water authorities, Parks, LGAs</p>
Our Catchments Our Communities- Integrated Catchment Management in Victoria 2016-19	2016	<ul style="list-style-type: none"> Strengthen community engagement in regional planning and implementation Ensure alignment between state, regional and local plans that impact on land, water and biodiversity, and Regional Catchment Strategies Incorporate key improvements for integrated catchment management in the next round of Regional Catchment Strategies Implement an investment framework that supports coordination and accountability for the delivery of Regional Catchment Strategy priorities Improve regional investment processes to strengthen the engagement of regional partners in priority setting, allocation of funds and leveraging Improve accountability of catchment management partners Strengthen coordination between key catchment management partners 	<p>DELWP, CCMA, Traditional Owners</p> <p>All partners</p> <p>CCMA</p> <p>DELWP, CCMA</p> <p>CCMA</p> <p>DELWP, CCMA</p> <p>DELWP, CCMA, DEDJTR, Parks, Water corporations, LGAs, others</p>

		<ul style="list-style-type: none"> • Improve state and regional catchment reporting • Ensure the evidence base, including research and development and monitoring, evaluation and reporting, supports and informs planning and adaptive management 	<ul style="list-style-type: none"> • DELWP, CCMA, others • DELWP, CCMA
Corangamite Regional Floodplain Management Strategy	2018	Strategy outlines specific actions for each partner	CCMA, VicSES, all LGAs
Victorians Climate Change Adaptation Plan 2017-2020	2017	<ul style="list-style-type: none"> • Numerous actions that most partners are responsible for but in a partnership could achieve greater outcomes 	DELWP, DEDJTR
Victorian Coastal Strategy	2014	<ul style="list-style-type: none"> • Numerous actions that most partners are responsible for but in a partnership could achieve greater outcomes 	CCMA, LGAs, DELWP, DEDJTR, Parks, others
State Environment Protection Policy (Groundwaters of Victoria)	2003	Currently being reviewed	TBC
State Environment Protection Policy (Waters of Victoria)	2003	Currently being reviewed	TBC
Invasive Plants and Animals Policy Framework		<ul style="list-style-type: none"> • Numerous actions that most partners are responsible for but in a partnership could achieve greater outcomes 	DEDJTR

SCHEDULE 3: NON-SIGNATORY PARTNERS

Schedule 3 records non-signatory partners to the Partnership Agreement who may participate in meetings and delivery of shared objectives. Non-signatory members may self-nominate involvement or be invited as a result of work plan priorities. (Schedule to be updates once work plan priority working groups have been established)

Organisation type	Organisation	Relevance to the partnership	Commenced participation	Key contact name	Phone	Email

SCHEDULE 4: OTHER PARTNERSHIPS AND AGREEMENTS

Schedule 4 records partnerships, agreements and other arrangements between organisations that are separate from the Catchment Partnership but are relevant to its work.

Agreement title or identifier	Parties to the agreement	Term of the agreement (if fixed)	Purpose of the agreement	Relevance to the Partnership
Barwon Integrated Water Management Forum	BW, CCMA, LGAs??	Reviewed every four years	The forum explores options and sets out recommendations for future water management in the greater Geelong City area.	The forum will deliver on liveability and community benefits through the whole of urban water cycle, including the management of stormwater, wastewater, water supplies (surface water and groundwater) and waterways
Central Highlands Integrated Water Management Forum	CHW, CCMA	Reviewed every four years	The forum explores options and sets out recommendations for future water management in the greater Ballarat area.	The forum will deliver on liveability and community benefits through the whole of urban water cycle, including the management of stormwater, wastewater, water supplies (surface water and groundwater) and waterways
Southwest Integrated Water Management Forum	WW, CCMA	Reviewed every four years	The forum explores options and sets out recommendations for future water management in the greater Warrnambool area.	The forum will deliver on liveability and community benefits through the whole of urban water cycle, including the management of stormwater, wastewater, water supplies (surface water and groundwater) and waterways
Ballarat City Integrated Water Management Plan	CHW, CCMA, City of Ballarat		The plan explores options and sets out recommendations for future water management in the greater Ballarat City area.	The plan will deliver on liveability and community benefits through the whole of urban water cycle, including the management of stormwater, wastewater, water supplies (surface water and waterways).
G21 Environment Pillar	COGG, GPS, MS, SCS, BQ, DELWP, CCMA			Regional coordination of priority environment projects
CEO Forums	ALL LGAs		Regional coordination and collaboration	Link to local governments
Local Government Environmental Planners Network	All LGAs, DELWP		Regional coordination and collaboration	Link to local governments
Great Ocean Road Task Force	SCS, COS, CS, PV, GORCC			

Corangamite CMA Community Advisory Group	DELWP, DEDJTR, PV, FedUni, Landcare,	Project advisory group	Community stakeholders with an interest in catchment management
Upper Barwon Surface Advisory Committee	CCMA, BW, SRW, COS	Project advisory group	Community stakeholders with an interest in catchment management
Barwon River Parklands Project	PV, CCMA, COGG, BCM, BW, GFNC		
Moorabool River Stakeholder Advisory Committee	CCMA, SRW, BW, PALM, Geelong Landcare	Project advisory group	Community stakeholders with an interest in catchment management
Gellibrand Estuary Management Plan Working Group	COS, CS, WW, PV	Project advisory group	Community stakeholders with an interest in catchment management
Aire Estuary Management Plan Working Group	COS, PV	Project advisory group	Community stakeholders with an interest in catchment management
Curdies Estuary Management Plan Working Group	CS, PV	Project advisory group	Community stakeholders with an interest in catchment management
Anglesea River Implementation Committee	PV, DELWP, EPA, GORCC	Project advisory group	Community stakeholders with an interest in catchment management
Otway Barham Reference Group	CCMA, PV, BW, COS, OCC	Project advisory group	
Barwon River Users Group	CCMA, COGG, GFNC, User Groups	Project advisory group	Community stakeholders with an interest in catchment management
Lake Colac Coordinating Committee	COS, CCMA, PV, DELWP, BW, User Groups	Project advisory group	Community stakeholders with an interest in catchment management
Lower Barwon Community Advisory Committee	CCMA, PV, SRW, COGG, Field & Game, GFNC, GEC	Project advisory group	Community stakeholders with an interest in catchment management
Otway Ark Program	PV, CEC, DELWP, Melb Uni		
Buninyang Landscape Reference Group	BLA, PV, DELWP, GPS, MS, COB, T4N, FedUni, SV, CCMA, CHW	Community partnership to lead biodiversity projects	Community stakeholders with an interest in catchment management

Coastal & Marine Regional & Strategic Partnership	COGG, CCMA, DELWP, BC, BCM, GORCC, PV, BQ	Community stakeholders with an interest in catchment management
Coastal Hazard Modelling Project	COGG, BQ, CCMA, DELWP, PV, BC, BCM	Community stakeholders with an interest in catchment management
Colac Otway Weed Consultative Committee	COS, PV, CS, CCMA, VR	Project advisory group
Landcare Chairs Group	All Landcare Networks	Regional Landcare coordination and collaboration
Lal Lal Falls Committee	CHW	Committee of Management for crown land adjacent to Lal Lal Falls
Cultivate	COB, MS, RDV, FedUni, Others	Provides a voice for agribusinesses across the Victorian Central Highlands region by promoting and delivering activities that support farmers, food manufacturers, retailers, and associated supply chain businesses.
Numerous Threatened Species Working Groups	DELWP, PV, T4N, CCMA, Other	Project advisory group

*BCM (Baysides Committee of Management); BLA (Bunanyung Landscape Alliance); BW (Barwon Water); BC (Barwon Coast Committee of Management); CCMA (Corangamite Catchment Management Authority); CFA (Country Fire Authority); COB (City of Ballarat); CEC (Conservation Ecology Centre); COGG (City of Greater Geelong); COS (Colac Otway Shire); CS (Corangamite Shire); DEDJTR (Department of Economic Development, Jobs, Transport and Resources); DELWP (Department of Environment, Land, Water and Planning); EPA (Environment Protection Authority); FedUni (Federation University); GEC (Geelong University); GORCC (Great Ocean Road Coastal Committee); GPS (Golden Plains Shire); MS (Moorabool Shire); OCC (Otway Coastal Committee); PALM (P Living Moorabool); PV (Parks Victoria); RDV (Regional Development Victoria); SV (Seeding Victoria); T4N (Trust for Nature); VR (VicRoads)

11.2.3 Integrated Water Management – Werribee Catchment and Central Highlands

Introduction

File No.: 20/01/010, 20/02/017

Author: Justin Horne

General Manager: Satwinder Sandhu

Background

In October, 2017 the Department of Environment, Land, Water and Planning (DELWP), released the *Integrated Water Management Framework for Victoria* which was identified as Actions 5.7 and 5.8 of *Water for Victoria*.

The Integrated Water Management (IWM) Framework proposes the establishment of 16 IWM forums across the State. These will comprise of 11 in regional Victoria (figure 1).

The CEO and/or delegated officers from Moorabool Shire were invited to be members of the Central Highlands and Werribee Catchment IWMs (Attachment 11.2.3a).

Due to the growth pressures facing Bacchus Marsh, the Chair of the Werribee Integrated Water Management requested the CEO to attend the forums. The Coordinator, Environmental Planning was nominated to represent Council at the Central Highlands Integrated Water Management forums.

The objective of these forums is to ensure that a collaborative approach is undertaken with organisations and agencies that are involved in waterways and water management, including wastewater, planning, potable and recycled water supply, stormwater and water treatment, to ensure a secure water supply for Victoria in the future.

These forums will consider the environmental, social, cultural and economic benefits of water supply and management.



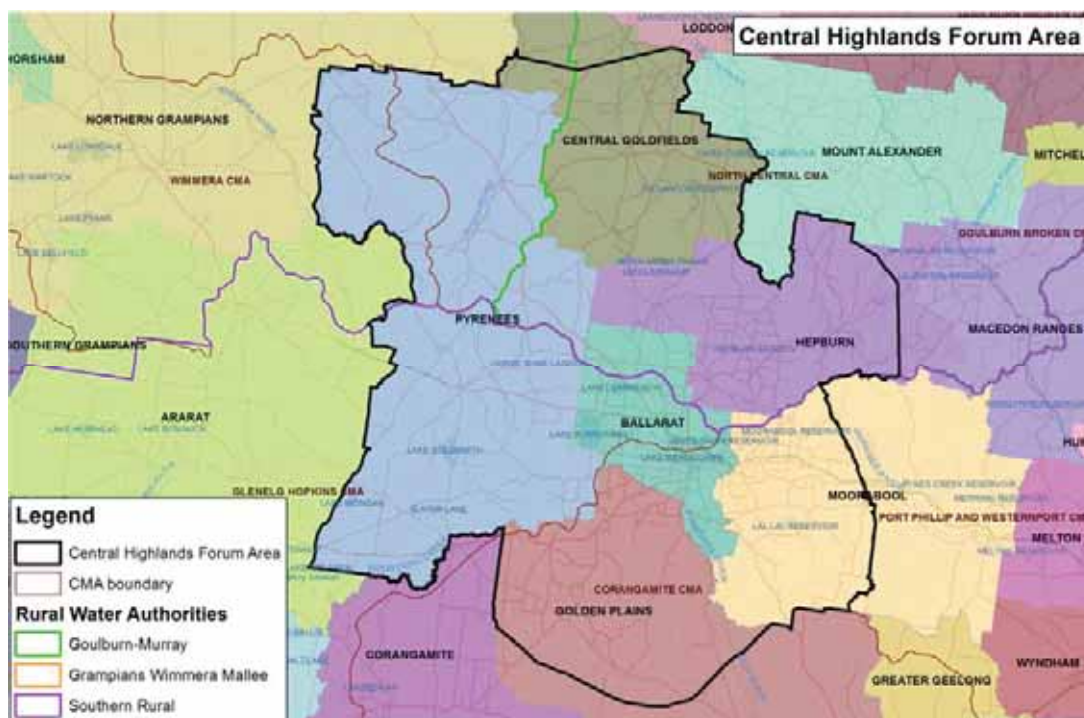
Map 1: IWM regional forums (Central Highlands shown with red outline)



Map 2: IWM metropolitan Melbourne forums (Werribee Catchment shown with brown outline).

Central Highlands IWM

The Central Highlands IWM includes the municipalities of Moorabool, Hepburn, Central Goldfields, Pyrenees, Golden Plains and Ballarat (map 2). It includes the settlements of Gordon, Wallace, Bungaree and Dunnstown. Ballan is covered in the Werribee IWM, however there has been conversations in the forum about interaction of towns on the IWM boundaries and potential for crossover projects between IWM areas.



Map 2: Central Highlands IWM area

Representation on the Central Highlands IWM comprises of the Councils listed above, as well as the following:

- Department of Environment, Land, Water & Planning (DELWP);
- Central Highlands Water;
- Goulburn Murray Water;
- Southern Rural Water;
- Corangamite Catchment Management Authority;
- North Central Catchment Management Authority;
- Glenelg Hopkins Catchment Management Authority;
- Dja Dja Wurrung Aboriginal Corporation; and
- Wathaurang Aboriginal Corporation.

The Central Highlands IWM commenced on 19 March 2018, with the project timeline outlined in table 1 below:

Timing	Action
March 2018	Forum 1: Establishment and Vision (completed)
April 2018	Working Group Workshop 1: Opportunity Identification and Prioritisation Criteria (completed)
May 2018	Working Group Workshop 2: Opportunity prioritisation
June 2018	Forum 2: Priority opportunity review (including presentations from working group) and Strategic Directions Statement outline discussion
July 2018	Working Group Workshop 3: Feedback session and refinement of prioritised opportunities
August 2018	Forum 3: Strategic Directions Statement: Draft Approval
September 2018	Strategic Directions Statement Finalisation

Table 1: Central Highlands IWM timelines

As the project area centres on the major population centre of Ballarat, Council staff anticipate that many of the actions will revolve around Ballarat urban area. Staff will promote opportunities for the key towns of Dunnstown, Wallace and Bungaree as well as the potential use of recycled water to ensure the security of agriculture in the shire.

The workshop to be held in May/June, 2018 will go through potential projects that all stakeholders have developed.

Table 2 lists the preliminary projects identified by Moorabool staff for the project area.

Title	Brief Description	Potential Lead	Potential Partner (s)
Increased flows to the Moorabool River	Utilising recycled water (either storm and/or waste water) from Ballarat growth areas to reintroduce treated water to the Moorabool River from its headwaters at the Moorabool Reservoir, for social, cultural, environmental and economic benefits.	Central Highlands Water Corangamite CMA	Moorabool Shire City of Ballarat DELWP
Sustainable food production	Utilising recycled water (either storm and/or waste water) from Ballarat growth areas to facilitate continued and new agricultural production in the CH region	Central Highlands Water	All Councils RDV

IWM for small towns	Development of planning and infrastructure guidelines for the implementation of IWM in small towns including connection and reuse of sewage and septic	Central Highlands Water	All Councils DELWP
Sewering of Wallace and Bungaree	Investigation of reticulated sewer, confirmation of stakeholder support for financial contribution and insertion of project into 5yr CHW works program.	Central Highlands Water	Moorabool Shire

Table 2: List of potential projects identified for Moorabool Shire. Further projects will be identified at the Workshop scheduled for May 2018.

Werribee Catchment IWM Forum:

The first Werribee Catchment IWM Forum was held on 12 December, 2017. As The catchment area is outlined in figure 3. It includes Bacchus Marsh, Ballan and Myrning.

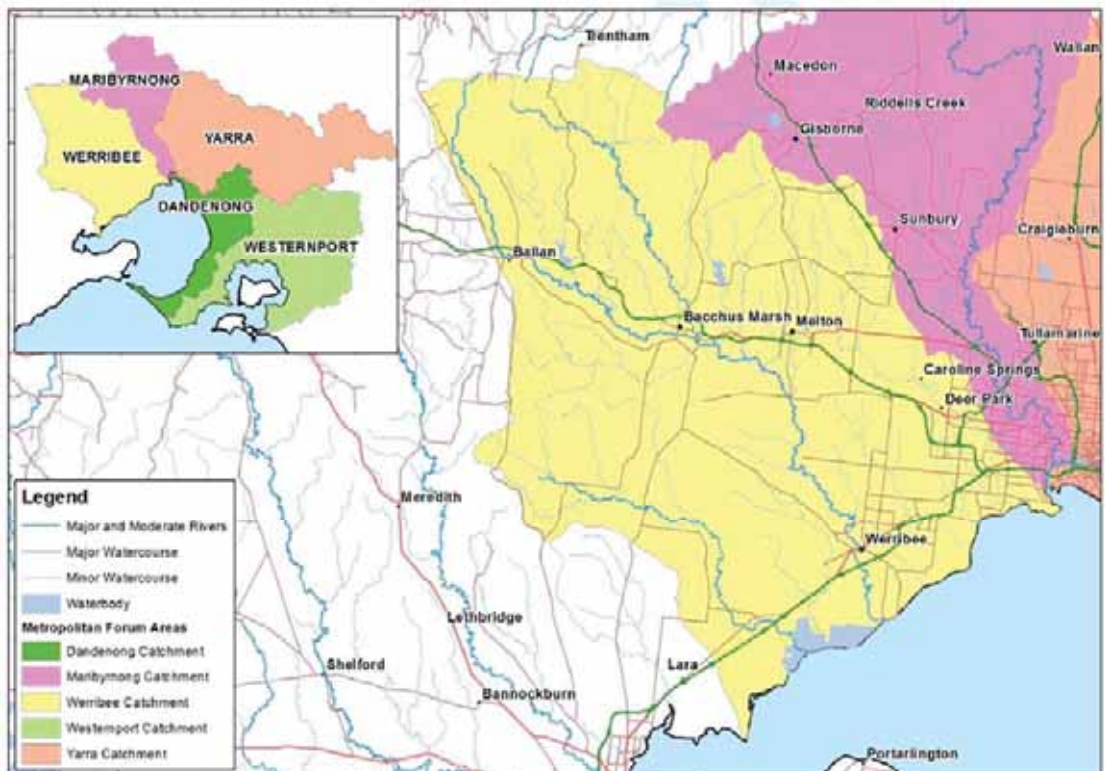


Figure 3: Werribee Catchment

Due to the high population in west Melbourne that the catchment covers to the east and south of Moorabool, it is expected that this forum will focus primarily on issues arising from the significant urban development that the catchment is experiencing, especially in Melton and Wyndham, and what actions need to be undertaken throughout the whole catchment.

The forum was attended by representatives from the following organisations:

- DELWP;
- Melbourne Water;
- Port Phillip and Westernport Catchment Management Authority;
- Southern Rural Water;
- Western Water;
- City West Water;
- VPA;
- Local Government; and
- Wurundjeri Land & Compensation Cultural Heritage Council Aboriginal Corporation.

Timing	Action
December 2017	Forum 1: Establishment and Vision (completed).
February 2018	Working Group Workshop 1: Opportunity Identification and Prioritisation Criteria (completed).
April 2018	Working Group Workshop 2: Opportunity prioritisation.
May 2018	Forum 2: Priority opportunity review (including presentations from working group) and Strategic Directions Statement outline discussion.
June 2018	Working Group Workshop 3: Feedback session and refinement of prioritised opportunities.
July 2018	Forum 3: Strategic Directions Statement: Draft Approval.
September 2018	Strategic Directions Statement Finalisation

Table 3: Werribee Catchment IWM timelines

The draft Strategic Directions Statement (SDS) is attached to this report (Attachment 11.2.3b).

Title	Brief Description	Potential Lead	Potential Partner (s)
Updating existing planning controls and guidelines for existing approved Green and Brown Field development	Actions to immediately improve IWM outcomes within the existing approved Precinct Structure Plans and Development Plans in existing approved Green and Brown Field developments.	DELWP	All Councils VPA

Western Irrigation Network (WIN) Project	Upgrade and connection of existing Western Water treatment plants to provide recycled water	Western Water	Moorabool Shire Melton City Council Macedon Ranges Shire Melbourne Water
BMID Modernisation	Upgrade of existing open irrigation channels through Bacchus Marsh	SRW	Moorabool Shire
Embedding IWM in planning processes	Improvements to planning schemes and guidance around the implementation of IWM in new developments	Melbourne Water	DELWP Local Government
Parwan Employment Precinct	Provision of Class A Recycled Water to the Parwan Employment Precinct via the WIN Project	Western Water	Moorabool Shire RDV

Table 4: List of key potential projects identified for Moorabool Shire. Further projects will be identified at the Workshop scheduled for May/June 2018.

The full list of projects is attached as attachment 11.2.3c.

Policy Implications

The Council Plan 2017 – 2021 provides as follows:

Strategic Objective 2: Minimising Environmental Impact

Context 2B: Natural Environment

Moorabool Sustainable Environment Strategy: Implement the action plan.

Financial Implications

There are no immediate financial implications associated with the consideration of this report, beyond the current allocation of funding to manage, enhance and promote existing assets owned and or managed by Council.

Potential outcomes from the Integrated Water Management forums may result in changes to the prioritisation of developer contributions for water infrastructure projects.

Risk & Occupational Health & Safety Issues

There are no direct risk or occupational health and safety issues associated with the recommendations contained within this report.

Community Engagement Strategy

No community engagement is proposed.

Communications and Consultation Strategy

No community engagement or consultation is proposed.

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 – Justin Horne

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

Conclusion

In October 2017, the Department of Environment, Land, Water and Planning (DELWP), released the *Integrated Water Management Framework for Victoria* which was identified as Actions 5.7 and 5.8 of *Water for Victoria*.

The Integrated Water Management (IWM) Framework proposes the establishment of 16 IWM forums across the State. These will comprise of 11 in regional Victoria (figure 1).

Moorabool Shire is a member of the Central Highlands and Werribee Catchment IWMs.


The objective of these forums is to ensure that a collaborative approach is undertaken with organisations and agencies that are involved in waterways and water management, including wastewater, planning, potable and recycled water supply, stormwater and water treatment, to ensure a secure water supply for Victoria in the future.

A draft Strategic Directions Statement and projects for the Werribee Catchment IWM has been completed and requires in principle Council support.

Work is still progressing on the draft Strategic Directions Statement and projects for the Central Highlands IWM, with a report to be presented to Council on completion.

Recommendation:**That Council:**

1. Provides in principle support to the:
 - a. Draft Werribee Catchment Strategic Directions Statement and the listed projects.
 - b. Central Highlands Integrated Water Management process and the listed projects.
 2. Continues to receive progress reports on the Central Highlands Integrated Water Management and Werribee Integrated Water Management processes.
 3. Invites DELWP to present to Council on the Integrated Water Management Framework for Victoria.
-

Report Authorisation**Authorised by:**

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Tuesday, 15 May 2018

Attachment - Item 11.2.3a



Department of Environment,
Land, Water and Planning

PO Box 500, East Melbourne,
Victoria 8002 Australia
delwp.vic.gov.au

Mr Rob Croxford
Chief Executive Officer
Moorabool Shire Council
PO Box 18
Ballan VIC 3373

MOORABOOL SHIRE COUNCIL
CENTRAL RECORDS

9 March 2018

14 MAR 2018

Dear Mr Croxford

File No. 02/10/005

Invitation to attend Central Highlands Integrated Water Management Forum

The Minister for Water, the Hon Lisa Neville MP, has asked me to invite you to attend the Integrated Water Management Forum for the Central Highlands region, of which I have been appointed Chair (see enclosed letter).

As you may be aware, the Victorian Government released *Water for Victoria* in October 2016. Chapter five of *Water for Victoria* discusses the role of water in creating resilient and liveable cities and towns in the context of population growth and climate change. There is collective responsibility for delivering these water related outcomes across organisational and disciplinary boundaries.

Your organisation is critical to the delivery of *Water for Victoria* in the Central Highlands region, particularly Actions 5.7 and 5.8 which cover integrated water management and representing community values in place-based planning.

Water for Victoria commits to putting integrated water management into practice. To facilitate this, Minister Neville released the *Integrated Water Management Framework for Victoria* in September 2017 as a guide to how organisations can work in partnership to achieve greater community benefit (see document and link enclosed). The cornerstone of this framework is the convening of forums that bring together chief executive officers and managing directors of local government and water sector organisations with their responsibility, local understanding, and authority.

The forums will have a broad scope, and will look for opportunities for the water corporations to work with local government and other stakeholders to improve flood management, green space activation, alternative water provision, environmental and waterway health and climate adaptation. Linking land use planning and water management is also essential and requires alignment of strategic and statutory planning processes. The only way to achieve these outcomes is through working collaboratively, with local government playing a critical role to focus the conversation on the community and the services that benefit them. The Central Highlands Integrated Water Management (IWM) Forum will provide a setting for collaboration with other leaders in the region.

Representatives will work together to create a vision and strategic action for water management in their forum area that is compatible with their own organisational objectives. This process will determine viable opportunities and priorities for integrated water management at the place-based scale, reflecting the unique social and environmental context of the catchment and the community that you serve.

In regional Victoria there will be eleven forums based around urban water corporation boundaries, and in Metropolitan Melbourne, there are five IWM Forums based on waterway catchment boundaries. The

Department of Environment, Land, Water and Planning (DELWP) alongside Central Highlands Water will facilitate this process and provide secretariat support.

The forums will consider the values of Traditional Owners and invite them to participate where possible. Other stakeholders such as the Victorian Planning Authority, VicRoads, Parks Victoria and the Environment Protection Authority may be invited to attend by agreement of core forum members.

The first IWM forum for the Central Highlands region is scheduled for:

Date: Monday 19 March 2018
Venue: RACV Goldfields, Creswick
Forum Meeting: 11:00 – 1:00 (arriving at 10:30)
Light lunch: 1:00 – 1:30 (optional)

If you would like further clarification or to discuss any aspects of the Forum prior to the first meeting, please do not hesitate to contact me on 5320 3102 or jeff.haydon@chw.net.au

Regards



Jeff Haydon
Chair, Central Highlands Integrated Water Management Forum

Enclosed:

1. [Integrated Water Management Framework for Victoria](#) [Click link]
2. Letter from Minister Neville



Hon Lisa Neville MP

Minister for Police
Minister for Water

8 Nicholson Street
East Melbourne, Victoria 3002
Telephone 03 9637 9654
DX210098

Mr Jeff Haydon
General Manager, Infrastructure Planning and Operations
Central Highlands Water
7 Learmonth Rd
WENDOUREE VIC 3355

Ref: MBR035861



Dear Mr Haydon

INVITATIONS TO INTEGRATED WATER MANAGEMENT FORUM

Congratulations and thank you for agreeing to chair the Integrated Water Management (IWM) Forum for the Central Highlands region. Your experience will provide a strong foundation to establish and lead a collaborative culture where every representative is heard and engaged.

The Central Highlands IWM Forum will help local governments and water sector organisations to work together on urban water management outcomes including safe, secure and affordable water supply and wastewater systems, flood resilience, waterway health and healthy urban landscapes.

The *Integrated Water Management Framework for Victoria* provides a platform for how this can be achieved. The Central Highlands IWM Forum will build upon the Ballarat City IWM Plan and be a catalyst for continuing to embed an IWM approach more broadly across the region to deliver on commitments in *Water for Victoria Chapter Five – Resilient and liveable cities and towns*.

To establish the Central Highlands IWM Forum, I would like you to invite the following people, on my behalf. Each person in this group leads an organisation that has a clear responsibility for aspects of water cycle management and a distinct leadership role to play in achieving community liveability.

- Mr Paul O'Donahue, Managing Director, Central Highlands Water
- Mr Graham Phelps, Chief Executive Officer, Corangamite Catchment Management Authority
- Mr Adam Bester, Chief Executive Officer, Glenelg Hopkins Catchment Management Authority
- Mr Brad Drust, Chief Executive Officer, North Central Catchment Management Authority
- Mr Pat Lennon, Managing Director, Goulburn Murray Water
- Mr Clinton Rodda, Managing Director, Southern Rural Water
- Ms Justine Linley, Chief Executive Officer, City of Ballarat
- Ms Lucy Roffey, Chief Executive Officer, Central Goldfields Shire Council
- Mr Eric Braslis, Chief Executive Officer, Golden Plains Shire Council
- Mr Jim Nolan, Chief Executive Officer, Hepburn Shire Council
- Mr Rob Croxford, Chief Executive Officer, Moorabool Shire Council
- Mr Aaron van Egmond, Chief Executive Officer, Pyrenees Shire Council
- Mr Grant Hull, Acting Regional Director, Grampians Region, Department of Environment, Land, Water and Planning (DELWP)
- Mr Paul Davis, General Manager, Wathaurung Aboriginal Corporation
- Mr Rodney Carter, Chief Executive Officer, Dja Dja Wurrung Aboriginal Corporation.



In addition, the DELWP Water and Catchments Division will provide support and attend the forum. There may also be other organisations that have water cycle related responsibilities and opportunities in your forum area. I encourage you to involve their leaders in the forum and planning process as you deem appropriate.

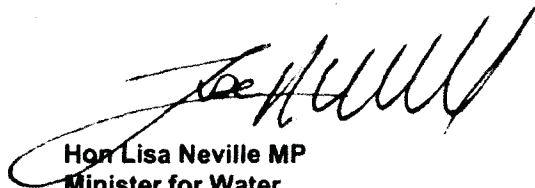
As emphasised in *Water for Victoria*, it is also essential that the forum considers and incorporates community voices and Traditional Owner values in the planning and management of water.

Please ensure that Traditional Owners of Country within the Central Highlands region are encouraged to participate as they wish and are empowered to influence forum priorities.

In preparation for the inaugural Central Highlands IWM Forum, please ask each forum representative to bring to the discussion the expectations of their residents and customers. This will feed into the strategic direction of your forum, while specific engagement to involve local communities in the IWM planning process will be appropriate as place-based planning proceeds.

I look forward to hearing in the coming year about the outcomes that the Central Highlands IWM Forum is working towards to ensure that our communities are resilient and liveable, now and in the future.

Yours sincerely



Hon Lisa Neville MP
Minister for Water

713118



Department of Environment,
Land, Water and Planning

PO Box 500, East Melbourne,
Victoria 8002 Australia
delwp.vic.gov.au

Mr Rob Croxford
Chief Executive Officer
Moorabool Shire Council
PO Box 18
BALLAN VIC 3342

MOORABOOL SHIRE COUNCIL
CENTRAL RECORDS

20 OCT 2017

11 October 2017

File No. 02/10/005

Dear Mr Croxford

INVITATION TO ESTABLISH WERRIBEE INTEGRATED WATER MANAGEMENT FORUM

It was a pleasure to meet with you recently to discuss the purpose of the Integrated Water Management Forum for the Werribee Catchment. Following those discussions I am convinced that there are many benefits that can be achieved through the work of this Forum, and your involvement in it. I mentioned at the meeting that, as the Forum's independent chair, I would be writing to you on behalf of the Minister for Water, the Hon. Lisa Neville MP, to formally invite you to participate in the Forum. Please find attached a copy of the letter I have received from the Minister requesting this to happen.

As you know, the first meeting of this Forum will be on the 12th December 2017 - further details will be forthcoming as the venue and agenda is confirmed.

Background

As you know, the Victorian Government released *Water for Victoria* in October 2016. Chapter five of *Water for Victoria* discusses the role of water in creating resilient and liveable cities and towns in the context of population growth and climate change. There is collective responsibility for delivering the outcomes described in Chapter five across organisational and disciplinary boundaries. Moorabool Shire Council is critical to the delivery of *Water for Victoria*, particularly *Actions 5.7 and 5.8* that cover Integrated Water Management and representing community values in place-based planning.

Water for Victoria commits to putting Integrated Water Management into practice. To facilitate this, Minister Neville recently released the *Integrated Water Management (IWM) Framework for Victoria* as a guide to how organisations can work in partnership to achieve greater community benefit (see enclosed document). The cornerstone of the *IWM Framework* is the convening of forums that bring together Chief Executive Officers and Managing Directors of local government and water sector organisations on 3 or 4 times a year to collaborate and collectively lead its implementation.

The IWM Forums will have a broad scope and look for opportunities such as improved flood management, green space activation, alternative water provision, environmental and waterway health and climate adaptation. Linking land use planning and water management is essential and requires alignment of strategic and statutory planning processes. IWM Forums have been established in recognition that the best way to achieve these outcomes is through working collaboratively and focusing the conversation on the community and the services that benefit them. To that end, it is my intention that the Werribee IWM Forum will provide you with a valuable setting to collaborate with other leaders in the Werribee Catchment and deliver better outcomes at both the community and organisational level.

Representatives will work together to create a vision and strategic action for water management in the catchment that is compatible with your own organisational objectives. This process will determine viable opportunities and priorities for IWM at the place-based scale, reflecting the unique social and environmental context of the catchment and its communities.

In Metropolitan Melbourne, there will be five IWM Forums based on waterway catchments and in regional Victoria a further eleven forums based around urban water corporation boundaries. The Department of Environment, Land, Water and Planning (DELWP) will facilitate this process and provide secretariat support. Katie Burns is the Senior Project Manager for the Werribee IWM Forum (katie.burns@delwp.vic.gov.au; 03 9637 9295; 0438 287 468).

In addition to local government and urban water corporations, the IWM Forums will also consider the values and usage of Traditional Owners, and may involve key stakeholders such as the Victorian Planning Authority, Southern Rural Water Corporation and Port Phillip and Westernport Catchment Management Authority.

Next steps

I appreciated the opportunity to meet with you recently to discuss the IWM program, and look forward to continuing this discussion at the first meeting of the Werribee IWM Forum on the 12th December. Following this, it may be appropriate to have another conversation in preparation for the second forum meeting. If this is the case Katie or another DELWP representative will be in touch to arrange a mutually convenient time to meet or chat by phone.

If you have any questions in the meantime, please do feel free to contact me directly by phone: 0419 366 348 or email: robskinner1@bigpond.com.

I look forward to working with you.

Yours sincerely,



Prof Rob Skinner

Chair, Werribee Integrated Water Management Forum

Enclosed:

1. Letter from Minister Neville
2. Integrated Water Management Framework for Victoria and a 2-page summary
3. Map of Werribee IWM Forum area



Hon Lisa Neville MP

Minister for Police
Minister for Water

8 Nicholson Street
East Melbourne, Victoria 3002
Telephone 03 9637 9654
DX210098

Professor Rob Skinner
Chair, Werribee Integrated Water Management Forum
Monash Water Sensitive Cities
Building 74, Monash University
Wellington Rd,
Clayton Victoria 3800

Ref: MBR034362



Dear Professor Skinner 

INVITATIONS TO INTEGRATED WATER MANAGEMENT FORUMS

Congratulations and thank you for agreeing to chair the Integrated Water Management (IWM) Forum for the Werribee Catchment, and take on the role of Lead Chair for the IWM program. Your experience will provide an excellent foundation to establish and lead a collaborative culture where every representative is heard and engaged.

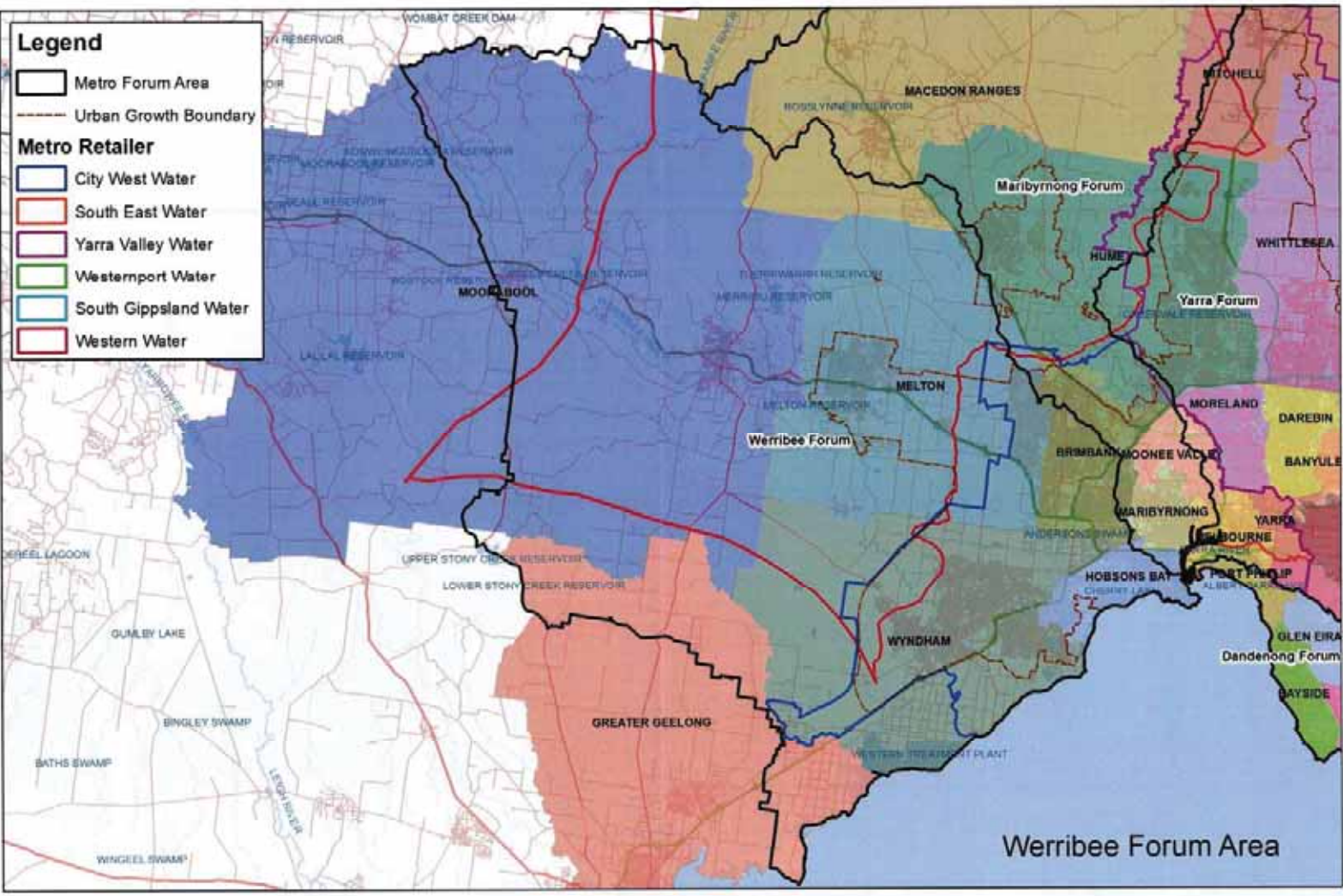
The Werribee IWM Forum will help local governments and water sector organisations work together on urban water management for diverse water related outcomes including water supply, wastewater, flood resilience, waterway health and healthy urban landscapes. In many cases achieving this will also require collaboration with land managers and influence planning processes.

The new *Integrated Water Management Framework for Victoria* provides a platform for how this can be achieved. Your forum will be the catalyst for an IWM approach that delivers on commitments in *Water for Victoria Chapter Five – Resilient and liveable cities and towns*.

To progress this, I would like you to invite the following people, on my behalf, to establish the Werribee IWM Forum. Each person in this group leads an organisation that has a clear responsibility for aspects of water cycle management and a distinct leadership role to play in achieving community liveability.

Mr Chris Eddy, Chief Executive Officer, Hobsons Bay City Council
Mr Clinton Rodda, Managing Director, Southern Rural Water
Mr David Buntine, Chief Executive Officer, Port Phillip and Westernport CMA
Mr David Ryan, Managing Director, City West Water
Ms Helen Morrissey, Chief Executive Officer, Brimbank City Council
Ms Kelly Grigsby, Chief Executive Officer, Wyndham City Council
Mr Kelvin Tori, Chief Executive Officer, Melton City Council
Mr Michael Wandmaker, Managing Director, Melbourne Water
Mr Neil Brennan, Managing Director, Western Water
Mr Rob Croxford, Chief Executive Officer, Moorabool Shire Council
Mr Stuart Moseley, Chief Executive Officer, Victorian Planning Authority

In addition to those named above, there may be other organisations that have water cycle related responsibilities and opportunities in your forum area. I encourage you to involve and invite their leaders in the IWM Forum and planning process as you determine appropriate.



Integrated Water Management Framework Fact Sheet

An Integrated Water Management (IWM) approach to urban water planning and shared decision making throughout Victoria



The *Integrated Water Management Framework for Victoria* aims to help government, the urban water sector and the community work together to better plan and deliver solutions for water management in Victoria.

Why IWM?

An IWM approach has the potential to provide greater value to our communities by identifying and leveraging opportunities to optimise the outcomes of water cycle planning and management. By embedding collaborative planning and understanding shared stakeholder values, a better range of solutions can be found.

This Framework utilises the knowledge and experience of water sector organisations. This is the first time that the systematic application of collaborative IWM has been designed and promoted at a statewide scale in an Australian context. The IWM approach complements and feeds into existing water and land planning processes.

Shared values and outcomes



delwp.vic.gov.au

Clear accountabilities and shared values

An IWM approach to planning requires water sector members to clearly understand their own accountabilities and those of other organisations. This clarity facilitates the allocation of benefits, costs and risks for integrated solutions.

IWM Forums

The Victorian Government will support the establishment of IWM Forums to identify and prioritise areas that would benefit from collaborative place-based planning. IWM Forums are collaborative groups of leaders who represent organisations with an interest in water cycle management. The Forums will consider the urban water cycle, which is made up of natural and constructed assets, including waterways, groundwater, water supply, sewerage and drainage. These are influenced by landscapes and land development.

IWM Forums will identify, coordinate and prioritise IWM opportunities.

Governance

An effective governance model is needed to translate community objectives for water management into practice. The ideal governance approach will have the right balance of structure and agility, and acknowledge turnover of individuals over time.

Guidance and support

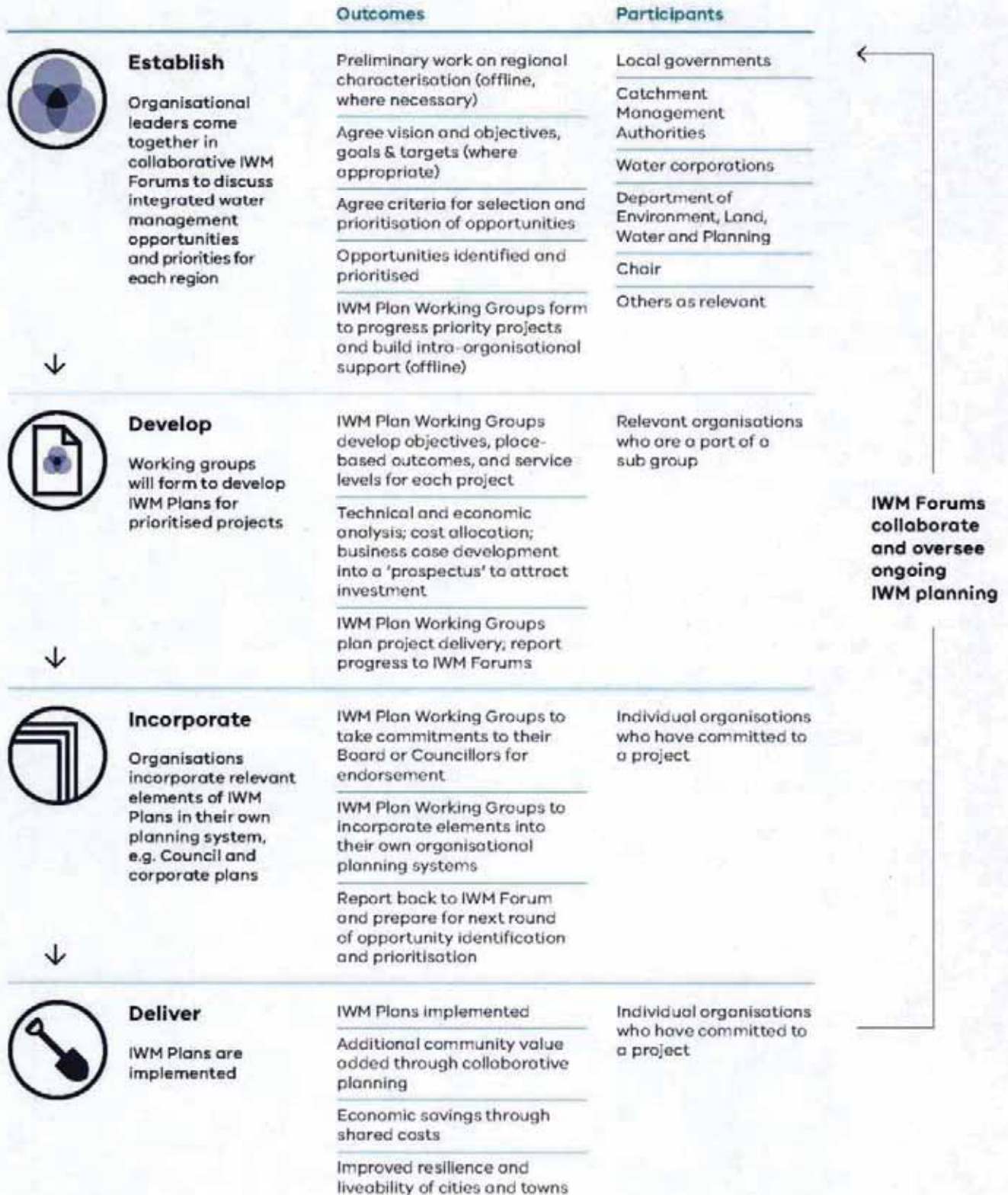
Water for Victoria discusses supporting urban water sector members with a range of information and tools to assist IWM planning and implementation.



Environment,
Land, Water
and Planning

Integrated Water Management Framework Fact Sheet

IWM Forum led planning process



Attachment - Item 11.2.3b



Werribee Integrated Water
Management Forum

Strategic Directions Statement

DRAFT FOR DISCUSSION

30 April 2018

Supported by



Environment,
Land, Water
and Planning

Acknowledgment of Victoria's Aboriginal communities

The Victorian Government proudly acknowledges Victoria's Aboriginal communities and their rich culture; and pays its respects to their Elders past and present. The government also recognises the intrinsic connection of Traditional Owners to Country and acknowledges their contribution in the management of land, water and resources.

We acknowledge Aboriginal people as Australia's first peoples and as the Traditional Owners and custodians of the land and water on which we rely. We recognise and value the ongoing contribution of Aboriginal people and communities to Victorian life and how this enriches us. We embrace the spirit of reconciliation, working towards the equality of outcomes and ensuring an equal voice.

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DRAFTING NOTE

Front cover design forthcoming

Inside cover design forthcoming

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DRAFT

DRAFTING NOTE
 Table of Contents design forthcoming
 Part A & B layout separates strategic outcomes and regional context from place-based opportunities and projects

Foreword

DRAFTING NOTE

SDS Foreword - author TBC

Acknowledgements

The Werribee Integrated Water Management Forum was convened on 12 December 2017 in Caroline Springs, 25 km west of Melbourne's Central Business District. The Forum Area covers some of Victoria's fastest urbanising greenfield areas and will be the site of substantial population growth in the coming years. Situated on the eastern extent of the Victorian Volcanic Plain, a vast geographic area characterised by sweeping grasslands, stony rises and shallow lakes, the Werribee catchment contains a breadth of iconic Victorian landscapes expressive of the volcanic creation of the region and the cultural history of early settlement. The Forum Area includes a major food bowl for Victoria and Australia, numerous nature conservation and wildlife reserves and ecologically significant wetlands extending from the western shores of Port Phillip Bay. Preservation and management of the catchment's landscapes will have a positive impact on the long-term health and security of the region's waterways.

The Forum Area covers the traditional lands of the Wurundjeri, Wathaurung and Bunurong people of the Kulin nation. This region is abundant in Aboriginal cultural sites with a majority of these found near waterways and the coast. The Department of Environment, Land, Water and Planning acknowledges these Traditional Owners as traditional custodians who have managed land and water sustainability over thousands of generations and maintain an active connection to Country.

The Werribee Integrated Water Management Strategic Directions Statement has been developed by the Werribee Integrated Water Management Forum. Members of this Forum include the Chief Executive Officers and Managing Directors of the following organisations:

Brimbank City Council

Moorabool Shire Council

Bunurong Land Council Aboriginal Corporation
(LCAC)

Port Phillip and Westernport Catchment
Management Authority (PP&WP CMA)

City West Water

Southern Rural Water

Department of Environment, Land, Water and
Planning (DELWP)

Victorian Planning Authority

Hobsons Bay City Council

Wathaurung Aboriginal Corporation

Macedon Ranges Shire Council

Western Water

Melbourne Water

Wurundjeri Land & Compensation Cultural Heritage
Council Aboriginal Corporation (L&CCHCAC)

Melton City Council

Wyndham City Council

Introduction

Overview

The extent and density of development across Greater Metropolitan Melbourne has a major impact on the condition of waterways entering both Port Phillip Bay and Western Port. For the Werribee catchment, a diverse geographic area encompassing windswept agricultural plains, natural forests, wetlands, coastal environments and dense urban areas, balancing the impacts of land use and urbanisation on waterway health is complex and requires careful management.

The water cycle in the Werribee catchment is overseen and managed by several agencies. Local governments, catchment management authorities and water corporations have a shared interest in delivering enduring environmental, economic, cultural and social benefits to their local communities through initiatives that will enhance regional resiliency and liveability, particularly during periods of change. Enhanced collaboration in the way in which land and water are planned and managed will be fundamental to ensuring these aspirations are realised.

This approach is Integrated Water Management (IWM). A central premise of IWM is the overall acceptance that achieving liveable and resilient communities is a shared responsibility.

The *Integrated Water Management Framework for Victoria* is designed to help local governments, water corporations and catchment management authorities work together to ensure the water cycle efficiently contributes to the liveability of a region, with communities at the centre of decision-making. Through ongoing engagement with their communities, these organisations have heard that thriving waterways are inextricably linked to local identity, amenity, cultural value and the continued economic success of a region.

To assist organisations to deliver these long-term benefits, IWM Forums have been established across the state to identify, prioritise and oversee the

Integrated Water Management is a collaborative approach to planning that brings together organisations that influence the water cycle. It has the potential to provide greater value to our communities by identifying and leveraging opportunities to optimise outcomes.

implementation of critical collaborative water opportunities. The Werribee IWM Forum oversees IWM planning and implementation for the Werribee catchment.

What is a Strategic Directions Statement?

This Strategic Directions Statement (SDS) articulates the regional context, shared vision and strategic water-related outcomes for the Werribee catchment.

It also outlines a range of strategic policy and framework enablers for putting IWM into practice, as identified by the IWM Forum members across Victoria. This information is included in **Part A** of this SDS.

Part B of this SDS includes a prioritised list of IWM projects and strategies developed in collaboration by the Werribee IWM Forum partners. Part B also sets out an action plan to progress these IWM projects and strategies.

Partners of the Werribee Forum are committing their best endeavours to:

- Support DELWP to progress priority strategic enablers for IWM in Victoria; and
- Ensure priority projects and strategies are progressed in line with the shared vision and strategic outcomes of the Werribee catchment.

It is envisaged that the SDS will be a living document which will be updated to reflect the Werribee IWM Forum's current priorities and opportunities.

DRAFTING NOTE

IWM definition – call out box with quote

Following the second meeting of the Werribee IWM Forum in April 2018, IWM Forum members will share their feedback before a final draft of the SDS is considered for in-principle support.

Enduring Collaboration

How we're working together

The Werribee IWM Forum identifies, coordinates and prioritises areas that would most benefit from collaborative and place-based water management planning and projects.

The Forum brings together 18 organisations with an interest in water cycle management across the Werribee catchment. These organisations include four water corporations, seven local governments, the Port Phillip and Westernport Catchment Management Authority, representatives of Bunurong, Wadawurrung and Wurundjeri Traditional Owner interests, the Department of Environment, Land, Water and Planning (DELWP) and the Victorian Planning Authority.

To ensure IWM is successful and enduring across the region, the Werribee IWM Forum partners have committed to the promotion of a collaborative and shared values culture within their own organisations and beyond through their work with key water cycle delivery partners and local communities.

The Werribee IWM Forum is governed by an open and transparent IWM planning process (Figures X and XX).

This process assumes a holistic, whole-of-cycle approach to determine water cycle solutions, considering regulatory accountabilities and delivery responsibilities.

Each organisation has an important role to play in the decision-making and management of the catchment's water, resources and assets.

Collaboration across IWM Forum partners will ensure balanced consideration of the complex economic, environmental, cultural and community benefits and impacts associated with the range of proposed IWM projects and work programs.

The Werribee IWM Forum partners will continue to work together to build inter-organisational trust and develop productive, enduring relationships to realise the shared vision for the Werribee catchment.

Further information on the IWM Forum's governance and planning framework is outlined in the *Integrated Water Management Framework for Victoria*, available www.delwp.vic.gov.au.

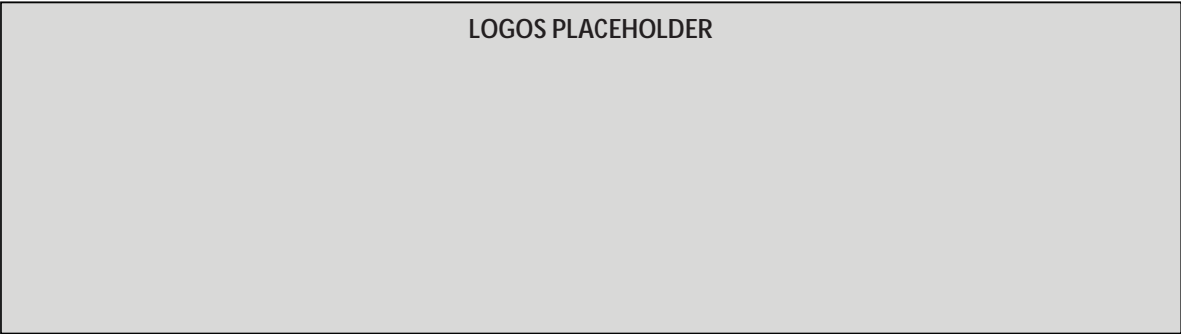


Figure X IWM planning governance structure.

DRAFTING NOTE

Insert print quality gfx (Figure X)

Insert Forum member logos (Consider 2-page spread)



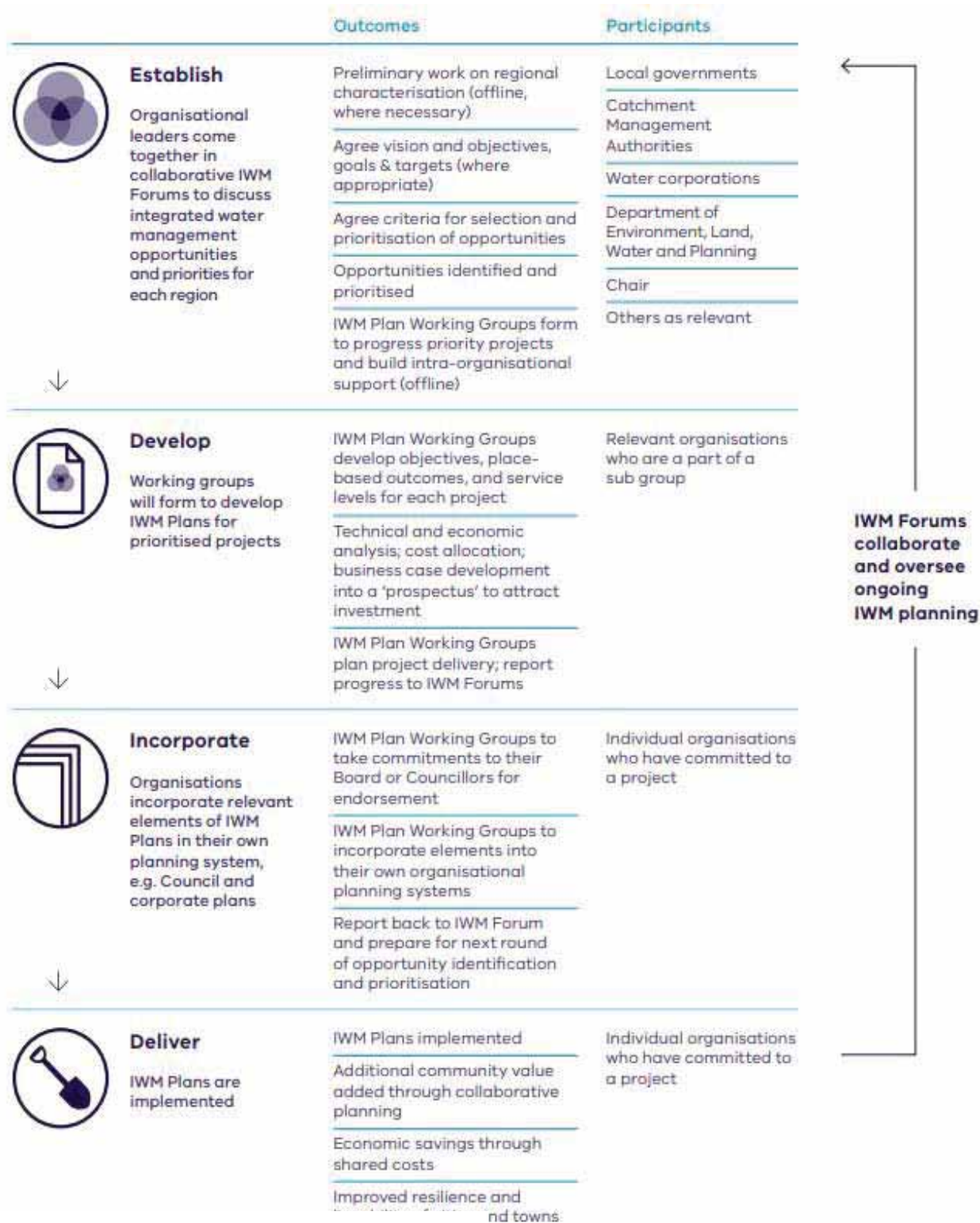


Figure XX IWM planning process.

DRAFTING NOTE

Insert print quality gfx (Figure XX)

Consider 2-page spread

Regional Context

The Werribee IWM Forum Area encompasses some of Victoria's most iconic waterways and landscapes. The catchment covers an area of approximately 2,715 km², extending along the southern reaches of the Great Diving Range at the Wombat State Forest, south across dry, flat to gently undulating plains scattered with volcanic features, to where grasslands join wetlands on the western shoreline of Port Phillip Bay (Figure Y). It is a geologically and ecologically diverse catchment with a rich cultural history and in recent times, the site of significant urban growth on Melbourne's fringe.

Intensive agriculture dominates much of the Werribee catchment with 67 per cent of the area devoted to the production of leafy vegetables, fruit and turf, as well as poultry, large scale grazing and crop operations. Only five per cent of the catchment is currently zoned for urban land use, though the region will undergo major residential and economic development in the coming years.

The Werribee catchment sustains a range of recreational activities, including nature-based tourism, bushwalking, fishing, cycling and swimming. Commercial activities in the catchment include agriculture, manufacturing and wholesale trade, as well as notable industries in health, education and high-tech research. The catchment hosts the Western Treatment Plant, operated by Melbourne Water, which treats a significant proportion of Melbourne's wastewater and produces recycled water.

The Werribee catchment includes areas of significant value where Aboriginal people once lived, camped and foraged. Werribee is an indigenous word that means backbone or spine.

The name is thought to have its origin in the tree-lined course of the Werribee River, which punctuated the landscape in contrast to the flat, bare plains surrounding the area. Many indigenous artefacts, fish traps and burial sites have been found along the region's waterways, including the Werribee River, which remains a place of significant cultural value to the Wurundjeri, Wadawurrung and Boon Wurrung people.

Population

The Werribee IWM Forum Area has an estimated population of 575,000 and is predicted to grow to 1.35 million by 2040. The region encompasses a major urban growth corridor and significant greenfield residential development in Melbourne's west will occur here over the next 20 to 30 years (Figure YY). Several towns in the region have already transitioned from a primarily rural to a primarily urban municipality, including Melton, and Bacchus Marsh, and further densification and urban renewal is anticipated for Altona, Werribee and Sunshine West, which borders the Werribee and Maribyrnong catchments. The municipality of Wyndham is one of the fastest growing urban areas in Australia with a population that is expected to reach 400,000 by 2050. Much of this growth will occur in Point Cook, among the five fastest growing Australian suburbs, as well as the suburbs of Tarneit and North Wyndham Vale.

DRAFTING NOTE

Insert Figure Y print quality gfx catchment boundary

Insert Figure YY print quality gfx population map

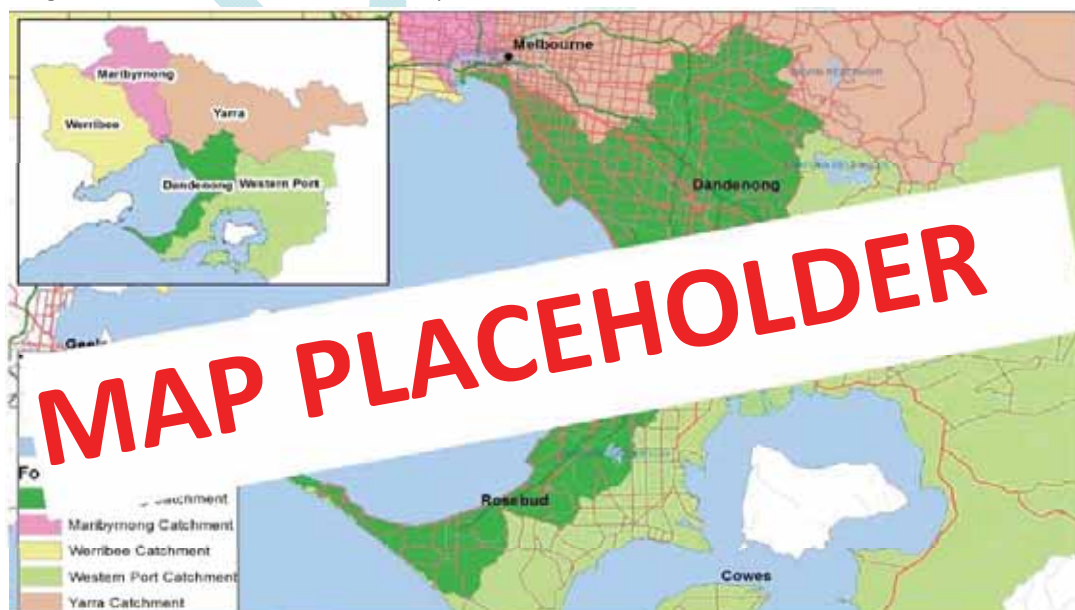


Figure Y Forum catchment boundary.

Protecting the region’s ecologically-diverse and fertile lands and waterways will be a priority to ensure long-term community liveability and resiliency.

Climate Change

The Werribee catchment presents several opportunities to demonstrate regional growth planning and development that is resilient to climate-related impacts. By 2040, average temperatures across the Werribee catchment are expected to rise by an average of 1.3°C. This will increase the impact of the urban heat island effect across the region, with higher density urban areas experiencing greater heat vulnerability than more forested areas in the upper reaches. Extreme heat waves, bushfires and drought will pose significant challenges for this characteristically dry country. Projections for Victoria’s future climate indicate an increase in the frequency and intensity of bushfires for the Werribee catchment and neighbouring regions in Australia’s southeast. The increased risk of bushfire poses a serious threat to the catchment’s communities, infrastructure and high-value native grasslands, forests and ecosystems.

Whilst the catchment is predicted to see a reduction in average annual rainfall over the next 20 years, the intensity of heavy downpour events is expected to rise, increasing the risk of soil erosion and movement, riverine and flash flooding and high volumes of stormwater discharging pollutants to waterways. Increased flows from heavy rainfall events will affect water quality and the health of waterways from the upper reaches downstream to Port Phillip Bay. Coupled with fast-growing residential populations, greenfield development and industrial demands, climate change impacts will place increased pressure on water services in the catchment. The region’s water security has declined over recent decades, negatively impacting productivity within the catchment’s two irrigation districts that together support major producers of fruits and vegetables in Victoria. Opportunities to improve efficiency and tap alternative sources of water will help mitigate climate related pressures and better manage future risks.

Australia’s changing climate will pose a serious threat to the wetlands and coastal environments of the Werribee catchment. Rising sea levels and increased storm surges will increase the costs and impacts of coastal flooding and shoreline erosion on communities and marine ecosystems. The

Western Treatment Plant, an ecologically significant wetland listed under the Ramsar convention, is at risk under climate change conditions due to sea level rise. Protection and improved resilience of this and other environmental and economic assets is a priority for the Werribee catchment.

DRAFTING NOTE

Additional layout space for charts, graphs and illustrations.

Understanding the Werribee catchment as a system

Significant work has been previously completed that develops understanding of the Werribee as a holistic system...

Options to improve water security for the irrigation districts have been examined, and the challenge of optimising the wastewater and stormwater servicing of growth areas and delivering healthy waterways explored.

These projects collectively consider the existing ecological state of the Werribee River, the lower reaches of which are currently flow stressed, and the challenges raised by the rapid development of Melton and North Wyndham Vale growth areas. A critical challenge for the developing catchment is how to manage the volumes of wastewater and stormwater generated from this growth and maintain the health of waterways to which wastewater treatment plants discharge and stormwater drains flow.

(Refer to Appendix page X for further details)

DRAFTING NOTE

Placeholder for graphics explainer/illustration “Werribee as a system”

Consider 2-page spread

Vision and Outcome Areas







Vision

Werribee is a resilient catchment where our growing communities are supported and the health of our diverse environment is enhanced.

IWM Strategic Outcomes

The region is seeking to achieve seven strategic outcomes through IWM. Each of these will have a significant role in shaping the liveability, prosperity and resilience of our cities and towns. These outcome areas provide indicators to assess the effectiveness of the various IWM opportunities.

DRAFTING NOTE
 Note: Outcomes chart indicative only. A print quality gfx will be added here for the strategic outcomes table.
 A legible strategic outcomes table is included in Part B.
 Consider 2-page spread

 Safe, secure and affordable supplies in an uncertain future	 Effective and affordable wastewater systems	 Opportunities are optimised to manage existing and future flood risks and impacts	 Healthy and valued waterways and marine environments	 Valued landscapes for health and well-being.	 Strengthened community knowledge and local values reflected in place-based planning.	 Jobs, economic growth and innovation.
<p>A climate resilient diverse range of fit-for-purpose supplies and resources for agricultural and industrial use, human consumption, ecological and cultural purposes, and recreational amenity.</p> <p>Strategically balanced catchment-based hierarchy of use.</p> <p>Fit-for-purpose water quality meets regulatory standards and community expectations.</p> <p>Demand management and water-wise communities.</p> <p>Water available to maintain valued passive and active green and recreation spaces.</p>	<p>Meets or exceeds public health and environmental standards.</p> <p>Best practice centralised and decentralised septic and sewerage systems and optimised onsite domestic systems to deliver whole of catchment benefits.</p> <p>Waste-to-resource opportunities are maximised for beneficial outcomes.</p>	<p>Appropriate levels of flood management across the catchment considering climate change impacts.</p> <p>Community and property resilient to local flood risk across the catchment and coastal environment.</p> <p>Development in the Werribee catchment recognises and mitigates exacerbated flooding risks.</p> <p>Coordinated urban and flood management planning processes across stakeholders and organisations.</p>	<p>Management of the catchment is integrated and includes the whole water cycle.</p> <p>Impacts from urban, peri urban, irrigation and industrial activities are mitigated to protect our waterways and the Bay.</p> <p>Ramsar wetlands are protected and sustained.</p> <p>The health of all waterway reaches and tributaries are improved.</p> <p>Waterways across the catchment are improved and managed to maintain and protect coastal and marine ecosystems in Port Phillip Bay.</p> <p>Reduced nutrient and sediment discharges to both waterways and Port Phillip Bay.</p> <p>Traditional Owner and Aboriginal values, knowledge and practices are integrated into waterway management.</p>	<p>Active and passive recreation supported by water.</p> <p>Urban landscapes retain moisture for cooler, greener cities and towns.</p> <p>Waterways and coastal environments are accessible as valuable open space.</p> <p>Aboriginal cultural values associated with waterways are protected.</p> <p>Biodiversity is supported through connected habitats within and along waterways and across landscapes.</p>	<p>Diverse landscapes that reflect local conditions, community values and willingness to contribute.</p> <p>Empowered, engaged and water literate community.</p> <p>Local water related risks and issues understood, managed and mitigated.</p> <p>Aboriginal values are understood and recognised early and included in project planning and delivery.</p> <p>Community values communicated to IWM partners are incorporated into the objectives and water cycle decision making for waterways.</p>	<p>Jobs and economic growth supported by water.</p> <p>Innovative planning delivery and operation supported by feasible funding models.</p> <p>Strong governance, collaboration, performance and accountability.</p> <p>Alternative water is used beneficially to drive regional economic growth.</p> <p>Traditional Owner and Aboriginal consultation, engagement and economic development have been comprehensively implemented.</p> <p>Secure alternative water to enable long term water security.</p>

DRAFTING NOTE

This section requires input from Forum Partners to ensure adequacy and accuracy.

The Case for IWM in Werribee

Over the coming years, significant change and growth in the Werribee region will put pressure on the catchment's water cycle and resources, impacting urban and rural landscapes, as well as communities, marine and forest environments and industries. Translating community objectives for water management into practice will involve working across organisational boundaries to achieve the following strategic outcomes.

Safe, secure and affordable supplies in an uncertain future

Six water corporations oversee water supply for the Werribee catchment. These include Melbourne Water, City West Water, Western Water and Southern Rural Water. Barwon Water and Central Highlands Water oversee water supply to a very limited extent within the catchment and as such, are not included as standing members of the Werribee IWM Forum.

The catchment includes reservoirs at Pykes Creek, Merrimu and Melton, which hold water from both the Werribee and Lerderderg River systems. The Werribee Irrigation District, a major food production region in the south of the catchment, receives its irrigation supply from a combination of these storages. Part of the Upper Stony Creek Reservoir is also located within the catchment on its western boundary with the Barwon catchment.

Groundwater is accessed across the catchment and is predominantly used for irrigation. Groundwater is water that is beneath the earth's surface in pores and crevices of rocks and soil. The layers of soil and rock that contain useable quantities of groundwater are called aquifers and these lie beneath all parts of Victoria. Groundwater is allocated for consumptive use under the *Water Act 1989*. Recent years of low rainfall over the Werribee catchment have resulted in low reservoir storage stocks and the increased use of aquifers to store and access water for later use. Managed aquifer recharge (MAR) can optimise water storages and help balance water supply and demand (see Fig YYZZ).

Water security is a growing concern elsewhere due to the rapid growth of areas in the north and west reaches of the catchment. Changes to the water cycle driven by anticipated population growth and climate change means more water will be needed

across the catchment for urban, agricultural and environmental flow purposes. The catchment's residential population is expected to double in next two decades, emphasising the need to diversify the water supply system and reduce dependency on reservoirs.

There is an opportunity to plan for the provision of secure water sources to provide reliable and fit for purpose supplies to Werribee's growing communities, industries and developing precincts.

Effective and affordable wastewater systems

The majority of wastewater generated in the

DRAFTING NOTE

ADD MAR explainer + illustration (Fig YYZZ)

ADD recycled water explainer (TBC)

Werribee catchment is treated at Melbourne Water's Western Treatment Plant, located southwest of Werribee, 32 km from Melbourne's CBD. The plant processes half of Melbourne's sewage and produces almost 40 billion litres of recycled water to irrigate crops, parklands and sporting fields. Recycled water is wastewater that has been collected and treated so that it can be used again for a variety of non-drinking purposes.

The Western Treatment Plant also provides a wetland habitat for tens of thousands of migratory birds. The site is recognised as a wetland of international importance under the Ramsar convention.

The Werribee catchment also contains the smaller Altona Treatment Plant, operated by City West Water. The facility services over 20,000 industrial and residential properties in the catchment's southern coastal communities, including Altona, Altona Meadows and Point Cook. Much of the treated wastewater is used in either manufacturing processes in Laverton or the irrigation of recreational spaces within the community.

The Melton and Bacchus Marsh Recycled Water Plants treat wastewater from their communities throughout the Werribee catchment. The plants are owned and operated by Western Water and supply recycled water to residential and agricultural users. As the west continues to grow, much of the wastewater generated in emerging communities will be treated at these plants. Managing additional volumes of wastewater

generated from this growth and maintaining the health of waterways into which wastewater is discharged will be a significant challenge for the Werribee catchment. There is an opportunity now for organisations to collaboratively determine the best use for added volumes of recycled water produced from the Werribee catchment's increased wastewater generation.

Opportunities are optimised to manage existing and future flood risks and impacts

Most of the flooding in the Werribee catchment is a combination of riverine and stormwater flooding, though coastal flooding and flash flooding can also occur. Riverine flooding by the catchment's major rivers, including the Werribee and Lerderderg Rivers and Kororoit Creek, occurs during periods of heavy and prolonged rainfall where water levels rise and overflow the banks of the waterway.

Several low-lying areas in the region can also experience flash flooding impacting communities, infrastructure and amenities. Moorabool Shire in the catchment's northwest is subject to riverine flooding and flash flooding in urbanised areas, such as Ballan and Bacchus Marsh. These areas are particularly susceptible to overflows from the Werribee River after prolonged periods of rain. Melton West and Brookfield can also be affected by flooding from Arnolds Creek or by heavy rainfall overwhelming local drainage systems. Towards the catchment's south, dense suburban development means that rain water is not easily absorbed by the ground, tending to inundate low-lying communities near the coast. The Werribee catchment's coastal suburbs, including Altona, Seaholme and Williamstown, lie on relatively flat terrain, with some parts lower than sea level. Over the past decade, damage from flash flooding, storm surges and tidal flows from Port Phillip Bay have impacted on public and private infrastructure, including The Esplanade foreshore area, which frequently floods due to storm surges.

Healthy and valued waterways and marine environments

The Werribee catchment contains an array of significant and biologically diverse waterways ranging from expansive rivers, small ephemeral creeks and the western shoreline of Victoria's iconic Port Phillip Bay. The catchment encompasses a naturally arid landscape where

many small waterways run dry during periods of low rainfall.

Major waterways in the Werribee catchment include the Lerderderg, Werribee and Little Rivers, as well as Kororoit Creek, Cherry Creek, Lollypop Creek, Laverton Creek and Skeleton Creek. The Lerderderg River originates in the Wombat State Forest near Blackwood, meandering southeast before reaching its confluence with the Werribee River at the Melton Reservoir. One of only two Victorian Heritage Rivers, the Lerderderg River has retained many of its natural features and supports a range of environmental, geological, cultural and recreational values for the Werribee catchment.

Several small creeks join to form the Werribee River in the Wombat State Forest, on the southern slopes of the Great Dividing Range. The river flows approximately 110 km, meeting the Lerderderg River and farmlands through Bacchus Marsh along the way, before it eventually joins Port Phillip Bay. The river supports important agricultural districts and provides water entitlements for rural communities and urban centres throughout the catchment. Native animals at home in or near the Werribee and Lerderderg systems include platypus, diverse frog populations, a variety of fish species and a range of birds, lizards and butterflies. In parts of the mid and lower systems, native species are on the decline as streamside habitat corridors face the challenges of urbanisation, agricultural and industrial activity and climate change impacts. Vegetation and habitat linking works throughout the mid and lower catchment aim to improve these populations, control pollution and invasive species and stabilise waterway and environmental health over the long-term.

Water quality is considered fair for nearly half of the region's waterways, indicating some evidence of stress is apparent. Rivers and creeks in the forested upper reaches of the catchment, including the upper Werribee and Lerderderg Rivers, are in better condition than those near urban and industrial areas. For rural areas and the lower catchment, 42 per cent of waterways are in poor condition or flow stressed, however there is an overall trend of improvement in water quality since 2000s. Stormwater is among the major sources of pollution to waterways within the catchment. According to the most recent *State of the Bays* report, 95 per cent of litter on Port Phillip Bay's beaches, including those along the catchment's western bay shoreline, was transported from suburban streets through the

stormwater system. Wetlands play a key role in the treatment of stormwater within the lower catchment. Most of the major rivers and creeks flowing through the region drain to wetland areas, including the Truganina Swamp, Cheetham Wetlands and the Spit Wildlife Reserve, before meeting Port Phillip Bay. There is a need to investigate improved stormwater storage capabilities across the catchment, particularly in areas where stormwater harvesting and management could reduce the risk and cost of major rainfall events and minimise impacts, such as pollution, to the bay's marine environments.

The existing flow-stressed nature of the lower reaches of the Werribee River presents the complex challenge of improving the flow balance across this important river system. This challenge includes considering water security for agricultural initiatives which does not compromise river health, and understanding and improving environmental flow deficits.

There is an opportunity to collaboratively manage increased development activity, agricultural demands, stormwater volumes and nutrient discharge to waterbodies to ensure the health of the catchment's waterways and Port Phillip Bay is improved for future generations.

On the eastern boundary of the Werribee catchment, wetlands, sandy beaches and rocky shores span the coast from Williamstown, 9 km southwest of Melbourne, to Point Wilson on the northern shores of Corio Bay (see catchment boundary map Fig Y). Many of the major waterways within the catchment flow through coastal wetlands before draining to Port Phillip Bay.

A designated Ramsar site along the bay's western shoreline links wetlands near Altona and Werribee, through the Western Treatment Plant to Lake Connemara, south of Geelong. The Port Phillip Bay (Western Shoreline) and Bellarine Peninsula Ramsar site spans more than 22,000 hectares and encompasses the Point Cook Marine Sanctuary, the largest marine sanctuary in Victoria, and the Spit Wildlife Reserve. The sanctuary's richly diverse marine ecosystem hosts numerous species of fish, invertebrates, molluscs, planktonic and pelagic species, as well as 44 threatened bird species and 30 internationally important migratory bird species. In addition to their important ecological function, the wetlands and nearby coastline are a significant recreational resource, providing an important open space that is highly valued by local communities.

Beyond the Ramsar boundary at Williamstown, the Jawbone Marine Sanctuary provides an important feeding and roosting habitat for 36 threatened bird species and 24 internationally important migratory bird species. Basalt reefs, shallow inshore waters, mudflats and seagrass beds encourage a variety of planktonic, pelagic and fish species to visit and breed these shallow waters in the upper northwest corner of Port Phillip Bay.

The bay continues to offer high water quality and an abundance of marine flora and fauna, despite the four million people residing near its 333-km coastline. Along the coast, water quality tends to be lower than in the protected marine sanctuaries within the bay, and this is largely related to urban, industrial and agricultural influences on stormwater runoff to the bay.

The Werribee catchment contributes most of the nitrogen entering Port Phillip Bay. This nutrient is considered among the greatest threats to the health of the bay and the marine species it supports, leading to higher instances of algal growth and phytoplankton blooms affecting water quality and the function of marine ecosystems. The Western Treatment Plant contributes 54 per cent of nitrogen to the bay, whilst the remaining areas of the Werribee catchment contribute approximately 6 per cent of nitrogen to the bay.

There is an opportunity to incorporate improved planning and waterway protection controls, as well as strategies to manage sediment and pollution, as the Werribee catchment continues to urbanise.

Landscapes for health and wellbeing

Many of Victoria's most iconic landscapes are found throughout the Werribee catchment. From expansive forests and vast dry plains scattered with volcanic stony rises, to marshy wetlands and sandy beaches on the western shores of Port Phillip Bay, the catchment characterises a variety of culturally and historically significant settings.

The Werribee catchment covers an area of approximately 2,715 km² and 67 per cent of this land is devoted to agriculture. Only five per cent of the catchment is zoned as urban, though recent years of development in cities and towns on Melbourne's fringe have dramatically changed the landscape of the area. The west is now one of the fastest growing regions in Australia, presenting new challenges for the conservation of natural environments for ecological and community benefit. There is an opportunity to improve connections through residential areas, linking

green corridors and parklands for improved community health and wellbeing. Cycling and walking tracks along the Werribee River Trail and the Federation Trail are examples of two well-used and well-loved recreational assets connecting communities in the west.

Only about one quarter of the Werribee catchment reflects its natural vegetation before settlement and most of this is confined to the upper Werribee catchment where fern gullies and dry open forests shelter hundreds of native and threatened animal species. Grey kangaroos, wombats, wallabies, echidnas and koalas are at home in the bushland of the Wombat State Forest, located 50 km west of Melbourne. The forest provides an important breeding habitat for many migratory birds. More than 350 species of native plants, including boldly coloured fungi and 25 rare and threatened plant species, can be found in the forest. The 300-m deep Lerderderg River gorge is a dominant feature of the Lerderderg State Park, a haven for bushwalkers on the southeast corner of the Wombat State Forest. Both the Lerderderg and Werribee gorges are recognised as landscapes of international and state geomorphological significance. Coupled with the Brisbane Ranges National Park, Victoria's richest wildflower environment, these pristine forested regions contribute enormous environmental value to the west and provide excellent recreation opportunities for locals and visitors alike.

The Western Grasslands Reserve, a 15,000-hectare vegetation community, aims to restore some of the last remaining native grasslands that once covered much of the Werribee catchment. The reserve links the You Yangs to the Werribee River across the Victorian Western Plains, a vast and largely flat plain studded with stony volcanic rises. The area supports several threatened plant and animal species of national significance, such as the Growling Grass Frog, the Golden Sun Moth and the Southern Brown Bandicoot. Councils, communities and water industry partners are working to further restore indigenous vegetation through the west through sustainable land use management practices that balance the dry, rocky landscapes typical of the region with the necessity to provide urban cooling.

Increasing temperatures will place greater emphasis on the necessity of green infrastructure to cool neighbourhoods and improve the liveability of communities living on the basalt plains of the Werribee Catchment which are historically grasslands rather than naturally lush with canopy

vegetation. Water is required to increase community canopy cover with vegetation that may not be naturally prevalent to thrive in drying conditions.

Strengthened community knowledge and local values reflected in place-based planning

The Werribee catchment area holds a wide range of values for Victorians, including nature-based tourism, cultural heritage and recreation on and near the water's edge.

The catchment encompasses the Traditional lands of the Wurundjeri, Wathaurung and Bunurong people of the Kulin nation. More than 3,500 Aboriginal cultural sites have been recorded across the catchment, including scarred trees, fish traps, camp sites, burials and ceremonial sites. A majority of these are found close to waterholes, wetlands and rivers, including the Werribee River, which remains a place of significant cultural value. The Werribee catchment derives its name from an indigenous word meaning backbone or spine, referring to the tall trees that lined banks of the Werribee River in contrast to the flat grassy plains of its surrounding area.

Maintaining community liveability and enhancing cultural, social, ecological and recreational values of regional waterways, parks and forests remain areas of focus as growth planning continues in the west. The region already encompasses some of the largest and fastest growing suburban populations in Australia, with new communities emerging in Point Cook, Tarneit, Bacchus Marsh and North Wyndham Vale. Rural townships will continue to urbanise, transforming the region with a network of satellite cities on Melbourne's fringe. In the municipality of Melton, the amount of urbanised area will triple by 2040, while in already developed suburbs such as Werribee, Altona and Sunshine West, new employment precincts will attract more residents and further growth.

Water demand will continue to grow with the expansive newly planned suburbs emerging in the west. There is an opportunity to integrate water planning and management with urban design and development to ensure innovative water infrastructure can service growing communities and deliver secure water supplies to homes, businesses and facilities. Examples include water-sensitive urban design in new residential estates, stormwater harvesting to irrigate parklands and sporting fields, the provision of community amenities with water features and the

maintenance of open space and green wedges to support recreation and cooling in this naturally dry landscape.

The catchment's local governments, communities and water industry partners are working together to improve connections between people and the landscape during this period of change. Collaborative initiatives to strengthen community knowledge of land and waterway values are abundant and there are numerous community-led or co-designed projects in the region working to protect natural assets, restore vegetation and improve community health and wellbeing. Notable examples include the Grow West project, which aims to enhance indigenous vegetation, create biolinks and protect natural landscapes in the upper Werribee catchment. Groups including Environmental Justice Australia, Friends of Steele Creek, Friends of Maribyrnong Valley and the Werribee River Association are also working to improve planning and environmental protection in the Werribee catchment. The Rivers of the West campaign aims to achieve legal reform in the planning and management of the west's waterways.

Other cross-government and water sector initiatives that seek to elevate community priorities include the Greening the West and Greening the Pipeline initiatives. Greening the West brings together 23 organisations to improve urban greening, cooling and amenity by planting over one million trees across western metropolitan Melbourne. In the catchment's southwest, the Greening the Pipeline project at Williams Landing will transform an underutilised stretch of the heritage listed Main Outfall Sewer pipeline reserve into water-sensitive parklands to better connect the new communities of the west.

The Western and Inner Metropolitan Partnerships brings together community and business representatives with state and local governments to identify priorities for jobs, services and infrastructure within the region. Among a range of priorities, the Partnerships provide advice to ensure ongoing environmental benefits and connections to the environment within each region.

Jobs, economic growth and innovation

The Werribee catchment covers a major growth corridor in Melbourne's west, one of the fastest growing regions in Australia. It includes several areas designated for population and economic growth, significant transport and freight

infrastructure and fertile agricultural lands comprising a major Australian food bowl.

The Werribee Irrigation District and the Bacchus Marsh Irrigation District support two of Australia's most productive food growing regions providing Victorians with fresh leafy vegetables, such as lettuce, broccoli and cauliflower, stone and pome fruit, market garden plants and turf. Water for agricultural irrigation is derived from several reservoirs in the catchment and is further supplemented by recycled water from the Western Treatment Plant. Piping infrastructure modernisation projects are underway to make these regions more efficient, reliable and resilient to the drier climate facing the Werribee catchment. Beyond the irrigation districts, agricultural land in the catchment is used for livestock grazing and crop production. Ensuring the provision of secure water supplies for sustainable agriculture across the Werribee catchment will be vital to its ongoing productivity.

The Werribee catchment's strong industrial and manufacturing roots have contributed to the growth of Victoria's largest State Significant Industrial Precinct (SSIP). Spanning the Altona, Laverton and Derrimut region, the West SSIP provides strategically located land for major industrial developments linked to key freight and transport gateways, including Melbourne's second international airport, Avalon Airport, the West Gate Freeway, Princes Freeway and the Western Ring Road. Wholesale trade accounts for around one quarter of all industries in the West SSIP, followed by manufacturing (20 per cent) and transport and warehousing (16 per cent). Several petrochemical and petroleum refining industries are also located in the Werribee catchment, as well as extractive resource industries, including Victoria's largest producer of hard rock for building and road construction. Managing the impact of these industries on waterway health is a central concern for the Werribee catchment.

The Werribee National Employment and Innovation Cluster (NEIC) is a major employment hub for the catchment, providing around 8,400 jobs across health, education and research industries. The Werribee NEIC has the capacity to host up to 50,000 more jobs as the region matures, presenting new opportunities for economic development and regional self-sustainability. Secure water supplies and adequate water management infrastructure for water, wastewater and stormwater to support the

catchment's key industries will be critical to its continued economic growth and success.

DRAFTING NOTE

This section is draft and requires input from Forum participants to ensure adequacy and accuracy.

DRAFT

Strategic Enablers to Put IWM into Practice

Across Victoria, IWM Forum members have identified a range of policies and frameworks to enable integrated water management and planning and achieve water-related benefits in priority areas.

A prioritised list of enabling policies and frameworks has been consolidated by DELWP (Figure XYZ; also see Figures 2, 3 and 4 of Werribee IWM Forum SDS Part B).

DRAFTING NOTE

Insert Figure XYZ gfx representing prioritised list.

Note: re: Figures 2,3,4... Strategic Enablers to be included in Part A/B as agreed.

IWM Reference Group

The IWM Reference Group was established to support the implementation of integrated water management and planning across metropolitan Melbourne and regional Victoria.

The Reference Group provides advice to DELWP on the development and implementation of key initiatives in relation to policy, processes or knowledge gaps in IWM.

The Reference Group has a diverse membership that represents the breadth of the urban water sector. It is chaired by Rob Skinner, the Lead Chair of the Victorian IWM Forums and supported by DELWP.

Success Stories

DRAFTING NOTE

Insert Case Studies (provided/forthcoming)

DRAFT

Appendix

DRAFTING NOTE

Insert Glossary of Terms, abbreviations, explainers (in depth)

Understanding the Werribee as a system

Significant work has been previously completed that develops understanding of the Werribee as a holistic system, driven by interested partners who seek to increase the information available to make best case infrastructure decisions. Southern Rural Water, Melbourne Water, Western Water and DELWP have initiated and progressed this work collaboratively between them, with other stakeholders involved at various stages. Options to improve water security for the irrigation districts have been examined, and the challenge of optimising the wastewater and stormwater servicing of growth areas and delivering healthy waterways explored.

These projects collectively consider the existing ecological state of the Werribee River, the lower reaches of which are currently flow stressed, and the challenges raised by the rapid development of Melton and North Wyndham Vale growth areas. As highlighted in previous sections, a critical challenge for the developing catchment is how to manage the volumes of wastewater and stormwater generated from this growth and maintain the health of waterways to which wastewater treatment plants discharge and stormwater drains flow.

The products of this work to date include:

- IWM analysis for the Werribee River system, comprising:
 - o Stage 1: Opportunity Identification: Identified various IWM options, not mutually exclusive, which could increase irrigation water security and improve waterway health.
 - o Stage 2: Opportunity Development: Developed four of the IWM Opportunities identified in Stage 1 to understand feasibility. These opportunities were:
 - Provision of Recycled Water to Bacchus Marsh Irrigation District
 - Modernising the Bacchus Marsh Irrigation District
 - Supply of recycled water (from Melton Recycled Water Plant) or stormwater to Werribee River
 - Piping the Werribee Irrigation District
 -
 -
- Werribee River Impacts Study: an ecological risk assessment of the impact alternative water (stormwater or recycled water) delivery to the Werribee River might have on waterway health (positive and negative).
- Werribee River Waterways Investigation: Assessed the conditions under which alternative water delivery to the Werribee River might satisfactorily comply with the risks assessed.

Southern Rural Water have since this work progressed implementation of modernising the irrigation districts.

Decision making around the intentional delivery of alternative water to the Werribee River, via the Melton Reservoir, requires further work to inform decision making. As the waterway manager Melbourne Water's understanding of and acceptance that the option has acceptable risks is critical. Policy development would be required in discussion with the State and Environmental Protection Agency to accept alternative water as an environmental water source (a foundation for this development has been set in *Water for Victoria*). Further investigation is also required to ascertain practical viability of delivering alternative water in compliance with the conditions that would be set. Western Water's infrastructure planning is also critical to the problem as quality of any recycled water in question will be critical to acceptance.

The Werribee IWM Forum can facilitate this analysis and decision making by providing an oversight view that takes into account the costs and impacts for the whole community and environment across the water cycle system.

DRAFT

Attachment - Item 11.2.3c

Table 5.. The 'top priority' projects that were rated by the IWM Working Group. Note: Green cells represent quick wins, whereas yellow cells represent large scale projects and strategies. Note: Projects 20, 21, 27 and 34 have been promoted as a high priority, despite their lower urgency or priority scores.

Lead Organisation	Project/Strategy Name	ID	Total Impact Score	Urgency Score	Impact - strategic outcomes							Impact x Urgency	
					1	2	3	4	5	6	7		
Western Water	Western Water- Project #8: Developer IWM Plan Guidance	26	10	3	1	1	1	2	2	2	2	1	30
all	IWM planning across the catchment informed by source modeling	31	10	3	2	1	1	2	2	2	1	1	30
Brimbank	Sunshine hospital IWM	38	10	2	1	1	1	2	2	2	1	2	20
Melbourne Water	Melbourne Water – Project #1: Healthy Waterways Strategy stormwater management opportunities	1	9	3	2	0	1	2	1	1	1	2	27
Melton	Melton City Council – Project #1: Maximise alternative water sources at design stage	33	9	3	2	1	2	2	2	1	0	1	27
City West Water	Black Forest Road stormwater and ASR scheme	36	8	3	1	0	1	2	2	1	1	1	24
Western Water	Western Water- Project #4: WIN – Western Irrigation Network	22	8	2	2	2	0	1	0	1	2	2	16
MW	City West Water- Project #2: Stormwater harvesting master plan	29	8	2	1	0	1	2	2	2	1	1	16
Brimbank	IWM Prioritisation process	39	8	2	1	0	2	1	2	1	1	1	16
Southern Rural Water	Irrigation modernisation	40	8	2	2	0	0	2	1	1	2	2	16
Melbourne Water	Melbourne Water – Project #2: Addressing Salinity and returning Environmental flows to the Werribee using Melton RW for WID	2	8	2	2	2	0	2	2	1	0	1	16
Melbourne Water	Melbourne Water- Project #11: Urban Cooling Program - Shade and cooling for bike and pedestrian paths	11	8	2	0	0	0	2	2	2	2	2	16
Wyndham	Wyndham City Council – Project #1: Armdell Park Reserve Stormwater Harvesting Scheme	35	7	3	1	0	0	2	2	2	1	1	21
City West Water	Extension of recycled network for Werribee city center	42	7	3	1	1	0	1	2	1	1	1	21
Melbourne Water + Wyndham	City West Water- Project #1: Expansion of Greening the Pipeline	28	7	2	1	0	0	1	2	2	1	1	14
Southern Rural Water	Using potable water to standy WID	41	7	2	2	0	0	2	1	0	2	2	14
Melton	Melton City Council – Project #2: Extension of recycled water network	34	6	3	1	1	0	0	2	1	1	1	18
Western Water	Western Water- Project #9: Cultural Flows	27	9	1	2	2	0	2	1	1	1	1	9
Western Water	Western Water- Project #3: Water entitlement trading with irrigators and environment with Toolern Stormwater	21	8	1	1	0	1	2	2	2	1	1	8
Western Water	Western Water- Project #2: Environmental Flows	20	8	1	2	2	0	2	1	1	0	1	8

Table 6. 'Lower priority' projects with an urgency score ≥ 3 and a 0-2. Note: Green cells represent quick wins, whereas yellow cells represent large scale projects and strategies.

Lead Organisation	Project/Strategy Name	ID	Total Impact Score	Urgency Score	Impact - strategic outcomes							Impact x Urgency	
					1	2	3	4	5	6	7		
Melbourne Water	Melbourne Water – Project #5: Shared paths along waterways	5	5	3	0	0	0	0	0	2	2	1	15
Melbourne Water	Melbourne Water– Project #17: Arnolds Creek	17	5	3	0	0	0	0	0	2	2	1	15
Wyndham	Melbourne Water– Project #6: Improving the recreational use of the Werribee River at Bungles Hole - Master Plan development and Implementation	6	5	3	0	0	0	0	1	2	1	1	15
Melbourne Water	Melbourne Water– Project #7: Improving water delivery infrastructure at Werribee Diversion Weir – Investigation, design and Construction	7	4	2	0	0	0	0	2	1	1	0	8
Western Water	Western Water– Project #7: Waste to Energy	25	4	2	0	1	0	0	0	0	1	2	8
Melbourne Water	Melbourne Water – Project #4: Groundwater nitrogen inputs to Port Phillip Bay WSUD audit	4	4	2	0	0	0	0	2	0	0	2	8
Brimbank	Melbourne Water– Project #10: Understanding/ sharing data/information across the organisations (incl. flows) assets	37	3	2	0	0	1	2	0	0	0	0	6
Melbourne Water	Melbourne Water– Project #13: Enhanced Accounting/CBA investment	10	2	3	0	0	0	0	0	0	0	2	6
Melbourne Water	Melbourne Water– Project #15: Embedding IWM in PSPs and Development Services Schemes	13	0	3									0
Melbourne Water		15	0	3									0

Table 7. Projects with an urgency score 0-1. Note: Project 1 has the highest impact score 0=11 Werribee projects.

Western Water	Western Water– Project #1: Western Water IWM Strategy	19	13	1	2	2	1	2	2	2	2	2	13
City West Water	City West Water– Project #3: Expansion of Greening the West	30	9	1	1	1	1	1	1	2	2	1	9
Melbourne Water	Melbourne Water– Project #9: Understanding flow studies for all the river systems	9	6	1	2	1	0	1	1	1	1	0	6
Western Water	Western Water– Project #5: Offsets – Bacchus Marsh irrigation district	23	6	1	0	1	0	2	1	1	1	1	6
Moorabool	Western Water– Project #6: Parwan Employment Precinct	24	5	1	0	1	0	0	1	1	1	2	5
Melbourne Water	Melbourne Water – Project #3: 'Bubbles' hydrodynamic model for PPB	3	2	1	0	0	0	2	0	0	0	0	2
Melbourne Water	Melbourne Water– Project #12: My Waterway website	12	2	1	0	0	0	0	0	0	2	0	2
Melbourne Water	Melbourne Water– Project #14: Stormwater demand and supply opportunities	14	0										0
Melbourne Water	Melbourne Water– Project #16: Multi-stakeholder IWM BCA investment prioritisation framework and tool	16	0										0
Melbourne Water	Melbourne Water– Project #18: SQUDEP	18	0										0
City West Water	City West Water– Project #5: Developer engagement	32	0										0
Western Water	Class A to BMID	43	0										0

11.2.4 Draft Community Local Law No 1

Introduction

Author: Andy Gaze
General Manager: Satwinder Sandhu

Background

The draft Local Law has made a number of changes from the existing Local Law with additions to some areas that are believed need attention and some amendments and deletions that are felt to better represent the community and issues we currently face.

The major changes include:

- That those who provide shopping trolleys are required to take actions to reduce the likelihood of them being taken away and dumped or left on the streets;
- That owners and occupiers of land to have responsibility for maintaining the nature strip in-front of their property;
- Conditions to be met for the placement of shipping containers
- The riding of vehicles on private land; and
- Reducing Councils requirements with regard to commercial and industrial noise.

Consideration was given to if the Local Law could be used for the introduction of fees to recover the costs imposed on Council in undertaking its obligations under the Domestic Waste Water Management Plan (DWMP). Legal advice was sought on this issue and the advice provided was that other avenues were more applicable to this recover these costs. A further report regarding these alternatives will be presented to Council in the future.

The draft Community Local Law No.1 has been reviewed by solicitors to ensure that it meets the drafting guidelines and does not breach requirements of the *Local Government Act 1989*.

Initial consultation has occurred through the 'Have Your Say' portal on the Moorabool Shire Website and direct mail to major stakeholders last year requesting their input into what areas are working well/poorly and what issues, if any, needed addressing. This consultation however did not illicit a large response. Following an Assembly of Councillors on the 6 December, 2017 where the Local Law process and proposed timeline were presented to Council. Further consultation has been undertaken internally to ensure that the proposed Local Laws meet the anticipated future demands. All Council departments have been sought for their input in this process.

This report seeks Council approval to commence the process of making a new Local Law to replace the current Moorabool Shire Council General Local Law 2010.

Proposal

It is proposed that the review of the Local Laws continues and in line with the requirements of the *Local Government Act 1989* the draft Community Local Law No. 1 is placed on exhibition for 30 days and public submissions are invited.

Policy Implications

The Council Plan 2017 – 2021 provides as follows:

Strategic Objective 1: Providing Good Governance and Leadership

Context 1 C: Our Business and Systems

The proposal to review the Local Law is consistent with the Council Plan 2017 – 2021.

Financial Implications

The Local Law review process will have an impact on financial processes as it requires permits for a number of activities and that these permits will generally have application fees which may impact on the fees and charges schedule and thus Council income.

Risk & Occupational Health & Safety Issues

Councils Local Law sets policy for the way forward to ensure local community and environmental wellbeing and liveability of the area over the next 10 years. If the Local Law is either too onerous, not specific enough or does not have community and business support activities can be allowed that will be detrimental to the Local community, environment and the areas liveability.

Communications and Consultation Strategy

An engagement plan has been developed for the Local Law review and ensures that the community and stakeholders including State Government departments, the Building Industry the Local Chambers of Commerce and the commercial sector generally are consulted over this draft.

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 – Andy Gaze

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

Conclusion

The draft Local Law has made a number of changes from the existing Local Law with additions to some areas that are believed need attention and some amendments and deletions that are felt to better represent the community and issues we currently face.

The draft Community Local Law No.1 has been reviewed by solicitors to ensure that it meets the drafting guidelines and does not breach requirements of the *Local Government Act 1989*.

This report seeks Council approval to commence consultation with the community and key stakeholders and for the draft Community Local Law No. 1 2018 to be placed on public exhibition for a period of 30 days.

Council will be in a position to review any submissions and amend the draft if needed, post exhibition.

Recommendation:

That Council:

1. **Commences the statutory process for the making of a Local Law and endorses the draft Community Local Law No. 1 (as tabled Attachment 11.2.4) as a proposed Local Law for public exhibition and submissions under section 223 of the *Local Government Act 1989*;**
2. **Gives public notice of the exhibition of the draft Community Local Law No. 1 and invites public submissions under section 223 of the Local Government Act 1989;**
3. **The public notice period to commence on Tuesday 12 June 2018 for a period of 30 days.**
4. **A further report be presented to Council following the public exhibition period.**

Report Authorisation

Authorised by: 

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Tuesday, 15 May 2018

Attachment - Item 11.2.4



MOORABOOL
SHIRE COUNCIL

Community Local Law No.1 (2018)

DRAFT

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PART 1 - PRELIMINARIES

1.1 Title

This Local Law is known as Moorabool Shire Council Community Local Law 2018 No. 1.

1.2 Purpose of the Local Law

This Local Law is made for the purposes of providing for the peace, order and good government of the Municipal District by managing, regulating and controlling activities and uses on any Land to:

- (a) Promote a physical and social environment free from hazards to health or public safety, in which the residents of the Municipal District can enjoy a quality of life that meets the general expectations of the community;
- (b) Prohibit, regulate and control activities or behaviour which may be dangerous, or detrimental to the quality of life and the environment of the Municipal District or which could compromise public safety, Council Land or assets;
- (c) Preserve and enhance amenity, neighbourhood character, health and public safety within the Municipal District by regulating certain activities within the Shire;
- (d) Protect assets vested in, controlled or owned by Council;
- (e) Protect the safety of Road users and the amenity of the Municipal District and provide for the fair and equitable use of Council owned Land;
- (f) Control the consumption and possession of Alcohol in a Public Place, where such consumption or possession may interfere with the amenity and enjoyment of the Public Place by the community;
- (g) Control the impact of the keeping of Animals on the community and the environment;
- (h) Regulate the impact of business activities on the environment, public health and amenity; and
- (i) Revoke Council's General Local Law 2010 – General Local Law.

1.3 Authorising Provisions

This Local Law is a Local Law made under Section 111(1) of the *Local Government Act* 1989 and Section 42 of the *Domestic Animals Act* 1994.

1.4 Commencement Date

This Local Law commences operation on the day following the day on which notice of the making of this Local Law is published in the Victoria Government Gazette.

Governance	Community <i>Local Law</i> No 1. (2017)	****/****	Adopted by Council: 00 January 201*
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1.5 Cessation Date

This Local Law ceases to operate on the day which is 10 years after the day referred to in Clause 1.4, unless revoked sooner.

1.6 Application

- (a) This Local Law applies and has operation throughout the whole of the Municipal District.
- (b) This Local Law does not apply where any act or thing regulated by it is authorised by any Act, other subordinate legislation or the Scheme.
- (c) Council may declare or designate areas within the Municipal District as areas to which specified provisions of this Local Law will apply.
- (d) Where Council declares or designates areas under this Local Law it must ensure that those declared or designated areas are:
 - (i) identified on maps or by a geographic description; and
 - (ii) published on Council's website and available in hard copy at Council's office.
- (e) This Local Law incorporates certain documents containing Council Policy, standards or guidelines that apply to specific uses or activities which are intended to assist in achieving the objectives of this Local Law. These policies, standards and guidelines documents that are incorporated will be available for perusal on Council's website. Council reserves the right to amend these documents at any time.
- (f) It is intended that where an incorporated document is applied to a use or activity a person must comply with all of the requirements specified for that use or activity.
- (g) This Local Law does not apply to any person employed or otherwise engaged by Council when undertaking any activity, or fulfilling any duty, on behalf of Council.

1.7 Revocation of Previous Local Law

On commencement of this Local Law, Council's General Local Law 2010 – General Local Law is revoked.

1.8 Definitions

Unless the contrary intention appears in this Local Law, the following words and expressions are defined to mean:

Act means the *Local Government Act* 1989, as amended from time to time.

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Advertising Sign	means any placard, board, Sign, card or banner, whether portable or affixed or attached to any Land, Building, person, Vehicle or Trailer which: <ul style="list-style-type: none"> a) Provides information about the Occupier of the Land or Building, or a business or industry; b) Advertises goods, services, an event or a competition; or c) Provides directions to the location of property or Land, which is available for pre-sale/lease/rent inspection. <p>An Advertising Sign can also be a post, placard, bill poster, sticker or other document.</p>
Alcohol	means a beverage intended or used for human consumption, which has an Alcoholic content.
Alcohol Restriction Area	means an area declared by Council as an area in which the consumption of Alcohol is prohibited.
Animal	has the same meaning as in the <i>Summary Offences Act 1966</i> , and includes insects and fish.
Asset Protection Permit	means a Permit issued by Council for the protection of public assets and infrastructure during Building work, in accordance with Clause 3.3 of this Local Law.
Asset Protection Permit Bond	means the sum of money paid or payable, or other guarantee made, to Council in respect to potential loss to Council resulting from Building Works.
Assistance Dog	has the same meaning as in the <i>Equal Opportunity Act 2010</i> .
Authorised Officer	means any person: <ul style="list-style-type: none"> a) appointed by Council as an Authorised Officer pursuant to Section 224 of the Act; and b) a police officer enforcing provisions relating to Alcohol in accordance with Section 224A of the Act.
Builder	means: <ul style="list-style-type: none"> a) a Building practitioner under the <i>Building Act 1993</i>; and b) an Owner of a Building Site.
Building	has the same meaning as in the <i>Building Act 1993</i> .
Building Site	means any Land on which the Building Work is being undertaken.
Building Work	has the same meaning as in the <i>Building Act 1993</i> .
Bulk Rubbish Container	means a bin, skip or other container used for the deposit of Waste, but excludes a wheeled Mobile Waste Bin used in connection with Council's Waste collection service.
Busk and Busking	means entertainment that includes playing a musical instrument, singing, conjuring, juggling, mime, mimicry, dance, puppetry, performance art, pavement drawing of any form, recitation and other similar activities.

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Camp, Camping	means to erect, occupy or use a tent, any temporary makeshift or similar structure, or to park, occupy or use any Caravan or similar mobile accommodation Vehicle, a Motor Vehicle or Trailer for the purpose of accommodating a person.
Caravan	Includes a Caravan, motorhome, camper van, mobile home or moveable dwelling.
Charity Bin	means a bin or similar structure used by charitable and other organisations for the collection of used clothing or other household goods for recycling purposes.
Chief Executive Officer	has the same meaning as in the Act.
Commercial Area	means an area within a Commercial Zone under the Scheme.
Contractor	means a person who has entered into a written agreement with Council to provide any goods or services or to perform any function.
Council	means Moorabool Shire Council.
Council Land	means all Land: <ul style="list-style-type: none"> a) owned, leased, managed or occupied by Council; or b) vested in, or under the control and management of, Council, but does not include a Road.
Dilapidated	means a Building that has fallen into a state of disrepair, or that is decayed, deteriorated, broken down or partially ruined through neglect or misuse.
Emergency Service	means any Statutory Authority engaged in the provision of Emergency Services and includes but is not limited to Victoria Police, Ambulance Victoria, Country Fire Authority, Metropolitan Fire Brigade and Victorian State Emergency Service.
Farm Land / Area	means an area within a Farming Zone under the Scheme.
Footpath	includes every Footpath, Land or other place within the Municipal District designed for, and habitually used by, pedestrians.
Graffiti	means inscriptions or drawings scribbled, scratched, sprayed or otherwise applied on any surface.
Green Organics Bin	means a receptacle provided to premises by Council for the purpose of collecting and disposing of household organic material.
Grey-Water	means domestic Wastewater from sources other than a toilet, urinal or bidet (e.g. from showers, baths, spas, hand basins, clothes washing machines, laundry troughs, dishwashers, sinks).

Governance	Community <i>Local Law</i> No 1. (2017)	****/****	Adopted by Council: 00 January 201*
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Hard Waste	means any rubbish of a size, shape, nature or volume that cannot be contained in any Mobile Waste Bin, Recyclables Bin or other bin provided by Council in connection with Council's Waste collection service, including any brick, concrete, masonry or engine parts and any other type of rubbish prescribed by Council.
Heavy Vehicle	In relation to a Road has the same meaning as in the <i>Road Safety Act 1986</i> .
Incinerator	means a structure, device or piece of equipment which is designed, adapted used or capable of being used for the burning of any material or substance and which is not enclosed in any Building, is not a barbeque and is not otherwise licensed under the <i>Environment Protection Act 1970</i> .
Industrial Area	means an area within an Industrial Zone under the Scheme.
Itinerant Trading	means Selling or hiring, or offering for sale or hire, goods or services from a temporary location, or from a Vehicle or other transport, and includes mobile food vans.
Land	has the same meaning as in the <i>Interpretation of Legislation Act 1984</i> .
Litter Device	means an apparatus for the purpose of removing dog faeces and includes a paper or plastic bag.
Livestock	has the same meaning as in the <i>Impounding of Livestock Act 1994</i> .
Mobile Waste Bin	means a receptacle provided to a premises by Council for the purpose of collecting and disposing of household Waste.
Motor Cycle	has the same meaning as in the <i>Road Safety Act 1986</i> .
Motor Vehicle	has the same meaning as in the <i>Road Safety Act 1986</i> .
Municipal Building	means any Building owned, occupied or under the control and management of Council, or any Building declared by a Resolution of Council to be a Municipal Building.
Municipal District	means the Municipal District of Council.
Municipal Place	means an area that is, at some or all times, open to the public (whether or not an admission fee is payable) including a library, Building, golf course, swimming pool, park or recreation centre, which is owned by, or under the control and management of, Council, and includes a Municipal Reserve, or any place declared by a Resolution of Council to be a Municipal Place, but does not include a Road.
Municipal Reserve	means any Land within the Municipal District that is owned by, or under the control and management of, Council and is dedicated or used for cultural, recreational, environmental or entertainment purposes.

Governance	Community <i>Local Law</i> No 1. (2017)	****/****	Adopted by Council: 00 January 201*
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Nature Strip	Means the Council Land between the boundary of a property and the Road.
Notice to Comply	means Notice to Comply issued in accordance with Clause 2.5.2 of this Local Law.
Occupier	has the same meaning as in the <i>Environment Protection Act 1970</i> .
Owner (in relation to Land or a Building)	means the person who is registered on the relevant Certificate of Title as the Owner or the person who is entitled to exercise any rights of Ownership to the Land.
Owner (in relation to a Motor Vehicle or Trailer)	has the same meaning as in the <i>Road Safety Act 1986</i> .
Owner (in respect of a cat or dog)	has the same meaning as in the <i>Domestic Animals Act 1994</i> .
Penalty Unit	has the same meaning as in Section 110 of the <i>Sentencing Act 1991</i> .
Person	has the same meaning as in the <i>Interpretation of Legislation Act 1984</i> .
Policy	means a Policy adopted by Council from time to time for the purpose of the particular provisions of this Local Law in which the term is used.
Permit	means a written Permit issued in accordance with this Local Law which authorises a specified use or activity and includes an Asset Protection Permit.
Public Place	has the same meaning as in the <i>Summary Offences Act 1966</i> .
Purpose Built Outdoor Cooking and/or Heating Device	includes but is not limited to a: <ul style="list-style-type: none"> a) barbeque or other device used for the sole purpose of cooking food; and b) fire within a brazier or chimney or similar device used exclusively for heating purposes.
Recreational Vehicle	means any Vehicle normally used for recreational purposes that may be propelled or operated by internal combustion, steam, gas, oil, electricity or any other power purposes but does not include a human powered Vehicle. Without being exhaustive, it includes a: <ul style="list-style-type: none"> a) mini bike; b) trail bike; c) go cart; and d) any other 2 or 4 wheeled Vehicle designed or adapted for recreation.
Recyclables Bin	means a receptacle provided to premises by Council for the purpose of collecting and disposing of household recyclable material.

Governance	Community <i>Local Law</i> No 1. (2017)	****/****	Adopted by Council: 00 January 201*
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Refuse	means all Waste or rubbish produced or accumulated in or on any Land, premises or property.
Residential Area	means an area within a Residential Zone under the Scheme.
Road	has the same meaning as in the Act.
Rural Area	means an area within a Rural Zone under the Scheme.
Schedule	means a Schedule to this Local Law.
Scheme	means the Moorabool Planning Scheme.
Sell	includes: <ul style="list-style-type: none"> a) barter, offer or attempt to Sell, have in possession for sale, or allow to be sold or offered for sale; and b) Sell for re-sale.
Septic Tank System	has the same meaning as in the <i>Environment Protection Act 1970</i> .
Service Authority	any company or Statutory Authority responsible for the installation of telecommunications, gas, electricity, water sewerage or drainage facilities in, on, over or under a Road.
Shopping Trolley	means a wheeled container, receptacle or carriage item supplied by a retailer for customers to transport goods.
Sign	means any placard, board, Sign, card or banner, whether portable or affixed or attached to any Land, fence, Building, person, Vehicle or Trailer, other than an Advertising Sign.
Statutory Authority	means: <ul style="list-style-type: none"> a) the State and Commonwealth Government, or a department of either Government; and b) body established under an Act of the Parliament of Victoria, and of any other State or Territory of the Commonwealth, and of the Commonwealth.
Trailer	has the same meaning as in the <i>Road Safety Act 1986</i> .
Unightly	with respect to Land means any Land which is unkempt and is detrimental to the general amenity of the neighbourhood, when viewed from a Public Place.
Vehicle	has the same meaning as in the <i>Road Safety Road Rules 2009</i> .
Vermin	means “pest Animal” as defined under the <i>Catchment and Land Protection Act 1994</i> .
Waste	means any discarded, rejected, unwanted, surplus or abandoned matter (whether solid or liquid).
Wheeled toy	has the same meaning as in the <i>Road Safety Road Rules 2009</i> .
Zone	is a Zone identified in the Scheme.

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PART 2 - ADMINISTRATION AND ENFORCEMENT

2.1 Purpose

The purpose of this Part is to provide for the issuing of Permits, impounding of items or things, setting of fees and charges, and enforcement of provisions of this Local Law.

2.2 Permits

2.2.1 Permit Applications

- (a) An application for a Permit must be:
 - (i) in the form prescribed by Council from time to time; and
 - (ii) be accompanied by the appropriate fee as determined by Council from time to time.
- (b) Council may require additional information to be provided to enable an application for a Permit to be properly considered and for the purposes of administering and enforcing the provisions of this Local Law.
- (c) Council may require a person making an application for a Permit to give notice of the application to specified persons, or a specified class of persons, whom it considers may be affected by the granting of the Permit, which will entitle those persons to make a submission, which must be considered by Council before the application is determined.

2.2.2 Consideration of Permit Applications

- (a) In considering an application for a Permit, Council must consider any:
 - (i) applicable Policy, code of practice or guideline approved by Council from time to time;
 - (ii) relevant written objection, submission or comment received from any person, public body or community organisation in respect of the application; and
 - (iii) other relevant matter.
- (b) A Permit may be refused or issued with or without conditions.
- (c) If a Permit is issued with conditions, those conditions may include, but are not limited to, conditions concerning:
 - (i) the payment of a fee or charge;
 - (ii) a standard to be applied;
 - (iii) a time limit to be applied;
 - (iv) the operation of the Permit being subject to the happening of a specified event;

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- (v) the requirement to rectify, remedy or restore a situation or circumstance; and
 - (vi) any other matter as considered appropriate.
- (d) If the applicant is not the Owner of the Land, which is the subject of the application, the consent of the Owner must be provided to Council with the application, unless the application concerns Council Land.

2.2.3 Compliance

A person must comply with the conditions of any Permit issued by Council.

2.2.4 Duration

A Permit operates from the date it is issued and expires one year after the date of issue, except where expressly stated otherwise in this Local Law or in the Permit.

2.2.5 Amendment, Cancellation or Correction

- (a) Council may amend a condition of a Permit or cancel a Permit at any time if:
- (i) requested to do so by the Permit holder; or
 - (ii) Council considers that there has been:
 - (A) a material misstatement or concealment of fact in the application;
 - (B) a material mistake in relation to the issuing of the Permit;
 - (C) a material change of circumstances since the Permit was issued; or
 - (D) a failure to comply with a Permit condition or Notice to Comply relating to the Permit.
- (b) Council may correct a Permit issued if that Permit contains a:
- (i) clerical mistake or an error arising from any accident, slip or omission;
 - (ii) material miscalculation of figures; or
 - (iii) material mistake in the description of any person, thing or property referred to in the Permit.
- (c) Except in the case of a minor correction that does not affect the operation of a Permit, if Council proposes to amend a condition of a Permit, cancel a Permit or correct a Permit, it must:
- (i) give the Permit holder an opportunity to make a submission on whether the amendment, cancellation or correction should occur; and
 - (ii) take into account those submissions (if any) in deciding whether to amend a condition of a Permit, cancel a Permit or correct a Permit.

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- (d) If a Permit holder is not the Owner of the Land, the Owner of the Land must be notified of any amendment, cancellation or correction of the Permit.

2.2.6 Transferability of Permits

Unless otherwise stated in the Permit, a Permit:

- (a) is personal to the Permit holder; and
- (b) authorises only the person, or an agent acting on behalf of the person, named in the Permit to carry out the activity authorised; and
- (c) is not transferable without Council's prior written consent.

2.3 Impounding

2.3.1 Power to Impound

- (a) An Authorised Officer may impound any item or thing associated with a contravention of this Local Law.
- (b) As soon as possible after impounding any item or thing, an Authorised Officer must serve a Notice of Impounding on the Owner or other person apparently responsible for the item or thing setting out:
 - (i) any fees and charges payable in respect of the impounding;
 - (ii) the time within which the impounded item or thing must be
 - (iii) claimed; and
 - (iv) that the item or thing, if not claimed within that specified time, may be disposed of by Council.
- (c) Clause 2.3.1(b) does not apply where the Authorised Officer cannot, after making reasonable inquiries, identify or locate the owner or other person apparently responsible for the item or thing.
- (d) If an Authorised Officer has impounded any item or thing in accordance with this Local Law, Council may refuse to release it until the appropriate fee or charge has been paid to Council.
- (e) Any impounded item, Animal or thing not claimed within the time specified on the notice of impounding may be disposed of by Council including by sale, tender, public auction or given away.

2.4 Fees

2.4.1 Setting of Fees and Charges

- (a) Council may from time to time by resolution determine any:
 - (i) fees and charges; and
 - (ii) guarantees and bonds

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to apply under this Local Law.

- (b) Council may from time to time by resolution, determine an administrative, inspection or processing fee or charge, in addition to any standard fee, charge, guarantee or bond applied under this Local Law.
- (c) Council must give reasonable public notice of any resolution made under this Clause 2.4.1.

2.4.2 Differential or Structured Fees and Charges

In making a determination under Clause 2.4.1, Council may establish a system or structure of fees and charges, including a maximum fee or charge, if it considers it appropriate to do so.

2.5 Enforcement

2.5.1 Offences

A person is guilty of an offence if the person fails to:

- (a) comply with any provision of this Local Law;
- (b) obtain a Permit when required under this Local Law;
- (c) comply with any condition of a Permit issued in accordance with this Local Law;
- (d) comply with a Notice to Comply issued in accordance with this Local Law; or
- (e) comply with any direction of an Authorised Officer.

2.5.2 Notices to Comply

- (a) Council may, by serving a Notice to Comply substantially in the form of Schedule 1, direct any person to remedy anything which constitutes an offence under, or is otherwise contrary to, this Local Law.
- (b) A person must comply with the requirements of a Notice to Comply.

2.5.3 Power to Act in Urgent Circumstances

- (a) An Authorised Officer may, in urgent circumstances arising from a failure to comply with this Local Law, take action to remedy the situation without serving a Notice to Comply if:
 - (i) the Authorised Officer considers the circumstances or situation to be sufficiently urgent that the time involved, or difficulties associated, with the serving of a Notice to Comply may place a person, Animal, property or thing at risk or in danger; and
 - (ii) details of the circumstances giving rise to the urgent action and the remedial action are, as soon as possible, forwarded to the person in respect of whom the action was taken.

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- (b) The urgent action taken by the Authorised Officer under this Clause 2.5.3 must not extend beyond what is reasonably necessary to alleviate the immediate risk and danger involved.

GUIDANCE NOTE:

Where a person fails to comply with a Notice to Comply issued under Clause 2.5.2, Council can undertake the works necessary for compliance. In that case, and in a case where Council undertakes urgent works under Clause 2.5.3, Council can recover its costs incurred in undertaking those works from the person responsible for the breach, in accordance with Section 225 of the Act.

2.5.4 Appeals

- (a) Subject to Clause 2.5.4(c), any person who is aggrieved by any refusal to issue a Permit, Permit condition, direction or Notice to Comply issued in accordance with this Local Law (“decision”) may, within 28 days after the date of being notified of the decision, or such shorter time specified in the decision, request a review of the decision accompanied by written submission supporting the request.
- (b) A person who makes a request under this Clause 2.5.4 is not relieved of their obligation to comply with the decision.
- (c) Where the Authorised Officer who issues a Notice to Comply is of the opinion that urgent compliance is necessary, the right of appeal provided by Clause 2.5.4(a) may be expressly excluded by the Notice to Comply.

2.5.5 Infringement Notices

The infringement notice Penalty in respect of an offence under this Local Law is set out in Schedule 3.

2.5.6 General Penalty at Magistrates’ Court

Except as otherwise set out in Schedule 2 to this Local Law, any person who is guilty of an offence against this Local Law is liable to:

- (a) a maximum Penalty of not more than 20 Penalty units; and
- (b) for a continuing offence, a maximum Penalty not more than 2 Penalty units for each day that the contravention continues after a finding of guilt or conviction.

GUIDANCE NOTE:

Council retains discretion about its enforcement of this Local Law. That discretion will generally be exercised by having regard to the Local Law objectives, the public benefit in enforcing and the proportionality of the enforcement in the context of the offence committed and the public benefit derived.

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PART 3 - PROTECTION AND MANAGEMENT OF COUNCIL ASSETS AND INFRASTRUCTURE

3.1 Protection of Assets and Land

A person must not, without a Permit, destroy, damage, deface, interfere with, excavate or tap into any:

- (a) vegetation including trees, plants or grass;
- (b) fence, sign, tree band guard, service conduit, hydrant or other asset;
- (c) constructed asset including toilet blocks, BBQ's, benches and play equipment;
- (d) drain; or
- (e) watercourse, ditch creek, gutter, tunnel, bridge, levee, culvert, fence, or other similar asset,

that is vested in, controlled or owned by Council.

3.2 Maintenance of Nature Strips

An Owner or Occupier of Land in a Residential Area must ensure that the Nature Strip adjacent to that Land:

- (a) is maintained in a neat and tidy condition; and
- (b) does not contain grass, stubble or undergrowth exceeding 150mm in height.

GUIDANCE NOTE:

To undertake any works other than mowing, weeding and general lawn and vegetation maintenance a Permit is required under Clause 3.1.

3.3 Asset Protection Permit

- (a) If Building Work is to be carried out on any Land the:
 - (i) Owner of the relevant Land;
 - (ii) Builder engaged to carry out the Building work;
 - (iii) agent appointed for the purpose; or
 - (iv) demolition Contractor engaged to carry out demolition as part of the Building Work.must:
 - (v) not carry out, or allow to be carried out, any Building Work on that Land unless an Asset Protection Permit has been obtained;

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- (vi) not carry out, or allow to be carried out, any Building Work on that Land in contravention of any conditions attached to the Asset Protection that has been obtained; and
- (vii) pay any Asset Protection Permit Bond specified in the Asset Protection Permit,

unless the type of Building Work has been exempted, or the person carrying out that Building Work is a person who has been exempted, or belongs to a class of persons that is exempt, from this Clause 3.3 as determined by Council from time to time.

- (b) An Asset Protection Permit may be subject to such conditions as Council sees fit, including but not limited to requiring:
 - (i) protection works to be done;
 - (ii) the payment of an Asset Protection Bond;
 - (iii) the erection of temporary fencing to the satisfaction of Council; and
 - (iv) that any public asset or infrastructure damage be repaired, replaced or reinstated within a specified time and to a specified standard.

GUIDANCE NOTE:

An Asset Protection Permit may allow a person to:

- enter Land from a Road other than by a permanently constructed Vehicle crossing whether or not public assets or infrastructure are likely to be damaged.
- store or place items on or in Council Land or Road.

The amount of any Asset Protection Bond determined under Clause 3.3 will generally take into account:

- the type, size and nature of the Building work being undertaken;
- the total cost of the Building work being undertaken;
- the likely impact of the Building work on assets and infrastructure in the vicinity of the relevant Land; and
- any other factor that Council considers relevant.

- (c) The person to whom the Asset Protection Permit is issued must notify Council, in writing:
 - (i) of the proposed date for commencement of the Building Work at least 7 days prior to its commencement, unless a commencement date was specified in the Permit application and remains unchanged; and
 - (ii) prior to the commencement of works, of any damage to any Road (including a Road reserve, Footpath or Nature Strip) or other public

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asset within the area of the Asset Protection Permit existing at the time of that notice.

- (d) The person to whom the Asset Protection Permit is issued must repair or reinstate any damaged Road, drain, Nature Strip, kerb, channel, Vehicle crossing or other asset vested in Council within the area of the Asset Protection Permit or which is otherwise affected by the Building Work, and any repairs must be performed to the satisfaction of Council.
- (e) Upon completion of the Building Work, Council may:
 - (i) retain all or part of any Asset Protection Bond to offset the costs to Council of repairing any damage to any public asset;
 - (ii) upon being satisfied that no damage has been caused to any public asset, or that any damage has been repaired to Council's satisfaction, refund the Asset Protection Bond in full to the person who paid it; or
 - (iii) refund to the person who paid the Asset Protection Bond such portion of it as remains after Council has undertaken work necessary to repair any damaged public asset.
- (f) For purposes of determining whether any damage to public assets has resulted from the execution of any Building Work, failure to provide prior notice of such damage under Clause 3.3(b) is prima facie proof that there was no existing damage to such public assets prior to the Building Work taking place.
- (g) Council may, in its absolute discretion, accept an alternative form of security to an Asset Protection Bond.
- (h) Where a person to whom an Asset Protection Permit is issued has caused damage to any public asset and the cost to repair the damage exceeds the amount of the Asset Protection Bond paid, Council may seek to recover the additional costs of repair from that person as a debt.

3.4 Discharge into Stormwater

A person must not allow the discharge of any substance, other than stormwater, into Council's stormwater drainage network.

3.5 Vehicle Crossings

- (a) Each of the Owner and the Occupier of Land must ensure that:
 - (i) each point at which a Vehicle accesses or egresses that Land from or to a Road is a Vehicle crossing that is constructed to Council's satisfaction; and
 - (ii) no Vehicle is allowed to enter or leave the Land except by using the properly constructed Vehicle crossing or otherwise in accordance with an Asset Protection Permit issued under Clause 3.3.

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- (b) Council or an Authorised Officer may serve a Notice to Comply requiring the Owner or Occupier of Land to construct a temporary or permanent Vehicle crossing.
- (c) A person must not permanently or temporarily construct, remove or alter a Vehicle crossing:
 - (i) without a Permit issued in accordance with the *Planning and Environment Act 1987*; or
 - (ii) without an Asset Protection Permit issued in accordance with Clause 3.3; or
 - (iii) otherwise in accordance with a Permit issued by Council or an Authorised Officer under this Clause 3.5.

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PART 4 - BUILDING SITES

4.1 Protection of Stormwater

- (a) The person responsible for the management of a Building Site must ensure that the Building Site is managed in a way that minimises the risk of stormwater pollution through the contamination of run off by chemicals, sediments and gross pollutants (including but not limited to potential windblown Refuse).
- (b) Compliance with Clause 4.1(a) can be demonstrated by compliance with any applicable Local Government, State Government or Industry guidelines relating to the protection of stormwater.

4.2 Containment of Building Works within Building Site

The person responsible for the management of a Building Site must ensure that all Building Work is contained entirely within the Building Site.

4.3 Fencing

- (a) Unless exempted by Council, the person responsible for the management of a Building Site must ensure a fence is erected around the entire perimeter of the Building Site which:
 - (i) is a minimum of 1.8 meters in height;
 - (ii) is constructed of solid material or steel mesh panels with mesh sections not greater than 75 square centimetres (e.g. 150mm x 50mm);
 - (iii) is securely fastened to become continuous without gaps;
 - (iv) is adequately braced to prevent falling in high winds;
 - (v) prevents silt or any other materials from escaping underneath the fence;
 - (vi) is constructed entirely within the Building Site; and
 - (vii) remains in place for the entire period that Building Work is being conducted on the Building Site, or until a certificate of occupancy has been granted, whichever occurs last.
- (b) The person responsible for the management of a Building Site must, unless a Permit has been issued ensure that the fence erected under Clause 4.3(a) does not have more than one access opening and this opening is fitted with gates which:
 - (i) swing into the Building Site or slide or roll along the existing fence line;
 - (ii) are not less than 1.8 meters in height;
 - (iii) are located to correspond with the Vehicle crossing for the Building Site; and

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- (iv) are constructed to the same standard as that specified in Clause 4.3(a).
- (c) Any Building Site fencing that is damaged or removed as a result of Building Work, or any other reason, must be reinstated within 24 hours of the damage or removal.

4.4 Containment of Refuse

- (a) The person responsible for the management of a Building Site must ensure that a rubbish container is placed on the Building Site at the commencement of any Building work which:
 - (i) is designed and constructed to prevent the escape of its contents by wind or any other means;
 - (ii) has a secure lid that remains closed at all times except when depositing Waste from the Building Site;
 - (iii) has a minimum usable capacity of 6 cubic meters;
 - (iv) remains on the Building Site for the duration of all Building Work;
 - (v) remains intact, serviceable and suitable for the amount and type of Waste it is to be used for; and
 - (vi) is emptied before it becomes full.
- (b) The person responsible for the management of a Building Site must ensure that:
 - (i) no rubbish container is placed in a Public Place or on a Road without an Asset Protection Permit, and
 - (ii) all rubbish containers are removed from the Building Site within seven (7) days of completion of Building Work or certificate of occupancy being issued, whichever occurs first.

4.5 Windblown Refuse

The person responsible for the management of a Building Site must ensure that all:

- (a) windblown Refuse is deposited in a rubbish container; and
- (b) dust from the Building Site is controlled to the satisfaction of an Authorised Officer.

GUIDANCE NOTE:

Windblown Refuse or dust leaving the Building Site may also, or alternatively, be subject to controls under the *Environment Protection Act 1970*.

4.6 Building Site Identification Sign

The person responsible for the management of a Building Site must ensure that:

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- (a) a Sign is erected at the main entrance to the Building Site at the commencement of the Building Work and remains for the duration of the Building Work which is at least 600mm x 400mm in size and clearly displays the:
 - (i) lot number and street address, as described on the Certificate of Title relevant to the Land;
 - (ii) name of the principal Builder;
 - (iii) name of the person in charge of the Building Site;
 - (iv) postal address of the person in charge of the Building Site;
 - (v) contact telephone number or numbers for the person in charge of the Building Site; and
- (b) the Sign erected under this Clause 4.6 is amended within 24 hours of any change of information contained on the Sign.

4.7 Building Site Toilet

- (a) The Owner, Occupier or Builder of the Building Site must, at the commencement of any Building Work, provide a minimum of one on-site toilet with serviceable hand washing facilities for use by persons working on the Building Site which:
 - (i) is clean and serviceable at all times;
 - (ii) faces inwards to the Building Site and
 - (iii) is kept clear of obstructions.
- (b) Notwithstanding Clause 4.7(a) a person responsible for the management of a Building Site may provide a toilet with serviceable hand washing facilities on an adjacent site under their control provided that:
 - (i) no more than 3 adjacent Building Sites are serviced by the same toilet;
 - (ii) access to the toilet is provided to any person working on the Building Site; and
 - (iii) the toilet otherwise complies with the requirements of Clause 4.7(a).

4.8 Direction to Cease Building Work

A person must immediately cease all Building Work when directed either orally or in writing by an Authorised Officer to do so.

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PART 5 - ACTIVITIES AND BEHAVIOUR ON ROADS, COUNCIL LAND, MUNICIPAL PLACES AND PUBLIC PLACES

5.1 Behaviour in Municipal Places

A person must not in a Municipal Place:

- (a) create a nuisance;
- (b) destroy, damage, interfere with or deface anything located there, without a Permit;
- (c) remove any thing without a Permit;
- (d) destroy, damage, climb on, remove or interfere with any flora without a Permit;
- (e) deposit or discard any litter or used syringe, except in a receptacle provided for that purpose;
- (f) obstruct, hinder or interfere with any member of Council staff in the performance of his or her duties;
- (g) use or interfere with any lifesaving or emergency device located there, unless using the device in an emergency or participating in instruction or maintenance approved by Council;
- (h) act in a manner that is likely to interfere with the reasonable use and enjoyment by other persons; or
- (i) smoke any tobacco product or use any electronic smoking device within 10 metres of any Municipal Building except in a Signed designated smoking area.

5.2 Access to Municipal Places

- (a) Council may:
 - (i) determine the hours when a Municipal Place will be open to the public;
 - (ii) restrict access to a Municipal Place or part of a Municipal Place;
 - (iii) authorise any person to occupy a Municipal Place or to restrict access to the Municipal Place;
 - (iv) close a Municipal Place or part of a Municipal Place to the public;
 - (v) charge fees, or authorise any other person to charge fees, for admission to or use of a Municipal Place or part of a Municipal Place; and
 - (vi) designate by appropriate Signage areas as no smoking areas.
- (b) Council may establish, from time to time:

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- (i) conditions applying to, and fees or charges for admission to or the hire or use of, a Municipal Place or part of a Municipal Place; and
 - (ii) conditions applying to, and fees or charges payable for, the hire or use of any property of Council in connection with a Municipal Place.
- (c) A person must not, without a Permit:
- (i) enter a Municipal Place other than through an entrance provided for that purpose;
 - (ii) enter or remain in a Municipal Place during hours when the Municipal Place is not open to the public; or
 - (iii) enter or remain in a Municipal Place without the applicable fee or charge having been paid.

5.3 Behaviour in Municipal Buildings

A person must not, without a Permit:

- (a) organise, conduct or hold any function or event in a Municipal Building;
- (b) bring any Animal into, or allow any Animal under his or her control to remain in, a Municipal Building, except for an Assistance Dog being used by a person with a disability;
- (c) bring any Vehicle, Recreational Vehicle or Wheeled Toy into a Municipal Building;
- (d) bring into a Municipal Building any substance, liquid or powder which may:
 - (i) be dangerous or injurious to health;
 - (ii) have the potential to foul, pollute or soil any part of the Municipal Building; or
 - (iii) cause discomfort to persons.

5.4 Behaviour in Municipal Reserves

A person must not, in any Municipal Reserve:

- (a) enter upon or remain on any area set aside as a playing ground during the course of an organised sporting match or gathering, unless they are a player or an official or a competitor at the organised sporting match or gathering;
- (b) destroy, damage, climb on, remove or interfere with any structure;
- (c) kill, injure or interfere with any fauna;
- (d) throw any stones or missiles;
- (e) spit upon or otherwise foul any path or structure;

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- (f) use any children's playground equipment other than for the purpose for which it was designed;
- (g) swim, paddle, dive, jump into or otherwise enter any wetland, lake, pond or fountain, unless authorised by Signage erected by Council;
- (h) throw or place, or cause or allow to be thrown or placed, any liquid, stones, sticks, paper, dirt, rubbish or any other object, substance or thing into any wetland, lake, pond or fountain;
- (i) play, engage in or practice any game, sport or activity, or use any facilities or spaces, (whether or not a Permit has been issued under this Local Law), in a manner that is:
 - (i) dangerous to any person or property; or
 - (ii) likely to interfere with the reasonable use and enjoyment of the Municipal Reserve by others;
- (j) walk on or damage any plot, bed, border, closed track, replanting area or other area set aside for plants;
- (k) post signs on any fence, gate, wall, seat, or other structure or vegetation without a Permit;
- (l) drive any Vehicle in a manner that is:
 - (i) dangerous to any other person in the Municipal Reserve; or
 - (ii) likely to interfere with the reasonable use and enjoyment of the Municipal Reserve by any other person.
- (m) park any Vehicle in contravention of any parking restrictions that apply in that Municipal Reserve; or
- (n) park or drive a Vehicle other than in an area set aside for that purpose.

5.5 Activities on Roads and Council Land

5.5.1 Commercial Activities

- (a) A person must not, without a Permit or as otherwise provided by this Local Law, on any Road or Council Land undertake a commercial activity including:
 - (i) display any goods;
 - (ii) place any Sign or Advertising Sign (including an 'A' frame Sign);
 - (iii) place tables, chairs, outdoor umbrellas, planter boxes, barriers, outdoor heaters or any other item;
 - (iv) post any placard, bill, poster, sticker or other document;
 - (v) conduct a street stall;
 - (vi) hold a circus, carnival, festival, fete or other similar event;

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- (vii) conduct activities connected with a fitness, exercise or personal training business, group or organization;
 - (viii) busk;
 - (ix) conduct Itinerant Trading; or
 - (x) mark Graffiti.
- (b) A person must not commission another person to do anything which breaches of Clause 5.5.1(a).
- (c) If a Sign, including an Advertising Sign, is placed in breach of Clause 5.5.1(a), each person who:
- (i) is knowingly concerned in the operation of the business, event or activity to which the Sign relates;
 - (ii) has the management and control of premises, property, business, event or activity to which the Sign relates;
 - (iii) is a promoter of the premises, property, business, event or activity to which the Sign relates; or
 - (iv) is responsible for the placement, siting or distribution of the Sign, including without limitation the person who engaged the person who physically placed or distributed the Sign,
- is guilty of an offence against this Local Law, whether or not the person who physically placed the Sign is identified or prosecuted.
- (d) Nothing in Clause 5.5.1(c) affects the liability under Clause 5.5.1(a) of any person who actually places any such Sign.
- (e) A person who has placed, allowed to be placed, displayed or allowed to be displayed:
- (i) goods; or
 - (ii) a Sign; or
 - (iii) a seat, umbrella, table, chair other furniture or any other item on a Road or Council Land, whether or not in accordance with a Permit,
- must move or remove it or them if directed to do so by:
- (iv) an Authorised Officer; or
 - (v) a member of an Emergency Service.

5.5.2 Undertaking works or obstruction of access

- (a) A person must not, without a Permit, or otherwise in accordance with this Local Law:
- (i) occupy or fence off a Road or Council Land;

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- (ii) excavate a Road or Council Land;
 - (iii) remove, damage or interfere with any structure, flora or item on a Road or Council Land;
 - (iv) leave, store or allow to be left any Bulk Rubbish Container, storage or shipping container (pods), skip bin or Trailer skip on Road or Council Land;
 - (v) store a trade Waste hopper or bin on a Road, Council Land;
 - (vi) leave or store, or allow to be left or stored, any other thing that encroaches on, obstructs the free use of, reduces the breadth of, or confines the limits of Road or Council Land;
 - (vii) construct or erect any hoarding, scaffolding or structure on a Road or Council Land;
 - (viii) occupy, or allow the occupation of, a Road or Council Land for the purpose of filming for commercial purposes or public exhibition or the placement of any equipment associated with such an activity; or
 - (ix) place a Charity Bin on a Road or Council Land.
- (b) Any person who undertakes work on a Road or part of a Road under the control of Council must perform the work to the standard, if any, specified by Council.
- (c) Council may exempt:
- (i) a person; or
 - (ii) a class of persons,
- from the application of this Clause 5.5.2 or any part of it.

5.5.3 Camping

A person must not, without a Permit:

- (a) Camp;
- (b) use a Caravan or other temporary or makeshift structure; or
- (c) occupy any Motor Vehicle for the purpose of accommodation,

on any Road or Council Land unless Council has set aside that Road or Council Land for that purpose.

5.5.4 Use of Vehicles

- (a) A person must not, without a Permit, on any Road or Council Land or:
- (i) service, paint or dismantle any Motor Vehicle, Caravan or Trailer;

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- (ii) repair any Motor Vehicle, except where necessary to enable that Motor Vehicle to be removed;
 - (iii) park or leave, or cause to be parked or left, a Motor Vehicle, Caravan or Trailer for the purpose of displaying it for sale;
 - (iv) park or leave, or cause to be parked or left, a Motor Vehicle, Caravan or Trailer in the same place for more than 14 consecutive days in any 28-day period.
- (b) A person must not, without a Permit on any Council Land:
- (i) leave any unroadworthy or unregistered Motor Vehicle, Caravan or Trailer; or
 - (ii) abandon or cause to be abandoned any Motor Vehicle, Caravan or Trailer.

5.6 Activities which require a Permit in a Municipal Place

A person must not, without a Permit, in any Municipal Place:

- (a) ride or drive a Vehicle or horse except for:
 - (i) parking a Vehicle in a parking area established for that purpose;
 - (ii) wheeling a bicycle, pram, baby or child carriage, wheelchair or children's toy along a Footpath; riding a bicycle or horse in a manner that does not interfere with the use or enjoyment of the Municipal Reserve by any other person; or
 - (iii) on a Road or bicycle path in accordance with any applicable Acts or regulations;
- (b) light a fire or allow any fire to remain alight except in a Purpose Built Outdoor Cooking Device provided by Council, or a commercially manufactured Purpose Built Outdoor Cooking Device assembled and operated according to manufacturer specifications; or
- (c) operate any device that has a predominant purpose of amplifying voice, music or noise.

5.7 Recreational Vehicles on Council Land

- (a) A person must not, without a Permit, use a Recreational Vehicle on Council Land.
- (b) A person must not ride any unregistered Recreational Vehicle on Council Land.
- (c) A person who owns an unregistered Recreational Vehicle must not knowingly allow another person to ride the Recreational Vehicle on Council Land.
- (d) An Authorised Officer may, in accordance with Clause 2.3, impound a Recreational Vehicle being used in contravention of this Clause.

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5.8 Shopping Trolleys

- (a) A person must not abandon or leave a Shopping Trolley, other than in an area set aside for the leaving of Shopping Trolleys, on any Road or Council Land.
- (b) Any Shopping Trolley left on any Road or Council Land other than in an area set aside for leaving Shopping Trolleys may be impounded by an Authorised Officer.
- (c) A retailer must not make a Shopping Trolley available for use, or allow a Shopping Trolley to be used, which does not have a locking mechanism attached.
- (d) For the purpose of Clause 5.8(c), locking mechanism means
 - (i) a coin-operated lock; or
 - (ii) any other device designed to prevent the theft or removal of the Shopping Trolley from the vicinity of the business that provides the Shopping Trolley.
- (e) Clause 5.8(c) does not apply to a retailer who makes available for use, or allows to be used, 25 Shopping Trolleys or less.
- (f) A retailer may apply in writing to Council for an exemption from the application of Clause 5.8(c), which exemption, if granted, may operate for a specified period or indefinitely.

5.9 Parking Permits

- (a) Any person who has been allocated a parking Permit must not:
 - (i) Sell or offer to Sell the parking Permit;
 - (ii) give away for no charge, or offer to give away for no charge, the parking Permit, other than a temporary visitor Permit to be used by a legitimate visitor; or
 - (iii) otherwise allow the parking Permit (or other temporary visitor Permit being used by a legitimate visitor) to be used by any person other than a Vehicle parking Permit holder or their visitor.
- (b) A person, other than a visitor using a temporary visitor Permit, must not:
 - (i) purchase, or induce to purchase, a parking Permit from any parking Permit holder or other person not authorised to issue a parking Permit;
 - (ii) receive, or induce to receive, whether for a charge or not, a parking Permit from any parking Permit holder or other person not authorised to issue a parking Permit; or
 - (iii) use, or attempt to use, a parking Permit if they are not the person who is entitled to use it.

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5.10 Roadside Firewood Collections

A person must not, without a Permit, collect, cut or remove firewood from any Road or Council Land.

5.11 Consumption and Possession of Alcohol

- (a) Council may, from time to time by resolution, declare an area to be an Alcohol Restriction Area.
- (b) After a declaration is made, Signage must be erected which identifies the relevant area as an Alcohol Restriction Area.
- (c) A declaration may define an Alcohol Restriction Area by:
 - (i) description; or
 - (ii) reference to a plan or map.
- (d) A person must not, without a Permit, in an Alcohol Restriction Area:
 - (i) consume Alcohol; or
 - (ii) be in possession of Alcohol, other than in a sealed container.
- (e) Clause 5.11 does not apply to a person who possesses or consumes Alcohol:
 - (i) within licensed premises in accordance with the *Liquor Control Reform Act 1998*;
 - (ii) on private property; or
 - (iii) otherwise in accordance with a Permit.

5.12 Direction by an Authorised Officer in a Municipal Place or on Council Land

A person must at all times comply with any:

- (a) reasonable direction of an Authorised Officer; and
- (b) requirement set out in a Sign erected by Council.

on any Council Land.

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PART 6 - LAND USE AND AMENITY

6.1 Property Numbers

- (a) If Council has allocated a number to Land within its Municipal District, each of the Owner and the Occupier of that Land must ensure that the allocated number is visible and is maintained in accordance with Clause 6.1(b).
- (b) The number must be positioned and be of a size to be clearly visible from the carriageway of the adjoining Road.

6.2 Unsightly Land

Each of the Owner and the Occupier of Land must ensure that it is not kept in a manner which is Unsightly.

GUIDANCE NOTE:

Land may be considered by Council to be unsightly if, among other things, it contains:

- unconstrained rubbish;
- native and non-native grass, noxious weeds, weeds and undergrowth which exceed a height of 150mm.
- disused excavations or Waste material;
- Graffiti on any Building, structure or boundary fence;
- disused machinery, unregistered Vehicles, machinery or Vehicle parts; or
- any other condition that is detrimental to the general amenity of the neighbourhood in which it is located.

6.3 Vacant Land and Abandoned Buildings

- (a) An Owner of any vacant Land must not allow the vacant Land to become unsafe.
- (b) An Owner of a Building must not allow the Building to become Dilapidated or fall into disrepair so as to become unsafe.
- (c) Where a Building is deemed unsafe Council can issue a Notice to Comply to either:
 - (i) secure the Building to prohibit access; or
 - (ii) secure the site to prohibit access to the Building and all or a portion of the Land surrounding the Building.

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GUIDANCE NOTE:

For the purposes of Clause 6.3(b), circumstances in which a Building would be classified as unsafe might include, but not be limited to:

- where access to the Building is available;
- where windows and doors are either missing or broken; or
- where there is potential for parts of the external or internal structures to collapse or fall due to disrepair.

6.4 Maintenance of Private Drains and Stormwater Retention Systems

Each of the Owner and the Occupier of Land must ensure that any drain or stormwater retention system on the Land that is not vested in Council or another public authority is operated and maintained so that it is fit for purpose.

6.5 Obstruction of Sign or Signal on a Road

Each of the Owner and the Occupier of Land must ensure that no:

- (a) tree, hedge, plant or vegetation of any kind grows; or
- (b) structure of any kind is constructed or placed,

so that it obstructs the view of a Motor Vehicle, Sign or Signal on a Road by any person using that Road.

6.6 Overhanging or Encroaching Vegetation

Each of the Owner and the Occupier of Land must not cause or allow any tree, hedge, plant or vegetation of any kind to:

- (a) overhang or encroach on any Road, Footpath or Nature Strip at a height of less than 2.5 meters; or
- (b) otherwise obstruct any Road, Footpath or Nature Strip.

6.7 Shipping Containers

- (a) Each of the Owner and the Occupier of Land in a Residential Area must ensure that no shipping container is stored or placed:
 - (i) on vacant Land;
 - (ii) in front of any dwelling on the Land, or between the dwelling and the Road abutting the Land frontage;
 - (iii) within 5 meters of any dwelling on any other Land;
 - (iv) for more than 14 consecutive days; or
 - (v) for more than 21 days in any calendar year,

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without a Permit.

- (b) Each of the Owner and the Occupier of any Land in a Commercial Area or Rural Area (excluding a Farming Area) must ensure that no shipping container is placed or stored on that Land for more than 28 days in any calendar year without a Permit.
- (c) A person must not, without a Permit, place, or allow or cause to be placed, a shipping container on a Road or Public Place.

GUIDANCE NOTE:

A Permit is not required if a Permit has been issued either under the *Planning and Environment Act 1987* or the *Building Act 1993*.

6.8 Heavy Vehicles

A person must not, without a Permit, park, keep, store, repair or allow to remain any heavy Vehicle on any Land in a Residential Area.

GUIDANCE NOTE:

A Permit is not required if a Permit has been issued under the *Planning and Environment Act 1987* or if the activity is an exempt activity under the Scheme.

6.9 Audible Alarms

Each of the Owner and the Occupier of any Land must ensure that no audible alarm that is installed on the Land can be heard continuously beyond the boundary of such Land within any Residential Area or Commercial Area for more than 10 minutes, or intermittently for more than 10 minutes in total within a one hour period.

6.10 Camping on Private Land

- (a) A person must not, without a Permit, occupy a Caravan or any other temporary structure on private Land for more than 7 days within any 28 day period, or for more than 14 days in any calendar year.
- (b) The Owner or the Occupier of Land must not, without a Permit, allow the occupation of a Caravan any other temporary structure on private Land for more than 7 days within any 28 day period or for more than 14 days in any calendar year.

GUIDANCE NOTE:

This Clause 6.10 does not apply to any private Land that is Caravan park within the meaning of the *Residential Tenancies Act 1997*.

6.11 Recreational Vehicles

A person must not, without a Permit, use a Recreational Vehicle, or allow a Recreational Vehicle to be used, on private Land:

- (a) in a Residential Area; or

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- (b) within 500 meters of any dwelling on property other than the property on which the Recreation Vehicle is being used; or
- (c) between the hours of sunset and sunrise each day.

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PART 7 - WASTE MANAGEMENT

7.1 Septic Tank Systems

The Owner of Land upon which a Septic System is installed and used which does not require, or is not the subject of a permit under the *Environmental Protection Act 1970* must:

- (a) ensure that at least once every three years it is emptied by a licenced Contractor and the contents disposed of at a suitable location;
- (b) provide a report from a licenced Contractor to Council each time it is emptied;
- (c) ensure that effluent from the Septic Tank System is not allowed to discharge off the Land;
- (d) ensure that effluent from the Septic Tank System is not allowed to discharge, run or pond on the surface of the Land;
- (e) ensure that the effluent lines are sufficient to manage the effluent created by the dwelling/s or Building/s on the Land;
- (f) ensure that, on any premises that is subject to a registration under the *Food Act 1984*, a grease trap of sufficient size is installed prior to the Septic Tank System and is emptied as needed to ensure that fats and grease do not enter the Septic Tanks System; and
- (g) ensure that the Septic Tank System is maintained in such a way that it does not allow the ingress of any groundwater, rainwater or surface water runoff.

7.2 Reuse of Domestic Grey-Water

A person must not, without a Permit, use untreated greywater to irrigate any Land.

7.3 Storage of Trade Waste

Each of the Owner and the Occupier of every commercial premises in a Commercial or Industrial Area must provide trade Waste hoppers, bins, or storage containers for the storage of trade Waste, which are:

- (a) constructed of impervious materials, water tight and pest proof;
- (b) emptied before they become full;
- (c) maintained in a clean, inoffensive and sanitary condition;
- (d) in sufficient numbers to contain all the trade Waste produced on the premises;
- (e) stored in an area and in a manner that is safe and secure; and
- (f) stored in a manner that cannot contaminate or enter the stormwater system.

7.4 Waste Collection and Disposal

- (a) Each of the Owner and the Occupier of Land must not:

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- (i) place out for collection more than one (1) Mobile Waste Bin, one (1) Green Organics Bin and one (1) Recyclables Bin, unless otherwise authorised by Council; or
 - (ii) place out for collection any Mobile Waste Bin, Green Organics Bin or Recyclables Bin in a manner that causes a hazard to a pedestrian, Vehicle or person undertaking the collection and processing of the bins.
- (b) Each of the Owner and the Occupier of any Land must ensure that any Mobile Waste Bin, Green Organics Bin or Recyclables Bin placed out for collection is:
- (i) positioned on the Nature Strip adjacent to the kerb at least one metre from any other item, or at such other place as may from time to time be approved by Council;
 - (ii) placed no earlier than 3:00pm on the day prior to the day of collection, or at such other time determined by Council from time to time; and
 - (iii) removed and returned to the premises on the same day as the collection occurred.
- (c) Each of the Owner and the Occupier of Land must remove any Waste or material which has escaped or spilled onto any Road, Nature Strip or surrounding area from a Mobile Waste Bin, Green Organics Bin or Recyclables Bin, or from any hard Waste, left out by the Owner or Occupier for collection.

7.5 Hard Waste Collection

- (a) A person must not place any hard Waste on any Road, Nature Strip or other Public Place unless the person has applied for, and received, a hard Waste collection booking from Council.
- (b) If Council has accepted a household hard Waste collection booking, the person who has secured the booking must ensure that all hard Waste to be collected is placed:
- (i) on the Nature Strip or other agreed location not earlier than 2 days prior to the booking collection date; and
 - (ii) in a neat, tidy and orderly manner.

7.6 Interference with Waste

A person must not:

- (a) remove, damage or interfere with a bin, the contents of any bin or any hard Waste placed out for collection; or
- (b) place additional material into a bin, or to hard Waste, that has been placed out for collection by another person.

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7.7 Maintenance of Waste, Organic and Recycling Bins

Each of the Owner and the Occupier of any Land must:

- (a) keep the Mobile Waste Bin, Green Organics Bin and Recyclables Bin allocated to their premises in a clean, inoffensive and sanitary condition;
- (b) ensure that any area where the Mobile Waste Bin, Green Organics Bin and Recyclables Bin are stored between collections is kept in a clean, inoffensive and sanitary condition; and
- (c) ensure that the Mobile Waste Bin, Green Organics Bin and Recyclables Bin, when placed for collection and containing Waste, are capable of being, and are, kept closed at all times, except when items are being deposited in or removed from them.

7.8 Street Bins and Park Bins

A person must not deposit any household Waste, green Waste, trade Waste or commercial Waste into any street bin or park bin.

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PART 8 - ANIMALS

8.1 Number of Animals

- (a) The Owner or Occupier of any Land must not, without a Permit:
- (i) keep or allow to be kept, more than 4 different types of Animals on premises in a Residential Area at any one time; and
 - (ii) keep or allow to be kept any more in number for each type of Animal as set out in the following table; or

Animal	Residential Area	Rural Area up to 4 Hectares	Rural Area over 4 Hectares
Dogs	2	2	5
Cats	2 3 if all desexed	2 3 if all desexed	5
Budgerigars, canaries or finches	50	50	No Local Law Permit Required
Pigeons	10	30	60
Racing Pigeons	0	100	No Local Law Permit Required
Cockatoo / Galah (caged)	0	2	No Local Law Permit Required
Fowls	5	20	No Local Law Permit Required
Roosters	0	1	No Local Law Permit Required
Pheasants	0	10	No Local Law Permit Required
Other poultry (including ducks, geese, turkey, guinea fowl or similar)	0	20	No Local Law Permit Required
Ostriches / Emus / Peacocks / Llama / Alpaca	0	6	No Local Law Permit Required
Sheep	0	4	No Local Law Permit Required
Goats	0	4	No Local Law Permit Required
Horses	0	4	No Local Law Permit Required
Pigs	0	1	No Local Law Permit Required
Cows	0	2	No Local Law Permit Required
Other primary production Animals	0	0	No Local Law Permit Required
Rabbits Ferrets / Guineapigs / Rabbits or Mice	3	8	No Local Law Permit Required
Reptiles	2	4	No Local Law Permit Required

- (iii) any other Animal that is not specified in the above table.

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- (b) Clause 8.1 does not apply to Animals kept and used in accordance with the Scheme.

8.2 Progeny of Animals

For the purpose of calculating the number of Animals being kept for the purposes of Clause 8.1, the progeny of any dog or cat lawfully kept will be exempt for a period of 3 months after their birth, and the young of any sheep, goats, horses, cows or other primary production Animals will be exempt for a period of 6 months after their birth.

8.3 Nuisances

- (a) The Owner or Occupier of any Land where any Animal is kept must ensure that the keeping of the Animal does not create a nuisance.
- (b) The Owner or Occupier of any Land where any Animal is kept must ensure that all Animal litter and Refuse and rubbish associated with the keeping of the Animal is disposed of in such a manner so as not to create a nuisance.

GUDIANCE NOTE:

For the purposes of Clause 8.3, circumstances in which the keeping of an Animal constitutes a nuisance might include, but is not limited to:

- when the Animal makes noises or smells that unreasonably adversely affect the peace, comfort or convenience of any person on any other premises; and
- when the Animal produces an unreasonable accumulation of excrement, whether on the keeper's premises or on any other premises.

8.4 General Provisions

The Owner or Occupier of any Land who keeps any Animal on the Land must:

- (a) keep the ground surrounding the kennel, house, aviary, shelter or other enclosure where the Animal is kept well drained;
- (b) keep the Land within three (3) metres of the kennel, house, aviary, shelter or other enclosure in which the Animal is kept free of dry grass, weeds, Refuse, Waste or other material capable of harbouring rats or other Vermin;
- (c) keep all food for consumption by the Animal in a Vermin proof receptacle;
- (d) remove and place all manure, excrement, Refuse or rubbish produced or accumulated by the Animal, as soon after the production or accumulation as is reasonably practicable in a container:
 - (i) that is sanitary, impervious and Vermin and fly proof; and
 - (ii) the contents of which are removed and disposed of at least once every weeks;
- (e) maintain any kennel, house, aviary, shelter or other enclosure where the Animal is kept in a clean and sanitary condition;

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- (f) keep the Animal in a manner that does not cause an offensive odour;
- (g) prevent wastewater from:
 - (i) entering the stormwater system; or
 - (ii) discharging on to adjoining premises; and
- (h) not cause, allow or suffer excrement or manure to escape from the premises.

8.5 Animal Enclosures

- (a) The Owner or the Occupier of Land must not, within ten (10) metres of a dwelling on other Land, construct or allow to be constructed any enclosure in which poultry is kept, or intended to be kept.
- (b) The Owner or Occupier of Land must keep any Animal on the Land in a kennel, house, aviary, shelter or other enclosure that complies with all of the following:
 - (i) prevents, as far as practicable, the wandering or escape of such Animal beyond the boundaries of the Land;
 - (ii) meets the welfare needs of the Animal;
 - (iii) is capable of being readily cleaned;
 - (iv) is maintained in good repair at all times; and
 - (v) meeting any requirements of an Authorised Officer issued in writing from time to time.

GUIDANCE NOTE:

When assessing whether a kennel, house, aviary, shelter or other enclosure complies with Clause 8.5 the Authorised Officer might consider:

- the height of any kennel, house, aviary, shelter or other enclosure;
- the location of any kennel, house, aviary, shelter or other enclosure having regard to:
 - the distance from the dwelling on the Land;
 - the distance from any neighbouring dwelling;
 - the amenity of the surrounding area; and
 - the size of any kennel, house, aviary, shelter or other enclosure and its adequacy to house the proposed number and type of Animals;
- the security of any kennel, house, aviary, shelter or other enclosure; and
- the nature of the materials used in any kennel, house, aviary, shelter or other enclosure and the ability of such material to be readily cleaned.

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8.6 Stables

A person must not, without a Permit, construct a stable on any Land:

- (a) within five (5) metres of any Road;
- (b) within two (2) metres of the boundary of any adjoining Land; or
- (c) within ten (10) metres of any dwelling on any adjoining Land.

8.7 Dog Excrement

- (a) A Person in charge of any dog must not allow any part of the excrement of the dog to remain on any Public Place.
- (b) A Person in charge of any dog in a Public Place must carry a Litter Device suitable to clean up any excrement left by the dog and must produce such Litter Device upon request of any Authorised Officer.

8.8 Livestock

- (a) The Owner or the Occupier of Land on which Livestock is kept must ensure that the Land is adequately fenced so as to prevent the escape of the Livestock.
- (b) A person must not permit Livestock which they own or have under their control to wander at large or roam on any Public Place.
- (c) A person must not, without a Permit, graze Livestock on any Road.
- (d) Subject to Clause 8.8(e), a person must not, without a Permit, move Livestock on any Road.
- (e) A person who is in charge of the movement of Livestock on any Road does not require a Permit if they:
 - (i) ensure all Livestock shall reach their destination by the most direct route, consistent with the requirements of this Local Law and any direction of an Authorised Officer;
 - (ii) ensure Livestock are only to be on Road for the minimum time it reasonably takes to move them to their destination;
 - (iii) ensure, as far as possible, the Livestock are moved during daylight hours;
 - (iv) comply with any directions from an Authorised Officer with regard to the route to be followed and the protection from damage likely to be caused by the Livestock to the Road, including native vegetation, construction and drainage on the Road, or private property;
 - (v) ensure the Livestock are supervised and under effective control by a person who is competent in the management of Livestock; and

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- (vi) otherwise comply with all the requirements of any guidelines for the movement of Livestock prepared from time to time by the Roads Corporation and with the requirements of the *Road Safety Act 1986* and any Regulations made thereunder.

- (f) Where a farm property abuts both sides of a dividing Road, the Owner or Occupier of the farming property must ensure that any Livestock that is moved from one side of the farm property to the other are moved directly across the dividing Road unless, in the opinion of an Authorised Officer, it is not practical to do so.

GUIDANCE NOTE:

Any person in charge of the grazing of Livestock on a Road with a Permit will generally be expected to:

- ensure that the appropriate temporary fencing is in place to ensure the temporary containment of Livestock to the location where the Permit is issued;
- ensure that adequate warning of the presence of Livestock on the Road is given to other Road users or potential Road users;
- ensure that, apart from any other warnings considered appropriate by the person engaged in such activities, Signs are displayed which conform to guidelines prepared from time to time by the Roads Corporation and with the requirements of the *Road Safety Act 1986* and any Regulations made thereunder;
- ensure that any Signs and temporary fencing used are removed from the Road at the time of completion of such movement or grazing; and
- ensure, in addition to complying with any Permit or other conditions relating to warning Signs to other Road users, lighting requirements and the location, size, contents and colour of such devices are consistent with the Australian Standards for such purposes and any other Signage necessary for Road safety having regard to topography, conditions, Livestock type and numbers.

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PART 9 - FIRES AND FIRE HAZARDS

This part does not apply on any day or part of a day declared as a total fire ban day, or during the fire season as declared by the Country Fire Authority. Clause 9.1(a), does not apply to fires that have been authorised by a Permit under and in accordance with the *Country Fire Authority Act 1958*.

9.1 Open Air Burning

A person must not, without a Permit, light or allow to remain alight an Incinerator or a fire in the open air unless the Incinerator or fire is lit:

- (a) in a Farming Area, for farming purposes;
- (b) in a Rural Area, not used for farming purposes, for the burning of dry material only, being leaves, bark, twigs, small branches, grass and weeds for fire prevention purposes;
- (c) in a Purpose Built Outdoor Cooking and/ or Heating Device; or
- (d) to use a trade tool for and in accordance with its designed purpose.

GUIDANCE NOTE:

For the purposes of Clause 9.1, circumstances where a Permit may be issued include but are not limited to:

- where an Authorised Officer forms the opinion that any of the following applies:
 - the nature, volume, or location of the material to be burnt is such that its disposal by any other means is unsafe;
 - there is no reasonable alternative method available for the disposal of the material proposed to be burnt; or
 - it is necessary to burn the material in the interests of public safety.
- in a Residential Area if the above apply and the following can be met:
 - the provision of a minimum 3 metre firebreak around and above the fire;
 - that the maximum quantity of fuel to be burnt does not exceed 1 cubic metre;
 - that there is sufficient provision of water and equipment to extinguish the fire; and
 - that the fire is attended by an adult at all times it is alight; or
- when the fire is to be used for public entertainment.

9.2 Type of Waste that cannot be burnt

A person must not light or allow to remain alight an Incinerator or a fire in the open air for the purpose of burning:

- (a) household Refuse;

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- (b) industrial, commercial or trade Waste; or
- (c) tyres or other noxious materials.

9.3 Direction by Authorised Officer

A person who has lit, or has allowed to be lit or to remain alight, an Incinerator or a fire in the open air contrary to this Clause 9 must extinguish the fire immediately on being directed to do so by an Authorised Officer.

GUIDANCE NOTE:

Where a person fails to comply with a direction given under Clause 9.3:

- the Authorised Officer or his/her agent may enter upon the premises to which the direction relates and do any act, matter or thing which the person was directed to do; and
- the expenses of doing such act, matter or thing, will be borne by, and may be recovered by Council from the person given the direction.

DRAFT

Governance	Community <i>Local Law</i> No 1. (2017)	****/****	Adopted by Council: 00 January 201*
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Schedule 1 Notice to Comply

Notice to Comply

Moorabool Shire Council General Local Law 2018 – Clause 2.6.2

Notice No.	[Insert]	Date of Issue	[Insert]
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To:

The Owner Occupier	
---------------------------	--

Of:

Address	
----------------	--

I have reason to believe, from a recent inspection of Land at (Insert Address) (**Land**), that the Land is being kept in a manner that contravenes clause (insert clause) of the Moorabool Shire Council General Local Law 2018 (**Local Law**) by:

Specify the act, omission, matter or thing that constitutes the contravention	
	Specifically, the Land: 1.

In order to remedy this contravention you must:

Specify the works required to correct the contravention	1.
---	----

The works required must be completed by the following date:

Specify the date by which the works required must be done]
---	---

Authorised Officer's details:

Signature of Authorised Officer	
Name of Authorised Officer	

Failure to Comply

If you fail to comply with this Notice to Comply:

1. it is an offence under clause 2.6.16 the Local Law, the maximum for which is 20 Penalty units; and
2. Council may, pursuant to section 225 of the *Local Government Act* 1989, carry out the work required by this Notice to Comply and recover the cost of doing so from you.

Review

You may apply for a review of this Notice to Comply under clause 2.6.2 of the Local Law. An application for review of the Notice to Comply must be made in writing and must be made before the date by which the works required must be done (as shown above).

Governance	Community <i>Local Law</i> No 1. (2017)	****/****	Adopted by Council: 00 January 201*
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Schedule 2 Penalties

Clause	General Description	Maximum Penalty	
	Part 3 Protection and Management of Council Assets and Infrastructure		
3.2	Requirement to maintain the nature strip	10	
3.3 (c)	Requirement to notify Council	5	
	Part 4 Building Sites		
4.6(a)	Requirement to provide a site sign	10	
4.6(b)	Requirement to ensure that the building site sign is updated in light of any changes	5	
	Part 5 Activities and Behaviour on Roads, Council land, Municipal places and public places		
5.1(a)to (i)	Requirements on persons to behave in certain ways in a Municipal Place	10	
5.2(c)	Requirements re entry and remaining in a Municipal Place	10	
5.3(a) to (d)	Requirements on persons to behave in certain ways in a Municipal Building	10	
5.4(a) to (n)	Requirements on persons to behave in certain ways in a Municipal Reserve	10	
5.5.1(d) 5.5.1(e)	Requirement to remove a sign when requested by an authorised officer or member of the Emergency Services	10	
5.5.3 (a) to (c)	Requirement not to camp without a permit on a Road, Council Land or a Municipal Place	10	
5.5.4(b)	Requirements not to undertake specific activities with vehicle on any, Council Land or Municipal Place.	10	
5.6(b) and (c)	Requirement to hold a permit to either light a fire or play amplified music in a Municipal Place	10	
5.7(b)	Requirement to not ride an unregistered recreational vehicle on Council land or a Municipal Place	10	
Governance	Community <i>Local Law</i> No 1. (2017)	****/****	Adopted by Council: 00 January 201*

Clause	General Description	Maximum Penalty
5.8(a)	Requirement on a person not to abandon a shopping trolley on any Road, Council land or Municipal Place	10
5.9(a) and (b)	Requirements on persons with regard to the use and purchase of a Parking Permit	10
5.10	Requirement that a person must not without a permit collect fire wood from any Road, Council Land or Municipal Place	10
5.11(d)	Requirements with regard to a persons consumption and possession of alcohol in an Alcohol Restriction Area	10
5.12	Requirement to comply with the reasonable direction of an authorised officer or the requirements set out in a sign in a Municipal Place or on Council Land	10
	Part 6 Land Use and Amenity	
6.1(a) and (b)	Requirement with regard to the positioning and visibility of the property number	10
6.6(a) and 6.6(b)	Requirement on an owner or occupier to ensure that vegetation does not encroach upon or obstruct any Road, Footpath or Nature Strip	10
	Part 7 Waste Management	
7.5(a) and (b)	Requirements on a person with regard to the placement of hard waste for hard waste collection	10
7.8	Requirement that a person does not deposit any residential, green, trade or commercial waste into a street or park bin.	10
	Part 8 Animals	
8.7(a) and (b)	Requirement on the person in control of a dog to not allow any excrement of the dog to remain on and Road, Council Land or Public Place and to carry a suitable litter device at all times.	10

Governance	Community <i>Local Law</i> No 1. (2017)	****/****	Adopted by Council: 00 January 201*
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Schedule 3 Infringement Penalty Units

Clause	General Description	Infringement Penalty Unit
	Part 2 Administration and Enforcement	
2.2.3	Requirement to comply with the conditions of a permit	5
2.5.2	Requirement to comply with a notice to comply	5
	Part 3 Protection and Management of Council Assets and Infrastructure	
3.1(a), (b), (c), (d) and (e)	Requirement that a person must not without a permit destroy, damage, deface, interfere with, excavate or tap into any council land or asset	2
3.2 (a) and (b)	Requirement to maintain the nature strip	2
3.3(a)	Requirement to obtain an asset protection permit	5
3.3(b) 3.3(e)	Requirement to notify Council	1
3.3(c) 3.3(d)	Requirement to repair or reinstate any damage to council asset or infrastructure	5
3.4	Requirement not to discharge of any substance other than stormwater into the councils stormwater network	5
3.5(a)	Requirement to ensure that vehicle access and egress is only via a properly constructed and approved access point	2
3.5(c)	Requirement to obtain a permit to construct remove or alter a vehicle crossing	5
	Part 4 Building Sites	
4.1(a)	Requirement to minimise stormwater pollution	3
4.2	Requirement to contain Building Works within Building Site	3
4.3(a)	Requirement to erect fencing	4
4.3(b)	Requirements with regard to gates and openings	2
4.3(c)	Requirements with regard to reinstatement of fencing	4
Governance	Community <i>Local Law</i> No 1. (2017)	****/**** Adopted by Council: 00 January 201*

Clause	General Description	Infringement Penalty Unit
4.4(a)	Requirements to provide a suitable rubbish container on site.	4
4.4(b)	Requirements regarding the placement and removal of rubbish containers.	4
4.5	Requirement to control windblown Refuse and dust	3
4.6(a)	Requirement to provide a site sign	2
4.6(b)	Requirement to ensure that the building site sign is updated in light of any changes	1
4.7	Requirement to provide a toilet for workers	5
4.8	Requirement to comply with a direction to cease works	5
Part 5 Activities and Behaviour on Roads, Council land, Municipal places and public places		
5.1(a) to (i)	Requirements on persons to behave in certain ways in a Municipal Place	2
5.2(c)	Requirements re entry and remaining in a Municipal Place	2
5.3(a) to (d)	Requirements on persons to behave in certain ways in a Municipal Building	2
5.4(a) to (n)	Requirements on persons to behave in certain ways in a Municipal Reserve	2
5.5.1(a)	Requirement to hold a permit to undertake a commercial activity	4
5.5.1(b)	Requirement not to commission another to breach clause 5.5.1 a)	5
5.5.1(c)	Requirement with regard to the placement of Signs	4
5.5.1(d) 5.5.1(e)	Requirement to remove a sign when requested by an authorised officer or member of the Emergency Services	2
5.5.2(a)	Requirement to obtain a permit prior to undertaking works or obstructing access on a road, Council Land or Municipal Place	4
5.5.2(b)	Requirement to undertake any works to the standard specified by council	4

Governance	Community <i>Local Law</i> No 1. (2017)	****/****	Adopted by Council: 00 January 201*
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Clause	General Description	Infringement Penalty Unit
5.5.3 (a) to (c)	Requirement not to camp without a permit on a Road, Council Land or a Municipal Place	2
5.5.4(a)	Requirements not to undertake specific activities with vehicle on any Road, Council Land or Municipal Place.	2
5.5.4(b)	Requirements not to undertake specific activities with vehicle on any, Council Land or Municipal Place.	4
5.6(a)	Requirement to hold a permit to ride or drive a vehicle in a municipal place	2
5.6(b) and (c)	Requirement to hold a permit to either light a fire or play amplified music in a Municipal Place	2
5.7(a)	Requirement to hold a permit to use a recreational vehicle on council land or Municipal Place	5
5.7(b)	Requirement to not ride an unregistered recreational vehicle on Council land or a Municipal Place	2
5.7(c)	Requirement on the owner of an unregistered recreational Vehicle not to knowingly allow a person to ride the vehicle on Council land or a Municipal Place	4
5.8(a)	Requirement on a person not to abandon a shopping trolley on any Road or Council land.	2
5.8(b)	Requirement on a retailer to not make a shopping trolley available for use unless it has a locking mechanism attached	5
5.9(a) and (b)	Requirements on persons with regard to the use and purchase of a Parking Permit	2
5.10	Requirement that a person must not without a permit collect fire wood from any Road, Council Land or Municipal Place	2
5.11(d)	Requirements with regard to a persons consumption and possession of alcohol in an Alcohol Restriction Area	2
5.12	Requirement to comply with the reasonable direction of an authorised officer or the requirements set out in a sign in a Municipal Place or on Council Land	2
	Part 6 Land Use and Amenity	
6.1(a) and (b)	Requirement with regard to the positioning and visibility of the property number	1

Governance	Community <i>Local Law</i> No 1. (2017)	****/****	Adopted by Council: 00 January 201*
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Clause	General Description	Infringement Penalty Unit
6.2	Requirement to ensure that land is kept in a manner that it is not unsightly	4
6.3(a)	Requirement on an owner to not allow any vacant land to become unsafe	5
6.3(b)	Requirement on an owner of a building to not allow that building to become Dilapidated or unsafe	5
6.4	Requirement that the owner or occupier ensure that any drain or stormwater retention system is maintained and fit for purpose	4
6.5(a) and (b)	Requirement that any owner or occupier ensure that any vegetation or structure does not obstructs the view of a motor vehicle, sign or signal on a Road of any person using that Road	2
6.6(a) and (b) and b)	Requirement on an owner or occupier to ensure that vegetation does not encroach upon or obstruct any Road, Footpath or Nature Strip	2
6.7(a)	Requirement that the Owner or Occupier of land in a Residential Area must hold a permit to store or place a shipping container	5
6.7(b)	Requirement that the Owner or Occupier of Land in a Commercial Area or rural Area must hold a permit to store or place a shipping container	5
6.7(c)	Requirement to hold a permit to place a shipping container on a Road or Public Place	5
6.8	Requirement to hold a permit to park, keep, store or allow to remain a Heavy Vehicle on any Land within a Residential Area	4
6.9	Requirement with regard to the audibility of audible alarms in a Residential and Commercial Areas	2
6.10(a)	Requirement that a person in certain circumstances must hold a permit camp on private land	2
6.10(b)	Requirement that the Owner or Occupier of Land in certain circumstances must hold a permit to allow camping on private land	4

Governance	Community <i>Local Law</i> No 1. (2017)	****/****	Adopted by Council: 00 January 201*
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Clause	General Description	Infringement Penalty Unit
6.11(a), (b) and (c)	Requirement that a person in certain circumstances must hold a permit to use allow the use of a recreational vehicle on private land	3
	Part 7 Waste Management	
7.1(a) to 7.1(g)	Requirements on the owner of land to ensure that septic tanks are maintained in specific ways	4
7.2	Requirement that a person hold a permit to irrigate land with untreated grey water	4
7.3	Requirement that the owner and occupier of a commercial business in a commercial area provide and maintain suitable and sufficient containers for the storage of waste	2
7.4(a), (b) and (c)	Requirements on the owner and occupier of any land with regard to the type, number, placement and removal of refuse and recycling bins	2
7.5(a) and (b)	Requirements on a person with regard to the placement of hard waste for hard waste collection	2
7.6(a)	Requirements on a person not to remove, damage or interfere with any hard waste placed out for collection	2
7.6(b)	Requirement not to place additional material in a bin or a hard waste collection placed out by another person	2
7.7(a) and (b)	Requirement that the owner or occupier ensure that their bins and their bin storage area are kept in a clean, inoffensive and sanitary condition.	2
7.7(c)	Requirement that the owner or occupier ensure that any bin is covered by a lid at all times.	2
7.8	Requirement that a person does not deposit any residential, green, trade or commercial waste into a street or park bin.	2
	Part 8 Animals	
8.1(a)	Requirement that the owner or occupier hold a permit to keep specific types and numbers of animals.	4

Governance	Community <i>Local Law</i> No 1. (2017)	****/****	Adopted by Council: 00 January 201*
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Clause	General Description	Infringement Penalty Unit
8.3(a) and (b)	Requirement that the owner and occupier of any land do not allow any animal or the keeping of that animal to cause a nuisance	2
8.4(a) to (h)	Requirement on the owner or occupier of any premises to keep their animals and maintain their land to specific standards	2
8.5(a) and (b)	Requirements on the owner and occupier of premises as to where animal enclosures must be sited and what standards they must meet	2
8.6(a), (b) and (c)	Requirements as to where a person can construct a stable	4
8.7(a) and (b)	Requirement on the person in control of a dog to not allow any excrement of the dog to remain on and Road, Council Land or Public Place and to carry a suitable litter device at all times.	2
8.8(a)	Requirement that the owner and occupier premises on which livestock are kept is adequately fenced	4
8.8(b)	Requirement that a person must not allow livestock to wander or roam on any Road or Council Land	3
8.8(c) and (d)	Requirement that a person must not without a permit graze or move livestock on a Road	4
8.8(f)	Requirement that livestock are moved directly across the road.	2
	Part 9 Fires and Fire Hazards	
9.1	Requirement that a person not light a fire or allow a fire to remain alight unless a permit is obtained.	4
9.1(a) 9.2-(a) to (c)	Requirement that a person not light or allow to remain alight specific types of refuse	5
9.1(b) 9.3	Requirement that a person who has lit, or allow to remain alight a fire must extinguish it if directed to do so by an Authorised officer	4

Governance	Community <i>Local Law</i> No 1. (2017)	****/****	Adopted by Council: 00 January 201*
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11.2.5 Economic Development Taskforce Membership

Introduction

Author: Andy Waugh
General Manager: Satwinder Sandhu

Background

The purpose of this report is to confirm the membership of the Economic Development Taskforce (EDT).

The Council Plan 2017-2021 calls for the establishment of an EDT as a key mechanism to drive investment and development in the Shire.

At the Ordinary Meeting of Council on 14 February, 2018 Council approved the establishment of the Economic Development Taskforce with a structure set out in the Terms of Reference consisting of:

- Three (3) Councillors;
- CEO, General Manager Growth & Development or Manager Strategic Planning and Development (SPD); and
- Coordinator Economic Development (secretary function).

The Economic Development Taskforce is scheduled to meet within the first six months of 2018, reporting back to Council on the agreed operational focus and line of reporting.

Proposal

The proposal is to seek nomination for three (3) Councillors to form the membership of the Economic Development Taskforce.

Policy Implications

The Council Plan 2017 – 2021 provides as follows:

Strategic Objective 3: Stimulating Economic Development

Context Number 3B: Investment and Employment

The establishment of an Economic Development Taskforce is consistent with the Council Plan 2017 – 2021.

Financial Implications

The establishment of the EDT will incur both operational and strategic expenses. Operational expenses will be met from current SPD budgets. Expenses incurred in meeting strategic goals set by the EDT will either be met from current SPD budgets or will require additional allocation under future budgets.

Risk & Occupational Health & Safety Issues

The purpose of the EDT is to identify initiatives which benefit the community through higher levels of investment and job creation.

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Membership requirements for the Economic Development Taskforce are not met	Taskforce is not formed, Council Strategic Objective 3B-2 is not completed	Low	Council nominates three (3) Councillors to form the membership of the Taskforce

Community Engagement Strategy

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Notification	Community	Website notification	Various	May 2018 onwards	Community informed of EDT membership

Communications and Consultation Strategy

Notification of the appointment of the three (3) Councillors will be made available on Council's website.

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 – Andy Waugh

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

Conclusion

The establishment of the EDT is a new initiative detailed in the current Council Plan. The first meeting is scheduled to occur before the end of the 2017/18 financial year.

The EDT requires three (3) Councillors to form the membership.

Recommendation

That Council resolves to:

- 1. As per the Terms of Reference, nominate three (3) Councillors as the members of the Economic Development Taskforce:**

Cr. _____.

Cr. _____.

Cr. _____.

- 2. Delegate the General Manager of Growth & Development to establish the date for the inaugural meeting of the Economic Development Taskforce.**

Report Authorisation

Authorised by:

Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: Tuesday, 15 May 2018



Attachment - Item 11.2.5

Moorabool Shire Council Economic Development Taskforce (EDT)

Interim Terms of Reference (TOR)

1. Goal

To have oversight of economic development objectives, and to provide advice on the development, promotion and implementation of strategies and initiatives.

2. Membership

The EDT will consist of the following:

- Three (3) Councillors;
- CEO, General Manager Growth & Development or Manager Strategic & Sustainable Development; and
- Coordinator Economic Development (secretary function).

The EDT may request the attendance of any other person or representative for advisory purposes only. It may also establish informal sub-committees or working groups comprising its members or other persons to assist in fulfilling its responsibilities and functions.

3. Obligations of Members

Members of the EDT, in performing their duties, shall:

- Act in accordance with Council's Values and the ICARE principles;
- Act honestly and in good faith;
- Participate in meetings;
- Conduct themselves in a manner that public trust in the integrity, objectivity, and impartiality of Council is maintained; and
- Seek to understand and refer to the guiding principles defining local government's role in economic development.

4. Meetings and Minutes

- The EDT will meet every two (2) months or as required.
- Meetings of the EDT shall be called by the Chair, with notice of the meeting being forwarded to members with agenda papers distributed with at least seven (7) days' notice.
- Minutes will be taken by the Secretary (or person undertaking this role), approved for distribution by the Chair and confirmed at the next EDT meeting.

5. Objectives

The Task Force may:

- Provide advice to Council as requested;
- Input into the development of the Economic Development Strategy and other relevant strategic documents;
- Identify key areas that affect Moorabool Shire's ability to attract investment and formulate appropriate initiatives to increase investment levels;
- Investigate opportunities that promote and support the agricultural sector including the development of the Parwan Employment Precinct;
- Act in an advisory capacity for initiatives brought forward by Economic Development staff;
- Report to Council on the progress of the Taskforce; and
- Coordinate efforts with relevant internal/external stakeholders to ensure the actions set down in Strategic Objective 3 of the Council Plan 2017-2021 are achieved.

6. Evaluation and Review

Initial review of TOR be undertaken within six (6) months and establishment and any further subsequent review of the EDT will be undertaken every four years to coincide with Local Government elections. The purpose of this is to ensure the purpose and operation is current and to make appropriate changes if required.

11.2.6 Planning Scheme Amendment GC95 – Proposed Submission of Support

Introduction

Author: Geoff Alexander
General Manager: Satwinder Sandhu

Background

The Melbourne Metro Rail Authority (MMRA) have approached Council requesting a letter of support for an updated planning scheme amendment to reflect updates that have been made to the Ballarat Line Upgrade project. These changes relate mainly to the maps that encompass the project, including a significant expansion of the project area. MMRA now proposes to undertake additional works in and around Wendouree Station and duplication of the track between the new Maddingley stabling facility and Bacchus Marsh Station. In addition, some signalling upgrades have been proposed.

The Melbourne Metro Rail Authority (MMRA) are developing and delivering the \$518m Ballarat Line Upgrade project. This includes:

- Duplication of 18 kilometres of track between Deer Park West and west of Melton Station.
- Upgrades to Rockbank, Bacchus Marsh and Ballan Stations, comprising works to car parking, bus interchanges, pedestrian links and platform upgrades.
- A new train stabling facility at Maddingley and removal of the train stabling facility at Bacchus Marsh.
- A new five kilometre passing loop at Ballan and a new four kilometre passing loop at Millbrook.
- Modifications to two road bridges that cross the Ballarat line at Peerewerrh and Spreadeagle Roads.
- Duplication of approximately three kilometres of track east of Warrenheip.

The Ballarat Line Upgrade project will improve the rail line between Deer Park West and Ballarat, increasing the number of services on the Ballarat line and increasing train consistency and reliability. The project includes track duplication in various areas, removing of overnight stabling at Bacchus Marsh, construction of additional platforms and passing loops.

Planning Scheme Amendment GC69 was approved by the Minister for Planning in September, 2017. This amendment established the Minister for Planning as the Responsible Authority for the project and introduced an incorporated document into the planning scheme to facilitate the project.

Proposal

The current request seeks Councils support for a proposed update to the approved GC69 Planning Scheme Amendment documentation. The revised documentation is known as Amendment GC95.

The proposed text from the GC95 documentation is similar to the original text. The only significant change comprises mapping updates within appendix 1 to the Incorporated Document (comprising the key part of the amendment). This appendix contains maps showing “project land” and “wider project land”.

The Incorporated Document establishes the Minister for Planning as the Responsible Authority for particular land that is in the vicinity of the rail line defined as “project land” and “wider project land”. The document will switch off the need for planning permission from Council for all “project land” and “wider project land” and will replace the planning scheme requirements with other requirements as specified in the document. These requirements include assessments such as an environmental management framework and assessment of native vegetation removal.

The Incorporated Document provides an indication of the parameters for land use and development on project land and wider project land, without setting any legal limitations. This includes:

Project Land only:

- Development for a railway or railway station and associated use and development.

Both Project Land and Wider Project Land:

- Use and development of lay down areas for construction purposes.
- Use and development of temporary site workshops, storage, administration and amenities buildings, vehicle parking areas, and access roads.
- Removing, destroying and lopping trees and removing vegetation, including native vegetation.
- Demolishing and removing buildings and works.
- Constructing and carrying out works to create bunds, mounds.
- Subdividing and consolidating land.

Project land is generally land needed for actual construction purposes whilst wider project land is understood to be private land that is needed to assist in the construction process. The areas of wider project land generally comprise small sections of private land holdings in the vicinity of the railway line.

Using an Incorporated Document instead of seeking individual planning permits is an established method for planning approval for major projects on linear corridors. This recognises the State significance of the project.

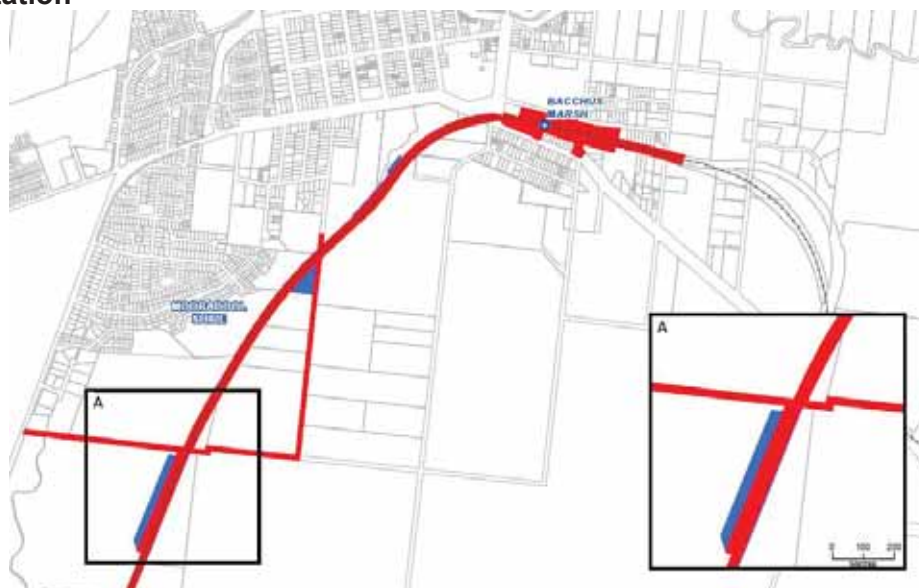
The area of “project land” and “wider project land” is proposed to be changed under the GC95 documentation. The most significant change in Moorabool is around Bacchus Marsh. The MMRA now proposes to duplicate the Ballarat line between the new Maddingley stabling facility and Bacchus Marsh Station and the area of “project land” has been expanded accordingly. In addition, there are a large number of other minor changes to project land and wider project land areas. Maps showing this land are viewable within the maps to the Incorporated Document, available at appendix 1 to this report.

Figure 1 below shows the original project land in the vicinity of Bacchus Marsh Station (under the GC69 documentation) whilst Figure 2 shows the revised project land.

Figure 1 Current GC69 mapping in the vicinity of Bacchus Marsh Station



Figure 2 Proposed GC95 mapping in the vicinity of Bacchus Marsh Station



The Ballarat Line Upgrade team have provided an overview of the use of additional construction areas around Bacchus Marsh and Maddingley defined as “project land”. This is provided below:

- Secondary construction area within Victrack land reserve at Osborne Street.
- Secondary Construction Area (access road/haul road) on the east side of the track between Kerrs Road and Rowsley Station Road.
- Secondary Construction Area (access road) on the north side of the track, off providence drive.

Notably the amended documentation is proposing to include significant areas of local roads as “project land”. On this basis it is proposed to support GC95 conditionally to ensure that:

- Moorabool Shire is involved in traffic management planning.
- Costs of any works involving local roads including maintenance are to be at the expense of the Ballarat Line Upgrade team.

Policy Implications

The Council Plan 2017 – 2021 provides as follows:

Strategic Objective 3: Stimulating Economic Development.

Context 3A: Land Use Planning.

The proposal is consistent with the Council Plan 2017 – 2021.

Risk & Occupational Health & Safety Issues

There are no identified risks associated with Council supporting the amendment.

Communications and Consultation Strategy

Throughout the design and development phase of the Ballarat line upgrade, MMRA has engaged with the community, agency stakeholders and relevant local councils. MMRA has met land owners and occupiers proposed to be impacted by temporary construction sites for the project, and established ongoing discussions with those parties. MMRA has obtained the support of VicTrack, as owner of railway land in Victoria, in respect of the amendment.

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 – Geoff Alexander

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

Conclusion

The Ballarat Line Upgrade will improve the frequency and reliability of the Melbourne - Ballarat line, and improve the connectivity of the Municipality. The proposed Planning Scheme Amendment GC95 is considered justified

and reflects a revised and expanded scope for the project. MMRA has undertaken suitable consultation with directly affected parties.

Because of the inclusion of local roads in the project area, it is proposed to support the amendment conditionally.

Recommendation:

That Council:

1. **Writes to the Minister for Planning in support of Planning Scheme Amendment GC95 on condition that the Rail Authority adheres to the following conditions:**
 - a.) **Prior to the development commencing, a Traffic Management Plan must be prepared in consultation with Moorabool Shire Council that identifies:**
 - I. **All public roads and access points that will be used throughout the Ballarat Line Upgrade Project.**
 - II. **Include an existing conditions survey of all public roads used throughout construction.**
 - III. **A subsequent post condition survey, and a plan to rehabilitate roads to pre-existing condition.**
 - IV. **Road upgrades to be identified and undertaken prior to works commencing, to the satisfaction of Council.**
 - V. **A formal deed will be required between both parties.**
 - b.) **The traffic management, road upgrade and maintenance works associated with the Ballarat Line Upgrade must be carried out in accordance with the approved Traffic Management Plan. Cost of any works including maintenance are to be at the expense of the Ballarat Line Upgrade team.**

Report Authorisation

Authorised by:

Name:

Satwinder Sandhu

Title:

General Manager Growth and Development

Date:

Tuesday, 15 May 2018

Attachment - Item 11.2.6

Ballarat Line Upgrade

Incorporated Document

| [March](#) [September](#) 20187

1. INTRODUCTION

- 1.1 This document is an incorporated document in the Melton ~~and~~ Moorabool and Ballarat Planning Schemes (Planning Schemes) and is made pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.
- 1.2 The land identified in Clause 3 of this document may be used or developed in accordance with the specific control in Clause 4 of this document.
- 1.3 The control in this document prevails over any contrary or inconsistent provision in the Planning Schemes.

2. PURPOSE

- 2.1 The purpose of the control in this document is to allow the use and development of the land described in Clause 3 for the purposes of the Ballarat Line Upgrade (Project).
- 2.2 The Project includes, but is not limited to:

City of Melton

- Duplication of approximately 18 kilometres of track between Deer Park West and west of Melton Station.
- An upgrade of Rockbank Station, including replacement of existing platforms, a pedestrian link, car parking and bus interchange.
- Site preparation works, including raised tracks and provision of pedestrian infrastructure, to safeguard for a future station at Toolern.

Shire of Moorabool

- New stabling facilities at Maddingley and removal of the stabling facilities at Bacchus Marsh.
- Duplication of approximately 4 kilometres of track between Bacchus Marsh Station and Rowsley Station Road, Maddingley.
- Upgrades of Bacchus Marsh and Ballan stations, including new platforms, pedestrian links, car parking and bus interchanges.
- New passing loops at Ballan and Millbrook.
- Modifications to two road bridges that cross the Ballarat line at Peerewerrh and Spredaleagle Roads.
- ~~Duplication of approximately three kilometres of track east of Warrenheip.~~

City of Ballarat

- Duplication of track between Gillies Street North and Wendouree Station.

- [An upgrade to Wendouree Station, including a second platform and pedestrian link.](#)

3. LAND TO WHICH THIS INCORPORATED DOCUMENT APPLIES

3.1 The control in this document applies to the land required for the Project, as shown on the maps at Appendix 1, and described as:

- The Project Land for land coloured 'red' in Appendix 1.
- The Wider Project Land for land coloured 'blue' in Appendix 1.

4. CONTROL

4.1 Exemption from planning scheme requirements

4.1.1 Despite any provision to the contrary or any inconsistent provision in the Planning Schemes, no planning permit is required for, and no provision in the Planning Schemes operate to prohibit or restrict, the use and development of the land described in Clause 3 for the purposes of the Project.

4.1.2 The Project includes, but is not limited to:

- a) Use and development of the Project Land for a *Railway* or *Railway station*, including ancillary use and development such as train stabling facilities, and all associated structures, roads, cuttings, batters and fill, communications, signalling, electrical infrastructure, and public transport related infrastructure.
- b) Use and development of the Project Land or the Wider Project Land for ancillary activities to the use and development described in Clause 4.1.2(a), including, but not limited to:
 - i. Use and development of lay down areas for construction purposes.
 - ii. Use and development of temporary site workshops, storage, administration and amenities buildings, vehicle parking areas, and access roads.
 - iii. Constructing fences, temporary sites barriers and site security.
 - iv. Displaying signs.
 - v. Removing, destroying and lopping trees and removing vegetation, including native vegetation.
 - vi. Demolishing and removing buildings and works.
 - vii. Carrying out works to alter watercourses.
 - viii. Constructing and carrying out works to create bunds, mounds and landscaping, and to alter drainage and utilities.
 - ix. Creating or altering access to a road in a Road Zone.
 - x. Subdividing and consolidating land.
- c) Any use or development that the responsible authority confirms in writing is for the purposes of the Project.

4.1.3 Land uses in italics have the same meaning as in Clause 74 of the Planning Schemes.

4.2 Conditions

- 4.2.1 The use and development permitted by this document must be undertaken in accordance with the following conditions:

Environmental Management Framework

- 4.2.2 Prior to the commencement of any buildings or works (excluding preparatory buildings and works under Clause 4.3), an Environmental Management Framework (EMF) must be prepared to the satisfaction of the responsible authority. The EMF must be prepared in consultation with Melton City Council, ~~and~~ Moorabool Shire Council and Ballarat City Council, as relevant at the time the EMF is prepared.

- 4.2.3 If an EMF has been prepared and approved by the responsible authority but requires amendment, then prior to commencement of the buildings and works the subject of the proposed amendment, an amended EMF must be prepared to the satisfaction of the responsible authority. The amended EMF must be prepared in consultation with Melton City Council, Moorabool City Council and Ballarat City Council, as relevant based on the proposed amendment.

4.2.34.2.4 The EMF must include:

- a) Environmental Performance Requirements to define the environmental outcomes that must be achieved for the design and construction of the Project, including:
 - i. Measures to protect residents and other sensitive receptors from noise and light spill during construction of the Project, particularly where works are undertaken out-of-hours.
 - ii. Measures to protect residential amenity from visual impacts, light spill and noise associated with the construction and operation of the new stabling facilities at Maddingley.
- b) The process and timing for preparation of a Construction Environment Management Plan and any sub-plan that is required by the Environmental Performance Requirements.
- c) The monitoring, reporting and auditing processes to ensure compliance with the Environmental Performance Requirements.
- d) Details of the entity responsible for the approval of each plan required by this document or the Environmental Performance Requirements.

Native vegetation

- 4.2.44.2.5 Details of the proposed removal, destruction, lopping and offsetting of native vegetation necessary for the construction of the Project, must be prepared in accordance with the:

- a) *Permitted clearing of native vegetation - Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013); and

- b) *Biodiversity Conservation Strategy for Melbourne's Growth Corridors*
(Department of Environment and Primary Industries, June 2013),

to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning (DELWP), except as otherwise agreed by the Secretary to DELWP.

Creating or altering access to roads

[4.2.54.2.6](#) Any buildings or works to create or alter access to a road declared as a freeway or arterial road under the *Road Management Act 2004*, land owned by the Roads Corporation for the purpose of a road, or land in a Public Acquisition Overlay if the Roads Corporation is the acquiring authority for the land, must be undertaken to the satisfaction of the Roads Corporation.

[4.2.64.2.7](#) Before a plan of subdivision is certified under the *Subdivision Act 1988*, the consent of the Roads Corporation must be obtained to subdivide land adjacent to a road declared as a freeway or arterial road under the *Road Management Act 2004*, land owned by the Roads Corporation for the purpose of a road, or land in a Public Acquisition Overlay if the Roads Corporation is the acquiring authority for the land.

Heritage management

[4.2.74.2.8](#) Prior to the commencement of development (excluding preparatory buildings and works under Clause 4.3) on Project Land affected by the Heritage Overlay, documentation must be prepared to the satisfaction of the responsible authority (except as otherwise agreed by the responsible authority). The documentation must be prepared in consultation with the relevant council. The documentation must include:

- a) Site plans and elevations showing the proposed development.
- b) An assessment of the impact of the proposed development on the heritage place.

Other conditions

[4.2.84.2.9](#) Unless otherwise stated, the plans and documentation required under Clause 4.2 must be approved prior to the commencement of any buildings or works (excluding preparatory buildings and works). The plans and documentation may be prepared and approved for separate components or stages of the Project, each plan or document must be approved before commencement of buildings or works for that component or stage.

[4.2.94.2.10](#) The plans and documentation may be amended from time to time to the satisfaction of the responsible authority or relevant approving authority. In deciding whether a plan or documentation is satisfactory or whether to consent to an amendment to a plan or document, the responsible authority or relevant approving authority may seek the views of any relevant council or any other relevant authority.

[4.2.104.2.11](#) The use and development of land for the Project must be undertaken generally in accordance with the approved plans and documentation.

4.3 Preparatory buildings and works

4.3.1 The following buildings and works may commence in the Project Land and Wider Project Land before the plans and documentation listed in Clause 4.2 are approved:

- a) Preparatory buildings and works for the Project including, but not limited to:
 - i. Works, including vegetation removal, where, but for this incorporated document, a planning permit would not be required under the Planning Schemes.
 - ii. Investigating, testing and preparatory works to determine the suitability of land and property condition surveys.
 - iii. Construction of access points and working platforms.
 - iv. Site establishment works including temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
 - v. Construction, protection, modification, removal or relocation of utility services, rail signalling, overhead and associated infrastructure.
 - vi. Establishment of environment and traffic controls, including designated 'no-go' zones.
 - vii. Demolition to the minimum extent necessary to enable preparatory works.
 - viii. Establishment of temporary car parking.
 - ix. Salvaging and relocating of artefacts and other preparatory works required to be undertaken in accordance with an approved cultural heritage management plan prepared for the Project under the *Aboriginal Heritage Act 2006*.
 - x. Salvaging and translocating any native vegetation, including any preparatory works required to enable salvage and translocation, identified in a Translocation Plan prepared to the satisfaction of the Secretary to DELWP.
- b) The removal, destruction or lopping of vegetation (excluding native vegetation) within the Environmental Significance Overlay to the minimum extent necessary to enable preparatory works, where, but for this incorporated document, a planning permit would be required under the Planning Schemes.
- c) The removal, destruction or lopping of native vegetation (excluding salvaging and translocating any native vegetation under Clause 4.3.1(a)(x)) to the minimum extent necessary to enable preparatory works, to the satisfaction of the responsible authority.

4.3.2 Any native vegetation removed to enable preparatory works under Clause 4.3.1 forms part of the total extent of native vegetation removal necessary

for the construction of the Project and native vegetation offsets must be provided in accordance with Clause 4.2.4, except as otherwise agreed by the Secretary to DELWP.

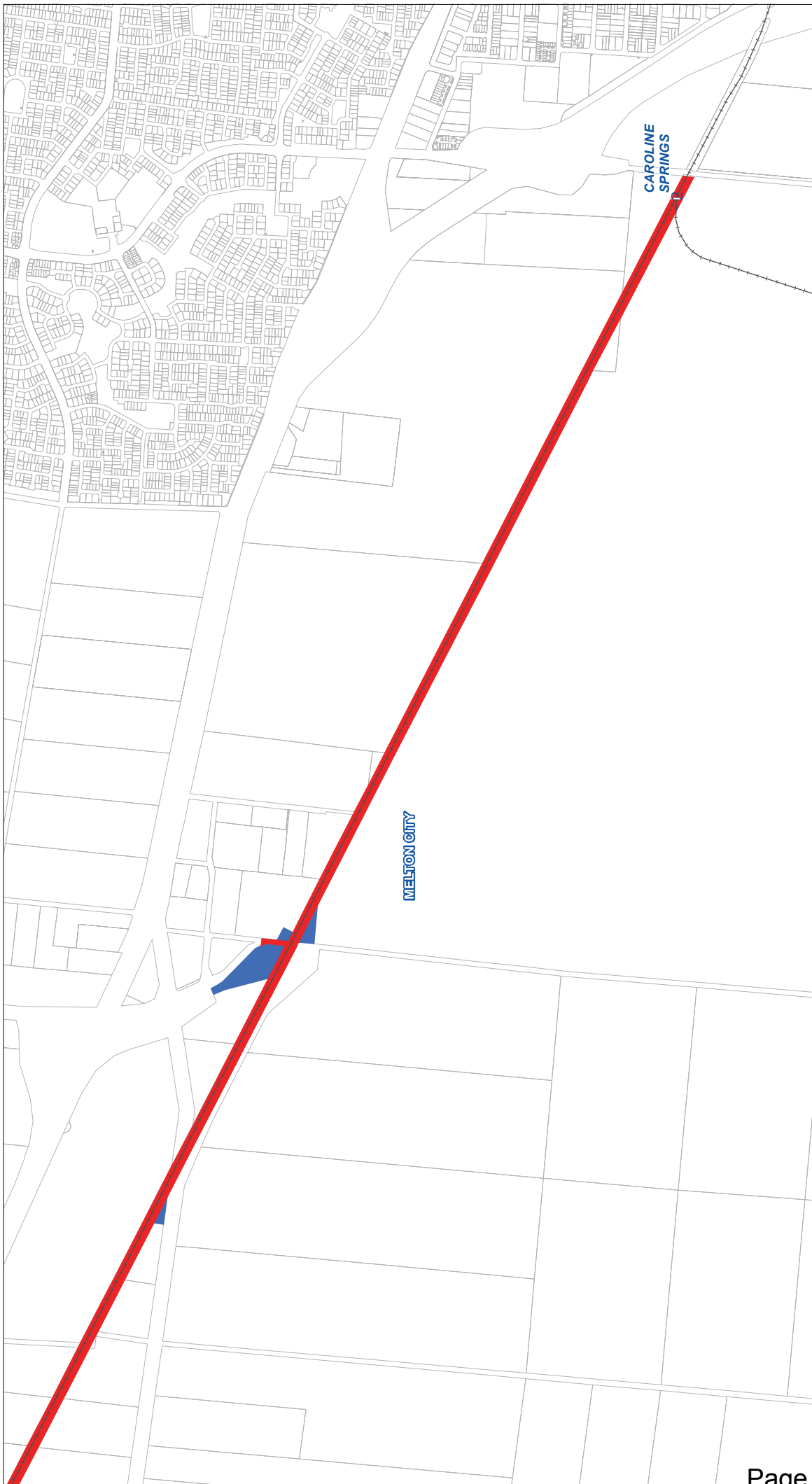
5. EXPIRY

5.1 The control in this document expires if any of the following circumstances apply.

- The development allowed by the control, including preparatory buildings and works, is not started by 30 June 2019.
- The development allowed by the control is not completed by 30 June 2024.

5.2 The responsible authority may extend these periods if a request is made in writing before the expiry date or within three months afterwards.

**APPENDIX 1 – LAND FOR THE BALLARAT LINE UPGRADE TO WHICH THIS
INCORPORATED DOCUMENT APPLIES**

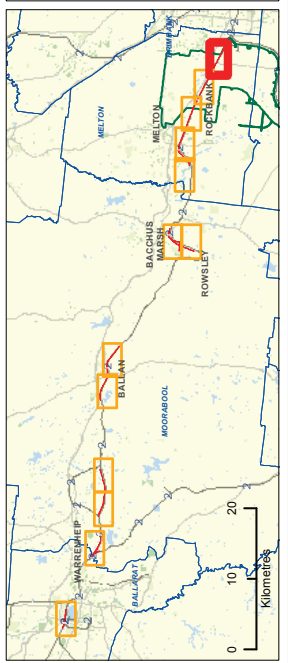


Ballarat Line Upgrade Project

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 Drawing Number: BLU-AJM-WNAA-MP-600201
 Revision: P1.4
 Drawn By: A. Lan
 Approved By: R. Marks
 Date: 10/04/2018
 Map Size: A3

MELBOURNE METRO RAIL AUTHORITY
 gurecon JACOBS
 AJM MOTT MACDONALD
 Joint Venture

0 500 1,000
 Metres
 Coordinate System: GDA 1994 MGA Zone 55



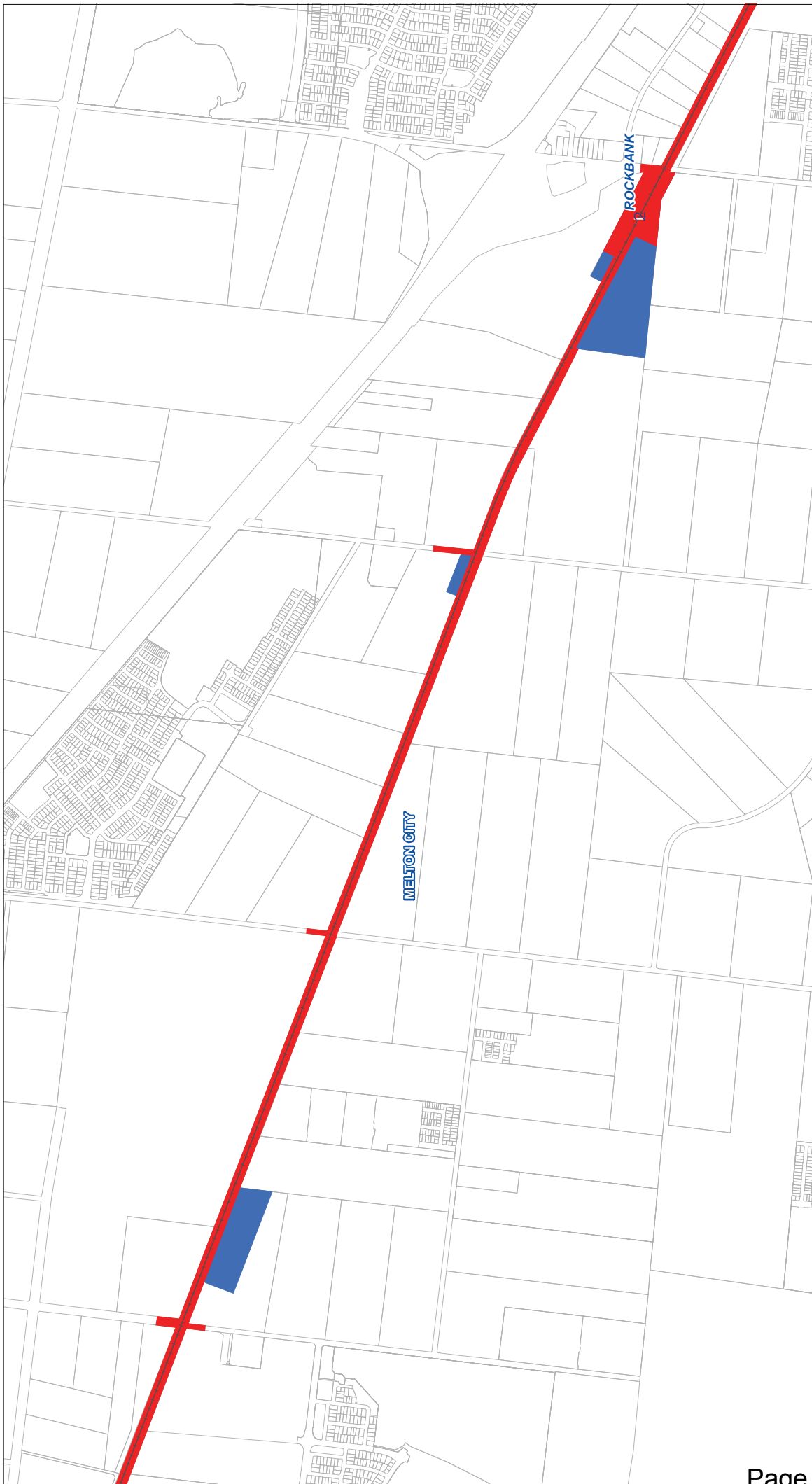
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Data Sources:
 - AJM-JV/MIRA Indicative Design (February 2018)
 - DELWP 2017
 - VicTrack 2017

Rail station
 Railway Line
 LGA boundary
 Property boundary

Project Land
 Wider Project Land

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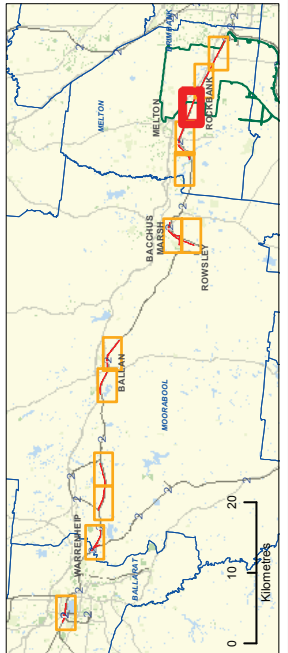
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 Revision: P1.4

Drawn By: A. Lan
 Approved By: R. Marks
 Date: 10/04/2018
 Map Size: A3

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 Coordinate System: GDA 1994 MGA Zone 55

MELBOURNE METRO RAIL AUTHORITY
 AJM Joint Venture
 GURECON JACOBS MOTT MACDONALD



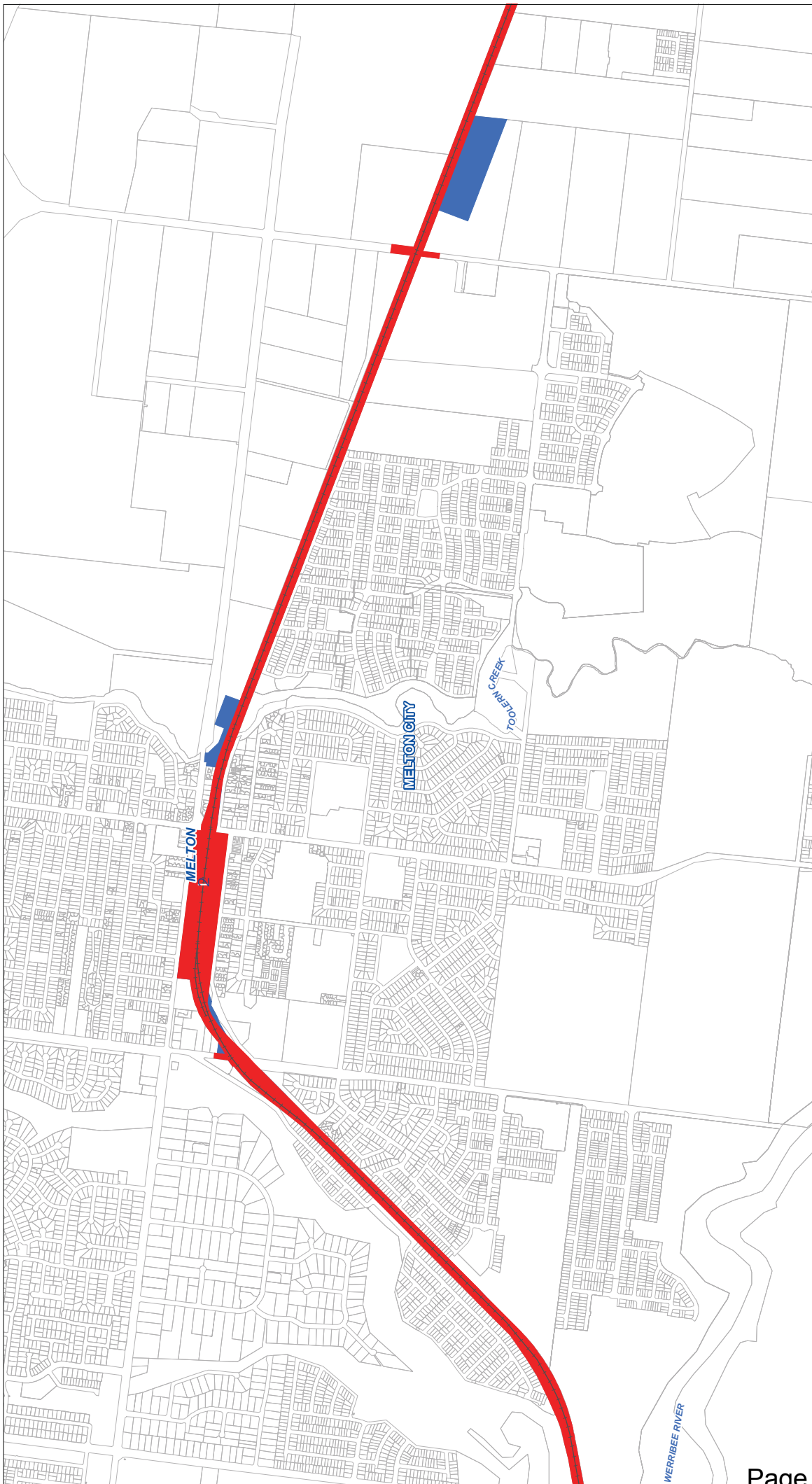
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Rail station
 Railway Line
 LGA boundary
 Property boundary

Project Land
 Wider Project Land

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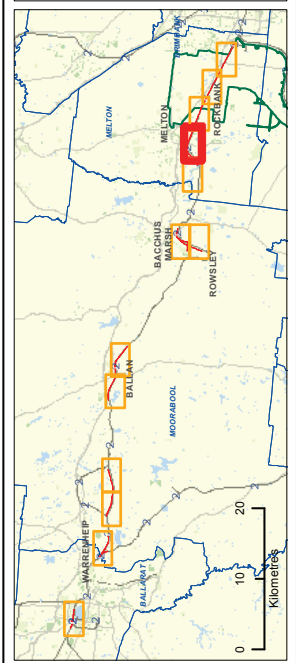


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MELBOURNE METRO RAIL AUTHORITY
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 Joint Venture MOTT MACDONALD

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 Metres
 Coordinate System: GDA 1994 MGA Zone 55



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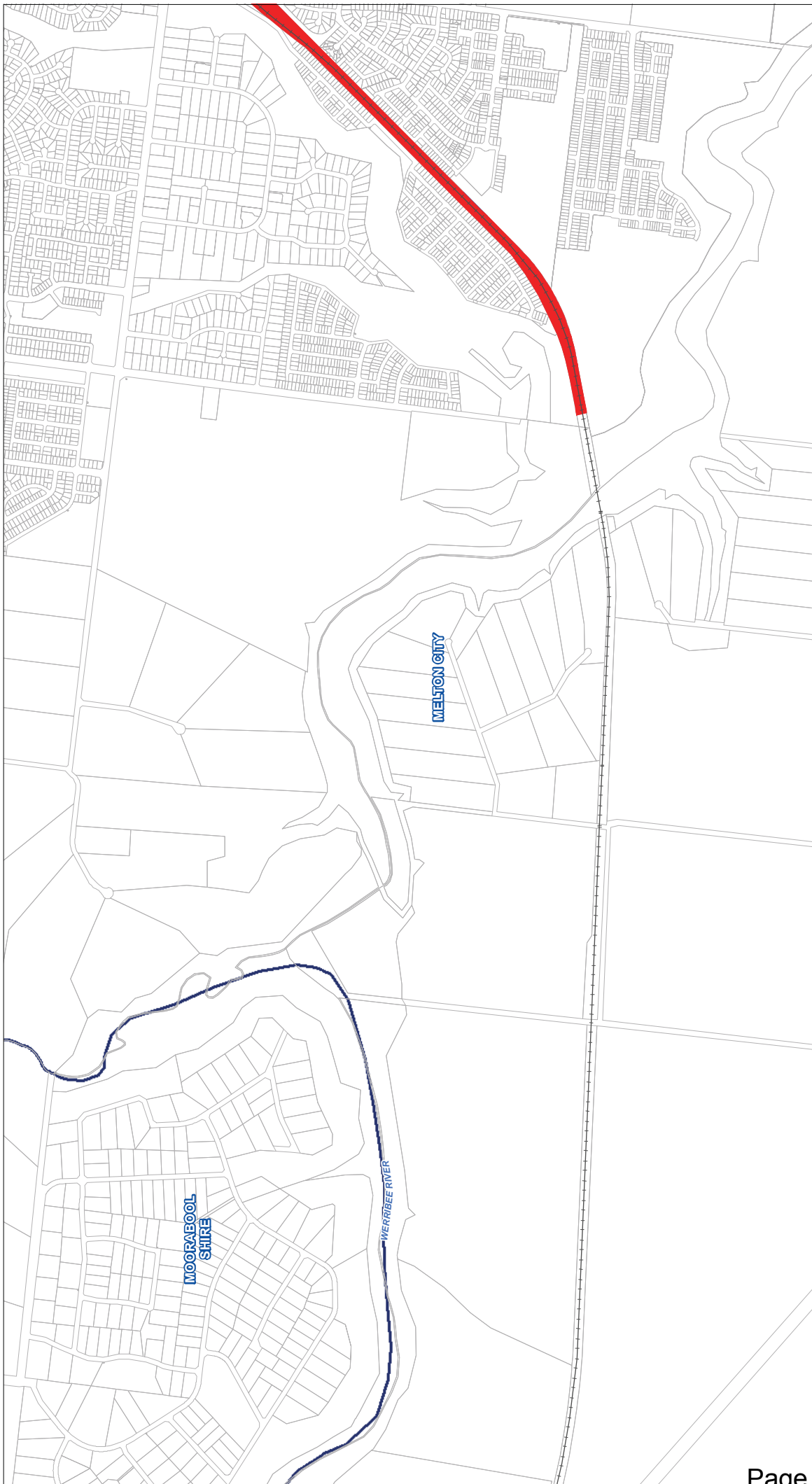
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

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 Railway Line
 LGA boundary
 Property boundary

Project Land
 Wider Project Land

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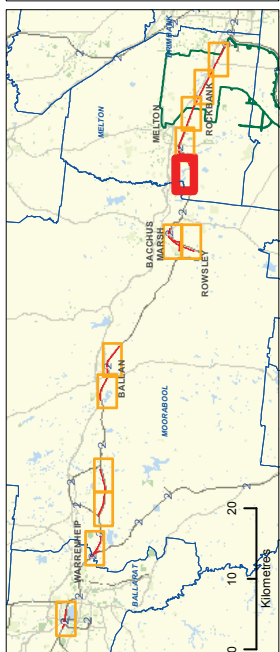
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-  Project Land
-  Wider Project Land
-  Rail station
-  Railway Line
-  LGA boundary
-  Property boundary

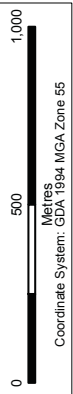
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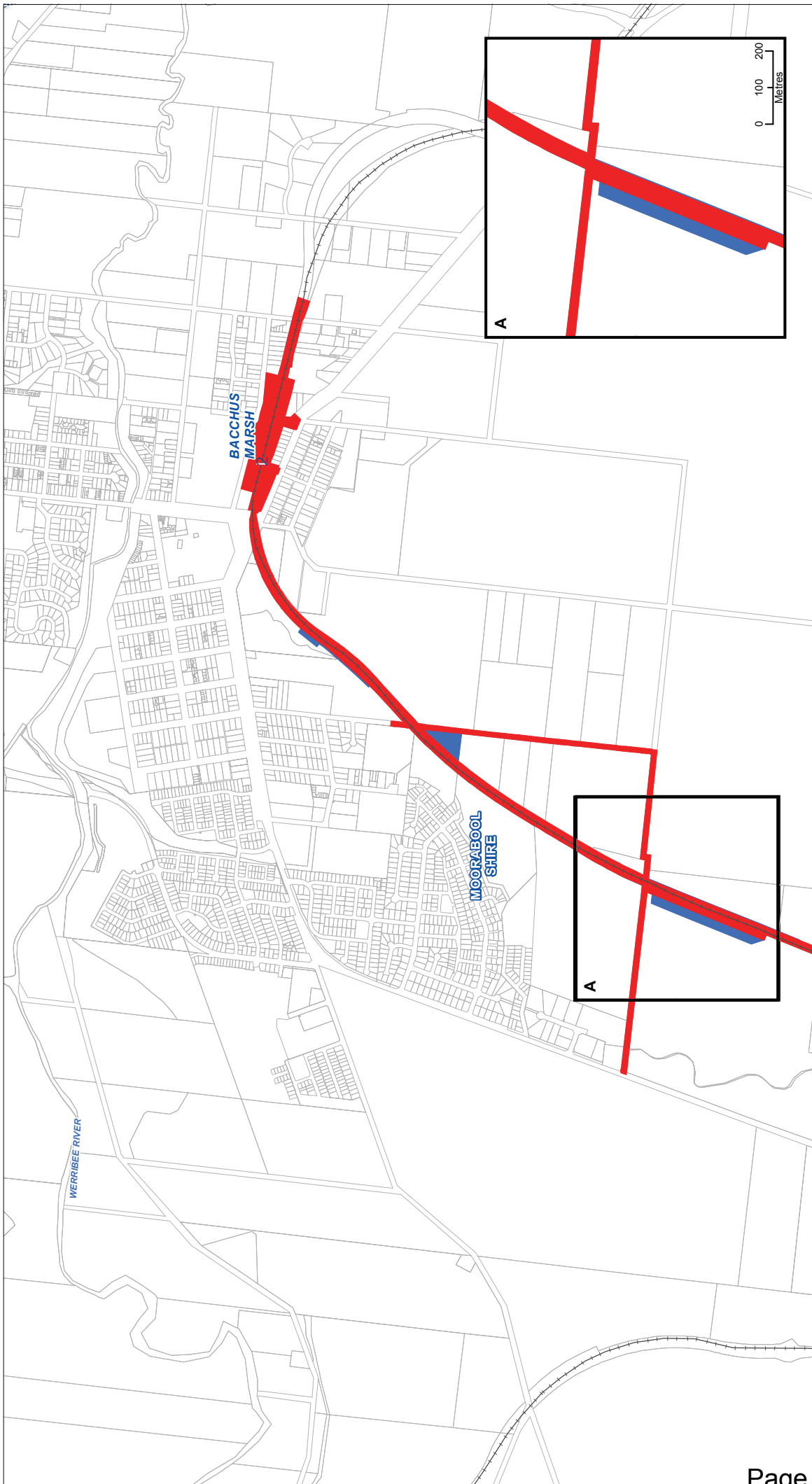








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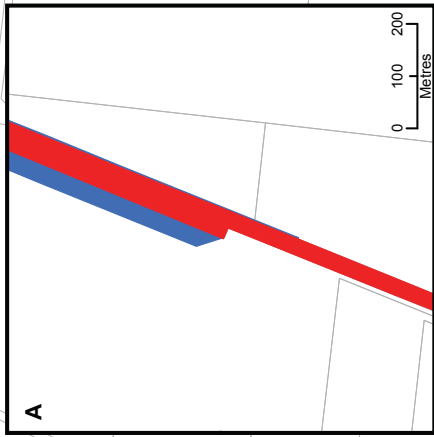
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-  Wider Project Land
-  Rail station
-  Railway Line
-  LGA boundary
-  Property boundary

Data Sources:
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 - DELWP 2017
 - VicTrack 2017



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Ballarat Line Upgrade Project

MELBOURNE METRO RAIL AUTHORITY

AJM Joint Venture
MOTT MACDONALD

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Rail station

Railway Line

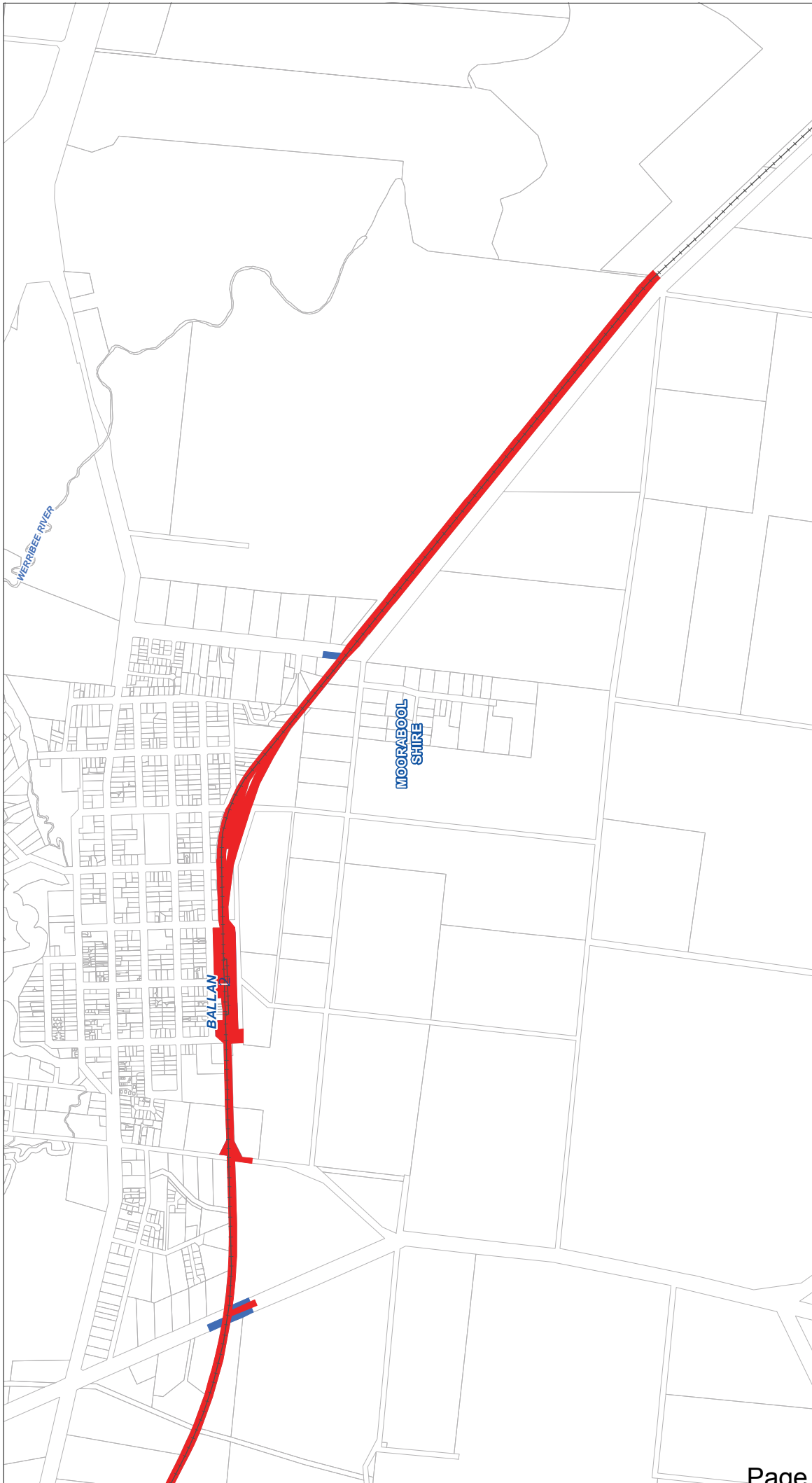
LGA boundary

Property boundary

Project Land

Wider Project Land

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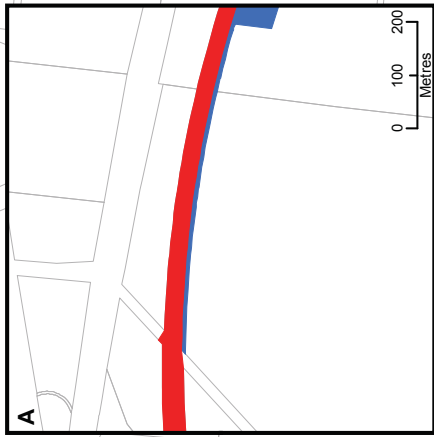
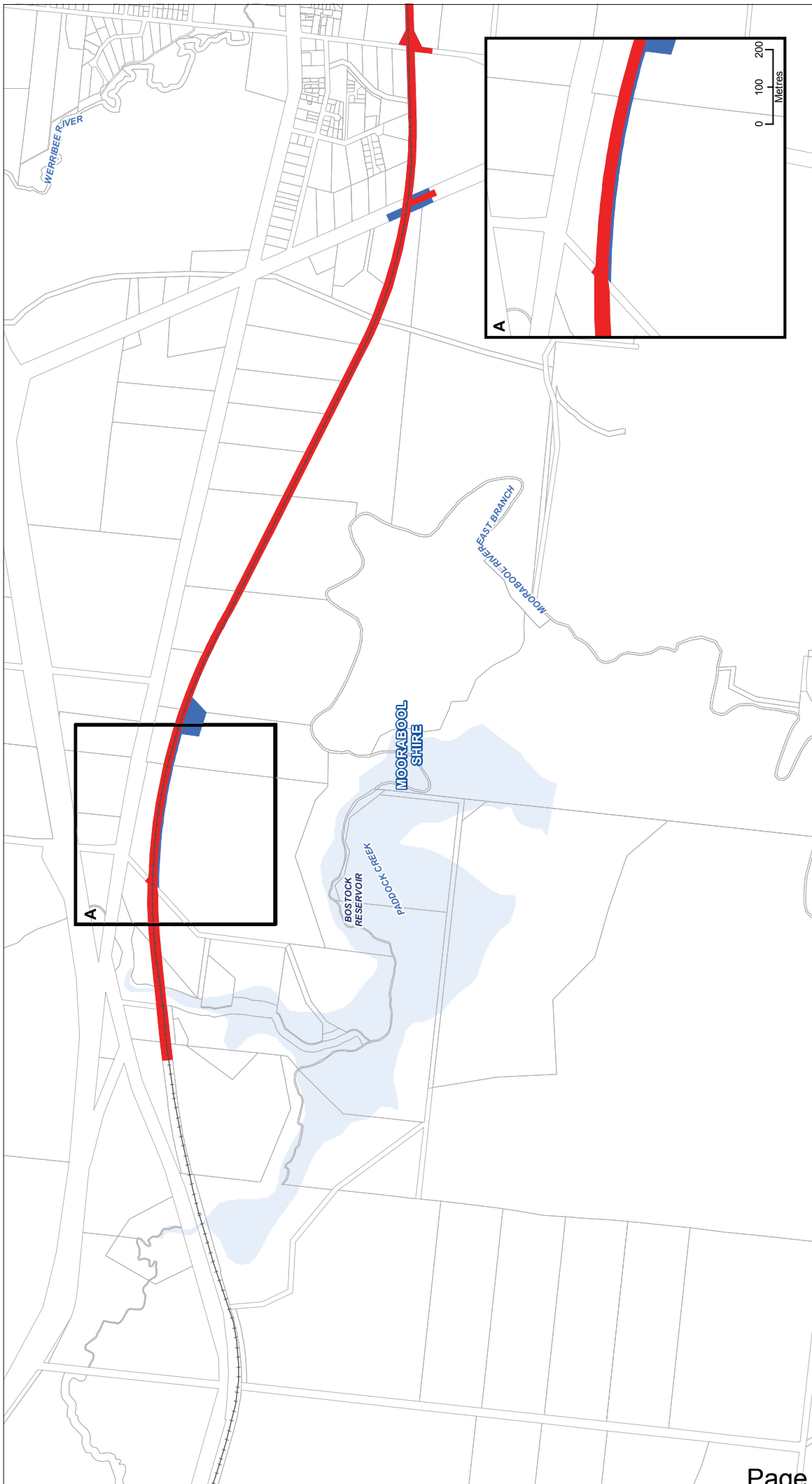
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



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 Property boundary

Project Land
 Wider Project Land

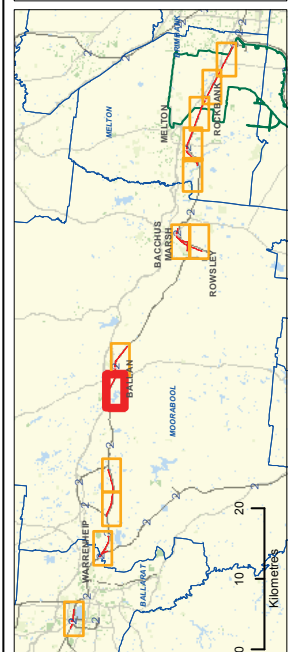
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-  Project Land
-  Wider Project Land
-  Rail station
-  Railway Line
-  LGA boundary
-  Property boundary

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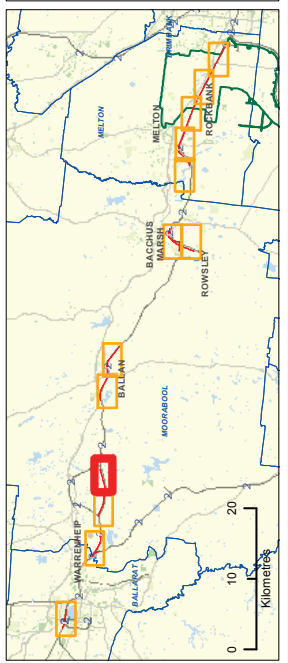


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Data Sources:
 - AJM-JV/MIRA Indicative Design (February 2018)
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Rail station
 Railway Line
 LGA boundary
 Property boundary

Project Land
 Wider Project Land

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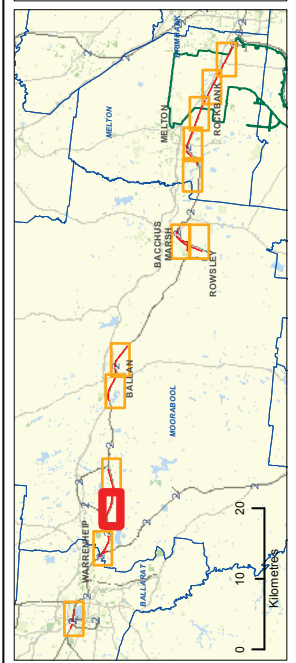


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Data Sources:
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 - DELWP 2017
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Rail station
 Railway Line
 LGA boundary
 Property boundary

Project Land
 Wider Project Land

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Ballarat Line Upgrade Project

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Drawing Number: BLU-AJM-WNAA-MP-NN-600201

Revision: P1.4

Drawn By: A. Lan

Approved By: R. Marks

Date: 10/04/2018

Map Size: A3

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Coordinate System: GDA 1994 MGA Zone 55

MELBOURNE
METRO RAIL
AUTHORITY

gurecon
JACOBS
MOTT
MACDONALD

AJM
Joint Venture

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Data Sources:
 - AJM-JV/MIRA Indicative Design (February 2018)
 - DELWP 2017
 - VicTrack 2017

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Rail station

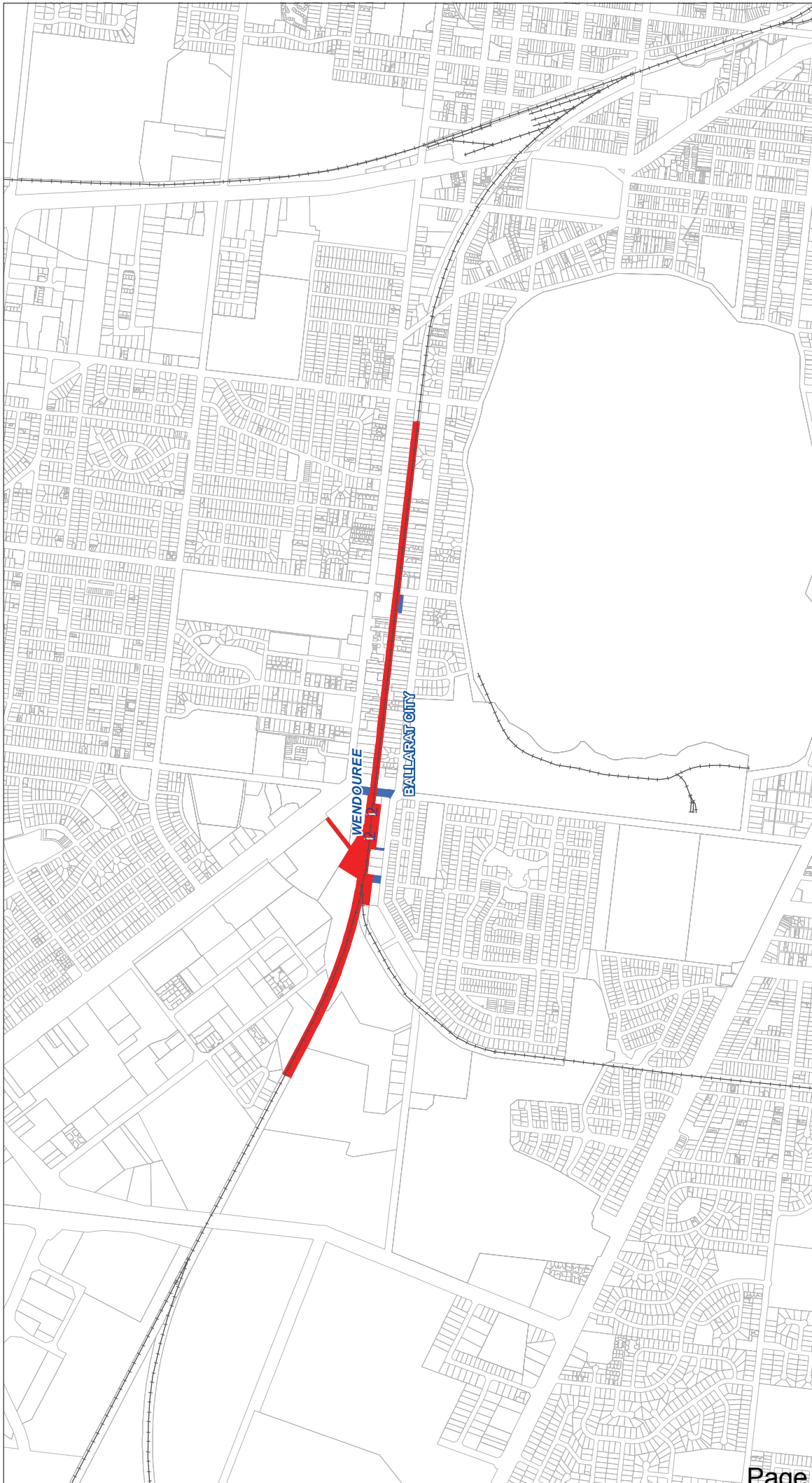
Railway Line

LGA boundary

Property boundary

Project Land

Wider Project Land

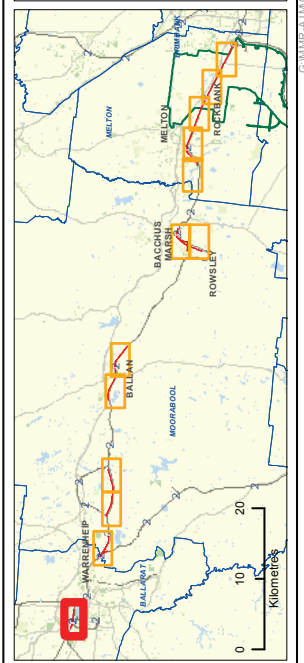


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 Map Size: A3

MELBOURNE METRO RAIL AUTHORITY
 gurecon JACOBS
 AJM MOTT MACDONALD
 Joint Venture

0 500 1,000
 Metres
 Coordinate System: GDA 1994, MGA Zone 55



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Data Sources:
 - AJM-JV/MIRA Indicative Design (February 2018)
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 - VicTrack 2017

Rail station
 Railway Line
 LGA boundary
 Property boundary

Project Land
 Wider Project Land

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11.2.7 Restoration and Reutilisation of the Lal Lal Railway Station

Introduction

Author: Andy Waugh
General Manager: Satwinder Sandhu

Background

The purpose of this report is to seek support for the restoration and reutilisation of the Lal Lal Railway Station.

VicTrack operates the Community Use of Vacant Rail Buildings (CUVRB) Program designed to restore rail assets to a condition that they can be used by the community. Between 2013 and 2016, 15 of the State's historic railway buildings, some unused for decades, were restored and opened with new community based functions.

Interest in restoring the Lal Lal Railway Station began eight years ago. The (now defunct) Friends of Lal Lal Railway Station Group entered into discussions with VicTrack over potential new uses in 2012. Out of this group, the Lal Lal Railway Committee was formed in March, 2017. They then joined the Lal Lal Catchment Landcare Group forming a sub-committee in June of the same year.

The role of the sub-committee is to be a unifying influence for interested community groups which want to see the railway building restored and reutilised. The sub-committee intend to act as a committee of management for the site. They will ensure the use is within the guidelines laid out by VicTrack as part of the lease agreement. The sub-committee's vision is for the railway station to perform a pivotal role in the promotion of local heritage and tourism in the area.

VicTrack have reviewed the proposal completed by the sub-committee and it meets the required selection criteria. The only component that requires confirmation is in relation to the proposed lease arrangement in regard to Council's level of support for the project.

The Council Plan 2017-2021 supports implementing the adopted Small Towns and Settlements Strategy as Strategic Objective 3 – stimulating economic development. The strategy encourages the retention of older buildings, which contribute to the local character and heritage of a settlement. Specifically, the strategy recognises the possible re-use of the Lal Lal Railway Station building as a business premises, gallery, local produce store or similar.

Proposal

The proposal is for Council to take on the head lease for the Lal Lal Railway Station thereby activating VicTrack's intention to restore the facility.

A Council taking on the head lease of a restored railway station is a common format VicTrack have used for the CURVB program. The same agreement presented (see Attachment 11.2.7) is in place with Indigo Shire Council, Pyrenees Shire Council, Loddon Shire Council, Mount Alexander Shire Council and most recently with Ararat Rural City Council.

Upon Council agreeing to take on the head lease, VicTrack would position the Lal Lal Railway Station within their 2019/20 Capital Works Program. This would result in the commencement of preparatory works in July, 2018 which would be undertaken at the cost of VicTrack.

The preparatory work involves initial site investigations including:

- Structural evaluation.
- Feature survey.
- Geo-technical report.
- Environment (asbestos) assessment.

An architect will be appointed by VicTrack to work with Council and community stakeholders on the concept design. They will coordinate with Council officers on the lodgement of Heritage Victoria and Council planning applications, preparation of tender plans and the tender advertisement and selection process. This 12 month planning stage will be completed with the intention of proceeding to capital works in July, 2019.

The scope of works is subject to the architectural design, structural engineering reports and other site investigations that would be conducted in the pre-planning stage and varies for every building. The scope for projects under the program usually includes the following:

- Internal and external repairs to foundations.
- Walls and roof.
- Damp proofing.
- Plastering and painting.
- Restoration or replacement of floors.
- Restoration or replacement of windows and doors.
- Refurbishment to enable public DDA compliant access, toilet and kitchenette.

The Lal Lal Railway Station has a number of potential uses based on both community feedback received by the sub-committee and models adopted by other Council's under the CUVRB program. These include:

- Visitor information.
- Photographic displays.
- Art and craft groups using for activities and displays.
- Museum of local history.
- Historic railway society displays.
- Local school use for activities and displays.
- Tea room on weekends.
- Destination for train tours from Ballarat.
- Focal point for local and regional touring routes.
- Commercial lease.

A Township Improvement Plan for Lal Lal is scheduled to be undertaken in 2018-19 (a key component of the adopted Small Towns and Settlements Strategy). The restoration and use of the Lal Lal Railway Station would be a key component of the plan.

Policy Implications

The Council Plan 2017 – 2021 provides as follows:

Strategic Objective3: Stimulating Economic Development

Context 3B: Investment and Employment

The proposal to participate in the restoration and reutilisation of the Lal Lal Railway Station with Council taking on the head lease is consistent with the Council Plan 2017 – 2021.

Financial Implications

Council

- The cost to Council of taking on the head lease will be about \$1,200 annually. This will be met from existing SPD budgets or passed on through subleasing.
- The cost of implementing a tourism based product will be met from existing SPD budgets.
- The building would be added to Council's asset register as a non-financial maintained asset and would need to be included in Council's Maintenance Management System.
- Based on the program's implementation elsewhere in Victoria, the general maintenance cost will be about \$5,000 annually. This is due to the high standard of the initial restoration (\$500,000-\$800,000) and ongoing building maintenance remaining the responsibility of VicTrack. This cost would be subject to a budget bid in the 2019/20 financial year.
- The fire service levy (if required).

VicTrack

- The cost of restoration will be determined once a building assessment is completed. Based on similar projects undertaken, this will be about \$500,000-\$800,000.
- The cost of ongoing building related maintenance.
- The cost of building insurance on an ongoing basis.
- Waiver of rent in the first year to support establishment of sustainable operations (with future years funded by tenants/Council at nominal consideration).
- \$3000 one off subsidy to the tenant group, again to support the establishment of financial operations with a view to long term viability and sustainability of the facility.
- Lal Lal Railway Station is a state listed heritage building with statutory obligations.

Lal Lal Catchment Landcare

- The cost of ongoing grounds maintenance.

Risk & Occupational Health & Safety Issues

The project operates with a low level of risk to Council. This is primarily due to the financial expenditure being restricted to minimal costs with VicTrack committed to scoping, capital works and project management costs.

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Building remains in present condition	No community or economic value is gained	Medium	Council works with stakeholders to restore building

Community Engagement Strategy

Level of Engagement	Stakeholder	Activity	Location	Date	Outcome
Meeting	Lal Lal Railway Committee	Discuss project scope	Lal Lal Railway Station	April 2018	Partnership established
Meeting	VicTrack	Sign head lease	TBD	TBD	Agreement between VicTrack and Council
Meeting	Lal Lal Railway Committee	Define use	Lal Lal Railway Station	TBD	Use of building decided

Communications and Consultation Strategy

If Moorabool Shire's proposal to take on the head lease with VicTrack is approved, a communications strategy will be implemented. The Railway Station will provide an important asset in Moorabool Shire's visitor offering therefore will receive high levels of promotion on Council and external electronic platforms and in printed material.

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 – Andy Waugh

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

Conclusion

The restoration and reutilisation of the Lal Lal Railway Station supports actions contained within the Council Plan 2017-2021 and the Small Towns and Settlements Strategy.

The train station is a significant heritage item for the Shire and its restoration represents a major community benefit to local groups, being within the core section of the Lal Lal township.

VicTrack has committed to a significant contribution in terms of both finances and resources. VicTrack would retain ownership of the land, the Railway Station and adjacent buildings are located on. To enable the project to proceed, Council is required to take on the head lease and an ongoing minimal financial contribution towards the upkeep of the building. It is likely that these expenses will be passed on to groups which use and/or sublease parts of the building.

The restoration and reutilisation of the Lal Lal Railway Station has significant benefits for Moorabool Shire including;

- Activation of a tourism product located in the western periphery of the municipality.
- Preservation and new use for a state listed building.
- Creation of a community space in a unique setting.
- Providing a catalyst for further development in Lal Lal and neighbouring areas.

In Council approving to take on the head lease, VicTrack will immediately advance this project through a scoping phase followed by capital works beginning in July 2019.

Recommendation:

That Council:

1. **Approves taking on the head lease for the Lal Lal Railway Station entering into an agreement (See Attachment 11.2.7) with VicTrack.**
2. **Delegates to the CEO, responsibility for Officers to work with the sub-committee to further define the use of the facility based on the information contained within this report.**
3. **Delegates to the CEO, responsibility for officer's to form a project control group to provide support in the delivery of this project.**
4. **Authorises the CEO to sign the head lease.**

Report Authorisation

Authorised by: 

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Tuesday, 15 May 2018

Attachment - Item 11.2.7

Date / /

Lease

Premises: Railway Lot at

VicTrack

and

VicTrack

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Reference Schedule - Lease

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Item 2.	Guarantor: (Clause 1 & 24)	
Item 3.	Premises: (Clause 1)	Railway Lot *** at *** delineated and coloured pink on the plan attached to this Lease as Annexure E together with the right of way access over Railway Lot *** at *** on the annexed plan
Item 4.	Commencement Date: (Clause 1)	***
Item 5.	Term: (Clause 1 & 2.1)	*** (***) years
Item 6.	Further Term(s): (Clause 1 & 2.2)	*** further terms of *** (***) years each
Item 7.	Last date for exercising the Option for the Further Term: (Clause 2.2.1)	***
Item 8.	Rent: (Clause 1 & 3)	\$*** per annum plus GST payable by equal [calendar monthly or quarterly or annual] payments in advance [on the ## day of each month during the Term] [if quarterly payments, insert payment dates]
Item 9.	Percentage Rent Increase Date(s) and Amount: (Clause 1 & 4)	***% on every *** anniversary of the Commencement Date during the Term and any Further Term [except for any Market Review Date or CPI Adjustment Date] [## or insert 'Not applicable']
Item 10.	Market Review Date(s): (Clause 1 & 5)	On every *** anniversary of the Commencement Date during the Term and any Further Term and on the commencement of any period of overholding [## or insert 'Not applicable']
Item 11.	CPI Adjustment Date(s): (Clause 1 & 6)	On every *** anniversary of the Commencement Date during the Term and any Further Term [except for any Market Review Date or Percentage Rent Increase Date] [## or insert 'Not applicable']
Item 12.	Security Deposit: (Clause 1 & 10)	An amount equal to *** (***) months rent (plus GST)
Item 13.	Permitted Use: (Clause 1 & 16.1)	***
Item 14.	Tenant's Proportion:	***% [## or insert 'Not applicable']

Item 15. Retail Lease Schedule: (Clause 1 & 25.5)	As set out in Annexure A
Item 16. Ground Lease Schedule: (Clause 1 & 25.5)	As set out in Annexure B
Item 17. Transport Infrastructure Schedule: (Clause 1 & 25.5)	As set out in Annexure C
Item 18. Special Conditions: (Clause 1 & 25.5)	As set out in Annexure D
Item 19. Special Conditions	As set out in Annexure A
Item 20. Plan	As set out in Annexure B
Item 21. Services Plan	As set out in Annexure C
Item 22. Environmental Management Plan	As set out in Annexure D
Item 23. Condition Report	As set out in Annexure E

DRAFT

General Conditions - Lease

VicTrack leases the Premises to the Tenant subject to the terms contained in this Lease.

The Guarantor guarantees the obligations of the Tenant on the terms specified in the guarantee provisions of this Lease.

Executed by the parties as a deed on the _____ day of _____ 2018

Signed for and on behalf of **Victorian Rail Track** by its Authorised Signatory in the presence of

Signature of Authorised Signatory

Signature of Witness

Name of Authorised Signatory (print)

Name of Witness (print)

Title of Authorised Signatory (print)

1. Definitions

In this Lease unless expressed or implied to the contrary:

Accreditation means any accreditation required to be held by the Tenant or its related entity under any Law to carry out the Permitted Use.

Act means the *Retail Leases Act 2003* (Vic).

Annexure means an annexure to this Lease.

Approval means any permit, licence, consent, grant, certificate, sealing or other approval obtained or required to be obtained by the Tenant from a Government Agency or any other person in relation to the Premises or the use and occupation of the Premises and includes any Planning Approval and any requisition, condition or requirement from a Government Agency or any other person.

Building Regulations means the *Building Regulations 2006* (Vic).

Claim means any claim, demand, remedy, suit, injury, damage, loss, cost, liability, action, proceeding or right of action

Clearances means the minimum distance that must exist between any Third Party Services and any Tenant's Improvements.

Condition Report means the condition report annexed to this Lease as Annexure G.

Contamination means the presence in, on or under land or groundwater of a Hazardous Material (whether a chemical substance or other solid, liquid or gas) at a concentration above the concentration at which the substance is normally present in, on or under land in the same locality as the Premises, being a presence that presents a risk of harm to human health or any other aspect of the Environment. For the purpose of this definition, a substance may present a risk of harm either on its own or by reason of the presence of or interaction with another substance, structure or other matter. **Contaminant** and **Contaminated** have a corresponding meaning.

Commencement Date means the date specified in Item 4.

CPI means the Consumer Price Index - All Groups Melbourne or if this index is not available or is discontinued or suspended, such other index that represents the rise in the cost of living in Melbourne, as VicTrack reasonably determines.

CPI Adjustment Dates means the date(s) (if any) specified in Item 11.

Current CPI means the CPI number last published before the current CPI Adjustment Date.

Dangerous Goods has the same meaning as in the Australian Code for the Transport of Dangerous Goods by Road and Rail from time to time or as otherwise defined in Safety Legislation.

Environment means all components of the Earth, including each and any combination of the constituents of:

- (a) land, air, groundwater and water and any living organism in any of them;
- (b) the atmosphere;

- (c) any organic or inorganic matter; and
- (d) structures, buildings and other human-made areas.

Environmental Consultant means a person who is an expert in, and who has at least five years practical experience in:

- (a) for the preparation of an Environmental Management Plan, the preparation of Environmental Management Plans; and
- (b) for an Environmental Improvement Plan or other Contamination matter, the assessment, management and remediation of Contamination in, on, under or migrating from land.

Environmental Damage means any damage, impact, effect on the Environment which is an Environmental Hazard, Contamination or which could result in non-compliance with or breach of Environmental Law.

Environmental Hazard means a state of danger to human beings or the Environment whether imminent or otherwise resulting from the location, storage or handling of any substance having toxic, corrosive, flammable, explosive, infectious or otherwise dangerous characteristics.

Environmental Improvement Plan means an environmental improvement plan outlining the nature and extent of Contamination and the recommendations for managing and cleaning up or remediating Contamination or Environmental Damage at the Premises or emanating from the Premises prepared by an Environmental Consultant.

Environmental Law means:

- (a) all Laws relating to town planning, the Environment, noise, development, construction or structures, health, Contamination, waste disposal, land management and Hazardous Material;
- (b) all conditions of all Approvals issued under any law in paragraph (a); and
- (c) regulations and any order, guideline, notice, direction or requirement of any Government Agency in relation to these matters.

Environmental Management Plan means a plan that documents the mitigating and monitoring actions with specific responsibilities for protecting the Premises, and/or any person on the Premises, from Environmental Damage prepared for the Premises by an Environmental Consultant or by VicTrack.

Further Term means the further term(s) specified in Item 6.

Franchisee means any person who operates a rail or tram business in Victoria or on VicTrack land outside Victoria under a franchise from Public Transport Victoria or otherwise and any person succeeding any of them.

Government Agency means any government or any public, statutory, governmental (including a local government), semi-governmental or judicial body, entity, department or authority and includes any self-regulatory organisation established under statute, or a stock exchange.

Ground Lease Schedule means the schedule (if any) described in Item 16.

Guarantor means the person(s) specified in Item 2.

Hazardous Material means any substance, gas, liquid, chemical, mineral or other physical or biological matter:

- (a) that is or may become toxic, flammable, inflammable, explosive;
- (b) that is otherwise dangerous, harmful to the Environment or any life form or which may cause Contamination; or
- (c) that is a material or compound controlled, prohibited or regulated from time to time by any Environmental Law or by any Safety Legislation.

Improvements means any buildings, structures, rail infrastructure, paving, earthworks, fences, fixtures and other works and items that are erected, constructed or located above, on or under the Premises including any VicTrack Improvements.

Insolvency Event means, in relation to a party, any one or more of the following events or circumstances:

- (a) in the case of a natural person, if that person becomes bankrupt;
- (b) being in liquidation or provisional liquidation or under administration;
- (c) being wound up or dissolved or an application is made for its winding up or dissolution;
- (d) having a controller, receiver, manager, administrator or analogous person appointed to it or any of its property;
- (e) being taken under section 459F(1) of the *Corporations Act 2001* (Cth) to have failed to comply with a statutory demand;
- (f) being unable to pay its debts or being otherwise insolvent;
- (g) becoming an insolvent under administration, as defined in section 9 of the *Corporations Act 2001* (Cth);
- (h) entering into a compromise or arrangement with, or assignment for the benefit of, any of its members or creditors; or
- (i) any analogous event or circumstance under the Laws of any jurisdiction;
- (j) taking any step or being the subject of any action that is reasonably likely to result in any of the above occurring; or
- (k) in the case of a company, if that company is deregistered with the Australian Securities and Investments Commission,

unless such event or circumstance occurs as part of a solvent reconstruction, amalgamation, compromise, arrangement, merger or consolidation approved by VicTrack

Item means an item in the Reference Schedule.

Law includes any statute, regulation, ordinance, statutory instrument or by-law, present or future, and any requirement, notice, order or direction of any Government Agency, including environmental requirements, any relevant standard published by Standards Australia and the conditions of any licence or permit or similar instrument issued under a Law.

Lettable Area(s) means the lettable area as determined by VicTrack acting reasonably.

Market Review Date means the date(s) (if any) specified in Item 10.

Percentage Rent Increase Date means the date(s) specified in Item 9.

Permitted Use means the use specified in Item 13 in accordance with and subject to relevant Laws including Safety Legislation.

Planning Approval means any Approval given under any Planning Scheme or any Planning Scheme amendment approved and gazetted from time to time under the *Planning and Environment Act 1987* (Vic).

Principal Contractor means the position of principal contractor referred to in Chapter 5 of the *Occupational Health and Safety Regulations 2007* (Vic).

Premises means the premises specified in Item 3 and includes any VicTrack Improvements.

Previous CPI means the CPI number last published before the immediately preceding CPI Adjustment Date, or the Commencement Date (whichever is the later).

Public Transport Victoria means the Public Transport Development Authority, a body corporate established under the *Transport Integration Act 2010* (Vic) trading as "Public Transport Victoria" and includes its predecessors in law, assigns and successors.

Rates and Taxes means the rates, taxes, charges and levies specified in clause 7.1.

Reference Schedule means the schedule of Items specified on the page at the front of this Lease.

Rent means the amount specified in Item 8 as reviewed, adjusted or increased under this Lease.

Retail Lease Schedule means the schedule (if any) described in Item 15.

Safety Legislation means:

- (a) any legislation applicable to occupational health and safety, rail safety, road transport, dangerous goods, gas safety and electrical safety;
- (b) any regulations made under that legislation; and
- (c) any directions or notices issued by any relevant Government Agency or any code of practice or compliance code applicable to the Premises or any part of it or the Permitted Use.

Safety Requirements means any direction, instruction, request or requirement notified by VicTrack to the Tenant in writing which is relevant to or necessary for compliance by VicTrack or the Tenant with any applicable Safety Legislation.

Security Deposit means the amount specified in Item 12.

Services means any services, drains, pipes, groundwater bores and cables above, below, affecting or connected to the Premises.

Services Plan means any plan showing the location of Services and attached to this Lease as Annexure G.

Small Business Commissioner means the Small Business Commissioner referred to in the Act.

Special Conditions means the conditions described in Item 18.

Tenant means the Tenant specified in Item 1 and includes the Tenant's successors and assigns and where it is consistent with the context includes the Tenant's employees, contractors, agents, invitees and persons the Tenant allows in the Premises.

Tenant's Improvements means all property in the Premises (including the items listed as Tenant's Improvements in the Condition Report, all fixtures, buildings, fittings, furniture, furnishings, window coverings, blinds, light fittings, plant, machinery, installations and equipment) installed, owned or leased by the Tenant, but excluding any VicTrack Improvements.

Term means the term specified in Item 5, commencing on the Commencement Date and any period of overholding.

Third Party Rights means any rights of any person other than the Tenant under any licence or other grant of rights over any part of the Premises, whether granted by VicTrack or any other person entitled to do so, including any rights granted to any Transport Business.

Third Party Services means any electricity, petroleum, gas, water, sewerage, drainage and telecommunications pipes, cables and conduits, ground water monitoring wells, shared user pathways or any other service that is installed within, managed or provided by a third party and located within the Premises or VicTrack's land.

Transport Business means VicTrack, Public Transport Victoria, any Franchisee, the operators of the metropolitan, regional and interstate rail networks, the tourist and heritage railway operators and any other organisation which uses any VicTrack land or VicTrack facility to carry out a business providing transportation services.

Transport Infrastructure Schedule means the schedule (if any) described in Item 17.

Transport Operations means the operations of any Transport Business.

Valuer means the valuer appointed pursuant to clause 5.3 of this Lease.

VicTrack means Victorian Rail Track of 1010 Latrobe Street, Docklands, 3008, a statutory corporation established under section 8 of the *Rail Management Act* 1996 and continued, in existence under section 116 of the *Transport Integration Act* 2010 and includes VicTrack's successors and assigns and where it is consistent with the context includes VicTrack's employees and agents.

VicTrack Improvements means all buildings, structures, rail infrastructure, paving, earthworks, fences, fittings and fixtures contained in the Premises at the date the Tenant or the Tenant's predecessor in title (whether under a previous lease or an assignment or by other means) commenced occupation of the Premises or installed by VicTrack after that date and includes the any items listed as VicTrack Improvements in the Condition Report.

Weeds means any noxious weed as defined by the *Catchment and Land Protection Act* 1994 (Vic) including ragwort, Paterson's curse, mallow, horehound, hawthorn, sweet brier, gorse, boneseed, blackberry, dock, thistles, cape weed, bent grass, kikuyu, couch and such other weeds as discovered by VicTrack during any inspection of the Premises.

2. Duration of the Lease

2.1 Term

This Lease is for the Term starting on the Commencement Date.

2.2 Option for a Further Term

VicTrack will grant to the Tenant a new lease for the Further Term if the Tenant:

- 2.2.1 gives VicTrack written notice asking for a new lease, not earlier than 6 months and no later than 3 months before the end of the Term (the last date for exercising the option for the Further Term is specified in Item 7);
- 2.2.2 has remedied any breach of this Lease of which the Tenant has received written notice from VicTrack;
- 2.2.3 has not persistently defaulted under this Lease and VicTrack has given written notice of the defaults; and
- 2.2.4 complies with all reasonable requirements of VicTrack including where the Tenant is a corporation, procuring such directors or shareholders of the Tenant as may be reasonably required by VicTrack to execute the guarantee contained in this Lease.

2.3 Terms of the New Lease

The new lease for the Further Term will contain the same terms and conditions as this Lease except that:

- 2.3.1 the commencement date in Item 4 will be the day after this Lease ends;
- 2.3.2 the length of term in Item 5 will be as specified in Item 6;
- 2.3.3 if the number of Further Terms specified in Item 6 is more than 1, the number of Further Terms specified in Item 6 shall be reduced by 1 and the date in Item 7 will be inserted in accordance with clause 2.2.1;
- 2.3.4 if the number of Further Terms specified in Item 6 shall be 1, Item 6 and Item 7 will be amended to read 'not applicable';
- 2.3.5 if the commencement date of the Further Term is a date specified in Item 9, Item 10 or Item 11, the commencing rent in Item 8 will be as determined in accordance with clause 4, 5 or 6 (as appropriate); and
- 2.3.6 any Special Conditions that are expressly stated to not apply to the Further Term shall be deleted.

2.4 Execution of New Lease for Further Term

The Tenant and the Guarantor (where applicable) must:

- 2.4.1 execute the new lease for the Further Term; and
- 2.4.2 sign any disclosure statement provided by VicTrack to the Tenant,

and return the above to VicTrack within 14 days of receipt from VicTrack.

2.5 Overholding

If the Tenant continues in occupation of the Premises after the end of the Term, without objection by VicTrack:

- 2.5.1 the Tenant occupies the Premises subject to the same terms and conditions as contained in this Lease except for those changes necessary to make this Lease appropriate for a monthly tenancy;
- 2.5.2 despite the manner in which the Rent is paid by the Tenant, the Tenant's occupation of the Premises during any period of overholding is as a monthly tenant;
- 2.5.3 either VicTrack or the Tenant may end this Lease during any period of overholding by giving 30 days written notice to the other party expiring at any time; and
- 2.5.4 VicTrack may increase the monthly rent at any time by giving the Tenant one month's written notice.

3. Payment of Rent

The Tenant must pay the Rent to VicTrack, without demand, in accordance with the manner specified in Item 8 or such other manner specified by VicTrack from time to time.

4. Percentage Rent Review

- 4.1 On each Percentage Rent Increase Date the rent will increase by the percentage specified in Item 9.
- 4.2 The Tenant must pay VicTrack the increased Rent on and from the relevant anniversary of the Commencement Date, regardless of whether VicTrack has given notice to specify the new Rent.

5. Market Rent Review

5.1 Notice by VicTrack

- 5.1.1 Subject to clause 5.1.2, if a Market Review Date is specified in Item 10, VicTrack may at any time before or after the Market Review Date, give a notice to the Tenant:
 - (a) of VicTrack's assessment of the market rent for the Premises to apply from the Market Review Date; or
 - (b) that the Rent will be adjusted to reflect the change in CPI in accordance with clause 6,

provided that this clause will not apply if the Act applies to this Lease.

- 5.1.2 Where the Act applies to this Lease

VicTrack may at any time before or after a Market Review Date give notice to the Tenant of VicTrack's assessment of the market rent for the Premises to apply from the Market Review Date.

5.2 Tenant's Objection

If VicTrack gives a notice to the Tenant under clauses 5.1.1(a) or 5.1.2, the rent nominated by VicTrack in the notice to the Tenant will be the Rent which the Tenant must pay from the Market Review Date, unless the Tenant gives a written notice to VicTrack within 21 days of receipt of the notice from VicTrack objecting to the market rent specified in the notice from VicTrack. If the Tenant does not give VicTrack the written notice, the Tenant is deemed to have agreed to the market rent nominated by VicTrack.

5.3 Appointing Valuer

5.3.1 If the Tenant objects to the market rent specified by VicTrack within the time and manner specified in clause 5.2, then unless the Rent is subsequently agreed between the parties the Rent must be determined by a valuer, who is appointed (at the request of either party) by:

- (a) the President of the Australian Property Institute (Victorian Division) or its successor body; or
- (b) where the Act applies to this Lease, the Small Business Commissioner pursuant to section 37 of the Act.

5.3.2 Both parties acknowledge and agree that they must do all things reasonably necessary to formalise the appointment of the Valuer, including signing any indemnities reasonably required by the Valuer and signing and returning the valuer appointment request within 14 days of receipt.

5.4 Determination by Valuer

5.4.1 VicTrack and the Tenant must instruct the Valuer to:

- (a) determine a market rent for the Premises to apply on and from the Market Review Date;
- (b) determine a market rent which is not less than the rent payable immediately prior to the Market Review Date except this clause 5.4.1(b) will not apply where the Act applies to this Lease;
- (c) act as an expert and not an arbitrator (the Valuer's decision is binding on VicTrack and the Tenant);
- (d) consider the matters set out in any written submissions made by the parties provided that such submissions must have been received by the Valuer no later than 14 days from the date of appointment of the Valuer;
- (e) have regard to the matters set out in section 37(2) of the Act, where the Act applies to this Lease; and
- (f) ignore any deleterious condition of the Premises if the condition resulted from a breach of this Lease by the Tenant.

5.4.2 VicTrack and the Tenant must share the costs of the Valuer equally. Either party may pay the costs of the Valuer and the other party must reimburse its share of those costs on demand.

5.4.3 The Rent determined by the Valuer or agreed between the parties will be the Rent which the Tenant must pay from the Market Review Date.

5.5 Payment of Rent Pending Valuation

Where the Tenant objects to VicTrack's market assessment of the Rent, until the Rent is agreed or has been determined by the Valuer, the Tenant must continue to pay the Rent at the rate applying immediately prior to the Market Review Date plus an amount equal to 80% of any increase sought by VicTrack as specified in the notice pursuant to clause 5.1.1(a). On the next due date for the payment of the Rent following VicTrack and the Tenant agreeing on the Rent or the Valuer determining the Rent pursuant to clause 5.4, VicTrack and the Tenant must make any necessary adjustment.

5.6 Appointing New Valuer

If the Valuer does not make a determination within 45 days of appointment, resigns or otherwise becomes unable to make the determination, an alternative valuer may be appointed pursuant to clause 5.3.

6. CPI Adjustment of Rent

6.1 Calculation of Adjustment

6.1.1 On each CPI Adjustment Date the Rent will be adjusted to an amount equal to the Rent payable immediately prior to the CPI Adjustment Date multiplied by the Current CPI and divided by the Previous CPI.

6.1.2 If VicTrack gives a notice to the tenant under clause 5.1.1(b), the Rent on the Market Review Date will be adjusted to an amount equal to the Rent payable immediately prior to the Market Review Date multiplied by the Current CPI and divided by the Previous CPI.

6.2 Payment of Adjusted Rent

On the next due date for the payment of the Rent, after the Tenant receives notice of the adjusted Rent from VicTrack, VicTrack and the Tenant must make any necessary adjustment to apply on and from the relevant CPI Adjustment Date or Market Review Date (as applicable).

7. Outgoings

7.1 Rates and Taxes

The Tenant must pay to VicTrack or the relevant Government Agency:

7.1.1 local government rates and charges;

7.1.2 water rates and charges, including water usage charges;

7.1.3 sewerage and drainage rates and charges;

7.1.4 land tax (assessed on the Premises on a single holding basis) except this cost is excluded where the Act applies to this Lease; and

7.1.5 all other rates, taxes, charges and levies,

assessed in connection with the Premises or the Tenant's use and occupation of the Premises.

7.2 Copy of notice of Rates and Taxes

The Tenant must provide a copy of any Rates and Taxes notice, assessment or invoice it receives, directly from the relevant Government Agency, to VicTrack within 14 days of receiving it.

7.3 Proportion of Rates and Taxes

If any Rates and Taxes are not separately assessed in connection with the Premises, the Tenant must pay to VicTrack within 14 days of demand the proportion of the Rates and Taxes that the Lettable Area of the Premises bears to the total Lettable Area assessed.

7.4 Receipt for Payment

The Tenant must provide to VicTrack receipts for any Rates and Taxes paid by the Tenant within 7 days of request by VicTrack.

8. Other expenses

8.1 Utilities

The Tenant must, within 14 days of demand:

- 8.1.1 pay for all utilities in connection with the Premises, including garbage removal, electricity, gas, water and telephone services;
- 8.1.2 at its own cost arrange for the regular removal of waste and sewerage from the Premises; and
- 8.1.3 where the Premises are not separately metered, pay for the cost of installing separate meters to assess the charges for the utilities.

8.2 Costs and Duty

The Tenant must pay to VicTrack within 14 days of demand:

- 8.2.1 any stamp duty payable on this Lease (including penalties and fees);
- 8.2.2 VicTrack's reasonable costs in connection with the preparation, negotiation and execution of this Lease except if this amount is not recoverable where the Act applies to this Lease;
- 8.2.3 VicTrack's reasonable costs in considering the granting of any consent or approval under this Lease (regardless of whether VicTrack actually gives such consent or approval);
- 8.2.4 VicTrack's architects or contractors' fees payable pursuant to clauses 12.4.1(a) and 12.4.1(d); and
- 8.2.5 VicTrack's costs (including charges on a solicitor-own client basis) incurred as a result of a breach of this Lease by the Tenant.

9. GST

9.1 Definitions

In this clause:

- 9.1.1 words and expressions that are not defined in this Lease but which have a defined meaning in the GST Law have the same meaning as in the GST Law;
- 9.1.2 GST Law has the meaning given to that term in the *A New Tax System (Goods and Services Tax) Act 1999*.

9.2 GST Exclusive

Except as otherwise provided by this clause, all consideration payable under this Lease in relation to any supply is exclusive of GST.

9.3 Increase in Consideration

If GST is payable in respect of any supply made by a supplier under this Lease (**GST Amount**), the recipient will pay to the supplier an amount equal to the GST payable on the supply.

9.4 Payment of GST

Subject to clause 9.5 the recipient will pay the GST Amount at the same time and in the same manner as the consideration for the supply is to be provided under this Lease.

9.5 Tax Invoice

The supplier must provide a tax invoice to the recipient before the supplier will be entitled to payment of the GST Amount under clause 9.4.

9.6 Reimbursements

If this Lease requires a party to reimburse an expense or outgoing of another party, the amount to be paid or reimbursed by the first party will be the sum of:

- 9.6.1 the amount of the expense or outgoing less any input tax credits in respect of the expense or outgoing to which the other party is entitled; and
- 9.6.2 if the payment or reimbursement is subject to GST, an amount equal to that GST.

9.7 Adjustment events

If an adjustment event occurs in relation to a taxable supply under this Lease:

- 9.7.1 the supplier must provide an adjustment note to the recipient within 7 days of becoming aware of the adjustment; and
- 9.7.2 any payment necessary to give effect to the adjustment must be made within 7 days after the date of receipt of the adjustment note.

10. Security Deposit

10.1 Delivery of Security Deposit

The Tenant must:

- 10.1.1 pay to VicTrack the Security Deposit by way of bank cheque and notify VicTrack of the Tenant's tax file number on or before the Commencement Date;
- 10.1.2 if VicTrack requires, deliver to VicTrack a bank guarantee for an amount equal to the Security Deposit on or before the Commencement Date; and
- 10.1.3 pay any additional amount towards the Security Deposit (including by providing a replacement or additional bank guarantee) within 14 days of demand to maintain the Security Deposit at the required level.

10.2 Form of Bank Guarantee

Any bank guarantee must be issued in favour of VicTrack by an authorised deposit taking institution as defined by the *Banking Act 1959 (Cth)*, that maintains an office in Melbourne where the bank guarantee may be presented, with no expiry date or an expiry date that is not less than 12 months after the end of the Term and any Further Term and otherwise be on such terms as VicTrack may require.

10.3 VicTrack's Right to Use Security Deposit

VicTrack may use any amount of the Security Deposit (including calling up payment of the bank guarantee) if VicTrack has any claim or entitlement to the payment of damages, costs or an amount of debt due under this Lease including to make good the cost of remedying breaches of the Tenant's obligations under this Lease or to recover any loss that VicTrack suffers from the Tenant's default.

10.4 Tenant to Replace Security Deposit

The Tenant must, within 14 days of demand, replace any amount of the Security Deposit used by VicTrack (including providing a replacement or additional bank guarantee).

10.5 Return of Security Deposit

VicTrack must, if the Tenant has complied with all of its obligations under this Lease, return the Security Deposit to the Tenant within 60 days of the end of this Lease.

10.6 Sale of the Premises

The Tenant must if necessary, at its cost, provide a replacement bank guarantee for an amount equal to the Security Deposit, in favour of any future owner of the Premises. Upon receipt VicTrack must return the original bank guarantee to the Tenant.

11. Payment requirements

11.1 No Deduction or Right of Set-off

The Tenant must pay all amounts due under this Lease to VicTrack (including the Rent and Rates and Taxes without deduction, counterclaim, withholding or right of set-off).

11.2 Interest on Late Payments

The Tenant must pay to VicTrack on demand interest at the rate per annum which is 2% higher than the rate fixed under section 2 of the *Penalty Interest Rates Act 1983* (Vic) on any money payable by the Tenant under this Lease and remaining unpaid after the due date. Interest will be computed from the date on which such payment became due.

11.3 Payment after Termination

The Tenant must:

- 11.3.1 make all payments due under this Lease; and
 - 11.3.2 provide all information to VicTrack under this Lease to calculate any such payments,
- even if this Lease has ended.

11.4 Method of payment

The Tenant must make all payments under this Lease in such manner as VicTrack reasonably requires, which may include by direct debit.

12. Repairs, Refurbishment and Alterations

12.1 Condition Report

The Tenant acknowledges and agrees that the Condition Report reflects the true condition of the Premises as at the date the Tenant first entered occupation of the Premises.

12.2 Repairs and Maintenance

The Tenant must:

- 12.2.1 keep the Premises and the Tenant's Improvements clean and free from rubbish, store all rubbish in proper containers and have it regularly removed;
- 12.2.2 keep the Premises in the same condition as it was in at the date the Tenant or the Tenant's predecessor in title (whether under a previous lease or an assignment or by other means) first entered occupation of the Premises (fair wear and tear excepted) including repairing or replacing anything in or attached to the Premises (including all furnishings and floor coverings) which are damaged, worn or destroyed with items of at least the same quality;
- 12.2.3 promptly remove any graffiti (including any unauthorised writing or drawing) on the external walls of the Premises;
- 12.2.4 paint and, where appropriate, paper any parts of the Premises previously painted or papered whenever reasonably required;
- 12.2.5 maintain in working order and protect all Services located at the Premises;
- 12.2.6 maintain any gardens, landscaped areas or other areas of vegetation in the Premises in a tidy and good condition and free of weeds and must comply with the Landlord's reasonable directions concerning weed control, mowing, pruning, tree risk assessments and associated lopping and other vegetation management requirements;

- 12.2.7 treat in a proper and professional manner (including polishing or varnishing as appropriate) all surfaces of the Premises (including wood, tile and metal surfaces) with the appropriate materials approved by VicTrack when reasonably required;
- 12.2.8 repair all defective or broken lights, fluorescent tubes, windows, doors and locks in or exclusively servicing the Premises;
- 12.2.9 not permit any drainage from the Premises to be directed onto any adjacent property;
- 12.2.10 make good any damage caused to any adjacent property by the Tenant;
- 12.2.11 take all reasonable measures to ensure that any fair wear and tear to the Premises does not cause any loss or damage to the Premises, the Improvements, or any person; and
- 12.2.12 give VicTrack prompt written notice of any material damage to the Premises or anything likely to be a risk to the Premises or any person in the Premises.

12.3 Equipment in Premises

The Tenant must:

- 12.3.1 repair and maintain any VicTrack Improvements including air conditioning and heating equipment exclusively serving the Premises but excluding any essential safety measures (as defined under the Building Regulations) in accordance with VicTrack's reasonable requirements; and
- 12.3.2 comply with VicTrack's reasonable requirements concerning the use of any VicTrack Improvements, including air conditioning and heating equipment.

12.4 Alterations to Premises

- 12.4.1 The Tenant must ensure any alterations or works to the Premises, any Services to the Premises or the Tenant's Improvements are carried out in a proper and workmanlike manner:
 - (a) strictly in accordance with plans and specifications approved by VicTrack or VicTrack's architect or consultants (the cost of which must be paid by the Tenant to VicTrack within 14 days of demand). The plans and specifications must include:
 - (i) a submission detailing which Services will be affected and how the Tenant proposes to deal with the Services; and
 - (ii) a set of built drawings for the alterations or works;
 - (b) by appropriately qualified tradespersons holding insurance that is reasonable and customary for the work to be carried out and that satisfies any insurance requirements notified by VicTrack (acting reasonably);
 - (c) to VicTrack's reasonable satisfaction and in accordance with VicTrack's reasonable requirements (including VicTrack's requirements as to the standard, type, quality, size and colour of any of the Tenant's Improvements);

(d) if required by VicTrack (acting reasonably) under the supervision of VicTrack's architect or consultant (the cost of which must be paid by the Tenant to VicTrack within 14 days of demand); and

(e) in accordance with all Laws.

12.4.2 On completion of the alterations or works, the Tenant must promptly remove all unused building materials, equipment and debris and, if required as a matter of Law, obtain an occupancy permit or certificate of final inspection from the relevant Government Agency or building surveyor together with any associated compliance certificates issued by the relevant contractors for the alterations or works and deliver a copy to VicTrack.

12.5 Rail Safety

The Tenant acknowledges and agrees that if VicTrack (acting reasonably) considers that:

12.5.1 the Premises are within or in the vicinity of a rail safety zone;

12.5.2 rail infrastructure is erected on, below or within the vicinity of the Premises; or

12.5.3 a contractor engaged to carry out any alterations or works to the Premises would be likely to enter into or use land:

(a) within a rail safety zone; or

(b) upon which rail infrastructure is located,

then in considering any request for consent to carry out any alterations or works to the Premises, VicTrack may require that:

12.5.4 the Tenant submit detailed working drawings and specifications endorsed by a qualified building surveyor to VicTrack; and

12.5.5 all alterations and works be carried out by tradespersons approved by VicTrack and under the supervision of an architect, engineer or other person approved by VicTrack.

12.6 Trees and Shrubs

12.6.1 The Tenant must ensure that existing or new trees, shrubs or other plants on the Premises do not at any time obstruct the view of:

(a) a level crossing; or

(b) any signal or other sign.

12.6.2 If, in VicTrack's sole discretion, a plant, tree or shrub on the Premises obstructs the view of a level crossing, signal or sign, the Tenant must, within 7 days of receiving notice from VicTrack, remove the obstruction.

12.7 Fire Hazard

The Tenant must ensure that the Premises are free from all fire hazards at all times during the Term including grazing, slashing or mowing the Premises in accordance with all relevant legislation, regulations or municipal by-laws and complying with VicTrack's reasonable directions.

12.8 Weeds

The Tenant must control the growth of Weeds on the Premises by spraying or removing the Weeds at suitable times, but the Tenant must not:

- 12.8.1 spray during times when weather conditions may cause the spray to drift beyond the areas being sprayed or near any dams, creeks or persons; or
- 12.8.2 use any long term residual pesticides.

12.9 Pest Control

The Tenant must take all proper precautions to keep the Premises free of rodents, termites, cockroaches and other vermin and, if required by VicTrack, the Tenant must engage pest exterminators for that purpose.

12.10 Not Interfere with Utilities and Services

- 12.10.1 The Tenant must not interfere with, misuse or overload any:
 - (a) Services or utilities to the Premises, including electricity, gas and water; or
 - (b) Third Party Services.
- 12.10.2 Before carrying out any works under clause 12.4 of this Lease, the Tenant must notify VicTrack of any services or drains it locates.

12.11 Defacing Premises

The Tenant must not materially deface or damage the Premises (including drilling holes in the Premises) except where approved by VicTrack in accordance with clause 12.4.

12.12 Failure to Repair and Maintain

If the Tenant does not carry out any repairs, maintenance or other works required under this Lease within 14 days of receiving written notice from VicTrack, VicTrack may enter the Premises to carry out such repairs, maintenance and works at any reasonable time after giving the Tenant reasonable notice. The cost of all such repairs, maintenance and works must be paid by the Tenant to VicTrack on demand.

12.13 Fencing

- 12.13.1 VicTrack may by written notice require the Tenant to erect a fence of such type as approved by VicTrack around the whole or part of the Premises (**Fence**).
- 12.13.2 The Tenant must:
 - (a) erect the Fence within a reasonable time and in accordance with clauses 12.4.1(c) and 12.4.1(e) of this Lease; and
 - (b) maintain the Fence in good condition during the Term.
- 12.13.3 The Tenant acknowledges that the Fence is a Tenant's Improvement.

13. Contamination

- 13.1 Subject to clause 13.8, the Tenant must:
- 13.1.1 prevent Environmental Damage, degradation, pollution or Contamination occurring in, on, under or migrating from the Premises as a result of the Tenant's use or occupation of the Premises; and
 - 13.1.2 comply with all reasonable directions given by VicTrack or any directions given by any Government Agency concerning any Contamination in, on, under or migrating from the Premises.
- 13.2 Subject to clause 13.8, the Tenant indemnifies VicTrack against any Claim relating to any clean-up or removal of any Contamination to the extent not caused or contributed to by VicTrack.
- 13.3 Subject to clause 13.8, if any Contamination is found in, on, under or migrating from the Premises during the Term of the Lease, the Tenant must:
- 13.3.1 give VicTrack prompt written notice of the existence of the Contamination;
 - 13.3.2 at its own cost, promptly prepare and submit to VicTrack for approval (which must not be unreasonably withheld) an Environmental Improvement Plan;
 - 13.3.3 comply with the recommendations of the Environmental Improvement Plan approved by VicTrack pursuant to clause 13.3.2; and
 - 13.3.4 at the end of this Lease, provide supporting evidence, satisfactory to VicTrack (acting reasonably), from an Environmental Consultant approved of by VicTrack (acting reasonably) certifying that:
 - (a) the Premises is free from Contamination; or
 - (b) the Tenant has complied with the recommendations of the Environmental Improvement Plan approved by VicTrack pursuant to clause 13.3.2.
- 13.4 Subject to clause 13.8, if a notice is issued by the Environment Protection Authority (**EPA**) or any other relevant Government Agency to the Tenant in relation to the Premises (**Notice**), the Tenant agrees that:
- 13.4.1 it will promptly inform VicTrack of that Notice and provide a copy of it to VicTrack;
 - 13.4.2 VicTrack has the right to comment on the requirements of the Notice and to be involved in all discussions regarding the Notice, including participation in all meetings with the EPA and any Environmental Consultants; and
 - 13.4.3 VicTrack may (but is not obliged to) contribute towards the cost of a clean-up in response to the Notice in a standard greater than that required by the Notice.
- 13.5 If an environmental assessment or remediation process is undertaken by the Tenant at the Premises, voluntarily or in accordance with the terms of this Lease, the Tenant agrees that:
- 13.5.1 it will inform VicTrack of its intention to undertake the environmental assessment or remediation process prior to work commencing;
 - 13.5.2 VicTrack has the right to comment on and be involved in the proposed process, including determining the extent of clean-up proposed; and

- 13.5.3 VicTrack may (but is not obliged to) contribute towards the cost of a clean-up to a standard greater than that proposed.
- 13.6 The Tenant agrees that any environmental reports it prepares or has Environmental Consultants prepare for the Premises, including Environmental Management Plans, Environmental Improvement Plans, clean-up and remediation reports, audit reports or certificates and statements of audits, it will:
- 13.6.1 provide copies of any and all reports to VicTrack; and
- 13.6.2 provide for VicTrack to have reliance upon those reports.
- 13.7 If a dispute about Contamination arises out of or relates to this clause 13, the parties will submit to the following procedure to resolve the dispute:
- 13.7.1 either party may deliver to the other party written notice of dispute, specifying the nature of the dispute (**Dispute Notice**);
- 13.7.2 the parties will choose and appoint an independent environmental auditor appointed under section 53S of the *Environment Protection Act 1970* (Vic) (**Environmental Auditor**) to determine the dispute but the parties acknowledge and agree that such appointment shall not constitute the engagement of the Environmental Auditor to conduct an environmental audit or otherwise carry out any function under the *Environment Protection Act 1970* (Vic). In the absence of agreement by the parties as to the appointment of an Environmental Auditor within 7 days after the service of the Dispute Notice, either party may request that the President of the Law Institute of Victoria appoint an independent Environmental Auditor;
- 13.7.3 the Environmental Auditor must make a determination on the issues in dispute as soon as practicable, and in any event within 30 days of the date that the Environmental Auditor is appointed, or such longer period as the parties may agree;
- 13.7.4 the Environmental Auditor will act as an expert and not as an arbitrator, and may adopt such procedures as the Environmental Auditor sees fit;
- 13.7.5 the Environmental Auditor's decision will be final and binding on the parties;
- 13.7.6 VicTrack and the Tenant must share the costs of the Environmental Auditor equally; and
- 13.7.7 notwithstanding the existence of a dispute, each party must continue to perform its obligations under this Lease.
- 13.8 Nothing in this clause 13 will require the Tenant to bear the cost of or undertake:
- 13.8.1 the preparation of the Environmental Improvement Plan; or
- 13.8.2 any clean-up or removal of Contamination on the Premises,
- where the Contamination has not been caused or contributed to as a result of the use or occupation of the Premises by the Tenant or the Tenant's predecessor in title (whether under a previous lease or an assignment or by other means).

14. Insurance

14.1 Insurance

The Tenant must maintain insurance noting VicTrack's interest as landlord, but not as joint insured, with an insurer authorised by the Australian Prudential Regulation Authority to conduct new or renewal insurance business in Australia for:

- 14.1.1 public liability for the amount of \$20 million concerning 1 single event (or such greater sum as reasonably required by VicTrack);
- 14.1.2 any windows and any other glass in the Premises for the full replacement value.

14.2 Tenant's Improvements and Business Interruption

- 14.2.1 The Tenant must insure the Tenant's Improvements for loss and damage from risks including fire and water damage for their full replacement value.
- 14.2.2 The Tenant must maintain insurance cover for not less than 6 months business interruption.

14.3 Policy Terms and Conditions

The Tenant must ensure that the insurance required under this clause 14:

- 14.3.1 is on terms and conditions that are reasonable and customary for an organisation engaging in activities of the kind referred to and permitted by this Lease; and
- 14.3.2 is only subject to an excess amount that has first been approved by VicTrack (such approval not to be unreasonably withheld).

14.4 Payment and Production of Policies

The Tenant must pay all insurance premiums on or before the due date for payment and provide VicTrack with a certificate of currency from the Tenant's insurer or its insurance broker, which clearly confirms that the requirements of this clause 14 have been met on or before the Commencement Date and each anniversary of the Commencement Date and a copy of the policy upon request.

14.5 Not Invalidate Policies

The Tenant must:

- 14.5.1 not do anything which may make any insurance effected by VicTrack or the Tenant invalid, capable of being cancelled or rendered ineffective, or which may increase any insurance premium effected by VicTrack; and
- 14.5.2 pay any increase in the insurance premium caused by the Tenant's act, default or use of the Premises.

14.6 Requirements by Insurer

The Tenant must comply with all reasonable requirements of VicTrack's insurer in connection with the Premises.

15. Release and Indemnity

15.1 Release

Without limiting clause 15.3, the Tenant uses and occupies the Premises at its own risk and releases VicTrack from all claims resulting from any damage, loss, death or injury in connection with the Premises except to the extent that such claims arise out of VicTrack's negligence.

15.2 Indemnity

The Tenant must indemnify and hold harmless VicTrack against all claims resulting from any damage, loss, death or injury in connection with the Premises and the use and occupation of the Premises by the Tenant except to the extent that such claims arise out of VicTrack's negligence.

15.3 No Compensation

VicTrack is not liable to the Tenant for any loss or damage incurred by the Tenant due to:

- 15.3.1 any damage to the Premises;
- 15.3.2 the failure of any of VicTrack's Improvements to operate properly;
- 15.3.3 the interruption or damage to any Services or utilities (including electricity, gas or water) to the Premises;
- 15.3.4 the overflow or leakage of water in the Premises; or
- 15.3.5 any acts or omissions of VicTrack undertaken in any capacity other than in its capacity as the owner of the Premises, including (but not limited to) in exercising any powers under the *Transport (Compliance and Miscellaneous) Act 1983* (Vic) or the *Rail Management Act 1996* (Vic).

16. Permitted Use

16.1 Permitted Use

The Tenant must use the Premises for the Permitted Use and not use the Premises for any other purpose.

16.2 No Warranty

The Tenant:

- 16.2.1 acknowledges that VicTrack does not represent that the Premises are:
 - (a) suitable for the Permitted Use; and
 - (b) free from Contamination; and
- 16.2.2 must make its own enquiries as to the suitability of the Premises for the Permitted Use.

17. Third Party Rights

- 17.1.1 The Tenant acknowledges and agrees that:
- (a) it is aware that the Premises may presently be or become subject to Third Party Rights;
 - (b) it is aware that the Premises may presently contain or may in future contain Third Party Services;
 - (c) the ability of VicTrack to grant rights under this Lease may depend on rights reserved to VicTrack and to the extent that the reservation may be inadequate to enable VicTrack to grant such rights, on VicTrack obtaining the consent of that person who is the holder of the Third Party Rights or that person who owns or controls Third Party Services;
 - (d) the Tenant's obligations under this clause 17 are in addition to and not in substitution for the Tenant's obligations under this Lease in respect of Services; and
 - (e) the Tenant must provide any assistance reasonably required by VicTrack to give effect to any grant of Third Party Rights.
- 17.1.2 In exercising any rights the Tenant has under this Lease, the rights and obligations of each Transport Business take precedence over the rights of the Tenant and the Tenant must not interfere with or in any way disrupt or prevent any Transport Business from complying with its obligations and responsibilities under any Laws or contractual documentation relating to Transport Operations.
- 17.1.3 The Tenant's rights under this Lease are subject to the Third Party Rights and Third Party Services and nothing in this Lease will grant or be interpreted as granting to the Tenant exclusive rights in relation to the installation, repair, renewal and replacement of Services, pipes, cables and conduits in the Premises.
- 17.1.4 The Tenant is responsible for ascertaining the location of any Third Party Services within the Premises and maintaining all Clearances from them as required by VicTrack and/or the party who owns or controls such Third Party Services.
- 17.1.5 Nothing in this Lease requires VicTrack to:
- (a) breach or act inconsistently with any contractual obligation it has with any third party or any other legal obligation, including without limitation any duty or obligation or requirement under any Safety Legislation; or
 - (b) commence legal or other proceedings against a third party where it is not in the interests of VicTrack to do so.

18. Other obligations concerning the Premises

18.1 Compliance with Laws

The Tenant must comply with all Laws and any requirements of any Government Agency in connection with the Premises and the Tenant's specific use and occupation of the Premises, including without limitation any applicable Safety Legislation and Safety Requirements, except the Tenant will not be required to carry out any structural works unless the need for such works arises from:

- 18.1.1 a negligent act or omission of the Tenant;
- 18.1.2 a failure by the Tenant to comply with its obligations under this Lease; or
- 18.1.3 the Tenant's use of the Premises.

18.2 Licences and Permits

The Tenant must maintain all licences and permits required for the Tenant's specific use of the Premises and obtain the prior written consent of VicTrack before varying any licence or permit or applying for any new licence or permit.

18.3 Nuisance

The Tenant must not do anything in connection with the Premises which may:

- 18.3.1 cause a nuisance or interfere with any other person; or
- 18.3.2 be dangerous or offensive in VicTrack's reasonable opinion.

18.4 Security

The Tenant must keep the Premises secure at all times when the Premises are not being used by the Tenant.

18.5 Signs

The Tenant must not display or affix any signs, advertisements or notices to any part of the Premises where such signs, advertisements or notices are visible from outside the Premises, without obtaining VicTrack's prior written consent.

18.6 No Smoking

The Tenant must:

- 18.6.1 not permit any smoking in the Premises without obtaining the prior written consent of VicTrack; and
- 18.6.2 display 'no smoking' signs in the Premises if requested by VicTrack.

18.7 Heavy Objects

The Tenant must not bring onto or store any heavy objects in the Premises that are likely to damage the Premises.

18.8 Endanger Premises

The Tenant must not do or permit anything to be done in connection with the Premises which in the opinion of VicTrack may endanger the Premises or be a risk to any person or property.

18.9 Tenant's Employees

The Tenant must use all reasonable endeavours to ensure that the Tenant's employees, agents, contractors and invitees observe and comply with the Tenant's obligations under this Lease, where appropriate.

18.10 Health and Safety

18.10.1 The Tenant and VicTrack must so far as they are reasonably able consult, co-operate and co-ordinate activities between them and others engaged at or associated with the Premises to provide for optimal health and safety risk management and compliance with Safety Legislation.

18.10.2 The Tenant must:

- (a) promptly notify VicTrack of any incident, injury, property damage or Environmental Damage which occurs at the Premises; and
- (b) promptly inform VicTrack of any circumstance identified in (a) which gives rise to an obligation to notify a relevant Government Agency under Safety Legislation and of any such notification made by the Tenant.

18.10.3 The Tenant must from time to time as appropriate assess the risks associated with the occupation and use of the Premises and take such steps as are necessary to ensure compliance by the Tenant and VicTrack with Safety Legislation.

18.10.4 The Tenant must:

- (a) notify VicTrack prior to undertaking any works at the Premises with respect to which VicTrack is or may be deemed to be a Principal Contractor; and
- (b) accept nomination or appointment by VicTrack as the Principal Contractor in relation to any such works.

18.10.5 The Tenant must:

- (a) inform and at all times keep informed VicTrack of any and all circumstances that may give rise to duties or obligations of VicTrack under Safety Legislation relating to the handling, storage or transport of Dangerous Goods;
- (b) provide such assistance as may be required to enable VicTrack to comply with relevant Safety Legislation, including complying with all Safety Requirements; and
- (c) provide to VicTrack upon and in accordance with any reasonable request documents or other information evidencing such compliance including but not limited to:
 - (i) relevant manifests;
 - (ii) material safety data sheets;
 - (iii) risk assessments;
 - (iv) training and induction records;
 - (v) emergency response plans and associated activities;
 - (vi) fire protection;
 - (vii) audits;
 - (viii) relevant policies and procedures;

- (ix) reports relating to incidents associated with Dangerous Goods at the Premises; and
- (x) Safety Requirements.

18.10.6 Without limiting clause 8.2.5, the Tenant must indemnify VicTrack in relation to including any costs incurred by VicTrack in taking steps to ensure compliance by it or the Tenant with Safety Legislation, where such or equivalent steps should have been taken by the Tenant in compliance with the Safety Legislation or Safety Requirements.

18.10.7 If the Tenant fails to comply with Safety Legislation or Safety Requirements and the failure is continuing or repeated or a single event that causes a serious risk to the health or safety of any person, without limiting VicTrack's other rights under this Lease, VicTrack may by written notice to the Tenant require the Tenant to suspend any or specified activities at the Premises.

18.11 Services

18.11.1 The Tenant must advise VicTrack of the location of all Services identified by the Tenant during the Term including:

- (a) all Services identified by the Tenant during the course of any alterations or works at the Premises (other than those Services identified in the Condition Report or Services Plan); and
- (b) the location of Services identified in the Condition Report or any Services Plan where the Tenant becomes aware that the location of Services are located in an area different to that specified within the Condition Report and/or Services Plan.

18.11.2 The Tenant acknowledges that:

- (a) VicTrack does not represent that the Services exist and/or are located in the areas identified in the Condition Report and/or Services Plan; and
- (b) the Tenant must make its own enquiries as to the existence and/or location of the Services.

18.12 Cultivation

18.12.1 The Tenant must not use the Premises to cultivate fruit, vegetables or other items of food for commercial or domestic human or animal consumption without obtaining VicTrack's prior written consent.

18.12.2 VicTrack will not unreasonably withhold its consent pursuant to clause 18.12.1 if the Tenant proves to VicTrack's reasonable satisfaction that the Premises are suitable for the intended cultivation use and, if required by VicTrack, may require the Tenant to provide:

- (a) a soil test confirming that the Premises are suitable for the intended cultivation use; and/or
- (b) a certificate (in a form approved by VicTrack) from an appropriately qualified and experienced person approved of by VicTrack that the Premises are free from Contamination.

18.13 No Hazardous Materials

18.13.1 In addition to its other obligations in this Lease concerning Contamination and environmental management of the Premises, the Tenant must not bring onto the Premises or store on the Premises Hazardous Material or Dangerous Goods unless:

- (a) required by the Tenant for the Tenant's specific use of the Premises; and
- (b) the Tenant obtains VicTrack's prior written consent (such consent may be given or withheld or given subject to any conditions as VicTrack determines in its absolute discretion); and
- (c) the Tenant provides VicTrack with an Environment Management Plan in relation to the relevant substance(s), which meets VicTrack's reasonable requirements.

18.13.2 The Tenant must also:

- (a) on or before the Commencement Date provide VicTrack with a register listing all Hazardous Material and Dangerous Goods which the Tenant intends to bring onto or store on the Premises; and
- (b) immediately provide VicTrack with an amended and updated register if the list should at any time become inaccurate or out dated.

18.14 Land Use Activity Agreement

The Tenant must promptly notify VicTrack in advance of any activities which are, or may become the subject of any land use activity agreement under Division 2 of Part 4 of the *Traditional Owner Settlement Act 2010* (Vic) that is applicable to the Premises.

19. Dealing with interest in the Premises

19.1 No Parting with Possession

The Tenant must not share or give up possession of the Premises or part thereof including assigning this Lease, sub-leasing the Premises or part thereof or granting to any person a licence or concession in respect of the Premises or part thereof, without the prior written consent of VicTrack, subject to clause 19.2.

19.2 Conditions of Consent

VicTrack will not unreasonably withhold its consent to an assignment, sublease or licence if the Tenant:

- 19.2.1 requests VicTrack in writing to consent to the assignment of the Lease or the grant of a sub-lease or licence;
- 19.2.2 has remedied any breach of this Lease of which the Tenant has received written notice from VicTrack;
- 19.2.3 provides to VicTrack the following:
 - (a) the name, address and where appropriate ACN and ABN of the new tenant, sub-tenant or licensee;

- (b) proof, to VicTrack's reasonable satisfaction, that the new tenant, sub-tenant or licensee is solvent and able to comply with its obligations under this Lease or the sub-lease or licence (as the case may be) by providing at least 2 references as to the financial circumstances of the new tenant, sub-tenant or licensee and at least 2 references as to the business experience of the new tenant, sub-tenant or licensee;
 - (c) a completed credit application signed by the new tenant, sub-tenant or licensee;
 - (d) a copy of any contract of sale of business which relates to the assignment, sub-lease or licence;
 - (e) a copy of the proposed sublease or licence; and
 - (f) an assignment of lease, deed of consent to sub-lease or deed of consent to licence (as the case may be) in the form reasonably required by VicTrack executed by the Tenant and the new tenant, sub-tenant or licensee (as the case may be);
- 19.2.4 where the new tenant is a corporation procures such directors or shareholders of the new tenant, as may be reasonably required by VicTrack, to execute the guarantee contained in this Lease;
- 19.2.5 pays VicTrack's reasonable costs in connection with approving the new tenant, sub-tenant or licensee (whether or not consent is granted to the assignment, sub-lease or licence) and the costs of the preparation, negotiation and stamping of any document required under this clause (that are payable whether or not the assignment, sub-lease or licence proceeds); and
- 19.2.6 where the Act applies to this Lease, provides the new tenant with a copy of the disclosure statement as required by section 61(3) of the Act.

19.3 Additional Conditions upon Grant of Sub-lease or Licence

The Tenant must provide VicTrack, to VicTrack's reasonable satisfaction, with the current details of any sub-lease or licence (as the case may be) including but not limited to any monies payable under that sub-lease or licence within 14 days of receiving a written request for such information from VicTrack.

19.4 Change of Permitted Use

Despite clauses 19.1 and 19.2, VicTrack may, in its absolute discretion, withhold its consent to an assignment of lease, sub-lease or licence if the new tenant, sub-tenant or licensee seeks to use the Premises, or part thereof, for a use other than the Permitted Use.

19.5 No Assignment if Act to Apply

Despite anything to the contrary in this Lease, if the Act does not apply to this Lease and an assignment of this Lease would result in the Act applying to this Lease (either during the Term or as a result of the grant of a lease for the Further Term) VicTrack may withhold its consent to an assignment of this Lease.

19.6 Change in Shareholding

If the Tenant is a corporation (other than a corporation listed on any stock exchange in Australia) a change in the control of the corporation as existed at the Commencement Date (whether occurring at the one time or through a series or succession of issues or transfers) or a change in the holding of more than one-half of the issued share capital, either

beneficially or otherwise, will be deemed to be an assignment of this Lease and the Tenant must seek VicTrack's prior written consent.

19.7 Mortgage of Lease

The Tenant must not create any security over this Lease or the Premises or VicTrack's Improvements without VicTrack's prior written consent.

20. Tenant's obligations at the end of this Lease

20.1 Tenant's Obligations

On or before the end of this Lease, the Tenant must:

- 20.1.1 vacate the Premises and give them back to VicTrack in a condition consistent with the Tenant having complied with its obligations under this Lease, including (without limitation) its obligations under clause 13;
- 20.1.2 remove the Tenant's Improvements (including all signs and lettering) and reinstate the Premises to the condition the Premises were in prior to the installation of the Tenant's Improvements including making good any damage caused by the removal of the Tenant's Improvements, restoring the surface of the Premises to VicTrack's reasonable satisfaction, following VicTrack's reasonable directions and ensuring that all Services to the Tenant's Improvements are disconnected; and
- 20.1.3 give to VicTrack all keys and other security devices for the purposes of obtaining access to the Premises.

20.2 Tenant's Improvements Left in Premises

- 20.2.1 If the Tenant fails to remove the Tenant's Improvements pursuant to clause 20.1.2, then, at VicTrack's election, anything left in the Premises after 7 days of the end of this Lease:
 - (a) may be deemed to be abandoned by the Tenant;
 - (b) may be removed and/or stored by VicTrack at the Tenant's cost and at the Tenant's risk; and
 - (c) may be delivered to the Tenant at its address for service of notice at the Tenant's cost and at the Tenant's risk.
- 20.2.2 If VicTrack elects that some or all of the Tenant's Improvements are deemed to be abandoned in accordance with clause 20.2.1, then upon the expiry of the Term or any earlier determination of this Lease, the Tenant acknowledges that:
 - (a) those Tenant's Improvements will become the property of VicTrack;
 - (b) the Tenant is not entitled to receive any compensation from VicTrack; and
 - (c) the Tenant must do all acts and sign all documents as may be required by VicTrack to effect the transfer and vesting of the ownership in those Tenant's Improvements to VicTrack.

21. VicTrack's rights and obligations

21.1 Quiet Enjoyment

As long as the Tenant does not breach this Lease, VicTrack must not interfere with the Tenant's use and occupation of the Premises except as provided by this Lease or where such interruption or disturbance is required to enable compliance by VicTrack or any other party with Safety Legislation.

21.2 Alterations to the Premises

VicTrack may carry out any works, alterations, renovation or refurbishment of the Premises which may include extending or reducing any Improvements but must use all reasonable endeavours to cause as little disruption as possible to the Tenant's use of the Premises in exercising VicTrack's rights under this clause.

21.3 Dealing with the Premises

VicTrack may:

- 21.3.1 subdivide the Premises or grant easements or other rights over the Premises except where it will unreasonably interfere with the Tenant's use and occupation of the Premises;
- 21.3.2 install, repair and replace pipes, cables and conduits in the Premises (including, without limitation, the Services); and
- 21.3.3 use the roof and external walls of the Premises for any purposes VicTrack determines.

21.4 Entry by VicTrack

VicTrack may enter the Premises at any reasonable time after giving the Tenant reasonable notice to:

- 21.4.1 inspect the condition of the Premises;
- 21.4.2 rectify any default by the Tenant under this Lease; and
- 21.4.3 carry out any inspection, repairs, maintenance, works or alterations in the Premises which VicTrack decides to or is required to carry out by this Lease, any Law or Government Agency or pursuant to VicTrack's exercise of any of its functions and obligations under the *Transport (Compliance and Miscellaneous) Act 1983* or the *Rail Management Act 1996*.

VicTrack must use all reasonable endeavours to cause as little disruption as possible to the Tenant's use of the Premises in exercising VicTrack's rights under this clause.

21.5 Emergency Entry

VicTrack may enter the Premises at any time without giving notice to the Tenant in an emergency.

21.6 Reletting and Sale

VicTrack may:

- 21.6.1 affix a 'For Lease' sign on the Premises and show the Premises to intending tenants at any reasonable time upon reasonable notice to the Tenant during the 6 months prior to the end of the Term (except where the Tenant has validly exercised an option for a Further Term); and
- 21.6.2 affix a 'For Sale' sign on the Premises and show the Premises to intending purchasers of the Premises at any reasonable time upon reasonable notice to the Tenant during the Term.

Any sign erected by VicTrack must not unreasonably interfere with the Tenant's use and occupation of the Premises.

21.7 VicTrack's Consent

Where VicTrack is required to give its consent under this Lease, unless otherwise specified, VicTrack must not unreasonably withhold its consent but may give its consent subject to such conditions as VicTrack may reasonably determine.

22. Termination of Lease

22.1 Re-entry

VicTrack may re-enter the Premises and terminate this Lease if:

- 22.1.1 any part of the Rent is in arrears for a period of 14 days after VicTrack has given the Tenant written notice of such arrears; or
- 22.1.2 the Tenant breaches this Lease and does not remedy the breach within 14 days of receipt of written notice from VicTrack; or
- 22.1.3 the Tenant or the Guarantor is the subject of an Insolvency Event.

22.2 Damages following Determination

If this Lease is terminated by VicTrack, the Tenant agrees to compensate VicTrack for any loss or damage VicTrack suffers arising in connection with the Tenant's breach of this Lease including the loss of the benefit of the Tenant performing its obligations under this Lease up to the expiration of the Term.

22.3 Essential Terms

The essential terms of this Lease are clauses 3, 4, 7.1, 8.1, 8.2, 9, 10.1, 12.1, 12.2, 12.3, 12.4, 13, 14.1, 16.1, 18.3, 19.1, 19.6 and 19.7. Other terms of this Lease may also be essential terms if they are specified as such. The breach of an essential term is a repudiation of this Lease.

22.4 No Deemed Termination

If the Tenant vacates the Premises, VicTrack will not be deemed to have terminated this Lease merely by accepting keys from the Tenant, entering the Premises for any purpose, or showing the Premises to prospective tenants or purchasers. This Lease will be deemed to continue until such time as VicTrack gives notice to the Tenant terminating this Lease, or otherwise agrees with the Tenant that this Lease is terminated.

23. Destruction or Damage of Premises

23.1 Reduction in Rent

If the Premises or any part of the Premises are destroyed or damaged to the extent that the Tenant cannot use or access the Premises (except if the Tenant caused or contributed to the destruction or damage or VicTrack's insurer is not legally required to reinstate the Premises because the Tenant caused or contributed to the destruction or damage) then VicTrack will reduce the Rent and the Outgoings by a reasonable amount depending upon the nature and extent of destruction or damage until the Tenant can use or have access to the Premises or the relevant part of the Premises.

23.2 Reinstatement of Premises

If the Premises or any part of the Premises are destroyed or damaged, VicTrack may, within 6 months from the date of such damage or destruction, give notice to the Tenant:

- 23.2.1 terminating this Lease, where VicTrack considers that the damage or destruction is such that repairing it is impracticable or undesirable; or
- 23.2.2 that VicTrack will commence reinstatement of the Premises to a condition where the Tenant can use or have access to the Premises.

VicTrack does not have to reinstate the Premises.

23.3 Tenant's Right of Termination

Where the Tenant has not caused or contributed to the damage or destruction of the Premises and the payment of the insurance for the Premises is not refused due to the act or default of the Tenant, the Tenant may give written notice to VicTrack terminating this Lease where VicTrack does not:

- 23.3.1 give notice to the Tenant pursuant to clause 23.2; or
- 23.3.2 commence reinstatement within 12 months of the date of damage or destruction.

Upon termination of this Lease, pursuant to clause 23.3, each party is released from all further obligations under this Lease. Nothing in this clause releases either party from any breach of this Lease arising prior to the date of termination.

23.4 Dispute Resolution

If a dispute arises under this clause about the amount of the Rent or Outgoings payable by the Tenant, either party may give to the other a dispute notice specifying the dispute and requiring its resolution under this clause (**Notice of Dispute**). Within 14 days after the Notice of Dispute is given, representatives of each party authorised to settle the dispute must confer to try to resolve the dispute. If the dispute is not resolved within 21 days after the Notice of Dispute is given, either party may ask the President of the Australian Property Institute (Victorian Division) to nominate a valuer to determine the dispute as an expert. The parties will be bound by the determination of the valuer and will share the fees of the valuer equally.

23.5 No Compensation

The Tenant acknowledges that if the Premises are destroyed or damaged or if this Lease is ended pursuant to this clause 23, the Tenant is not entitled to receive any compensation from VicTrack.

24. Guarantor

24.1 Liability of Guarantor

In consideration of VicTrack granting this Lease to the Tenant at the Guarantor's request, the Guarantor:

- 24.1.1 guarantees that the Tenant will strictly observe and perform its obligations under this Lease including during any period of overholding or any Further Term;
- 24.1.2 must pay on demand to VicTrack money for any loss suffered by VicTrack due to the Tenant's breach of this Lease; and
- 24.1.3 indemnifies VicTrack against all loss suffered by VicTrack as a result of VicTrack having entered into this Lease including as a result of a breach of this Lease by the Tenant or this Lease being unenforceable against the Tenant.

24.2 Extension of Liability

The Guarantor is liable even if:

- 24.2.1 VicTrack grants to the Tenant or a Guarantor any indulgence or extension of time;
- 24.2.2 this Lease is varied or ends for any reason whatsoever;
- 24.2.3 this Lease cannot be registered at the Titles Office;
- 24.2.4 any Guarantor does not sign this Lease; or
- 24.2.5 VicTrack decides not to sue the Tenant or any other Guarantor.

24.3 Not Enforce Claim Against Tenant

The Guarantor must:

- 24.3.1 not seek to recover any money from the Tenant until VicTrack has been paid all moneys owing from the Tenant under this Lease;
- 24.3.2 not prove in the bankruptcy or winding up of the Tenant unless VicTrack has been paid all moneys owing to VicTrack by the Tenant under this Lease; and
- 24.3.3 pay to VicTrack any money which VicTrack has been unable to retain as a preferential payment received from the Tenant.

24.4 Sale of Premises

If VicTrack sells the Premises VicTrack may assign the benefit of the Guarantor's obligations.

24.5 Security Deposit

If the Act applies to this Lease, VicTrack and the Tenant agree that if the Tenant wishes to provide a security deposit in lieu of the guarantee pursuant to this clause 24, it will be reasonable for VicTrack to require the security deposit to be an amount equal to one year's Rent plus GST from time to time and the Tenant:

- 24.5.1 must pay any additional amount towards the security deposit within 14 days of demand to maintain the security deposit at the required level; and

24.5.2 acknowledges that the payment of any security deposit pursuant to this clause 24.5 is in addition to the payment of the Security Deposit.

The parties rights and obligations concerning any security deposit provided pursuant to this clause 24 will be governed by clause 10.

25. General

25.1 Notices

Any notice required to be served under this Lease must be in writing signed by the party issuing the notice or its authorised officer(s), lawyer(s) or appointed attorney(s) and must be served by post, facsimile transmission or hand delivered to:

25.1.1 the Tenant at its address set out in this Lease or the Tenant's registered office address or the Premises or the last known address of the Tenant; and

25.1.2 VicTrack at its address set out in this Lease or any other address notified in writing to the Tenant by VicTrack.

25.2 Time of Service

A notice or other communication is deemed served:

25.2.1 if delivered personally or left at the person's address, upon delivery;

25.2.2 if posted, 2 business days after being posted;

25.2.3 if sent by facsimile transmission, subject to the next sub-clause, at the time indicated on the transmission report produced by the sender's facsimile machine indicating that the facsimile was sent in its entirety to the addressee's facsimile machine; and

25.2.4 if received after 6.00 pm in the place of receipt or on a day which is not a business day, at 9.00 am on the next business day.

25.3 Entire Understanding

This Lease and the disclosure statement annexed to this Lease (if any) contains the entire understanding between the parties as to the subject matter contained in it. All previous agreements, representations, warranties, explanations and commitments, expressed or implied, affecting this subject matter are superseded by this Lease and have no effect.

25.4 Waiver

If VicTrack accepts the Rent or any other monies under this Lease (before or after the end of this Lease) or does not exercise or delays exercising any of VicTrack's rights under this Lease, it will not be a waiver of the breach of this Lease by the Tenant or of VicTrack's rights under this Lease.

25.5 Lease Schedules, Community Conditions and Special Conditions

25.5.1 The parties agree and acknowledge that the Lease incorporates the terms and conditions set out in the Retail Lease Schedule, Ground Lease Schedule, Community Conditions, Transport Infrastructure Schedule and Special Conditions (where applicable).

25.5.2 The parties further agree and acknowledge that:

- (a) the Retail Lease Schedule overrides any inconsistent provisions in the Lease;
- (b) the Ground Lease Schedule overrides any inconsistent provisions in the Lease;
- (c) the Community Conditions override any inconsistent provisions in the Lease and the Ground Lease Schedule;
- (d) the Transport Infrastructure Schedule overrides any inconsistent provisions in the Lease; and
- (e) the Special Conditions override any inconsistent provisions in the Lease, the Ground Lease Schedule, Community Conditions and the Transport Infrastructure Schedule.

25.6 No Caveat

The Tenant must not lodge for registration or permit to exist a caveat, a mortgage of this Lease or any other registrable instrument on any title to the Premises. If the Tenant lodges a caveat, a mortgage of this Lease or other dealing on any title to the Premises, the Tenant appoints VicTrack as its attorney to do everything necessary to remove the caveat, mortgage or other dealing, including executing and registering a withdrawal of caveat or discharge of mortgage (or other relevant instrument, as the case may be) and the Tenant must reimburse to VicTrack any costs incurred by VicTrack under this clause.

26. Interpretation

26.1 Governing Law and Jurisdiction

This Lease is governed by and is to be construed in accordance with the Laws of Victoria. Each party irrevocably and unconditionally submits to the non-exclusive jurisdiction of the courts of Victoria and waives any right to object to proceedings being brought in those courts.

26.2 Persons

In this Lease, a reference to a person includes a firm, partnership, association, corporation or other corporate body.

26.3 Joint and Several

If a party consists of more than one person, this Lease binds them jointly and each of them severally.

26.4 Legislation

In this Lease, a reference to a statute includes regulations under it and consolidations, amendments, re-enactments or replacements of any of them.

26.5 Clauses and Headings

In this Lease:

26.5.1 a reference to a clause, schedule or annexure is a reference to a clause, schedule or annexure in or to this Lease; and

26.5.2 headings and sub-headings are inserted for ease of reference only and do not affect the interpretation of this Lease.

26.6 Severance

In this Lease:

26.6.1 if a provision is held to be illegal, invalid, void, voidable or unenforceable, that provision must be read down to the extent necessary to ensure that it is not illegal, invalid, void, voidable or unenforceable; and

26.6.2 if it is not possible to read down a provision as required in this clause, that provision is severable without affecting the validity or enforceability of the remaining part of that provision or the other provisions in this Lease.

26.7 Number and Gender

In this Lease, a reference to:

26.7.1 the singular includes the plural and vice versa; and

26.7.2 a gender includes the other genders.

26.8 Exclusion of Statutory Provisions

The following statutory provisions are excluded from this Lease:

26.8.1 Section 144 of the *Property Law Act 1958* (Vic); and

26.8.2 Division 7 of the *Transfer of Land Act 1958*.

Annexure A Retail Schedule

1. Negotiation and Disclosure Requirements

1.1 Negotiation for Lease

The Tenant acknowledges receiving from VicTrack:

- 1.1.1 a copy of the proposed lease; and
- 1.1.2 a copy of the information brochure about retail leases published by the Small Business Commissioner,

as soon as the Tenant entered into negotiations with VicTrack or its agent in respect of this Lease.

1.2 Disclosure Statement

The Tenant acknowledges having received from VicTrack:

- 1.2.1 a disclosure statement (in the form prescribed by the Act) attached as Annexure F; and
- 1.2.2 a copy of the proposed lease,

at least 7 days prior to the Tenant entering into this Lease.

2. Lease Less Than 5 Years

If this Lease is for a term less than 5 years (including any further term) for the purposes of section 21 of the Act, the Tenant must:

- 2.1 Within 7 days of the Commencement Date, request the Small Business Commissioner to give the certification specified in section 21(5) of the Act;
- 2.2 give to VicTrack the written certification within 7 days of receipt; and
- 2.3 give to VicTrack a written notice waiving the application of section 21 of the Act to this Lease at the same time as providing the certificate to VicTrack.

3. Repairs to VicTrack's Fixtures

The Tenant must reimburse VicTrack within 14 days of demand, any costs incurred by VicTrack in maintaining the Premises in accordance with section 52 of the Act, except to the extent that such costs are not recoverable under the Act.

3. Additional Insurance Obligations [## Required if ownership of Building to revert to VicTrack]

- 3.1 The Tenant must maintain with a reputable insurer authorised by the Australian Prudential Regulation Authority to conduct new or renewal insurance business in Australia, an insurance policy against damage to and destruction of the Building for its full replacement value (**Damage and Destruction Insurance Policy**).
- 3.2 The Tenant must effect and maintain the Damage and Destruction Insurance Policy noting VicTrack's interest as landlord (but not as joint insured) [## consider if insurance in joint names required] and provide a certificate of currency from the Tenant's insurer or its insurance broker, which clearly confirms that the requirements of this condition 3 have been met, on or before the Commencement Date and each anniversary of the Commencement Date and a copy of the policy upon request.
- 3.3 The Damage and Destruction Insurance Policy must be on terms and conditions that are reasonable and customary for insurance of this kind and must only be subject to an excess amount that has first been approved by VicTrack (such approval not to be unreasonably withheld).

4. Damage or Destruction of Building

- 4.1 Clause 21 is deleted and replaced with:

'21. Destruction or Damage of Building

- 21.1 If the Building or any part of the Building is destroyed or damaged, the Tenant must reinstate the Building as soon as practicable.
- 21.2 The Tenant's obligations under clause 21.1 apply irrespective of how the damage and destruction occurred and irrespective of whether any policy of insurance effected for the Building is avoided or payment refused or reduced.
- 21.3 The Tenant acknowledges that if the Building is destroyed or damaged, the Tenant is not entitled to receive any compensation from VicTrack and the Tenant will not be entitled to a suspension of Rent or Outgoings while it reinstates the Building.'

Annexure C Transport Infrastructure Schedule

1. Definitions

The following definitions are incorporated into this Lease.

Asset Management Plan means the asset management plan prepared by the Tenant, at its cost and approved by VicTrack, as updated from time to time, which addresses the manner in which the Tenant will maintain the Rail Infrastructure at the Premises.

Rail Infrastructure means VicTrack's rail infrastructure installed at the Premises from time to time including all tracks, sidings and signals.

Traffic Management Plan means the management plan approved by VicTrack (as amended or updated from time to time) which addresses the manner in which the Tenant will obtain ingress to and egress from the Premises [**and insert the relevant rail precinct, if applicable**]

Train Operation Protocols means the protocols and guidelines published by VicTrack from time to time in relation to use of Rail Infrastructure, services and facilities, a copy of which is attached in Annexure G.

2. Variation to Lease

Clause 1 - Definitions

The definition of "VicTrack's Improvements" is amended by deleting the words "rail infrastructure" and replacing them with the words "Rail Infrastructure".

3. Traffic Management Plan

3.1 The Tenant must:

3.1.1 at all times comply with the Traffic Management Plan; and

3.1.2 provide VicTrack with copies of all consents and approvals required to be obtained by the relevant authorities relating to the Traffic Management Plan.

3.2 The Tenant must obtain VicTrack's consent to amend or update the Traffic Management Plan.

3.3 VicTrack will promptly consider any amendment or update (as applicable) to the Traffic Management Plan and reject or consent (conditionally or unconditionally) to such amendment or update by written notice to the Tenant as soon as reasonably possible.

3.4 If VicTrack rejects any amendment or update (as applicable) to the Traffic Management Plan or imposes a condition, the Tenant has 10 days upon receipt of notice of the rejection or imposition of the conditions (as the case may be) in which to submit a revised Traffic Management Plan to VicTrack and conditions 3.2, 3.3 and 3.3 above will again apply.

3.5 The Tenant must at all times conduct its operation from the Premises in accordance with the Traffic Management Plan.

3.6 If VicTrack, acting reasonably, prepares a traffic management plan affecting the [**relevant rail precinct**] the Tenant must comply with and conduct its operation from the Premises in accordance with such plan. [**delete this paragraph if not applicable**]

4. Train Operations

- 4.1 Access to and the operation and movement of trains within the Premises will at all times be subject to the direction of VicTrack.
- 4.2 The Tenant must ensure that:
- 4.2.1 the operation of trains within the Premises **[and insert the relevant railway precinct if applicable]** complies with the *Rail Safety Act 2006* (Vic), the *Rail Safety Regulations 2006* (Vic) and the Train Operation Protocols **[insert any other relevant agreements relating to train operations at the premises or relevant rail precinct]**;
- 4.2.2 no vehicles (including rolling stock) or plant and equipment are brought into the Premises or onto any rail track if such vehicles or plant and equipment are likely to cause structural or other damage to the Premises, including floors, walls or the Rail Infrastructure; and
- 4.2.3 it holds and maintains valid and current safety accreditation, as required by the relevant Government Agency, from time to time.
- 4.3 Any dispute regarding the operation of trains within the Premises will be determined by VicTrack or any person nominated by VicTrack to manage train control.

5. Repair and Maintenance of Rail Infrastructure

- 5.1 The Tenant must provide VicTrack with an Asset Management Plan prior to the Commencement Date.
- 5.2 In addition to the obligations contained in clause 12.2 of the Lease, the Tenant must maintain, in accordance with the Asset Management Plan:
- 5.2.1 the rail tracks located at the Premises, in the same condition they were in at the Commencement Date, including track renewals where appropriate; and
- 5.2.2 all points and crossings which provide direct access to the Premises.
- 5.3 Despite any other obligation contained in this Lease and without limiting the generality of clause 12.2 of the Lease, the Tenant must promptly make good any breakage, defect or damage to the Rail Infrastructure or to any adjoining land or premises (or any facilities or appurtenances) caused by the Tenant's act, omission or default.

6. Rail Infrastructure

6.1 Abatement of Rent

If the Rail Infrastructure is totally or partially destroyed or damaged so as to be unfit for the reasonable occupation and use by the Tenant (save where the damage or destruction is caused by a negligent act or omission on the part of the Tenant or the Tenant's employees, agents or invitees), the Rent (or a fair proportion of the Rent) and the Rates and Taxes (or a fair proportion of the Rates and Taxes), in either case having regard to the nature and extent of the damage sustained, will be suspended until the Rail Infrastructure is reinstated and rendered fit for occupation and use.

6.2 Notification of Defects

The Tenant must give VicTrack prompt notice in writing of any damage to or defect in the Rail Infrastructure which is likely to cause any damage, deterioration, danger, risk or hazard to the structural parts of the Rail Infrastructure.

7. Dispute Resolution [## delete if not required]

- 7.1 If a dispute arises out of or relates to this Transport Infrastructure Schedule, the parties expressly agree to follow the procedure set out in this Special Condition 7.
- 7.2 Either party may deliver to the other party written notice of dispute, specifying the nature of the dispute (**Dispute Notice**).
- 7.3 Within 7 days after service of the Dispute Notice, senior representatives of the parties must meet, use reasonable endeavours, and act in good faith to resolve the dispute by joint discussions.
- 7.4 If the dispute is not resolved within 7 days after service of the Dispute Notice, or such further period as the parties may agree, then either party may refer the dispute to the Australian Commercial Dispute Centre (**ACDC**) for mediation. The mediation will be conducted in accordance with the ACDC Mediation Guidelines.
- 7.5 Notwithstanding the existence of a dispute, each party must continue to perform its obligations under this Lease.

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2.4 The Tenant must comply with any recommendations outlined in the Environmental Assessment Report.

3. Pre-Existing Contamination (Contamination caused by the Tenant)

3.1 Clause 12 of the General Conditions is deleted.

3.2 The Tenant acknowledges that the Premises contain Contamination caused by the Tenant during its occupation of the Premises.

3.3 The Tenant must, at its own cost, promptly prepare and submit to VicTrack for approval (which must not be unreasonably withheld) an Environmental Management Plan and an Environmental Improvement Plan on or before the Commencement Date.

3.4 If VicTrack rejects the draft Environmental Management Plan or Environmental Improvement Plan or imposes a condition, the Tenant has 10 days upon receipt of notice of the rejection or imposition of the condition (as the case may be) in which to submit a revised Environmental Management Plan and/or Environmental Improvement Plan to VicTrack for its approval.

3.5 Subject to Special Condition 3.10 the Tenant must:

3.5.1 prevent Environmental Damage, degradation, pollution, additional Contamination or the exacerbation of the Pre-existing Contamination in, on, under or migrating from the Premises as a result of the Tenant's use or occupation of the Premises;

3.5.2 comply with the recommendations of the Environmental Management Plan and Environmental Improvement Plan approved by VicTrack pursuant to Special Condition 3.3; and

3.5.3 comply with all reasonable directions given by VicTrack or any directions given by any Government Agency concerning any Contamination in, on, under or migrating from the Premises.

3.6 Subject to Special Condition 3.10 the Tenant indemnifies VicTrack against any Claim in relation to:

3.6.1 any Contamination of the Premises or any surrounding land or water;

3.6.2 any Environmental Damage of the Premises or any surrounding land or water;

3.6.3 escape of any Contamination from the Premises (including through the medium of groundwater);

3.6.4 remediation of the Premises or any surrounding land and water from the effect of any Contamination; and

3.6.5 any requirement of a Government Agency in relation to any Contamination or Environmental Damage of the Premises or any surrounding land or water.

3.7 Subject to Special Condition 3.10, if any Contamination (excluding the Pre-existing Contamination) is found in or near the Premises or the Pre-existing Contamination is exacerbated as a result of the Tenant's occupation of the Premises, the Tenant must:

3.7.1 give VicTrack written notice of the existence of the Contamination or the exacerbation of the Pre-existing Contamination within 5 business days of becoming aware of such;

- 3.7.2 at its own cost, prepare and submit to VicTrack for approval (which must not be unreasonably withheld) an additional or revised Environmental Improvement Plan within 10 business days of the Tenant becoming aware of the existence of the Contamination or the exacerbation of the Pre-existing Contamination; and
- 3.7.3 comply with all the recommendations contained within the Environmental Improvement Plan approved by VicTrack pursuant to Special Condition 3.7.2.
- 3.8 If VicTrack rejects the additional or revised Environmental Improvement Plan provided under Special Condition 3.7.2, or imposes a condition, the Tenant has 10 days upon receipt of notice of the rejection or imposition of the condition (as the case may be) in which to submit a revised Environmental Improvement Plan to VicTrack for its approval.
- 3.9 Subject to Special Condition 3.10, the Tenant must at the end of this Lease provide supporting evidence, satisfactory to VicTrack (acting reasonably), from an Environmental Consultant approved of by VicTrack (acting reasonably) certifying that:
- 3.9.1 the Tenant has complied with any Environmental Assessment Report;
- 3.9.2 the Tenant has complied with the Environmental Management Plan pursuant to Special Condition 3.3;
- 3.9.3 the Tenant has complied with the Environmental Improvement Plan, including any additional or revised Environmental Improvement Plan provided pursuant to Special Condition 3.7.2;
- 3.9.4 the extent of the Contamination is no greater than at the date the Tenant or the Tenant's predecessor in title (whether under a previous lease or an assignment or by other means) commenced occupation of the Premises;
- 3.9.5 the Premises are suitable for continued land use as per the relevant planning scheme; and
- 3.9.6 there are no ongoing environmental obligations upon VicTrack or any future occupiers of the Premises.
- 3.10 Nothing in this Special Condition 3 will require the Tenant to:
- 3.10.1 undertake or bear the cost of any clean-up or removal of Contamination on the Premises; or
- 3.10.2 prepare an Environmental Improvement Plan,
- where the Contamination has not been caused or contributed to as a result of the use or occupation of the Premises by the Tenant or the Tenant's predecessor in title (whether under a previous lease or an assignment or by other means).
- 3.11 If a notice is issued by the Environment Protection Authority (**EPA**) or any other relevant Government Agency to the Tenant in relation to the Premises (**Notice**), the Tenant agrees that:
- 3.11.1 it will inform VicTrack of that Notice within 5 business days and provide a copy of it to VicTrack;
- 3.11.2 VicTrack has the right to comment on the requirements of the Notice and to be involved in all discussions regarding the Notice, including participation in all meetings with the EPA and any Environmental Consultants; and

- 3.11.3 VicTrack may (but is not obliged to) contribute towards the cost of a clean-up in response to the Notice to a standard greater than that required by the Notice and this Lease and, if VicTrack agrees to do so, the Tenant must carry out the clean-up to that greater standard and VicTrack must reimburse the additional costs incurred in achieving that greater standard.
- 3.12 If an environmental assessment or remediation process is undertaken by the Tenant at the Premises, voluntarily or in accordance with the terms of this Lease, the Tenant agrees that:
- 3.12.1 it will inform VicTrack of its intention to undertake the environmental assessment or remediation process prior to work commencing;
- 3.12.2 VicTrack has the right to comment on and be involved in the proposed process, including determining the extent of clean-up proposed; and
- 3.12.3 VicTrack may (but is not obliged to) contribute towards the cost of a clean-up to a standard greater than that proposed and greater than that required by this Lease and, if VicTrack agrees to do so, the Tenant must carry out the clean-up to that greater standard and VicTrack must reimburse the additional costs incurred in achieving that greater standard.
- 3.13 The Tenant agrees that any environmental reports it prepares or has Environmental Consultants prepare for the Premises, including Environmental Management Plans, Environmental Improvement Plans, clean-up and remediation reports, audit reports or certificates and statements of audits, it must:
- 3.13.1 provide copies of any and all reports to VicTrack; and
- 3.13.2 provide for VicTrack to have reliance upon those reports.
- 3.14 If a dispute arises out of or relates to Contamination (including in relation to any environmental reports prepared for the Premises or the additional costs incurred under Special Conditions 3.11.3 or 3.12.3), the parties will submit to the following procedure to resolve the dispute:
- 3.14.1 either party may deliver to the other party written notice of dispute, specifying the nature of the dispute (**Dispute Notice**);
- 3.14.2 the parties will choose and appoint an independent environmental auditor appointed under section 53S of the *Environment Protection Act 1970* (Vic) (**Environmental Auditor**) to determine the dispute but the parties acknowledge and agree that such appointment shall not constitute the engagement of the Environmental Auditor to conduct an environmental audit or otherwise carry out any function under the *Environment Protection Act 1970* (Vic). In the absence of agreement by the parties as to the appointment of an Environmental Auditor within 7 days after the service of the Dispute Notice, either party may request that the President of the Law Institute of Victoria appoint an independent Environmental Auditor;
- 3.14.3 the Environmental Auditor must make a determination on the issues in dispute as soon as practicable, and in any event within 30 days of the date that the Environmental Consultant is appointed, or such longer period as the parties may agree;
- 3.14.4 the Environmental Auditor will act as an expert and not as an arbitrator, and may adopt such procedures as the Environmental Auditor sees fit;
- 3.14.5 the Environmental Auditor's decision will be final and binding on the parties;

- 3.14.6 VicTrack and the Tenant must share the costs of the Environmental Auditor equally; and
- 3.14.7 notwithstanding the existence of a dispute, each party must continue to perform its obligations under this Lease.
- 3.15 Without limiting any other provision of this Lease, the Tenant must obtain VicTrack's prior written approval before undertaking any Premises modifications that relate to the investigation or monitoring of Contamination (for example, the installation of groundwater bores or soil bores) and before undertaking any Contamination remediation works, whether required pursuant to a notice issued by the EPA or otherwise.
- 4. Pre-Existing Contamination (not caused by the Tenant – low risk user)**
- 4.1 Clause 12 of the General Conditions is deleted.
- 4.2 The Tenant acknowledges that the Premises contain Contamination.
- 4.3 The Tenant acknowledges that it has read, understands and accepts the Environmental Management Plan attached at Annexure G of this Lease.
- 4.4 Subject to Special Condition 4.8 the Tenant must:
- 4.4.1 prevent Environmental Damage, degradation, pollution, additional Contamination or the exacerbation of the Pre-existing in, on, under or migrating from the Premises as a result of the Tenant's use or occupation of the Premises;
- 4.4.2 comply with the recommendations of the Environmental Management Plan; and
- 4.4.3 comply with all reasonable directions given by VicTrack or any directions given by any Government Agency concerning any Contamination in, on, under or migrating from the Premises.
- 4.5 Subject to Special Condition 4.8 the Tenant indemnifies VicTrack against any Claim in relation to:
- 4.5.1 any Contamination of the Premises or any surrounding land or water;
- 4.5.2 any Environmental Damage of the Premises or any surrounding land or water;
- 4.5.3 escape of any Contamination from the Premises (including through the medium of groundwater);
- 4.5.4 remediation of the Premises or any surrounding land and water from the effect of any Contamination; and
- 4.5.5 any requirement of a Government Agency in relation to any Contamination, or Environmental Damage of the Premises or any surrounding land or water.
- 4.6 Subject to Special Condition 4.8, if any Contamination (excluding the Pre-existing Contamination) is found in or near the Premises or the Pre-existing Contamination is exacerbated as a result of the Tenant's occupation of the Premises, the Tenant must:
- 4.6.1 give VicTrack written notice of the existence of the Contamination or the exacerbation of the Pre-existing Contamination within 5 business days of becoming aware of such; and

- 4.6.2 at its own cost, prepare and submit to VicTrack for approval (which must not be unreasonably withheld) an Environmental Improvement Plan within 10 business days of the Tenant becoming aware of the existence of the Contamination or the exacerbation of the Pre-existing Contamination;
- 4.6.3 comply with all the recommendations contained within the Environmental Improvement Plan approved by VicTrack pursuant to Special Condition 4.6.2; and
- 4.6.4 at the end of this Lease provide supporting evidence, satisfactory to VicTrack (acting reasonably), from an Environmental Consultant approved of by VicTrack (acting reasonably) certifying that:
- (a) the extent of the Contamination is no greater than at the date the Tenant or the Tenant's predecessor in title (whether under a previous lease or an assignment or by other means) commenced occupation of the Premises; and
 - (b) the Tenant has complied with the recommendations of the Environmental Improvement Plan approved by VicTrack pursuant to Special Condition 4.6.2.
- 4.7 If VicTrack rejects the additional or revised Environmental Improvement Plan provided under Special Condition 4.6.2, or imposes a condition, the Tenant has 10 days upon receipt of notice of the rejection or imposition of the condition (as the case may be) in which to submit a revised Environmental Improvement Plan to VicTrack for its approval.
- 4.8 Nothing in this Special Condition 4 will require the Tenant to:
- 4.8.1 undertake or bear the cost of any clean-up or removal of Contamination on the Premises; or
 - 4.8.2 prepare an Environmental Improvement Plan,
- where the Contamination has not been caused or contributed to as a result of the use or occupation of the Premises by the Tenant or the Tenant's predecessor in title (whether under a previous lease or an assignment or by other means).
- 4.9 If a notice is issued by the Environment Protection Authority (**EPA**) or any other relevant Government Agency to the Tenant in relation to the premises (**Notice**), the Tenant agrees that:
- 4.9.1 it will inform VicTrack of that Notice within 5 business days and provide a copy of it to VicTrack;
 - 4.9.2 VicTrack has the right to comment on the requirements of the Notice and to be involved in all discussions regarding the Notice, including participation in all meetings with the EPA and any Environmental Consultants; and
 - 4.9.3 VicTrack may (but is not obliged to) contribute towards the cost of a clean-up in response to the Notice to a standard greater than that required by the Notice.
- 4.10 If an environmental assessment or remediation process is undertaken by the Tenant at the Premises, voluntarily or in accordance with the terms of this Lease, the Tenant agrees that:
- 4.10.1 it will inform VicTrack of its intention to undertake the environmental assessment or remediation process prior to work commencing;

- 4.10.2 VicTrack has the right to comment on and be involved in the proposed process, including determining the extent of clean-up proposed; and
- 4.10.3 VicTrack may (but is not obliged to) contribute towards the cost of a clean-up to a standard greater than that proposed.
- 4.11 The Tenant agrees that any environmental reports it prepares or has Environmental Consultants prepare for the Premises, including Environmental Management Plans, Environmental Improvement Plans, clean-up and remediation reports, audit reports or certificates and statements of audits, it must:
- 4.11.1 provide copies of any and all reports to VicTrack; and
- 4.11.2 provide for VicTrack to have reliance upon those reports.
- 4.12 If a dispute arises out of or relates to Contamination (including in relation to any environmental reports prepared for the Premises or the additional costs incurred under Special Conditions 4.9.3 or 4.10.3), the parties will submit to the following procedure to resolve the dispute:
- 4.12.1 either party may deliver to the other party written notice of dispute, specifying the nature of the dispute (**Dispute Notice**);
- 4.12.2 the parties will choose and appoint an independent environmental auditor appointed under section 53S of the *Environment Protection Act 1970* (Vic) (**Environmental Auditor**) to determine the dispute but the parties acknowledge and agree that such appointment shall not constitute the engagement of the Environmental Auditor to conduct an environmental audit or otherwise carry out any function under the *Environment Protection Act 1970* (Vic). In the absence of agreement by the parties as to the appointment of an Environmental Auditor within 7 days after the service of the Dispute Notice, either party may request that the President of the Law Institute of Victoria appoint an independent Environmental Auditor;
- 4.12.3 the Environmental Auditor must make a determination on the issues in dispute as soon as practicable, and in any event within 30 days of the date that the Environmental Consultant is appointed, or such longer period as the parties may agree;
- 4.12.4 the Environmental Auditor will act as an expert and not as an arbitrator, and may adopt such procedures as the Environmental Auditor sees fit;
- 4.12.5 the Environmental Auditor's decision will be final and binding on the parties;
- 4.12.6 VicTrack and the Tenant must share the costs of the Environmental Auditor equally; and
- 4.12.7 notwithstanding the existence of a dispute, each party must continue to perform its obligations under this Lease.
- 4.13 Without limiting any other provision of this Lease, the Tenant must obtain VicTrack's prior written approval before undertaking any Premises modifications that relate to the investigation or monitoring of Contamination (for example, the installation of groundwater bores or soil bores) and before undertaking any Contamination remediation works, whether required pursuant to a notice issued by the EPA or otherwise.

5. Pre-Existing Contamination (not caused by the Tenant – high risk user)

- 5.1 Clause 12 of the General Conditions is deleted.
- 5.2 The Tenant acknowledges that the Premises contain Contamination.
- 5.3 The Tenant acknowledges that it has read, understands and accepts the Environmental Management Plan provided by VicTrack and attached at Annexure G of this Lease.
- 5.4 The Tenant must, at its own cost, promptly prepare and submit to VicTrack for approval (which must not be unreasonably withheld) its own Environmental Management Plan within 3 months after the Commencement Date.
- 5.5 If VicTrack rejects the draft Environmental Management Plan or imposes a condition, the Tenant has 10 days upon receipt of notice of the rejection or imposition of the condition (as the case may be) in which to submit a revised Environmental Management Plan to VicTrack for its approval.
- 5.6 Once approved by VicTrack, the Tenant authorises VicTrack or its solicitors, to insert the Environmental Management Plan into Annexure G of this Lease.
- 5.7 Subject to Special Condition 5.12 the Tenant must:
 - 5.7.1 prevent Environmental Damage, degradation, pollution, additional Contamination or the exacerbation of the Pre-existing Contamination in, on, under or migrating from the Premises as a result of the Tenant's use or occupation of the Premises;
 - 5.7.2 comply with the recommendations of any Environmental Management Plan; and
 - 5.7.3 comply with all reasonable directions given by VicTrack or any directions given by any Government Agency concerning any Contamination in, on, under or migrating from the Premises.
- 5.8 Subject to Special Condition 5.12 the Tenant indemnifies VicTrack against any Claim in relation to:
 - 5.8.1 any Contamination of the Premises or any surrounding land or water;
 - 5.8.2 any Environmental Damage of the Premises or any surrounding land or water;
 - 5.8.3 escape of any Contamination from the Premises or the Land (including through the medium of groundwater);
 - 5.8.4 remediation of the Premises or any surrounding land and water from the effect of any Contamination; and
 - 5.8.5 any requirement of a Government Agency in relation to any Contamination, or Environmental Damage of the Premises or any surrounding land or water.
- 5.9 Subject to Special Condition 5.12, if any Contamination (excluding the Pre-existing Contamination) is found in or near the Premises or the Pre-existing Contamination is exacerbated as a result of the Tenant's occupation of the Premises, the Tenant must:
 - 5.9.1 give VicTrack written notice of the existence of the Contamination or the exacerbation of the Pre-existing Contamination within 5 business days of becoming aware of such; and

- 5.9.2 at its own cost, prepare and submit to VicTrack for approval (which must not be unreasonably withheld) an Environmental Improvement Plan within 10 business days of the Tenant becoming aware of the existence of the Contamination or the exacerbation of the Pre-existing Contamination; and
- 5.9.3 comply with all the recommendations contained within the Environmental Improvement Plan approved by VicTrack pursuant to Special Condition 5.9.2.
- 5.10 If VicTrack rejects the Environmental Improvement Plan provided under Special Condition 5.9.2, or imposes a condition, the Tenant has 10 days upon receipt of notice of the rejection or imposition of the condition (as the case may be) in which to submit a revised Environmental Improvement Plan to VicTrack for its approval.
- 5.11 Subject to Special Condition 5.12, the Tenant must at the end of this Lease provide supporting evidence, satisfactory to VicTrack (acting reasonably), from an Environmental Consultant approved of by VicTrack (acting reasonably) certifying that:
- 5.11.1 the Tenant has complied with any Environmental Assessment Report;
- 5.11.2 the Tenant has complied with any Environmental Management Plan;
- 5.11.3 the Tenant has complied with any Environmental Improvement Plan provided pursuant to Special Condition 5.9.2;
- 5.11.4 the extent of the Contamination is no greater than at the date the Tenant or the Tenant's predecessor in title (whether under a previous lease or an assignment or by other means) commenced occupation of the Premises;
- 5.11.5 the Premises is suitable for continued land use as per the relevant planning scheme; and
- 5.11.6 there are no ongoing environmental obligations upon VicTrack or any future occupiers of the Premises.
- 5.12 Nothing in this Special Condition 5 will require the Tenant to:
- 5.12.1 undertake or bear the cost of any clean-up or removal of Contamination on the Premises; or
- 5.12.2 prepare an Environmental Improvement Plan,
- where the Contamination has not been caused or contributed to as a result of the use or occupation of the Premises by the Tenant or the Tenant's predecessor in title (whether under a previous lease or an assignment or by other means).
- 5.13 If a notice is issued by the Environment Protection Authority (**EPA**) or any other relevant Government Agency to the Tenant in relation to the premises (**Notice**), the Tenant agrees that:
- 5.13.1 it will inform VicTrack of that Notice within 5 business days and provide a copy of it to VicTrack;
- 5.13.2 VicTrack has the right to comment on the requirements of the Notice and to be involved in all discussions regarding the Notice, including participation in all meetings with the EPA and any Environmental Consultants; and
- 5.13.3 VicTrack may (but is not obliged to) contribute towards the cost of a clean-up in response to the Notice to a standard greater than that required by the Notice and

this Lease and, if VicTrack agrees to do so, the Tenant must carry out the clean-up to that greater standard and VicTrack must reimburse the additional costs incurred in achieving that greater standard.

- 5.14 If an environmental assessment or remediation process is undertaken by the Tenant at the Premises, voluntarily or in accordance with the terms of this Lease, the Tenant agrees that:
- 5.14.1 it will inform VicTrack of its intention to undertake the environmental assessment or remediation process prior to work commencing;
 - 5.14.2 VicTrack has the right to comment on and be involved in the proposed process, including determining the extent of clean-up proposed; and
 - 5.14.3 VicTrack may (but is not obliged to) contribute towards the cost of a clean-up to a standard greater than that proposed and greater than that required by this Lease and, if VicTrack agrees to do so, the Tenant must carry out the clean-up to that greater standard and VicTrack must reimburse the additional costs incurred in achieving that greater standard.
- 5.15 The Tenant agrees that any environmental reports it prepares or has Environmental Consultants prepare for the Premises, including Environmental Management Plans, Environmental Improvement Plans, clean-up and remediation reports, audit reports or certificates and statements of audits, it must:
- 5.15.1 provide copies of any and all reports to VicTrack; and
 - 5.15.2 provide for VicTrack to have reliance upon those reports.
- 5.16 If a dispute arises out of or relates to Contamination (including in relation to any environmental reports prepared for the Premises or the additional costs incurred under Special Conditions 5.13.3 or 5.14.3), the parties will submit to the following procedure to resolve the dispute:
- 5.16.1 either party may deliver to the other party written notice of dispute, specifying the nature of the dispute (**Dispute Notice**);
 - 5.16.2 the parties will choose and appoint an independent environmental auditor appointed under section 53S of the *Environment Protection Act 1970* (Vic) (**Environmental Auditor**) to determine the dispute but the parties acknowledge and agree that such appointment shall not constitute the engagement of the Environmental Auditor to conduct an environmental audit or otherwise carry out any function under the *Environment Protection Act 1970* (Vic). In the absence of agreement by the parties as to the appointment of an Environmental Auditor within 7 days after the service of the Dispute Notice, either party may request that the President of the Law Institute of Victoria appoint an independent Environmental Auditor;
 - 5.16.3 the Environmental Auditor must make a determination on the issues in dispute as soon as practicable, and in any event within 30 days of the date that the Environmental Consultant is appointed, or such longer period as the parties may agree;
 - 5.16.4 the Environmental Auditor will act as an expert and not as an arbitrator, and may adopt such procedures as the Environmental Auditor sees fit;
 - 5.16.5 the Environmental Auditor's decision will be final and binding on the parties;
 - 5.16.6 VicTrack and the Tenant must share the costs of the Environmental Auditor equally; and

- 5.16.7 notwithstanding the existence of a dispute, each party must continue to perform its obligations under this Lease.
- 5.17 Without limiting any other provision of this Lease, the Tenant must obtain VicTrack's prior written approval before undertaking any Premises modifications that relate to the investigation or monitoring of Contamination (for example, the installation of groundwater bores or soil bores) and before undertaking any Contamination remediation works, whether required pursuant to a notice issued by the EPA or otherwise.
- 6. No Known Contamination (high risk user)**
- 6.1 Clause 12 of the General Conditions is deleted.
- 6.2 The Tenant must, at its own cost, promptly prepare and submit to VicTrack for approval (which must not be unreasonably withheld) an Environmental Management Plan within 3 months after the Commencement Date.
- 6.3 If VicTrack rejects the draft Environmental Management Plan or imposes a condition, the Tenant has 10 days upon receipt of notice of the rejection or imposition of the condition (as the case may be) in which to submit a revised Environmental Management Plan to VicTrack for its approval.
- 6.4 Once approved by VicTrack, the Tenant authorises VicTrack or its solicitors, to insert the Environmental Management Plan into Annexure G of this Lease.
- 6.5 Subject to Special Condition 6.10 the Tenant must:
- 6.5.1 prevent Environmental Damage, degradation, pollution, additional Contamination or the exacerbation of any Pre-existing Contamination in, on, under or migrating from the Premises as a result of the Tenant's use or occupation of the Premises;
 - 6.5.2 comply with the recommendations of the Environmental Management Plan approved by VicTrack pursuant to Special Condition 6.2; and
 - 6.5.3 comply with all reasonable directions given by VicTrack or any directions given by any Government Agency concerning any Contamination in, on, under or migrating from the Premises.
- 6.6 Subject to Special Condition 6.10 the Tenant indemnifies VicTrack against any Claim in relation to:
- 6.6.1 any Contamination of the Premises or any surrounding land or water;
 - 6.6.2 any Environmental Damage of the Premises or any surrounding land or water;
 - 6.6.3 escape of any Contamination from the Premises (including through the medium of groundwater);
 - 6.6.4 remediation of the Premises, or any surrounding land and water from the effect of any Contamination; and
 - 6.6.5 any requirement of a Government Agency in relation to any Contamination or Environmental Damage of the Premises or any surrounding land or water.
- 6.7 Subject to Special Condition 6.10, if any Contamination (excluding any Pre-existing Contamination) is found in or near the Premises or any Pre-existing Contamination is exacerbated as a result of the Tenant's occupation of the Premises, the Tenant must:

- 6.7.1 give VicTrack written notice of the existence of the Contamination or the exacerbation of any Pre-existing Contamination within 5 business days of becoming aware of such; and
- 6.7.2 at its own cost, prepare and submit to VicTrack for approval (which must not be unreasonably withheld) an Environmental Improvement Plan within 10 business days of the Tenant becoming aware of the existence of the Contamination or the exacerbation of any Pre-existing Contamination; and
- 6.7.3 comply with all the recommendations contained within the Environmental Improvement Plan approved by VicTrack pursuant to Special Condition 6.7.2.
- 6.8 If VicTrack rejects the Environmental Improvement Plan provided under Special Condition 6.7.2, or imposes a condition, the Tenant has 10 days upon receipt of notice of the rejection or imposition of the condition (as the case may be) in which to submit a revised Environmental Improvement Plan to VicTrack for its approval.
- 6.9 Subject to Special Condition 6.10, the Tenant must at the end of this Lease provide supporting evidence, satisfactory to VicTrack (acting reasonably), from an Environmental Consultant approved of by VicTrack (acting reasonably) certifying that:
- 6.9.1 the Tenant has complied with any Environmental Assessment Report;
- 6.9.2 the Tenant has complied with the Environmental Management Plan pursuant to Special Condition 6.2;
- 6.9.3 the Tenant has complied with any Environmental Improvement Plan provided pursuant to Special Condition 6.7.2;
- 6.9.4 the extent of the Contamination is no greater than at the date the Tenant or the Tenant's predecessor in title (whether under a previous lease or an assignment or by other means) commenced occupation of the Premises;
- 6.9.5 the Premises is suitable for continued land use as per the relevant planning scheme; and
- 6.9.6 there are no ongoing environmental obligations upon VicTrack or any future occupiers of the Premises.
- 6.10 Nothing in this Special Condition 6 will require the Tenant to:
- 6.10.1 undertake or bear the cost of any clean-up or removal of Contamination on the Premises; or
- 6.10.2 prepare an Environmental Improvement Plan,
- where the Contamination has not been caused or contributed to as a result of the use or occupation of the Premises by the Tenant or the Tenant's predecessor in title (whether under a previous lease or an assignment or by other means).
- 6.11 If a notice is issued by the Environment Protection Authority (**EPA**) or any other relevant Government Agency to the Tenant in relation to the premises (**Notice**), the Tenant agrees that:
- 6.11.1 it will inform VicTrack of that Notice within 5 business days and provide a copy of it to VicTrack;

- 6.11.2 VicTrack has the right to comment on the requirements of the Notice and to be involved in all discussions regarding the Notice, including participation in all meetings with the EPA and any Environmental Consultants; and
- 6.11.3 VicTrack may (but is not obliged to) contribute towards the cost of a clean-up in response to the Notice to a standard greater than that required by the Notice and this Lease and, if VicTrack agrees to do so, the Tenant must carry out the clean-up to that greater standard and VicTrack must reimburse the additional costs incurred in achieving that greater standard.
- 6.12 If an environmental assessment or remediation process is undertaken by the Tenant at the Premises, voluntarily or in accordance with the terms of this Lease, the Tenant agrees that:
- 6.12.1 it will inform VicTrack of its intention to undertake the environmental assessment or remediation process prior to work commencing;
- 6.12.2 VicTrack has the right to comment on and be involved in the proposed process, including determining the extent of clean-up proposed; and
- 6.12.3 VicTrack may (but is not obliged to) contribute towards the cost of a clean-up to a standard greater than that proposed and greater than that required by this Lease and, if VicTrack agrees to do so, the Tenant must carry out the clean-up to that greater standard and VicTrack must reimburse the additional costs incurred in achieving that greater standard.
- 6.13 The Tenant agrees that any environmental reports it prepares or has Environmental Consultants prepare for the Premises, including Environmental Management Plans, Environmental Improvement Plans, clean-up and remediation reports, audit reports or certificates and statements of audits, it must:
- 6.13.1 provide copies of any and all reports to VicTrack; and
- 6.13.2 provide for VicTrack to have reliance upon those reports.
- 6.14 If a dispute arises out of or relates to Contamination (including in relation to any environmental reports prepared for the Premises or the additional costs incurred under Special Conditions 6.11.3 or 6.12.3), the parties will submit to the following procedure to resolve the dispute:
- 6.14.1 either party may deliver to the other party written notice of dispute, specifying the nature of the dispute (**Dispute Notice**);
- 6.14.2 the parties will choose and appoint an independent environmental auditor appointed under section 53S of the *Environment Protection Act 1970* (Vic) (**Environmental Auditor**) to determine the dispute but the parties acknowledge and agree that such appointment shall not constitute the engagement of the Environmental Auditor to conduct an environmental audit or otherwise carry out any function under the *Environment Protection Act 1970* (Vic). In the absence of agreement by the parties as to the appointment of an Environmental Auditor within 7 days after the service of the Dispute Notice, either party may request that the President of the Law Institute of Victoria appoint an independent Environmental Auditor;
- 6.14.3 the Environmental Auditor must make a determination on the issues in dispute as soon as practicable, and in any event within 30 days of the date that the Environmental Consultant is appointed, or such longer period as the parties may agree;

- 6.14.4 the Environmental Auditor will act as an expert and not as an arbitrator, and may adopt such procedures as the Environmental Auditor sees fit;
 - 6.14.5 the Environmental Auditor's decision will be final and binding on the parties;
 - 6.14.6 VicTrack and the Tenant must share the costs of the Environmental Auditor equally; and
 - 6.14.7 notwithstanding the existence of a dispute, each party must continue to perform its obligations under this Lease.
- 6.15 Without limiting any other provision of this Lease, the Tenant must obtain VicTrack's prior written approval before undertaking any Premises modifications that relate to the investigation or monitoring of Contamination (for example, the installation of groundwater bores or soil bores) and before undertaking any Contamination remediation works, whether required pursuant to a notice issued by the EPA or otherwise.

7. Right of Way Access

7.1 Definition

In this clause:

Common Area means that part of Railway Lot ## at ## which is delineated and coloured brown on the plan in Annexure E.

7.2 The Tenant is granted the right to use the Common Area in common with VicTrack and those persons authorised by VicTrack, for the purpose of access to and from the Premises.

7.3 The Tenant must not and must ensure that its employees and invitees do not:

- 7.3.1 obstruct any part of the Common Area;
- 7.3.2 store or permit the accumulation of any property or rubbish in the Common Area; or
- 7.3.3 interfere with any services in or about the Common Area.

7.4 The Tenant must:

- 7.4.1 use reasonable endeavours to keep the Common Area clean and tidy;
- 7.4.2 contribute to the cost of maintaining the Common Area as reasonably determined by VicTrack; and
- 7.4.3 comply with any reasonable request made by VicTrack regarding the Common Area.

8. Asbestos

8.1 The Tenant acknowledges that there are materials containing asbestos at the Premises.

8.2 The Tenant acknowledges that it has read, understands and accepts the findings contained in the asbestos register attached at Annexure G of this Lease (**Asbestos Register**).

8.3 The Tenant must comply with all recommendations contained in the asbestos management plan attached at Annexure G of this Lease (**Asbestos Management Plan**).

8.4 If the Tenant becomes aware of the existence of any asbestos at the Premises which is not identified in the Asbestos Register or the Asbestos Management Plan, the Tenant must immediately cease any works being undertaken at the Premises and immediately contact VicTrack to inform of the existence of such asbestos containing materials.

9. Heritage

9.1 The Tenant acknowledges that the Premises may be affected by the *Heritage Act (Vic) 1994 (Heritage Act)*.

9.2 Without limiting clause 12.4 of the Lease, the Tenant must, at its cost, observe and comply with the Heritage Act, including applying for all appropriate permits, consents and approvals required by the Heritage Act, before carrying out any works to the Premises.

10. Precinct Emergency Plan

The Tenant must at all times comply with and where appropriate participate in any activities associated with a precinct emergency plan issued by VicTrack, as amended from time to time. A copy of the current precinct emergency plan is annexed to this Lease in Annexure G.

11. Liquor Licence

The Tenant must:

11.1 seek the prior written consent of VicTrack before applying for any licence or permit under the *Liquor Control Reform Act 1998 (Vic) (Licence)*, or applying for any variation, removal, transfer, surrender or release of the licence or permit or nominating any person to be a licensee or permittee;

11.2 produce the Licence to VicTrack for inspection upon demand;

11.3 comply with any conditions of the Licence imposed by VicTrack;

11.4 comply with all conditions of the Licence and all Laws relating to the licence or permit;

11.5 not allow the Licence to be cancelled or suspended;

11.6 renew the Licence and notify VicTrack in writing within 14 days of the renewal;

11.7 promptly notify VicTrack in writing if the Licence is cancelled or suspended or if the Tenant receives any notice, summons or fine in relation to the Licence;

11.8 indemnify VicTrack for any damages or costs incurred in relation to the Licence or a breach of this clause by the Tenant; and

11.9 surrender the Licence within 21 days of receiving a written notice from VicTrack, which VicTrack may give to the Tenant if the Tenant's use of the Premises is causing or likely to cause a nuisance to local residents.

12. No Gaming Machines

The Tenant must seek VicTrack's written consent, such consent may be withheld at VicTrack's absolute discretion, prior to using the Premises for the purpose of any gaming activities or any gambling business including gaming within the meaning of the *Gambling Regulation Act 2003 (Vic)*.

13. Land Tax (Tenant Public Company or subsidiary of Public Company)

Despite anything to the contrary, the Tenant must pay land tax to VicTrack or the relevant Government Agency (assessed on the Premises on a proportionate basis).

14. Annual Audit

On each anniversary of the Commencement Date the Tenant must service all equipment located on or servicing the Premises.

15. Early Termination - VicTrack

Despite anything to the contrary, if VicTrack determines in its absolute discretion that the Land is required for VicTrack operational purposes, VicTrack may end this Lease by giving 6 months written notice to the Tenant and the Lease will expire on the date specified in VicTrack's notice.

16. Early Termination - Tenant

The Tenant may terminate this Lease by giving VicTrack at least 12 months prior notice that it wishes to end the Lease and the Lease will expire on the date specified in the Tenant's notice.

17. Premises not Watertight

The Tenant acknowledges that the Premises are not watertight and water, including drain water, storm water, and rain water, may overflow, enter or leak into or from the Premises from time to time whether because of external sources or otherwise.

18. Administration Fee Payable for Late Payments

18.1 Without limiting any other provision of this Lease, the Tenant must pay to VicTrack on demand an administration fee in the amount of \$250.00 for each and every instance that any money payable by the Tenant under this Lease is not paid on the date on which such payment became due.

18.2 VicTrack may, in its absolute discretion, alter the administration fee payable pursuant to Special Condition 18.1 by written notice to the Tenant.

19. Rent Free Period

VicTrack grants to the Tenant a rent free period for [##insert number of months of rent free period] months commencing on the Commencement Date (**Rent Free Period**). The Tenant is not required to pay any Rent during the Rent Free Period.

20. Open Drain [##To be used if there is an open drain at the Premises]

If at any time during the Term VicTrack (acting reasonably) notifies the Tenant that the existing open drain on the Premises no longer meets its satisfaction, the Tenant must lay a pipe drain in accordance with VicTrack's reasonable requirements.

21. Drainage

The Tenant must not drain or otherwise dispose of waste water from the Premises on to adjoining VicTrack land unless:

21.1 such drainage is specifically consented to in writing by VicTrack's Manager of Civil Design Services;

21.2 the Tenant enters into a licence with VicTrack containing such terms and conditions as may be required by VicTrack's Infrastructure Division; and

21.3 the Tenant pays all costs and expenses VicTrack incurs in considering any application for consent, and preparing, negotiating and finalising the licence.

22. No building or improvements

The Tenant must not erect or construct any building or improvements on the area coloured blue on the plan attached in Annexure E.

23. Condition Report

23.1 The Tenant acknowledges that it must, within 28 days of the date of this Lease, complete and return to VicTrack's solicitors the Condition Report.

23.2 Once approved by VicTrack, the Tenant authorises VicTrack or its solicitors, to insert the Condition Report into Annexure G of this Lease.

24. Common Areas and Estate Outgoings [##To be used if the Premises form part of an estate, and VicTrack requires the Tenant to pay towards estate outgoings]

24.1 Definition

For the purposes of this Annexure D:

Estate means land shown outlined with a blue broken line on the annexed plan including the Common Areas and any other land (or buildings or improvements erected on that land) to be used as part of the Estate.

Common Areas means those parts of the Estate which are not leased or licensed and are provided for common use, including areas coloured brown on the annexed plan.

Estate Outgoings means all costs incurred by VicTrack in connection with the Estate including:

- air conditioning and ventilation;
- building intelligence and emergency systems;
- security;
- fire protection;
- insurance for the full insurable value of the Estate and VicTrack's Fixtures, public liability, plate glass, machinery breakdown, loss of rent and consequential loss, workers compensation and such other insurances effected by VicTrack;
- electricity;
- water rates and charges;
- telephone charges;
- gas and oil;
- costs of any signage;

- gardening (including costs in connection with indoor and outdoor plants);
- land tax (assessed on a single holding basis) except this cost is excluded where the Act applies to this Lease;
- local government rates and charges;
- repairs and maintenance including repairs and maintenance to VicTrack Improvements (including air conditioning and escalators);
- sewerage and drainage rates and charges;
- any owners corporation fees payable by VicTrack for the Building
- management costs;
- salaries and administrative costs in connection with the management of the Estate;
- pest control;
- audit fees;
- bank charges;
- all rates, taxes, charges and levies; and
- all costs of cleaning the Common Areas, signs and the interior and exterior of the Centre including the cost of any garbage removal service (other than the removal of medical, hazardous and contaminated waste resulting from the use and occupation of the Premises by the Tenant).

but excluding any amounts which are not permitted by the Act to be recovered, where the Act applies to this Lease.

Tenant's Proportion means the proportion that:

- the Lettable Areas of the Premises bears to the total Lettable Area of the Estate; or
- if section 40 of the Act applies to this Lease, the Lettable Areas of the Premises bears to the total Lettable Areas of all retail premises which receive the benefit of the Outgoing,

which at the Commencement Date is the proportion specified in Item 14.

Year means:

- for the first year, the period from the Commencement Date to the following 30 June, or the last day of this Lease (whichever is the earlier);
- for each subsequent year, the period from 1 July to 30 June; and
- for the last year, the period from 30 June to the last day of this Lease,

or such other 12 month period determined by VicTrack.

24.2 Use of Common Areas

- 24.2.1 The Tenant is granted the right to use the Common Areas in common with VicTrack and those persons authorised by VicTrack, for the purposes for which they were constructed.
- 24.2.2 The Tenant must not and must ensure that its employees and invitees do not:
- (a) obstruct any part of the Common Areas;
 - (b) store or permit the accumulation of any property or rubbish in the Common Areas; or
 - (c) interfere with any services in or about the Common Areas.
- 24.2.3 The Tenant must:
- (a) use reasonable endeavours to keep the Common Areas clean and tidy; and
 - (b) comply with any reasonable request made by VicTrack regarding the Common Areas.

24.3 Estate Outgoings

- 24.3.1 The Tenant must pay to VicTrack the Tenant's Proportion of VicTrack's estimate of the Estate Outgoings for each Year by equal calendar monthly instalments in advance on or before the 1st day of each month.
- 24.3.2 VicTrack must give the Tenant a reasonable annual estimate of Estate Outgoings for each Year:
- (a) when the Tenant enters into the Lease and at least 30 days prior to the commencement of the Year; and
 - (b) a statement of the actual Estate Outgoings for the Year within 90 days of the end of that Year.
- 24.3.3 If the actual Estate Outgoings are greater than the estimated Estate Outgoings paid by the Tenant, the Tenant must pay the difference to VicTrack within 30 days of the Tenant receiving the statement of actual Estate Outgoings. If the actual Estate Outgoings are less than the estimated Estate Outgoings paid by the Tenant, VicTrack must credit (or refund) the difference to the Tenant.
- 24.3.4 If the Lease ends prior to VicTrack providing a statement of the actual Estate Outgoings to the Tenant, VicTrack's estimate of Estate Outgoings will be deemed to be the actual Estate Outgoings.
- 24.3.5 The Tenant agrees with VicTrack that section 49(2) of the Act does not apply to any Year under this Lease.
- 24.3.6 VicTrack may by written notice to the Tenant vary the Tenant's Proportion if there is a change in the Lettable Areas of the Estate, such change in the Tenant's Proportion to take effect from the date of the change in the Lettable Areas.

25. Residential Tenancies Act 1997 [##To be used if permitted use is residential, and the term of the lease is for more than 5 years]

The Tenant acknowledges that the *Residential Tenancies Act 1997 (RT Act)* does not apply to this Lease as a result of section 6 of the RT Act.

26. Insurance[##To be used where the tenant is a municipal council within the meaning of the Local Government Act 1989 (Vic)]

26.1 The parties acknowledge as follows:

26.1.1 the Tenant is a municipal council within the meaning of the *Local Government Act 1989 (Vic)* and insured by Liability Mutual Insurance and VicTrack is insured by the Victorian Managed Insurance Authority (**VMIA**);

26.1.2 whilst the insurance arrangements described in Special Condition 26.1.1 are in force:

- (a) it is unnecessary for clauses 14 and 15 of this Lease to apply and those clauses will be deemed to be deleted;
- (b) the insurance of both parties is adequate to cover foreseeable losses arising out of each of their own potential liabilities; and
- (c) any insurance or indemnity issue arising under this Lease will be determined having regard to the common law principles of liability.

26.2 In the event that VicTrack and the Tenant cease to be insured by VMIA and Liability Mutual Insurance (respectively), clauses 14 and 15 of this Lease will be reinstated and bind both parties from the date of such cessation.

27. Soil Disturbance, Stockpiling and Offsite Disposal

27.1 Without limiting any other provisions of this Lease, the Tenant must:

27.1.1 use its reasonable endeavours to minimize any disturbance (including excavation) of any soil or other materials on, under or within the Premises;

27.1.2 stop work immediately if asbestos debris or odorous soils are detected during any works on the Premises and immediately notify VicTrack of that detection;

27.1.3 comply with any directions from VicTrack regarding mitigation measures for the elimination or reduction of any consequent risk to the environment and persons arising from the detection of asbestos debris or odorous soils;

27.1.4 not resume any work on the Premises until authorised in writing by VicTrack;

27.1.5 not stockpile any soil on the Premises or any other VicTrack land;

27.1.6 at the Tenant's cost, promptly remove any soil from permitted excavations from the Premises and any other VicTrack land and dispose of it in accordance with the requirements of any licences, permits or authorisations required by law in relation to such disposal and in accordance with the Environment Protection Authority's Waste Classification Guidelines, unless approved for re-use as backfill at the Premises in accordance with Special Condition 27.1.8;

27.1.7 seek VicTrack's written consent to bring imported soil onto the Premises, prior to works commencing;

- 27.1.8 ensure that any soil brought onto the Premises, including soil to be used to backfill permitted excavations on the Premises, whether it is soil that the Tenant has excavated from the Premises or soil that has been obtained from an accredited quarry, is classified as “clean fill” material and which meets the requirements of all Laws and the Environment Protection Authority. Evidence of this material meeting “clean fill” requirements is required to be provided to VicTrack prior to the re-use of the soil, or bringing the soil onto the Premises;
- 27.1.9 at the end of this Lease, restore any altered surface of the Premises to the level of the Premises as at the Commencement Date, including the filling of any areas if necessary; and
- 27.1.10 leave the Premises in a clean and tidy condition and free from Contamination in accordance with the terms and conditions of this Lease.
- 27.2 This Special Condition is an essential term of this Lease.
- 28. Native Flora and Fauna [## To be used where there is known to be significant native flora or fauna and assessment and management plan provided by VicTrack and attached to the Lease]**
- 28.1 For the purposes of this Special Condition, “native flora and fauna” means:
- 28.1.1 plants (including but not limited to trees, shrubs, herbs and grasses) that would have grown naturally in Victoria before the arrival of Europeans, but does not include plants that originate from other parts of Australia or from other countries; and
- 28.1.2 animals that would have existed in Victoria before the arrival of Europeans, but does not include animals that originated from other countries.
- 28.2 The Tenant acknowledges that all or part of the Premises contain native flora and fauna.
- 28.3 The Tenant acknowledges and accepts the flora and fauna assessment and flora and fauna management plan provided by VicTrack and attached at Annexure G.
- 28.4 The Tenant must at all times comply with the flora and fauna management plan attached at Annexure G.
- 28.5 The Tenant must use its best endeavours to avoid any removal of, damage to or interference with any native flora and fauna on the Premises.
- 28.6 If it is reasonably foreseeable that the exercise of the Permitted Use will or may result in the removal of, damage to or interference with any native flora and fauna on the Premises, or such removal, damage or interference is reasonably unavoidable, then the Tenant must first:
- 28.6.1 obtain VicTrack’s written approval (which shall not be unreasonably withheld);
- 28.6.2 seek advice from an appropriately qualified expert (who may be either a consultant or a member of the local area office of the Department of Environment, Land, Water & Planning) to determine if there are any (and if so what) licences or permits required to remove or otherwise interfere with such native flora or fauna;
- 28.6.3 obtain all necessary, Federal, State or municipal licences and permits for the removal of or interference with such native flora or fauna;

- 28.6.4 submit to any relevant planning authority all licences and/or permits obtained pursuant to Special Condition 28.6.3 within 5 business days of receiving such licences and/or permits;
- 28.6.5 keep VicTrack fully and regularly informed of the carrying out, progress and outcome of the matters referred to in Special Conditions 28.6.2, 28.6.3 and 28.6.4;
- 28.6.6 provide VicTrack with copies of all applications for licences and permits referred to in this Special Condition within five business days of those applications being submitted to the relevant Government Agency; and
- 28.6.7 provide VicTrack with copies of any issued licences and permits (or refusal to issue) within five business days of the Tenant receiving those licences and/or permits or receiving notification of refusal to grant them.
- 28.7 This Special Condition is an essential term of this Lease.
- 29. Native Flora and Fauna [## To be used where there may be significant native flora or fauna but not known]**
- 29.1 For the purposes of this Special Condition, "native flora and fauna" means:
- 29.1.1 plants (including but not limited to trees, shrubs, herbs and grasses) that would have grown naturally in Victoria before the arrival of Europeans, but does not include plants that originate from other parts of Australia or from other countries; and
- 29.1.2 animals that would have existed in Victoria before the arrival of Europeans, but does not include animals that originated from other countries.
- 29.2 VicTrack hereby advises the Tenant and the Tenant acknowledges that all or part of the Premises may contain native flora and fauna.
- 29.3 Before the Tenant commences to use the Premises for the Permitted Use, the Tenant must procure and provide to VicTrack a flora and fauna assessment of the Premises from an appropriately qualified expert, to determine if any significant native flora or fauna exist on the Premises.
- 29.4 If any significant native flora or fauna does exist on the Premises the Tenant must, at the same time as it submits the flora and fauna assessment to VicTrack, also submit a flora and fauna management plan prepared by an appropriately qualified expert, to VicTrack for its approval. VicTrack may, in its absolute discretion, approve, reject or request amendments to the plan. If VicTrack rejects or requests amendments to the plan, the Tenant must submit one or more replacement or amended plans for VicTrack's approval until VicTrack provides its unconditional approval to the plan. The Tenant must not commence any activity or works which could or will result in such removal, damage or interference with any native flora and fauna until the flora and fauna management plan is approved, and must at all times comply with the flora and fauna management plan.
- 29.5 The Tenant must use its best endeavours to avoid any removal of, damage to or interference with any native flora and fauna on the Premises.
- 29.6 If it is reasonably foreseeable that the exercise of the Permitted Use will or may result in the removal of, damage to or interference with any native flora and fauna on the Premises, or such removal, damage or interference is reasonably unavoidable, then the Tenant must first:
- 29.6.1 obtain VicTrack's written approval (which shall not be unreasonably withheld);

- 29.6.2 seek advice from an appropriately qualified expert (who may be either a consultant or a member of the local area office of the Department of Environment, Land, Water & Planning) to determine if there are any (and if so what) licences or permits required to remove or otherwise interfere with such native flora or fauna;
- 29.6.3 obtain all necessary, Federal, State or municipal licences and permits for the removal of or interference with such native flora or fauna;
- 29.6.4 submit to any relevant planning authority all licences and/or permits obtained pursuant to Special Condition 29.6.3 within 5 business days of receiving such licences and/or permits;
- 29.6.5 keep VicTrack fully and regularly informed of the carrying out, progress and outcome of the matters referred to in Special Conditions 29.6.2, 29.6.3 and 29.6.4;
- 29.6.6 provide VicTrack with copies of all applications for licences and permits referred to in this Special Condition within five business days of those applications being submitted to the relevant Government Agency; and
- 29.6.7 provide VicTrack with copies of any issued licences and permits (or refusal to issue) within five business days of the Tenant receiving those licences and/or permits or receiving notification of refusal to grant them.

29.7 This Special Condition is an essential term of this Lease.

30. Cultivation

30.1 Clause 18.12 is deleted and replaced with this Special Condition 30.

30.2 The Tenant must not use the Premises for the cultivation of produce for consumption (**Cultivation**) unless, prior to using any part of the Premises for Cultivation, the Tenant either:

- 30.2.1 provides VicTrack with unconditional evidence (**Soil Report**) from an appropriately qualified and experienced person approved of by VicTrack that the soil at the Premises is suitable for Cultivation; and
- 30.2.2 provides for VicTrack to have reliance upon the Soil Report,

or

- 30.2.3 constructs elevated or raised garden beds with a barrier that is sufficient to prevent roots from penetrating the underlying soil (**Raised Garden Beds**) in accordance with clause 12.4; and
- 30.2.4 fills the Raised Garden Beds with a minimum of 0.5 m depth of imported soil from an accredited supplier and which is classified as meeting the requirements of all Laws for use in Cultivation and provide VicTrack with evidence of the imported soil meeting these requirements prior to bringing the soil onto the Premises; and
- 30.2.5 only uses the Raised Garden Bed and no other part of the Premises for Cultivation.

31. Groundwater Monitoring Wells Protection

31.1 The Tenant acknowledges and agrees that ground water monitoring wells exist at the Premises as shown on the plan attached as Annexure G to this Lease (**Groundwater Monitoring Wells**).

31.2 The Tenant must:

31.2.1 not remove, disturb, alter, destroy or damage the Groundwater Monitoring Wells;
and

31.2.2 ensure that the integrity of the Ground Monitoring Wells remains intact,

unless the Tenant has obtained VicTrack's prior written consent to remove or alter the Groundwater Monitoring Wells (which consent may be given or withheld or given subject to any conditions as VicTrack determines in its absolute discretion).

31.3 If the Tenant disturbs, alters, destroys or damages the Groundwater Monitoring Wells without VicTrack's prior written consent, the Tenant must pay VicTrack on demand the costs incurred in repairing, reinstalling or replacing the Groundwater Monitoring Wells.

31.4 The Tenant must provide reasonable access to VicTrack, or any third party nominated by VicTrack, to enable the collection of samples from the Groundwater Monitoring Wells.

32. **Personal Property Securities Act [## To be used where there are significant VicTrack Improvements that are to be protected by the registration of VicTrack's security interest on the PPS Register]**

32.1 In this clause 32:

32.1.1 **VicTrack PPS Property** means any item of property:

- (a) in which VicTrack has an interest; and
- (b) which is situated on the Premises at any time during the term of this Lease;

32.1.2 **PPS Act** means the *Personal Property Securities Act 2009 (Cth)*;

32.1.3 **Tenant PPS Property** means any item of property:

- (c) in which the Tenant has rights;
- (d) which is situated on the Premises at any time during the term of this Lease;
and
- (e) of which, whether before or after the end of the term of this Lease:
 - (i) VicTrack may require the Tenant to transfer ownership to VicTrack; or
 - (ii) the Tenant is obliged to transfer ownership to VicTrack,

but does not include any VicTrack PPS Property; and

32.1.4 words and expressions that are not defined in this Lease but which have a defined meaning in the PPS Act have the same meaning as in the PPS Act.

32.2 The Tenant:

32.2.1 charges its right title and interest in all Tenant PPS Property in favour of VicTrack, as security for the performance of the Tenant's obligations under this Lease, including but not limited to the Tenant's obligations to transfer ownership in the whole or any part of the Tenant PPS Property to VicTrack at the expiry or termination of the Lease;

- 32.2.2 acknowledges and agrees that the charge granted by the Tenant under clause 32.2.1 constitutes the grant of a Security Interest which VicTrack is entitled to register under the PPS Act;
- 32.2.3 acknowledges and agrees that the grant of this Lease also constitutes the grant of a Security Interest in VicTrack PPS Property in favour of VicTrack, which interest VicTrack is entitled to register under the PPS Act as a Purchase Money Security Interest; and
- 32.2.4 must do all things required by VicTrack from time to time (including, without limitation, signing any documents required by VicTrack) to enable VicTrack to register its above Security Interests under the PPS Act, and to otherwise perfect its Security Interest in the Tenant PPS Property and VicTrack PPS Property so that VicTrack's Security Interests have priority over any other Security Interests under the PPS Act in relation to the Tenant PPS Property and VicTrack PPS Property.
- 32.3 The Tenant:
- 32.3.1 warrants that it has not granted a Security Interest in respect of any VicTrack PPS Property on or prior to execution of this Lease that has not been previously disclosed to VicTrack in writing; and
- 32.3.2 agrees that it will not grant a Security Interest in respect of any VicTrack PPS Property or Tenant PPS Property in favour of any person other than VicTrack without VicTrack's prior written consent, which consent may be granted or withheld in VicTrack's absolute discretion and on any conditions that VicTrack considers necessary or desirable at its absolute discretion.
- 32.4 The Tenant must indemnify and hold harmless VicTrack against all claims, damages or loss incurred by VicTrack as a consequence of any breach by the Tenant of this clause.
- 32.5 The Tenant acknowledges and agrees that:
- 32.5.1 it waives its right under the PPS Act to receive a copy of any 'verification statement' or 'financing charge statement' (as those terms are defined in the PPS Act); and
- 32.5.2 on the expiration or earlier termination of this Lease, the Tenant must sign (and procure any holder of a registered Security Interest to sign) any document that VicTrack considers necessary or desirable under or as a result of the PPS Act to release any registered Security Interests under the PPS Act in relation to the Tenant PPS Property and VicTrack PPS Property.
- 32.6 If this Lease is terminated by VicTrack as a consequence of a default by the Tenant under this Lease, without limitation to any other rights of VicTrack, VicTrack may take possession of the Tenant PPS Property by way of set off for any loss or damage VicTrack is entitled to recover in connection with the Tenant's breach of the Lease.
- 32.7 This clause is an essential term of this Lease.
- 33. Tenant reporting requirements [## if required]**
- The Tenant must give to VicTrack:
- 33.1 within 60 days of the end of each financial year an audited financial report (including a statement of assets and liabilities and profit and loss statement) for the Tenant for that financial year; and
- 33.2 within 60 days of the end of the financial year (or, if the Tenant is an incorporated association or body corporate, within 14 days of the Tenant's annual general meeting), a

statutory declaration from the Tenant's public officer or other authorised representative detailing: **### insert specific reporting requirements**

34. Not for Profit Status

- 34.1 The Tenant warrants that as at the Commencement Date the Tenant is a non-profit organisation as defined in section 72 of the *Land Tax Act* 2005 (Vic) (**NPO**).
- 34.2 The Tenant must not undertake any activity or permit anything to be done which may cause it to cease being exempt from Commonwealth income tax under the *Income Tax Assessment Act* 1997.
- 34.3 The Tenant must not amend its rules of incorporation or its constitution in such a way which may change the Tenant's status as a NPO without the prior written consent of VicTrack, which VicTrack may grant or withhold in its absolute discretion.
- 34.4 Prior to VicTrack providing its consent according to Special Condition 34.3, VicTrack may impose any condition that it deems necessary, including requiring a variation of the Lease to provide for a market rent review in accordance with clause 5 on the date that the Tenant ceases to be an NPO.
- 34.5 Despite clause 19.2, the Tenant must not seek to assign this Lease or sub-lease or licence any part of the Premises except to another NPO.
- 34.6 The Tenant acknowledges and agrees that the level of rent and frequency and method of review have been determined and agreed by VicTrack based upon the "not for profit" community status of the Tenant.
- 34.7 Without limiting Special Conditions 34.3, 34.4 and 34.5 and without prejudice to any other right or cause of action available to VicTrack, in the event that the Tenant ceases to be a NPO, whether due to an assignment of this Lease or re-structuring of the Tenant or otherwise, or the Premises are sub-let or licensed other than to an NPO (**Trigger Event**) the rent payable under this Lease will be adjusted to the current open market rental value of the Premises in the manner set out in clause 5 as if the date of the Trigger Event were nominated as a Market Review Date in Item 10.
- 34.8 This Special Condition 34 is an essential term of this Lease.

35. Not for Profit Status and Exemption from the Act **### Note that Rent must not exceed \$10,000 per annum for the exemption to apply and any market review should be capped**

- 35.1 The Tenant warrants that as at the Commencement Date:
- 35.1.1 the Tenant is a non-profit organisation as defined in section 72 of the *Land Tax Act* 2005 (Vic) (**NPO**); and
- 35.1.2 the Tenant's constitution and rules (**Constitution**):
- (a) specify purposes of providing or promoting community, cultural, sporting, recreational or similar facilities or activities or objectives;
 - (b) provide that the Tenant must apply its profits in promoting its objects; and
 - (c) prohibit the payment of any dividend or amount to its members,

and that each of the warranties contained in this Special Condition will remain true throughout the Term.

- 35.2 The Tenant must not undertake any activity or permit anything to be done which may cause it to cease being exempt from Commonwealth income tax under the *Income Tax Assessment Act 1997*.
- 35.3 The Tenant must not amend its Constitution during the Term in such a way which may change the Tenant's status as a NPO or that may cause the Act to apply to this Lease or any renewal or extension or variation of this Lease without the prior written consent of VicTrack, which VicTrack may grant or withhold in its absolute discretion.
- 35.4 Prior to VicTrack providing its consent according to Special Condition 35.3, VicTrack may impose any condition that it deems necessary, including requiring a variation of the Lease to provide for a market rent review in accordance with clause 5 on the date that the Tenant ceases to be an NPO.
- 35.5 Despite clause 19.2, the Tenant must not seek to assign this Lease or sub-lease or licence any part of the Premises except to another NPO with a constitution and rules that:
- 35.5.1 specify purposes of providing or promoting community, cultural, sporting, recreational or similar facilities or activities or objectives;
 - 35.5.2 provide that the Tenant must apply its profits in promoting its objects; and
 - 35.5.3 prohibit the payment of any dividend or amount to its members.
- 35.6 The Tenant acknowledges and agrees that pursuant to the determination made by the Minister for Small Business under section 5 of the Act on 6 October 2014, the Act does not apply to this Lease.
- 35.7 The Tenant acknowledges and agrees that the level of rent and frequency and method of review have been determined and agreed by VicTrack based upon the "not for profit" community status of the Tenant and the fact that the Act does not apply to this Lease.
- 35.8 Without limiting Special Conditions 35.3, 35.4 and 35.5 and without prejudice to any other right or cause of action available to VicTrack, in the event that the Tenant ceases to be a NPO, or the Tenant does anything that causes the Act to apply to this Lease, whether due to an assignment of this Lease or re-structuring of the Tenant or otherwise, or the Premises are sub-let or licensed other than to an NPO (**Trigger Event**) the rent payable under this Lease will be adjusted to the current open market rental value of the Premises in the manner set out in clause 5 hereof as if the date of the Trigger Event were nominated as a Market Review Date in Item 10.
- 35.9 This Special Condition 35 is an essential term of this Lease.

36. Maintenance schedule

37. Without limiting any other provision of this Lease, the Tenant must comply with the schedule of maintenance responsibilities annexed to this Lease at Annexure G. [## Consider if in the event of inconsistency the Maintenance Schedule should be stated to prevail] **Council as Tenant [## consider if any additional restrictions on assignment, subleasing or licencing are required where the Tenant is a municipal council eg. can only assign, sublet or licence to a 'not for profit' organisation?]**



Annexure E Plan



Annexure F Disclosure Statement



Annexure G Additional Annexures

11.2.8 S86 Rural Growth Strategy Committee and S86 Urban Growth Strategy Committee

Introduction

Author: Andrew Goodsell
General Manager: Satwinder Sandhu

Background

At the 8 November, 2017 Statutory and Annual Appointments Meeting it was determined as follows:

That a report be prepared for Council's consideration to review the Instruments of Delegation and Terms of Reference with a view to merging the following committees for 2017/2018;

(i) S86 Urban Growth Strategy Committee

(ii) S86 Rural Growth Strategy Committee

The purpose of this report is to address the request made by Council and ultimately advise on the merit of retaining separate S86 Growth Committees versus the alternatives (consolidation or abandonment).

This advice is also shaped by the likely need to achieve efficiencies in reporting, agenda workloads and how best to communicate important strategic concerns between staff and elected members having regard to the large number of committees and forums to discuss strategic projects.

History of the S86 Growth Committees

Council resolved at the July 2012 Ordinary Meeting of Council (OMC) to establish special advisory committees as follows:

It is proposed to establish two Special Committees of Council, one each for the Urban Growth Strategy component and the Rural Growth Strategy component of the Phase 1 proposal. These Committees are to provide high-level project direction and are to be supported by Technical Working Groups.

Roles, responsibilities and terms of reference were set out in this agenda report but the explicit role of these committees was to provide strategic guidance to Council staff in undertaking its strategic function. The two Special Committees were constituted as S86 committees from inception.

For the past few years Council has operated the Urban Growth Committee (UGC) and the Rural Growth Committee (RGC). These committees are attended on a ward basis with Eastern Moorabool councillors chairing and managing the UGC and the Western, Central and Woodland ward representatives chairing and managing the RGC.

To date some significant strategic work has been delivered through the respective committees including but not limited to:

- Bacchus Marsh Urban Growth Framework;
- Small Towns and Settlement Strategy;
- Moorabool Shire Retail Strategy;
- Moorabool Shire Industrial Strategy;
- Ballan Structure Plan (Strategic Directions); and
- Moorabool Shire Community Infrastructure Framework.

Access to the S86 Growth Committees has limited the need for a significant number of Assemblies of Councillors (AOC) that would otherwise have needed to be convened.

Future of the S86 Urban and Rural Growth Committees - The Options Available

Three options are identified:

1. **Status quo** - retain both committees in their present form, with same responsibilities.
2. **Consolidation** - combine both committees into a single M2041 S86 Growth Committee.
3. **Abandon** - abolish both S86 Growth Committees in favour of alternative (potentially existing) committees and structures.

Option 1: Status Quo

Arguments in Favour

- The current committee structure recognizes that there are a number of distinctly different issues facing Bacchus Marsh and the rural west. For instance drinking water catchment issues primarily impact the west, growth pressures in the east are significant and prime agricultural land is primarily located in the west.
- The current system has generally operated well, allowing Councillors to directly discuss projects with staff and terms of reference.
- Both S86 committees have been productive and instrumental in the formulation of the Small Towns Strategy and the Urban Growth Framework, two of the most significant strategic projects delivered since Council amalgamations in 1994.
- Retaining both committees would limit the need for a considerably larger number of AOCs to be called to attend to projects that would previously have gone through a S86 Growth Committee.
- With the dissolution of the S86 Placemaking Committee, these forums provide an opportunity to discuss urban design and placemaking projects specific to the urban and rural needs of the Shire, such as the Township Improvement Plans – a key action within the adopted Small Towns and Settlements Strategy.

Against Option 1

- It would be beneficial to have one committee to provide shire-wide perspective on projects, rather than two distinct committees dealing with growth issues.
- A number of the S86 Growth Committees have been cancelled in the last 12-18 months likely reflecting the due to reduction in growth projects that need to be tabled before Council. A single S86 Growth Committee would be more supportable with respect to work flow.

Option 2: Consolidation

Arguments in Favour

- A single S86 Growth Committee may bring opportunities for a clearer Shire-wide perspective on project initiatives.
- A single S86 Growth Committee would have less administrative burden than two committees. It would also limit the need for a considerably larger number of AOCs to be called to attend to projects that would previously have gone through a S86 Growth Committee.
- Many of the arguments in favour of retaining both S86 Growth Committees equally apply to operating a consolidated S86 Growth Committee.

Against Option 2

- A single S86 Growth Committee could be seen as a duplication of the OMC process. Weighed against this, an OMC central decision making process operates entirely differently with respect to standing orders and process.

Option 3: ABANDON

Arguments in Favour

- Reduces the number of committees to be attended by councillors and staff.

Against Option 3

- Abolition of the S86 Growth Committees could result in a greater number of AOCs.
- AOCs are not as conducive to workshopping strategic projects in the manner of S86 Growth Committees.

Favoured Option

There appears on balance only one feasible option, namely to consolidate both S86 Growth Committees into a single S86 Growth Committee.

The S86 Growth Committees have played an important role across the last 5-6 years in guiding the scope of a range of key strategic projects instrumental to the progress of M2041. A single S86 Growth Committee, with modified Terms of Reference and Instrument of Delegation is likely feasible and appropriate (see Attachment A). It will lead to more comprehensive agendas for consideration at scheduled meetings, less agenda timeline constraints for

staff and provide ongoing opportunity to address any councillor concerns within the early stages of important projects.

Policy Implications

The 2017 – 2021 Council Plan provides as follows:

Strategic Objective 1: Providing Good Governance and Leadership

Context IB: Our people

The proposal is consistent with the 2017– 2021 Council Plan.

Financial Implications

There are no immediate financial implications associated with the consideration of this report.

Risk & Occupational Health & Safety Issues

There are no direct risk or occupational health and safety issues associated with the recommendation within this report.

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 – Andrew Goodsell

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

Conclusion

The operations of the S86 Urban and Rural Growth Committees have to date been of benefit to Council staff in progressing strategic projects. But over time the work has begun to switch from broad strategic initiatives (Small Towns Strategy, Urban Growth Framework) into the delivery of key actions from these macro scaled projects. It is now desirable to combine the two S86 Growth Committees into a single new S86 Growth Committee with a scope of reference that covers the entire Shire, thus providing a more comprehensive view of Municipal issues and solutions.

Ordinarily, it would be prudent to defer further work on drafting new Terms of Reference for a consolidated S86 Growth Committee as Council is separately examining all of its committee's roles in 2018/19. However, in light of the advantages of establishing a single S86 Growth Committee an appropriate resolution to that effect is now required. A draft Terms of Reference is attached for discussion purposes.

Recommendation:

That Council:

1. **Abolish the S86 Urban Growth Committee and S86 Rural Growth Committee effective immediately.**
2. **Resolve to adopt new Terms of Reference for a consolidated Moorabool Growth Management Committee (combining the Urban and Rural Growth Committees) for Moorabool Shire generally in accordance with Attachment 11.2.8.**
3. **As per above Terms of Reference, nominate four (4) Councillors as the members of the Moorabool Growth Management Committee:**

Cr. _____
Cr. _____
Cr. _____
Cr. _____

4. **Thank representatives and staff from both S86 Urban Growth Committee and S86 Rural Growth Committees for their input and achievements.**

Report Authorisation

Authorised by:



Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Tuesday, 15 May 2018

Attachment - Item 11.2.8

TERMS OF REFERENCE

S86 MOORABOOL GROWTH MANAGEMENT COMMITTEE

The S86 Moorabool Growth Management Committee is a delegated committee of Council established under Section 86 of the *Local Government Act 1989*, to guide urban and rural growth planning within all settlements and related infrastructure across the Shire in accordance with Moorabool 2041.

The S86 Moorabool Growth Management Committee responsibilities are appended to these Terms of Reference. It is tasked with implementing the Bacchus Marsh Urban Growth Framework, the Small Towns and Settlements Strategy and associated projects as set out in the Council Plan.

Membership

Membership of the Committee will comprise four (4) Councillors as appointed by Council with the Mayor as an ex-Officio member. The membership of the S86 Moorabool Growth Management Committee shall be reviewed annually at the Statutory and Annual Appointments Meeting of Council.

The Chief Executive Officer, General Manager Growth & Development, General Manager Social and Organisational Development, General Manager Infrastructure or their delegate/s will attend each Committee Meeting in a non-voting capacity.

If a position on a Committee becomes vacant, the Council shall appoint another Councillor to the Committee.

Appointment of Chairperson

The Chairperson will be appointed by Council or the Committee, and reviewed each year at the Statutory and Annual Appointments Meeting of Council.

Where an appointed Chairperson is vacant for a meeting, the Committee will appoint a replacement Chairperson for that meeting.

Quorum

A quorum for the meeting will be three (3) Councillors.

Should a Councillor be unable to attend the meeting they can nominate a proxy to attend on their behalf.

Roles and Functions of Executive and Support Staff

- The **Chief Executive Officer (CEO)** is overall custodian for Moorabool 2041. The CEO is accountable to the elected Council for outcomes.
- The **Urban and Rural Working Group (URWG)** is responsible for providing relevant technical advice/input and ensuring that all relevant technical issues across Council are adequately considered.
- The **Project Director (Manager Strategic Planning and Development)** is responsible for the delivery and is accountable to the Committees for outcomes. The Project Director may delegate day-to-day responsibilities for development or implementation of the Urban and Rural Growth Strategy as appropriate.
- **Administrative support** for the overall project is provided by the Executive Assistant (EA), Growth and Development or their delegate.

Conduct of Meetings

Meetings are conducted in accordance with the provisions of the *Local Government Act 1989* and Council's Meeting Procedure Local Law.

Frequency and Location of Meetings

Meetings of the S86 Moorabool Growth Management Committee will be held on the fourth Wednesday every third month.

Meetings will usually be held in the North Wing Meeting Room 2 & 3, Darley Civic Hub, Darley but may also be held in the Council Chambers in Ballan. Additional meetings can be called by the Chairperson or two members of the Committee.

Meetings will be advertised and open to the public, except where the meeting is closed pursuant to the provisions of Section 89(2) of the *Local Government Act 1989*.

Committee Functions

- 1) To develop a vision and planning principles to guide and manage future urban growth and development in Bacchus Marsh, Ballan and other settlements across the Shire.
- 2) To ensure that planning for urban and rural growth is consistent with the Council's Moorabool 2041 Strategy. That is, to develop a vision, supported by appropriate land use and other Council and agency strategies for the future of all settlements within the Central Highlands landscape of farms and rural resource investment.

Consistent with community expectations, Council will manage and direct growth in a way which preserves and enhances the amenity and lifestyle attraction of its settlements.

- 3) To develop, implement and monitor Council's Urban Growth M2041 Strategies generally as follows:
 - Bacchus Marsh Urban Growth Framework;
 - Parwan Employment Precinct
 - Structure Plans
 - Small Towns and Settlements Strategy
 - Township Improvement Plans as well as other place making initiatives
 - Any other strategic initiatives relevant to the above or further development of M2041.
- 4) To ensure that strategic planning for urban and rural growth is consistent with any Council adopted policies adopted as well as any over-arching State and regional planning policies in effect.
- 5) To perform other functions assigned to the Committee by the Council.

Committee Delegations

The Committee will have delegated authority to hear submissions and decide upon matters relating to the future urban and rural growth and development in the Shire within its delegation. In this respect its delegation is as described in the 'Committee Functions' section immediately above. Items outside this delegation and outside of the Instrument of Delegation to Members of Council staff will be referred directly to Council for resolution.

Committee Meeting Procedure

Agenda Distribution

A list of items for the S86 Moorabool Growth Management Committee meeting will be sent via email to all Councillors, two weeks prior (if available) to the scheduled meeting date.

The full Agenda for the S86 Moorabool Growth Management Committee meeting will be included in the Councillor delivery to all Councillors, on the Friday prior to the scheduled meeting date.

Calling an Item to Council

Once the agenda has been prepared and circulated, a Councillor may request a specific agenda item to be determined by all Councillors at an Ordinary Meeting of Council rather than by the Committee.

Councillors may call any agenda item to Council for determination by submitting written notice to the CEO and following the procedure identified in the S86 Moorabool Growth Management Committee Protocol (Schedule 1).

If an item is called to Council, the Chairperson will advise the public present at the Committee meeting when the next Ordinary Meeting of Council will be held to consider the "called item".

Late Correspondence

Late correspondence may be submitted to the Committee meeting:

- By anyone wishing to provide additional information to the Committee on a listed agenda item.
- It must be received prior to 12.00pm on the day of the meeting.
- It will be distributed to all Committee members at the start of the meeting.

Meeting Procedure and Public Addressing the Committee Meeting

The proceeding of the meeting will be as per the requirements of the *Local Government Act 1989* and Council's Meeting Procedure Local Law No. 9 in reference to Council meeting procedures.

Members of the public may address the Committee on any item listed on the agenda. It is not necessary to register before the meeting if you wish to address the meeting.

When an item is called for consideration, the Chairperson will ask whether there is anyone present who wishes to address the meeting. At this stage each person will be individually invited to come forward and make their presentation.

If a large number of people wish to address the Committee meeting on a particular item, it will be at the discretion of the Chairperson to determine, with a view to fairness of representation, how many people may address the meeting.

Each person will be allowed to speak for three minutes. Members of the Committee may ask speakers questions or seek clarification of the matters raised by the speaker.

At the conclusion of questions from Committee members to the person making the submission, the speaker is to resume their seat and take no further part in the debate unless specifically called to do so by the Chairperson.

After a submission, a member of the Committee may ask Council staff to comment on the matters raised by the speaker.

Outcomes from the Committee

The Committee may make the following decisions:

- **Adopt the Council Officer's recommendation without change**
This becomes the decision of Council and Council staff will take action to implement the decision.
- **Adopt the Council Officer's recommendation with changes**
This becomes the decision of Council and Council staff will take action to implement the decision.
- **Adopt some other recommendation**
This becomes a deferred decision of Council for a period of one (1) week. If the resolution is not called in by any Councillor within the one (1) week period the decision becomes final and Council staff will take action to implement the decision. However, if the resolution is called in, it will be referred to an Ordinary Meeting of Council for decision-making and the Committee's determination lapses. (See Call In provisions in Schedule 1)
- **Defer the matter to a future Committee meeting**
The Committee may require additional information from interested parties or Council staff and therefore may defer the matter to a future Committee meeting to allow the additional information to be obtained.
- **Refer the matter to Council for determination**
The Committee may decide to refer the matter to Council for consideration. If this occurs the Committee may make a recommendation for Council to consider. The Chairperson will advise the members of the public present at the Committee meeting when the Ordinary Meeting of Council will be held to consider the recommendation.

After the Meeting

After each meeting Council staff will implement the decision of the Committee. Staff will also forward letters to all parties that made a formal submission to Council, advising the Committee's decision.

Minutes of the Meeting

The Committee will record minutes of each meeting in accordance with Section 93 of *the Local Government Act 1993* and present the minutes to the next Ordinary Meeting of Council.

The minutes will be made available to the public in accordance with the Local Government (General) Regulations 2015, Part 5, Regulation 12 except if the minutes relate to parts of meetings which have been closed to members of the public under section 89(2) of the Act.

Review of Terms of Reference

The Terms of Reference of the S86 Moorabool Growth Management Committee will be reviewed by the Committee annually.

Protocol for Calling in Items to the S86 Moorabool Growth Management Committee

A Councillor may request a specific agenda item to be determined by all Councillors at an Ordinary Meeting of Council, rather than by the Committee, in accordance with the following protocol:

1. If a Councillor is considering calling in an item which is located in a different Ward, the Councillor must inform the Councillor/s of that Ward prior to calling in the item.
2. A request for an item to be called in must be:
 - I. In writing (including email) to the CEO;
 - II. Supported by one other Councillor; and
 - III. A valid reason/s to why the Councillor is requesting the item be called in.

DRAFT

11.2.9 Tourism and Business Grants Program 2017-18

Introduction

Author: Andy Waugh
General Manager: Satwinder Sandhu

Background

The purpose of this report is to present Council with an assessment of applications received for the Tourism and Business Grants Program 2017-18.

At the Ordinary Meeting of Council in September, 2017 Council approved the allocation of \$12,400 for Tourism Grants and \$5,000 for Business Grants to be administered through the Economic Development unit.

The Tourism and Business Grants Program is designed to support organisations and businesses to plan and execute new tourism and business initiatives likely to significantly increase visitation to Moorabool Shire and to increase levels of economic activity.

The Grants Program opened on Monday 19 March closed on Friday 6 April and was available in one allocation.

Information on the grants was available on Council's website. Organisers could apply for any amount between the minimum \$100 up to \$3,000 for tourism initiatives and up to \$1,500 for business initiatives. Applicants were required to demonstrate their level of financial contribution toward the initiatives and the ratio that applies to this in regard to their contribution versus the requested amount from Council.

The Tourism and Business Grants Program assessment process was competitive and merit based. To be considered, applications had to adhere to eligibility criteria provided in the guidelines.

The program's key objectives are to:

- Support local tourism and business initiatives.
- Attract visitation and increased economic activity into Moorabool Shire.
- Increase yield per visitor or participant.
- Encourage initiatives to have a greater brand match (alignment with the Shire's key themes e.g. food and wine, natural produce, heritage, nature, townships).

Policy Assessment Criteria:

- Initiative description and why the applicant wants to do the project – 10%.
- What will this initiative achieve? – 20%.
- Why is this initiative needed in your community? – 20%.
- Who will be involved in the initiative? - 15%.
- How will you carry out your initiative? (including risk management) – 15%.
- Initiative budget and explanation of how the group arrived at the costs? - 20%.

Each criterion is given a score between 0 and 10 and this score is weighted according to the criteria percentage. The maximum possible score for any application is 100.

Application Support

The Tourism and Business Grants Program encourages applicant groups to discuss their application with one of Council's economic development officers prior to lodging an application. The majority of applicant groups received support and advice from an economic development officer.

Number of applications and amount requested

In total, six (6) applications were received across the two program categories; five (5) Tourism and one (1) Business. A total of \$36,500 was requested with \$17,400 available. The total project value for all submissions was \$108,698.72.

Category	Applications Received	Amount Requested	Amount Recommended	Amount Available
Tourism	5	\$26,500	\$10,000	\$12,400
Business	1	\$10,000	\$ 5,000	\$5,000
Total	6	\$36,500	\$15,000	\$17,400

Assessment

Assessment of applications was conducted by a panel of officers and ranked according to the extent to which the application addressed Council's policy assessment criteria.

Proposal

Based on the above process and funding criteria:

- It is proposed that Council allocate the Tourism and Business Grants as shown in Figure 1.
- It is proposed that the Blackwood Progress Association is encouraged to re-submit its grant application for the 2019 Blackwood Woodchop and Easter Carnival in the 2018/19 grant round.
- It is proposed that The Blackwood Hotel's application is ineligible due to the event having already occurred and the grant is unable to be paid retrospectively.

Tourism Grants to be approved:

Organisation Name	Project Name	Project Description	Tourism Grant Amount Requested	Total Project Value	Amount Allocated	Policy Score
* Bacchus Marsh Tourism Association	Bacchus Marsh RSL Avenue of Honour Centenary Celebration	Create a significant event for the 100 year anniversary of the planting of the Avenue of Honour	\$6,000	\$12,598.72	\$3,000	75
**St Anne's Vineyards	Visitor Communication Project	Create a professional 5 minute cinematic presentation highlighting the local wine industry and Moorabool's tourism offering	\$12,000	\$30,000	\$4,000	77
Marsh Rod and Custom Club	Marsh Rodders Swap Meet and Show'n Shine	Provide support for event which in 2017 included more than 1,000 cars and 250 bikes attracting about 10,000 visitors	\$3,000	\$15,000	\$3,000	80
Tourism Grant Totals			\$21,000	\$57,598.72	\$10,000	

Business Grants to be approved:

Organisation Name	Project Name	Project Description	Business Grant Amount Requested	Total Project Value	Amount Allocated	Policy Score
** Cartier World Travel	Moorabool Visitor Information Centre	Provide walk in information and an active website targeting domestic and international visitors	\$10,000	\$20,000	\$5,000	83
Business Grant Totals			\$10,000	\$20,000	\$5,000	

Figure 1: Tourism and Business Grants 2017-18 recommended totals.

* For Bacchus Marsh Tourism, funding amounts if approved will be given upon the provision of requested documentation.

**For St Anne's Vineyards and Cartier World Travel, the allocated amounts exceed the maximum allowable request but have been accepted based on a limited amount of grant applications received and the requirement to allocate the grants before the end of the 2017/18 financial year.

Policy Implications

The 2017 - 2021 Council Plan provides as follows:

Strategic objective 3 Stimulating Economic Development

Context 3b Investment and Employment

The proposed allocation of grants under the Tourism and Business Grants 2017/18 program is consistent with the 2017-2021 Council Plan.

Financial Implications

A total of \$17,400 is available for allocation:

- \$12,400 for Tourism Grants; and
- \$5,000 for Business Grants.

The total of grants being recommended for allocation in this round is \$15,000.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk rating	Control/s
Project timelines	Grant recipients exceeding prescribed timelines	Medium	Terms and conditions agreements required to be signed by grant recipients and scheduled monitoring of projects.
Financial	Grant recipients appropriate expenditure of Council funds	Medium	Terms and conditions agreements required to be signed by grant recipients and grant acquittal required upon completion of projects.

Community Engagement Strategy

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Tourism and Business Groups	Meetings with applicant groups	Various	September 2017 – April 2018	Applicant groups supported to submit application.

Communications and Consultation Strategy

Applicants for the Tourism and Business Grants program have been advised that they will be notified of the outcome of their grant application in June, 2018.

Economic development officers will provide feedback to unsuccessful applicant groups. Feedback will include:

- Advice to applicant groups of the relative strengths and areas for improvement in their application;
- Options for alternative funding (if applicable); and
- Supporting a group to re-lodge their application in the next appropriate round of the Tourism and Business Grants program.

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 – Andy Waugh

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

Conclusion

Applications received under the 2017/18 Tourism and Business Grants Program are designed to support organisations and businesses to plan and execute new tourism and business initiatives likely to significantly increase visitation to Moorabool Shire and to increase levels of economic activity. In total, 6 applications were received across the two program categories, five (5) tourism and one (1) Business.

Recommendation:**That Council:****1. Allocates the following grants:**

Organisation	Project	Amount
Bacchus Marsh Tourism Association	Bacchus Marsh RSL Avenue of Honour Centenary Celebration.	\$3,000
St Anne's Vineyards	Visitor Communication Project.	\$4,000
Marsh Rod and Custom Club	Marsh Rodders Swap Meet and Show'n Shine.	\$3,000
Cartier World Travel	Moorabool Visitor Information Centre.	\$5,000

- 2. To notify all applicants in writing of the outcome of their application.**
- 3. Provide feedback to unsuccessful groups and provide suggestions for alternative funding (if applicable) or how the group may choose to improve and re-develop their application for submission to the Tourism and Business Grants Program 2018/19.**

Report Authorisation**Authorised by:**

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Tuesday, 15 May 2018

