



LATROBE CITY COUNCIL

MINUTES FOR THE ORDINARY COUNCIL MEETING

HELD IN NAMBUR WARIGA MEETING ROOM
CORPORATE HEADQUARTERS, MORWELL
AT 6.00PM ON
04 FEBRUARY 2019

CM528

PRESENT:

Councillors:	Cr Graeme Middlemiss, Mayor	Central Ward
	Cr Darren Howe, Deputy Mayor	East Ward
	Cr Dale Harriman	East Ward
	Cr Kellie O'Callaghan	East Ward
	Cr Dan Clancey	East Ward
	Cr Alan McFarlane	Central Ward
	Cr Darrell White OAM	South Ward
	Cr Brad Law	West Ward
	Cr Sharon Gibson	West Ward
Officers:	Steven Piasente	Chief Executive Officer
	Sara Rhodes-Ward	General Manager Community Services
	Gail Gatt	General Manager City Development
	Greg Drumm	General Manager Corporate Services
	Larry Sengstock	Acting General Manager Infrastructure & Recreation
	Amy Phillips	Coordinator Governance
	Tyler Chisholm	Governance Officer
	Louise McKendry	Governance Officer

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1. OPENING PRAYER

The Mayor read the opening prayer.

2. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

The Mayor read the acknowledgement of the traditional owners of the land.

3. APOLOGIES AND LEAVE OF ABSENCE

Nil.

4. DECLARATION OF INTERESTS

Nil.

5. ADOPTION OF MINUTES

MOTION

Moved: Cr Gibson

Seconded: Cr McFarlane

That Council confirm the minutes of the Ordinary Council Meeting held on 3 December 2018 and Special Council Meeting held on 17 December 2018.

CARRIED UNANIMOUSLY

6. ACKNOWLEDGEMENTS

6.1 CONDOLENCES - MR KERRY WATSON

Cr Howe acknowledged the recent passing of former Traralgon City Council Councillor and Mayor (1989-1990), Mr Kerry Watson.

6.2 CONDOLENCES - MR BRIAN BROADBENT

Cr McFarlane acknowledged the recent passing of former Morwell City and Morwell Shire Councillor Mr Brian Broadbent.

6.3 BIG BASH GAME - CONGRATULATIONS

Cr Law recognised the contribution of the Latrobe City Council staff for the successful hosting of the Melbourne Stars versus the Adelaide Strikers game.

7. PUBLIC PARTICIPATION TIME

Public Questions on Notice

In accordance with the *Council Meeting Policy*, members of the public were able to lodge a question on notice before 12.00 Noon in order for the question to be answered at the meeting.

Nil questions received.

Public Speakers

Members of the public who registered before 12.00 Noon were invited to speak to an item on the agenda.

The following persons spoke on an item on the agenda:

10.1 Proposal to place barriers on Hagens Track Newborough

- Mr Rob Geisler

14.1 Consideration of support for the Latrobe GovHub Planning Scheme Amendment C113

- Mr Michael Timpano - Director Economic Development and Investment, Latrobe Valley Authority

EXTENSION OF TIME

Moved: Cr McFarlane

Seconded: Cr Gibson

That Council grants an extension of time to Mr Michael Timpano.

CARRIED UNANIMOUSLY

- Mr Adam Bronts – Castlerock Property

14.2 Planning Application 2018/81 - Development of Land for a Telecommunications Facility

- Ms Judy Stephens

EXTENSION OF TIME

Moved: Cr Harriman

Seconded: Cr Clancey

That Council grants an extension of time to Ms Judy Stephens..

CARRIED UNANIMOUSLY

- Mr James McIver - Huawei (on behalf of Optus)

EXTENSION OF TIME

Moved: Cr Clancey

Seconded: Cr Howe

That Council grants an extension of time to Mr James McIver.

CARRIED UNANIMOUSLY

17.1 Proposed sale of 33-35 Elizabeth Street Moe

- Mr Steven Kastrinakis

8. ITEMS HELD OVER FOR REPORT AND/OR CONSIDERATION/QUESTIONS ON NOTICE

Date of Council Meeting	Item	Date of Future Council Meeting Report
Chief Executive Office		
13 November 2017	Memorandum of Understanding with the State of Victoria to develop a City Deal	<p>19 January 2018 A report will be scheduled in 2018</p> <p>06 April 2018 A further report is scheduled later in 2018.</p> <p>20 August 2018 No change</p> <p>24 October 2018 An update report to Council is expected in early 2019.</p> <p>17 January 2019 Report expected April 2019</p> <p>23 January 2019 Report scheduled to go to Council on the 1 April 2019</p>
11 September 2017	2017/14 Morwell / Hazelwood Mine Confidential under Section 89(2) (e) of the Local Government Act 1989, as it deals with contractual matters.	<p>19 October 2017 A further report will be scheduled in 2018</p> <p>6 April 2018 Councillor workshop held 12/02/2018. External consultants to be engaged to provide advice on market opportunities for brown coal. This process has been initiated. A further report will be presented to Council once that advice is received.</p> <p>4 June 2018 A report was presented to Council Meeting.</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
		<p>21 June 2018 A report, market opportunities for brown coal due at Councillor Briefing 17 September 2018 and a further report to Council Meeting 1 October 2018.</p> <p>20 August 2018 No change</p> <p>24 October 2018 Report is due to be finalised by the end of 2018. The report to Council is expected in early 2019.</p> <p>17 January 2019 Report expected April 2019</p> <p>23 January 2019 Report scheduled to go to Council on the 1 April 2019</p>
City Development		
05 February 2018	Signage on Overhead Bridges on Freeway	<p>08 February 2018 A report is anticipated at 05 March 2018 Council Meeting.</p> <p>08 March 2018 A report to Council will be prepared for a future Council meeting once a response is received from Vic Roads.</p> <p>06 June 2018 A further report is due September 2018.</p> <p>21 August 2018 Anticipated report for the September 2018 is re-scheduled for November 2018.</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
		<p>24 October 2018</p> <p>Report to Council potentially delayed until February 2019.</p> <p>23 January 2019</p> <p>Report scheduled to go to Council on the 1 April 2019</p>
3 April 2018	Future Use of the Visitor Information Centre Building	<p>04 April 2018</p> <p>The resolution is noted. A report outlining options for the future use of the existing Visitor Information Centre building in Traralgon will be presented to Council closer to the transition of the service to the foyer of the new performing arts centre (Latrobe Creative Precinct).</p> <p>20 July 2018</p> <p>No further updates - Update to be provided as the opening of the LCP approaches.</p>
23 October 2017	<p>Development Proposal - Expression of Interest</p> <p>Confidential under Section 89(2) (d) (e) of the Local Government Act 1989, as it deals with contractual matters; AND proposed developments.</p>	<p>19 January 2018</p> <p>A report will be scheduled as required.</p> <p>08 February 2018</p> <p>A report is anticipated at 05 March 2018 Council Meeting.</p> <p>09 March 2018</p> <p>Presentation to occur at a Councillor Briefing on 26 March 2018.</p> <p>24 July 2018</p> <p>Briefing report has been prepared for 30 July 2018.</p> <p>17 January 2019</p> <p>As per Council Decision 23/10/2017, a further report is required</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
23 October 2017	<p>Gippsland Logistics Precinct Potential Business Opportunity</p> <p><i>Confidential under Section 89(2) (e) of the Local Government Act 1989, as it deals with proposed developments.</i></p>	<p>05 December 2017 A report will be presented to Council in 2018.</p> <p>20 July 2018 A report will be presented to Council later in 2018.</p> <p>24 October 2018 Council Report to be presented on 5 November 2018.</p> <p>05 November 2018 A further report to be presented to Council.</p>
3 September 2018	Amendment C105 to the Latrobe Planning Scheme – Consideration of submissions and request appointment of Planning panel	<p>3 September 2018 A report will be presented to Council later in 2018.</p> <p>24 October 2018 Report to be tabled February 2019.</p> <p>23 January 2019 Report to go to Council Briefing on the 18 February 2019</p>
Community Services		
04 December 2017	<p>Potential changes to Aged & Disability Services and their impact on Council</p> <p><i>Confidential under Section 89(2) (h) Any other matter which council or special committee considers would prejudice the council</i></p>	<p>17 January 2018 A future report is required in March 2018.</p> <p>20 June 2018 Final report from consultant due December 2018.</p> <p>10 December 2018 A further report on the future of Aged Services will be presented in February 2019</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
	or any person.	<p>16 January 2019</p> <p>Second Briefing Paper to be presented to Councillors in February 2019</p>
Corporate Services		
25 May 2015	<p>MAV Workcare Self Insurance</p> <p>Confidential under Section 89(2) (e) of the Local Government Act 1989, as it deals with contractual matters.</p>	<p>14 March 2017</p> <p>A report to Council is scheduled for the end of the current financial year.</p> <p>18 July 2017</p> <p>A report will be presented to Council in 2020/2021 Financial Year.</p>
11 September 2017	Proposed Road Renaming - Ashley Avenue, Morwell	<p>20 September 2017</p> <p>Pending further discussions before a report is rescheduled for decision.</p> <p>9 August 2018</p> <p>A report for Council to consider the submissions received is being prepared for the September Meeting.</p> <p>17 September 2018</p> <p>A further report will be determined after Councillor speaks with property owner.</p> <p>17 January 2019</p> <p>Report expected to council in April 2019</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
6 August 2018	Provision of Resources and Support to Councillors Policy Review	<p>6 August 2018</p> <p>A report will be presented to a Council Meeting later in 2018.</p> <p>17 September 2018</p> <p>A further report is scheduled for 22 October 2018 Councillor Briefing.</p> <p>18 October 2018</p> <p>A report is being prepared for the 3 December 2018 Council Meeting.</p> <p>19 November 2018</p> <p>Report was scheduled to be considered at the December 2018 Council meeting. Councillors advised that additional time is required for consideration. As such, matter will not be relisted for Council determination until 2019.</p> <p>23 January 2019</p> <p>Report scheduled to go to Council on the 4 March 2019</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
3 September 2018	Proposal to place barriers (gates) on Hagens Track at Hernes Oak and Newborough	<p>3 September 2018</p> <p>A further report is scheduled for 2018 if we receive submissions or a negative response from VicRoads.</p> <p>20 October 2018</p> <p>A report will be presented to Council to consider submissions at the 3 December 2018 meeting.</p> <p>14 November 2018</p> <p>A report will be prepared for Council to consider submissions at the February 2019 meeting.</p> <p>23 January 2019</p> <p>Report scheduled to go to Council on the 4 February 2019</p>
05 November 2018	Representation and Participation of Traditional Owners on Council Committees	<p>05 November 2018</p> <p>A progress report on implementation will be submitted to Council in the first quarter of 2019.</p>
3 December 2018	Accumulated Cash Surplus – Surplus Allocation 2018/19	<p>3 December 2018</p> <p>A future report to be provided to Council on options for any future Latrobe City Council intern program beyond July 2019.</p>
Infrastructure & Recreation		
03 April 2018	2018/05 - MacPherson Road, Moe	<p>6 April 2018</p> <p>A briefing report will be prepared for 23 July Briefing 1 Session with a final report for decision presented to Council at the 6 August Council Meeting.</p> <p>13 June 2018</p> <p>Report being reviewed after division check in.</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
		<p>05 July 2018 A new report is being prepared for the 6 August Council meeting.</p> <p>30 July 2018 A report will be presented at a Council Meeting in June 2019.</p>
3 September 2018	2018/11 Explore alternate options available to replace the supply and use of single use water bottles	<p>3 September 2018 A report will be presented to a Council Meeting later in 2018.</p> <p>8 October 2018 Revised Target Date: 04 Mar 2019</p> <p>23 January 2019 Report scheduled to go to Council on the 1 April 2019</p>

Any proposed timings of reports listed above advised up to 17 January 2019 have been included in the table. Items are removed only once a report has been tabled at Council and advised accordingly.

Any further updates after this time will be provided in the next Council Meeting Agenda.

NOTICES OF MOTION

9. NOTICES OF MOTION

9.1 2019/01: ADDITIONAL PARKING AT MORWELL AND MOE RAILWAY STATIONS

Cr Alan McFarlane

I, Cr McFarlane, hereby give notice of my intention to move the following motion at the Council Meeting to be held on 4 February 2019:

MOTION

Moved: Cr McFarlane

Seconded: Cr Law

That Council contacts VicTrack requesting more information of their plans for additional car parking at the Moe and Morwell Railway Station's and proposed timelines for completion.

CARRIED UNANIMOUSLY

(Signed)
Cr McFarlane
23 January 2019

Attachments
Nil

9.2 2019/02: GOVERNMENT FUNDING FOR MOE/NEWBOROUGH AREA

Cr Sharon Gibson

I, Cr Gibson, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 4 February 2019:

MOTION

Moved: Cr Gibson

Seconded: Cr Law

That Council requests the Chief Executive Officer to compile a report for Council detailing a list of all State and Federal Government funding attributed to the Moe/Newborough area over the last ten years.

CARRIED UNANIMOUSLY

(Signed)
Cr Gibson
29 January 2019

Attachments
Nil

**ITEMS REFERRED BY
THE COUNCIL TO THIS
MEETING FOR
CONSIDERATION**

10. ITEMS REFERRED BY THE COUNCIL TO THIS MEETING FOR CONSIDERATION

Agenda Item: 10.1

**Agenda Item: Proposal to place barriers on Hagens Track
Newborough**

Sponsor: General Manager, Corporate Services

Council Plan Objective: Ensure Council operates openly, transparently and responsibly.

Status: For Decision

Proposed Resolution:

That Council:

1. Having completed the statutory process in accordance with Section 207 and Schedule 11 Clause 9 of the *Local Government Act 1989* (the Act) by giving notice of its intention to exercise its power to erect barriers (gates) on Hagens Track (West), Newborough by:

- (a) Giving public notice;**
- (b) Inviting written submissions pursuant to Section 223 of the Act; and**
- (c) Considering submissions that have been received;**
- (d) Consulting with Roads Corporation (Regional Roads Victoria) to advise of this proposal and seek its comments;**

Council authorises the Chief Executive Officer to erect barriers (gates) on Hagens Track (West), Newborough, to permanently restrict vehicle access.

2. Notifies the Hagens Track (West), Newborough residents, those who made a submission and the Roads Corporation (Regional Roads Victoria) of Council's decision.

MOTION

Moved: Cr Gibson

Seconded: Cr Law

That Council:

1. Having completed the statutory process in accordance with Section 207 and Schedule 11 Clause 9 of the *Local Government Act 1989* (the

Act) by giving notice of its intention to exercise its power to erect barriers (gates) on Hagens Track (West), Newborough by:

- a. Giving public notice;
 - b. Inviting written submissions pursuant to Section 223 of the Act; and
 - c. Considering submissions that have been received;
 - d. Consulting with Roads Corporation (Regional Roads Victoria) to advise of this proposal and seek its comments;
2. Council authorises the Chief Executive Officer to erect barriers (gates) on Hagens Track (West), Newborough, to permanently restrict general vehicle access.
 3. Enters into an agreement with the two adjoining landowners to provide private access to the track.
 4. Notifies the Hagens Track (West), Newborough residents, those who made a submission and the Roads Corporation (Regional Roads Victoria) of Council's decision.

CARRIED UNANIMOUSLY

Executive Summary:

- On 3 September 2018, Council resolved to give public notice of its intention to erect barriers (gates) at Hagens Track, west of 287 Hagens Track and at the western entrance off John Field Drive, Newborough to permanently restrict vehicle access in an attempt to avoid illegal dumping of rubbish.
- The public notice and consultation resulted in:
 - Two submissions that were broadly supportive but raised some concerns for further consideration; and
 - A response from the Roads Corporation (Regional Roads Victoria) that it has no objection to the proposal.

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Background:

Council at its meeting held 3 September 2018, resolved:

1. *That Council delegates to the Chief Executive Officer the authority to give public notice in accordance with Section 207 and Schedule 11 Clause 9 of the Local Government Act 1989 of its intention to exercise its power to erect barriers (gates) on Hagens Track (West), Newborough, to permanently restrict vehicle access and invite written submissions,*
2. *That Council writes to the Roads Corporation (VicRoads) to advise of this proposal and seek its comments.*
3. *If Council receives submissions, authorises the Chief Executive Officer:*
 - i) *to fix the date of the Ordinary Council Meeting to consider submissions in accordance with Section 223 of the Local Government Act 1989, and*
 - ii) *notify all submitters of the time and place of the Ordinary Council Meeting that Council will consider the submissions and invite them to speak in support of their submission; or*
4. *If no submissions are received and the Roads Corporation (VicRoads) has no objection to the proposal, Council authorises the Chief Executive Officer to erect barriers (gates) on Hagens Track (West), Newborough, to permanently restrict vehicle access.*

Hagens Track, Hernes Oak, is listed on Council's Road Register as limited access, being 2.84 kilometres in length, and is accessed from Haunted Hills Road, Hernes Oak. This road segment provides vehicle access to the two properties at 285 and 287 Hagens Track.

Hagens Track (West), Newborough, is also listed on the Road Register as limited access. This track is approximately 1.5 kilometres in length and is accessed from John Field Drive and it is this section of Hagens Track that is proposed to be restricted.

Both Hagens Track and Hagens Track (West) are located between the Princes Freeway and the railway.

The type of barrier shown in Attachment 1 is proposed to be installed at the locations shown on the aerial images, refer Attachments 2 and 3.

Hagens Track has been subject to illegal dumping of rubbish and other debris for many years. The most recent illegal dump of rubbish is estimated at 16 cubic metres and approximately 60 tyres. Refer Attachment 4 for photos of the rubbish.

Council has previously installed gates at Frys Track, Hernes Oak, and at the Callignee gravel pit to restrict vehicle access. These gates have significantly reduced the volume of illegal dumping of rubbish at these locations.

Comment was sought from the Roads Corporation (Regional Roads Victoria) in respect to the proposal. A response has been received advising they have no objection to the proposal.

Reasons for Proposed Resolution:

This resolution authorises erecting barriers (gates) at Hagens Track, Newborough to permanently restrict vehicle access in an attempt to avoid illegal dumping of rubbish.

Issues:

Strategy Implications

2017/2021 Council Plan:

Objective 6: Ensure Council operates openly, transparently and responsibly.

Communication

Council has given public notice and invited community comment concerning the proposal in accordance with Section 223 of the *Local Government Act 1989*.

Public submissions were sought via the following methods:

- Public notice in the Latrobe Valley Express;
- Notice displayed at Council's Corporate Headquarters and Moe Service Centre/Library;
- 'Have your Say' page created on Council's website and details placed on Council's Facebook page;
- Letters to the Hagens Track residents;
- Letter to Roads Corporation (Regional Roads Victoria) to advise of this proposal and seek its comments.
- Letter to VicTrack, Victoria Police, State Emergency Services, Ambulance Victoria and Country Fire Authority to advise of this proposal and seek comments. VicTrack advised the rail corridor is leased to V/Line who are responsible for maintenance of the land and assets. A letter was also sent to V/Line to advise of this proposal and seek comments.

Financial Implications

Removal of illegal dumped rubbish is a reoccurring cost to Council.

A quote of \$9,000 has been obtained for the removal of the most recent illegal dump at Hagens Track.

Costs associated with this statutory process are:

- Officer resources in preparation of Council reports;
- Public notice in the Latrobe Valley Express inviting submissions.

The above costs are within existing budget allocations.

Additional costs will be incurred for the manufacture and erecting barriers (quotes have been obtained), and a notice in the Government Gazette.

Risk Analysis

By installing barriers, refer [Attachment 2 and 3](#) for an aerial image of the proposed location of the barriers, it may cause a delay to emergency vehicles if access is required (eg Country Fire Authority) by having to unlock a gate.

It also removes an alternate entry/exit point for the Hagens Track residents.

Legal and Compliance

Council derives its power in relation to traffic under Section 207 and Schedule 11 Clause 9 of the *Local Government Act 1989*. This Schedule specifies the powers relating to placing obstructions or barriers on a road permanently. In exercising this power Council must refer this proposal to, and consider a report from, the Roads Corporation (Regional Roads Victoria).

In addition, Council has completed the statutory process required by giving public notice of this proposal inviting and hearing public submissions in accordance with Section 223 of the *Local Government Act 1989*.

Community Implications

The general public will be denied vehicle access to approximately 1.5 kilometres of Hagens Track.

Environmental Implications

The current illegal dumped rubbish includes general household garbage, furniture and used tyres. The full extent of the rubbish (hazardous materials etc) will not be known until the removal of the rubbish commences.

If permanent barriers are installed on Hagens Track this will limit future illegal dumping at this location.

Consultation

In response to letters sent to statutory authorities and emergency services, Council received the following responses:

- Regional Roads Victoria advised it has no objection to the proposal. Refer [Attachment 5](#).
- V/Line advised it have no objection to the proposal as it does not require access to Hagens Track. V/Line has advised that the location of the gates will not impede access for its maintenance vehicles therefore do not have any issues with the gates being erected. Refer [Attachment 6](#)

Two submissions were received in response to Council's community consultation. Details are as follows:

<i>Summarised submission comments</i>	<i>Officer Response</i>
“We support the proposal and think it will help with the rubbish dumping problem but have the following concerns:”	Noted.
“Having the gates will limit our exit options in the event of an emergency ie a bushfire at the east end of Hagens track”	Emergency vehicles will be issued with a key to the gates to enable them to access the closed section of Hagens Track. The track is not maintained by Council and should not be used in the event of an emergency.
“The west end of the track can still be accessed from the highway, there is a ramp that connects the track to the highway. This access point is in between where the two gates are proposed to be. We think a third gate maybe needed.”	The option of a third gate will be addressed once Officers ascertain the effect of the closure at both ends. If required, Officers will work with Roads Corporation (Regional Roads Victoria) on any proposed third gate.
“A large amount of the rubbish is being dumped from the roadside stop, the gates will not stop this from happening.”	Officers believe the installation of the gates will significantly reduce litter dumping in this area. Deterrent signage will be installed to address the situation. Officers will readdress the situation if littering continues.
“We think there will be an increase in the dumping of rubbish at the east end of Hagens track.”	Refer comment above.

<i>Summarised submission comments</i>	<i>Officer Response</i>
“I use Hagens Track infrequently as an alternative to the Princes Freeway towards Morwell. I ride a motor bike, road going not noisy trail or motocross bike. It is an enjoyable ride where I can safely maintain off road skills and there is rarely any other traffic.”	Council does not maintain Hagens Track to allow for such activity. It is not a designated motorbike path/track.
“Access from both ends of Hagens Track allows access for Emergency Service vehicles. Closing one end will mean the residents will only have one escape route. A repeat of the last Hernes Oak fire would mean the residents would be trapped. Any train incident/collision in that section and Emergency Services response would be impeded.”	Emergency vehicles will be issued with a key to the gates to enable them to access the closed section of Hagens Track. Officers have received advice from V/line that it does not have any objection to the proposal.
“It appears that council do not perform any maintenance on the section that is proposed for closure. There is occasional rubbish dumping all along Hagens Track but closing one end will just shift the problem to somewhere else. Cameras	Council does not maintain the section of Hagens Track proposed to be closed to the public. Officers believe the installation of the

<p>could easily be placed to catch some of the offenders now.”</p>	<p>gates will significantly reduce litter dumping in this area. Deterrent signage will be installed to address the situation.</p> <p>The use of CCTV is difficult and expensive in remote areas. Officers will readdress the situation if littering continues.</p>
--	--

Other

As Hagens Track is accessible to the public, it is a target for illegal dumping.

There have been similar illegal dumping issues at Frys Track, Hernes Oak, and at the Callignee gravel pit. Since the installation of gates at these locations, the illegal dumping of rubbish in these areas has reduced.

Supporting Documents:

Nil

Attachments

1. Porposed Gate
2. Proposed locaton for gate 1
3. Proposed location of gate 2
4. Rubbish
5. Correspondence from Regional Roads Victoria
6. Correspondence from V/Line
7. Submissions received (Published Separately) (Confidential)



10.1

Proposal to place barriers on Hagens Track Newborough



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	<p>Note The information shown on this map is derived from a variety of sources including, but not limited to, Vicmap Data, other State and Local Government Agencies data and Latrobe City Data.</p> <p>Disclaimer: The State of Victoria does not warrant the accuracy or completeness of information in this publication and any person using or relying upon such information does so on the basis that the state of Victoria shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.</p> <p>Latrobe City does not guarantee the accuracy or the currency of the information presented on this map and therefore Latrobe City will not be held liable for any loss or damage arising as a result of using this information.</p> <p>The location of features shown on this map is indicative only. The underground infrastructure location shown is not to be used as a substitute for Dial Before You Dig.</p> <p>The compilation of this map is subject to copyright laws and regulations, no part of this map can be reproduced without prior written consent of Latrobe City Council.</p>	<p>Location of Gate 1</p>	<p>11/07/2018</p>	
			<p>Scale 1:1250</p>	



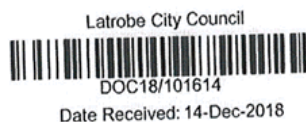
	<p>Note The information shown on this map is derived from a variety of sources including, but not limited to, Vicmap Data, other State and Local Government Agencies data and Latrobe City Data.</p> <p>Disclaimer: The State of Victoria does not warrant the accuracy or completeness of information in this publication and any person using or relying upon such information does so on the basis that the state of Victoria shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.</p> <p>Latrobe City does not guarantee the accuracy or the currency of the information presented on this map and therefore Latrobe City will not be held liable for any loss or damage arising as a result of using this information.</p> <p>The location of features shown on this map is indicative only. The underground infrastructure location shown is not to be used as a substitute for Dial Before You Dig.</p> <p>The compilation of this map is subject to copyright laws and regulations, no part of this map can be reproduced without prior written consent of Latrobe City Council.</p>	<p>Gate 2 Location</p>	<p>13/07/2018</p>	
			<p>Scale 1:1735</p>	











120 Kay Street
Traralgon Vic 3844
regionalroads.vic.gov.au

19 October 2018

Latrobe City Council
Attention: Henry Morrison
PO Box 264
Morwell Vic 3840

Dear Mr Morrison,

Proposal to place barriers (gates) on Hagens Track (West) Newborough

Thank you for your letter dated 5 September 2018 requesting VicRoads' feedback on Council's proposal to erect gates on Hagens Track (West), Newborough.

Regional Roads Victoria (RRV) is the newly formed regional division of VicRoads.

RRV has no objection to Council erecting gates to restrict access to Hagens Track (West), Newborough. RRV would stipulate that any access gates are positioned back from the road edge allowing vehicles stopping at the gates adequate space to allow for the vehicle to be clear of traffic.

Kind regards,

Team Leader – Road Safety and Traffic Engineering

From: ...>
Sent: Friday, 26 October 2018 11:48 AM
To:
Cc:
Subject: RE: Proposal to place barriers (gates)on Hagens Track (West) Newborough

Good Morning

Apologies I missed your return call and thank you for following up with me in relation to your request.

I have consultant with our Asset Management team with relation to the proposed gate.

As the location of this gate will not impede access for our maintenance vehicles we do not have any issues with the gate being erected.

If you have any further concerns or queries, please feel free to contact me on (03) 9619 5900.

Kind Regards,

... | Customer Resolutions Officer
For Customer feedback,
Information, Reservations and Sales
Please call 1800 800 007
www.vline.com.au



Please consider your environmental responsibility.
Before printing this e-mail message, ask yourself whether you really need a hard copy.

If you are not satisfied with the outcome of your complaint and wish to have the matter dealt with independently you may raise the matter directly with the Public Transport Ombudsman by phone on Freecall 1800 466 865, by email at enquiries@ptovic.com.au, or by fax on 8623 2100. Letters can be addressed to the Public Transport Ombudsman at PO Box 538, Collins Street West, Melbourne Vic 8007. The Public Transport Ombudsman is a free, independent and impartial service. Further details about the Public Transport Ombudsman's role and services are available at www.ptovic.com.au.

Alternatively, Public Transport Victoria's Customer Advocacy Team is available to review your complaint. If you are not satisfied with the outcome of any public transport complaint, you can escalate the matter to PTV's Customer Advocacy Team for further investigation. Contact the PTV Customer Advocacy Team by phone on 1800 800 007, email at customer.advocate@ptv.vic.gov.au, or in writing to: Customer Advocacy Team, Public Transport Victoria, PO Box 4724, Melbourne VIC 3001.

CORRESPONDENCE

11. CORRESPONDENCE

Nil reports

PRESENTATION OF PETITIONS

12. PRESENTATION OF PETITIONS

Nil reports

CHIEF EXECUTIVE OFFICE

13. CHIEF EXECUTIVE OFFICE

Nil reports

CITY DEVELOPMENT

14. CITY DEVELOPMENT

Agenda Item: 14.1

**Agenda Item: Consideration of support for the Latrobe GovHub
Planning Scheme Amendment C113**

Sponsor: General Manager, City Development

**Council Plan Objective: Support job creation and industry diversification to
enable economic growth in Latrobe City.**

Status: For Decision

MOTION

Moved: Cr McFarlane

Seconded: Cr White OAM

That Council:

- 1. Resolve to write a letter of support to the Minister of Planning in relation to Planning Scheme Amendment C113;**
- 2. Officers continue to advocate with Castlerock Property and other relevant Government Agencies to ensure a suitable transition plan is prepared and supported for the Morwell Squash Club; and**
- 3. Officers continue to work with Castlerock Property in the finalisation of the draft Planning Scheme Amendment documents to be submitted to the Minister for Planning for consideration.**

CARRIED UNANIMOUSLY

Executive Summary:

To facilitate the Latrobe GovHub delivery in Morwell, Castlerock Property have requested an Amendment to the Latrobe Planning Scheme, Amendment C113, which will seek to introduce a site-specific control overlay into the Planning Scheme and to rezone part of the site at 61-65 Church Street and 1-9 Fleming Street, Morwell from Residential Growth Zone Schedule 1 to a Mixed Use Zone. The Minister for Planning is the Planning Authority for Amendment C113.

The Latrobe GovHub is a three-storey regional employment hub, accommodating Government offices on the first and second floors that will support up to 300 workers. At street level there will be a series of community spaces that will house a multi-

purpose community hub, shared meeting rooms, business incubators, exhibition space and a locally-run cafe.

The Amendment is required to facilitate the delivery of the Latrobe GovHub. Although both zones allow use of the land for an Office, there are conditional requirements for which the Office use does not satisfy, namely the proximity of the site to Commercial Zoned land and that the leasable floor area for the proposed development exceeds 250 square metres.

As advised at the briefing of 10 September 2018, Castlerock Property have requested that as a result of the consultation process undertaken, the importance of the project and noting how the concerns raised have been addressed where possible, that Council resolve to write a letter of support to the Minister for Planning in relation to Planning Scheme Amendment C113.

Council Officers will continue to work with Castlerock Property in the finalisation of the draft Planning Scheme Amendment documents to be submitted to the Minister for Planning for consideration to ensure an appropriate planning outcome.

Background:

On 23 August 2018, the Premier announced that Castlerock Property would lead the development of a new integrated office and community building accommodating Government offices and a series of community spaces comprising (but not limited to) café, incubator spaces, exhibition space, meeting rooms and associated car and bicycle parking.

Project Overview

The design theme is informed by context and history of the local area, in particular the Hazelwood Power Station and coal mine, which formed a huge part of the cultural and employment identity of the city. The roof of the building in particular takes cues from the bucket wheel dredgers which were used in the nearby coal mine. From the street, the roof creates an animated façade which incorporates variation in depth to reduce the perceived length along Church Street. The material palette is simple: with masonry, metal cladding and timber highlights forming the basis of the design and are readily available in the region. A copy of the summary design statement is included in Attachment 1.

The building will comprise three-levels and have a total floor area of 3,735 square metres of which approximately 2,890 square metres of Government office space will be located on the first and second floor levels that will support up to 300 workers, including 150 State government jobs of which half will be newly advertised positions. At ground level, a series of flexible community and ancillary spaces promote activation and community engagement.

Ministerial Planning Scheme Amendment

The Minister for Planning is the Planning Authority for the Planning Scheme Amendment. Latrobe City Council is a key stakeholder in the process and consultation with Council has and remains a critical part of the overall process. Draft Planning Scheme Amendment documentation has been submitted to Council for feedback. Comments have been provided by officers in relation to points that need to be addressed further. Additional technical information including a Planning Report and a Traffic and Car Parking Impact Assessment has been provided to justify the submitted Planning Scheme Amendment documentation.

The Ministerial Amendment is required to facilitate the timely, coordinated delivery of the Latrobe GovHub, which is part of an ongoing State Government commitment to support economic growth, create jobs and drive the future businesses and industries in the Latrobe Valley. Its delivery is considered to be of State and regional significance. Given the timeframes involved, it was considered by the proponent that the most appropriate mechanism is a tailored approach which, along with approving the project, can establish design, development and ongoing use parameters for the site and the facility. This is similar to the planning process that occurred with the Ballarat GovHub project which was also facilitated through a Ministerial Planning Scheme Amendment.

The subject site is currently in more than one zone in the Latrobe Planning Scheme and as a result an Amendment is required to facilitate the delivery of the Latrobe GovHub. Although both zones allow use of the land for Office, there are conditional requirements for which the Office use does not satisfy, namely the proximity of the site to Commercial Zoned land and that the leasable floor area for the proposed development exceeds 250 square metres.

Given the nature of the land use and operational aspects of this facility and the importance of the facility to the State Government and community, a specific control to provide for its use, development and ongoing operation is considered an appropriate planning mechanism.

Latrobe Govhub Design

The Latrobe GovHub is proposed to be located at 61-65 Church Street and 1-9 Fleming Street, Morwell. Castlerock Property have been working closely with the State Government, WMK Architects and the Office of the Victorian Government Architect. It is noted that the proponent is working with Council Officers in relation to development conditions to ensure an appropriate orderly planning outcome.

In addition aforementioned floor areas, the draft town planning drawings (Attachment 2) and artists impressions (Attachment 3) provide the following details:

- The building height will be 18.2 metres in height (excluding plant);
- The mix of materials include seam metal cladding, clear glazing with powder coated aluminium frame, brick cladding, timber look cladding and metal cladding in a charcoal finish;

- 114 spaces are proposed to be provided which address the requirements for car parking associated with office use development under the Latrobe Planning Scheme. It is noted that only 220 spaces were provided onsite for the anticipated 1000 employees as part of the Ballarat GovHub;
- The landscaped carpark provides a 'default' buffer to the residential properties to the west;
- It is noted that while the "at grade" car parking extent is not considered to be the best urban design outcome, it does address the car parking requirements of the Latrobe Planning Scheme and due to budget constraints integrated or basement car parking was not a possible alternative;
- The proposed double-width crossover to Fleming Street has been designed to accommodate simultaneous entry and exit car movements to the staff only car park area;
- Designated visitor car parking provision will be provided off the laneway to the south of the site with access from Church Street;
- The built form and distribution of uses respond to the sites interface with both Church and Fleming Street. Primary access is provided from Church Street;
- The building is arranged to ensure entrances, openings, and architectural detailing enhance the visual and social experience of the user particularly across Church Street with various passive spaces that foster a positive place to work and visit;
- The building facades and street integration will provide for a safe and active neighbourhood addition to this area of Morwell;
- The internal floor is of contemporary design that is practical, flexible and which will meet the needs of people of different ages and abilities without the need for major adaptation post construction;
- It is noted that the design is contemporary in nature as such will contrast with the majority of existing streetscape in the northern part of the Morwell CBD;
and

The project design is considered to address the function of Latrobe City as Gippsland's only Regional City while recognising Morwells specific function as outlined in the Latrobe Planning Scheme as one of the region's key commercial and government office centres.

Issues:

Strategy Implications

Amendment C113 meets both Objective 1: Support job creation and industry diversification to enable economic growth in Latrobe City and Objective 3: Improve the liveability and connectedness of Latrobe City by implementing a town planning

regime which facilitates appropriate urban growth, industry diversification, liveability and connectivity of Latrobe City.

Communication

Castlerock Property have conducted a six-week programme of community and stakeholder engagement to inform stakeholders including Council and community members of the new Latrobe GovHub at 61-65 Church Street and 1-9 Fleming Street, Morwell and associated site specific Planning Scheme Amendment C113 required to facilitate it. The engagement was held between 19 November and 28 December 2018, with two weeks targeted engagement planned between 19 and 30 November, followed by four weeks of public consultation. The following occurred during the Exhibition period:

- The stakeholders and landowners identified by Council Officers were sent direct notification on 19 November 2018 from Castlerock Property Business Development Manager, Mr. Adam Bronts, introducing the development team and inviting each stakeholder to discuss the project with Mr. Bronts directly either at the community drop-in session, via phone or in person.
- All letters to stakeholders were accompanied by a one page information sheet with key information about the Latrobe GovHub project. This one page information sheet was also made available to members of the public at the community drop-in session and at Council Offices during the four week public consultation.
- An information board was set up on the corner of Church and Fleming Street by Castlerock Property. The board contained key information about the development and advertised the drop-in session held at Vault Kitchen & Bar on December 13 2018.
- An advertorial detailing the information session was published in the Latrobe Valley Express on Thursday, 29 November 2018.
- A community drop-in session was held in Morwell over a two hour period on the evening of 13 December 2018. This was designed to encourage identified stakeholders and members of the community to ask questions about the development and register feedback for the consideration of the project team. The drop-in session was advertised publicly in the Latrobe Valley Express. 23 people attended this session. Surveys were created for the community drop-in session and attendees were actively encouraged to provide feedback to the project team.

A snapshot of the engagement activity is provided below:

ENGAGEMENT SNAPSHOT



6
Weeks of Engagement



1
Engagement Website



1
Information Session



57
Letters



1
Face-to-face Meeting



23
Visitors to the
information Session



10
Surveys completed



6
Direct responses

A copy of all submissions received is included as part of the Engagement Register submitted by Castlerock Property can be found at Attachment 4 – Engagement Register to this report. A summary of key issues and comments raised in written submissions have been provided in Attachment 5 – Summary of Submissions Table.

Comments/concerns raised at the information session:

- The unique and modern design of the proposed building was commented in contrast to existing built environment;
- The inclusion of a cafe and community hub that will be accessible on weekends was also of interest and generally seen as positive;
- A community member raised a concern that glazing may impact drivers along Fleming and Church Street. Note: The community member was advised that the glazing proposed was low glare and as such this was unlikely to be an issue;
- The makeup of the future jobs located at the Latrobe GovHub was also of interest to community members. Questions centred around which government departments would be moving to the Latrobe GovHub, and the number of new positions that would be advertised;
- Residents of Fleming Street were present at the information session. While supportive of the project overall, parking on Fleming Street is an existing issue for these community members and concerns around traffic movement, especially for emergency vehicles along Fleming Street was expressed; and

- The impending loss of the Morwell Squash facility at the back of the site was met with disappointment by members of the club and patrons who use the facility.

In relation to the final dot point, Castlerock Property have worked with the Morwell Squash Club members and patrons to continue leasing the facility, which means that the site will be available for their use until 30 June 2019. The Latrobe Valley Authority and Regional Development Victoria are working through an action plan with interested parties that will consider the scope of works and feasibility of providing a long term facility for Squash Club Members. A copy of this action plan is included in Attachment 6.

Financial Implications

The prescribed fees for Planning Scheme Amendments are detailed in the *Planning and Environment (Fees) Regulations 2016*. The cost associated with these will be borne by Castlerock Property. It is considered that there are no financial implications relating to this proposal for Council. Council Officers resources have been accommodated through normal BAU activities.

Risk Analysis

Identified risk	Risk likelihood*	Controls to manage risk
Letter of support not provided by Council for a large State Government investment in our region	3 - Possible	Letter of support to be provided by Council noting concerns of officer and community members have been addressed where possible.
Negative feedback from the Community in relation to the Latrobe GovHub operation and associated Planning Scheme Amendment documentation	3 - Possible	Overall the feedback received has been positive. It is noted that there are existing concerns in relation to Fleming Street that need to be investigated further given that employees of the Latrobe GovHub will have to use Fleming Street to access the dedicated car parking. Council Officers will continue to work with Castlerock Property with regards to car parking and traffic on Fleming Street, including

		the use of specific development conditions to address concerns appropriately.
Continuing concerns raised by the Morwell Squash members if a new facility/home cannot be found	5 – Almost certain	Council Officers to continue to advocate with Regional Development Victoria and the Latrobe Valley Authority to work together to find a suitable future home for the squash club members and patrons.

* For example, likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

Legal and Compliance

The Minister for Planning is the Planning Authority for Amendment C113. Latrobe City Councils role is that of a key stakeholder only. Council Officers have assisted the proponent and other Government agencies in suitably recognising and addressing relevant considerations as per the Latrobe Planning Scheme and provided as part of feedback from Councillors and community members including draft conditions that will be part of the incorporated document in the Latrobe Planning Scheme that will regulate the use and development of the land.

Community Implications

The project is expected to cost \$30 million and will create up to 100 construction jobs. The Latrobe GovHub will be a regional employment hub that will support up to 300 workers. Overall it will provide a major ongoing economic benefit to our region. Given the scale of this project there are areas of concerns that are required to be addressed including traffic movement, car parking and loss of the existing facility where the Morwell Squash Club is located but it is considered these issues can be addressed where appropriate.

Environmental Implications

It is considered that the development of the Latrobe GovHub will have a range of benefits to the environment; some of these benefits are outlined below:

- Will provide a positive economic impact to our region and the shopping area of the northern side of the Morwell CBD in particular;
- Solar panels and battery storage facility to power the facility;
- Greening of the car park area where possible;

- Public seating out the front of the building on Church Street with use of timber materials;
- “End of Trip” facilities to encourage walking and cycling to and from the facility all while being in close proximity to other forms of public transport such as rail; and
- Likely to encourage greater connection and pedestrian movement between the northern and southern part of the Morwell CBD.

Consultation

As outlined previously in this report.

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Supporting Documents:

Nil

Attachments

1. Summarised Design Statement
2. Latrobe Govhub- Draft Town Planning Drawings
3. Artists Impression
4. Engagement Register (Published Separately)
5. Summary of Submissions Table
6. Squash Club Group Action Plan (Published Separately)

14.1

Consideration of support for the Latrobe GovHub Planning Scheme Amendment C113

1	Summarised Design Statement	57
2	Latrobe Govhub- Draft Town Planning Drawings	59
3	Artists Impression	65
5	Summary of Submissions Table	67

Summarised Design Statement

The Latrobe GovHub is an opportunity to create a building with character that truly belongs to Morwell, drawing on the region's rich history as the engine room of the Victorian economy while embracing the new direction of the city.

The Latrobe GovHub will be an asset for the community when it is completed and this was influential in the architectural approach to the building. How the building created a welcoming experience, inviting the public in or around it was a critical consideration. It was important that we created a transient place which linked up with its surrounds, connecting Church Street and the proposed car park to the west while encouraging fluid movement for visitors in and around the building.

The architectural form and its expression was informed by context and history - the Hazelwood Power Station and coal mine opened in 1971, forming a huge part of the cultural and employment identity of the city. The roof of the building in particular takes cues from the

bucket wheel dredgers which were used in the nearby coal mine. From the street, the roof creates an animated façade which incorporates variation in depth to reduce the perceived length along Church Street.

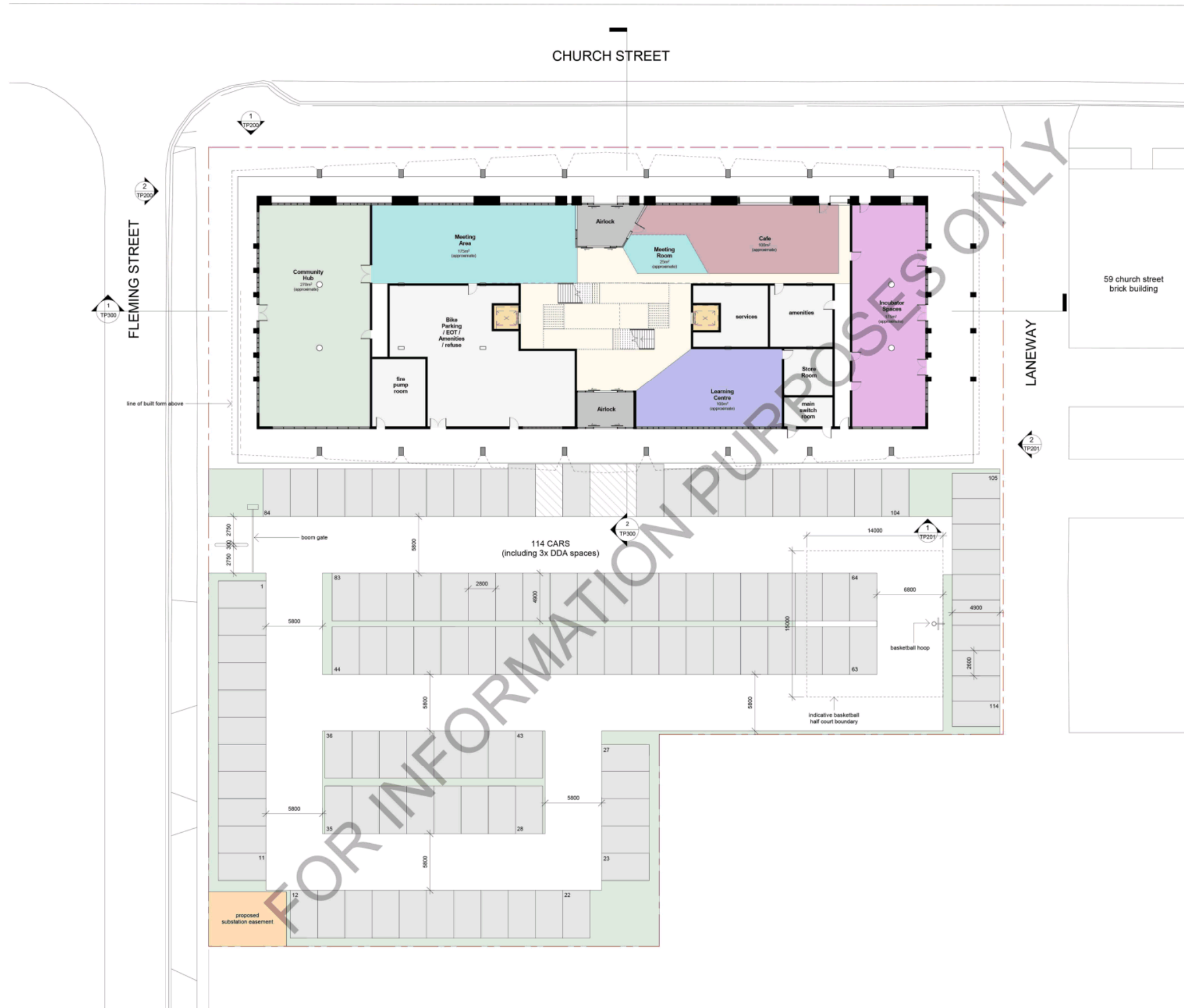
The material palette is simple: with masonry, metal cladding and timber highlights forming the basis of the design and are readily available in the region. In concert with the architecture, the GovHub will be an integrated landscape concept which enhances the ground level plane and building presentation to the public realm.

The GovHub proposal is a great Victorian Government initiative seeking to stimulate the local community and the economy. The proposal is more than a building looking to accommodate future public or private sector employees. The built form celebrates the rich history of Morwell while looking to the future for hope and prosperity.



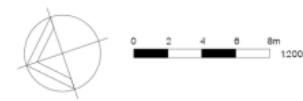
VICTORIA
State
Government

Castlerock



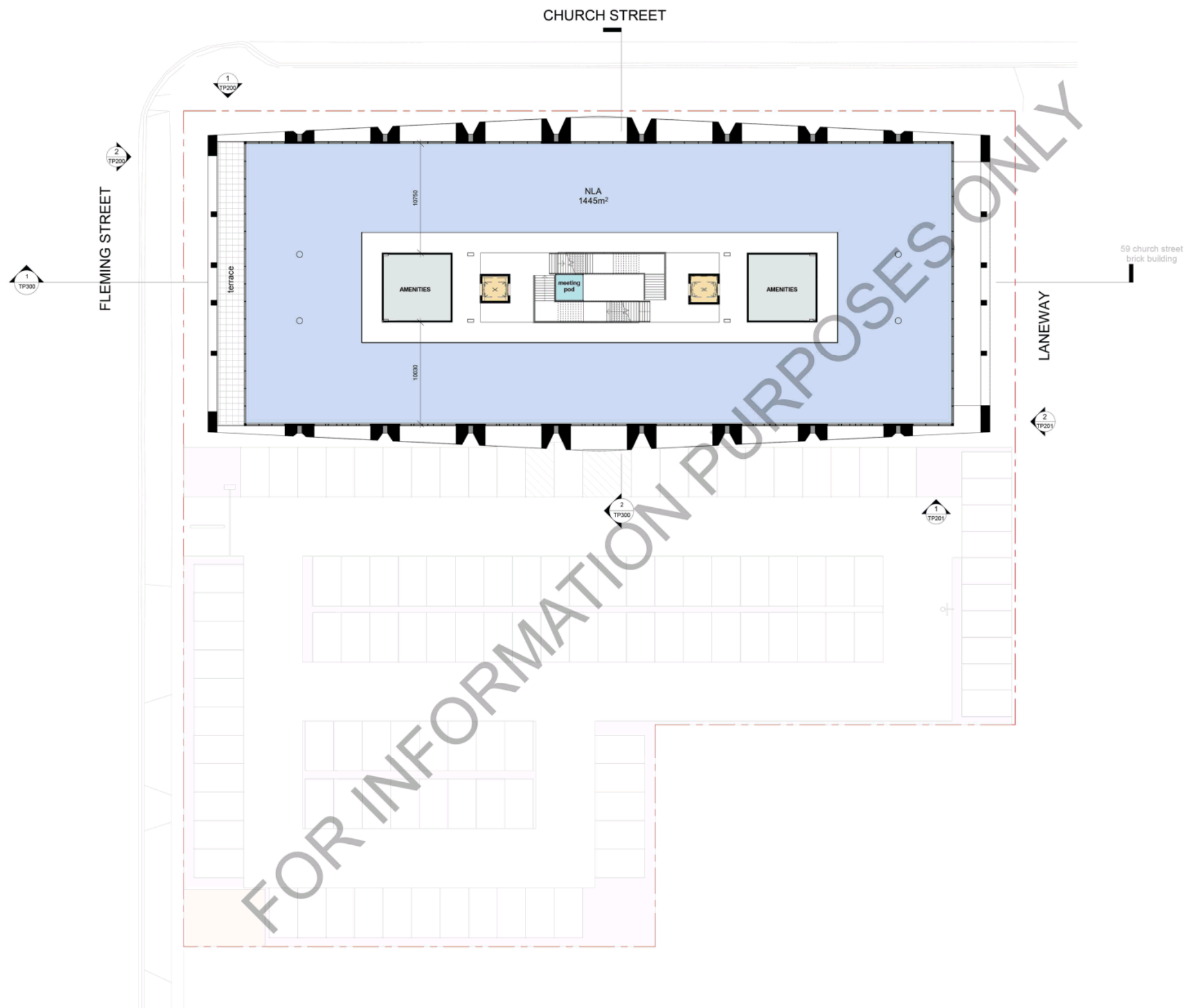
FOR INFORMATION PURPOSES ONLY

PRELIMINARY



Issue	Description	Date	Client	Project	Title	Drawing No.	Issue
			CASTLEROCK PROPERTY	Morwell commercial office development 65 Church st, Morwell, Victoria 3840	GENERAL ARRANGEMENT PLAN - GROUND FLOOR PLAN	TP100	
						Scale 1 : 200@A1	Drawing Size A1
						Project No. 18186	Drawn By JC
						CAD Reference	

Dimensioned Drawings to take precedence over scaling. Contractor to verify all dimensions on site before construction. All inconsistencies to be reported to the architect immediately. This drawing and its contents remain the copyright of WMK Architecture Pty Ltd ©
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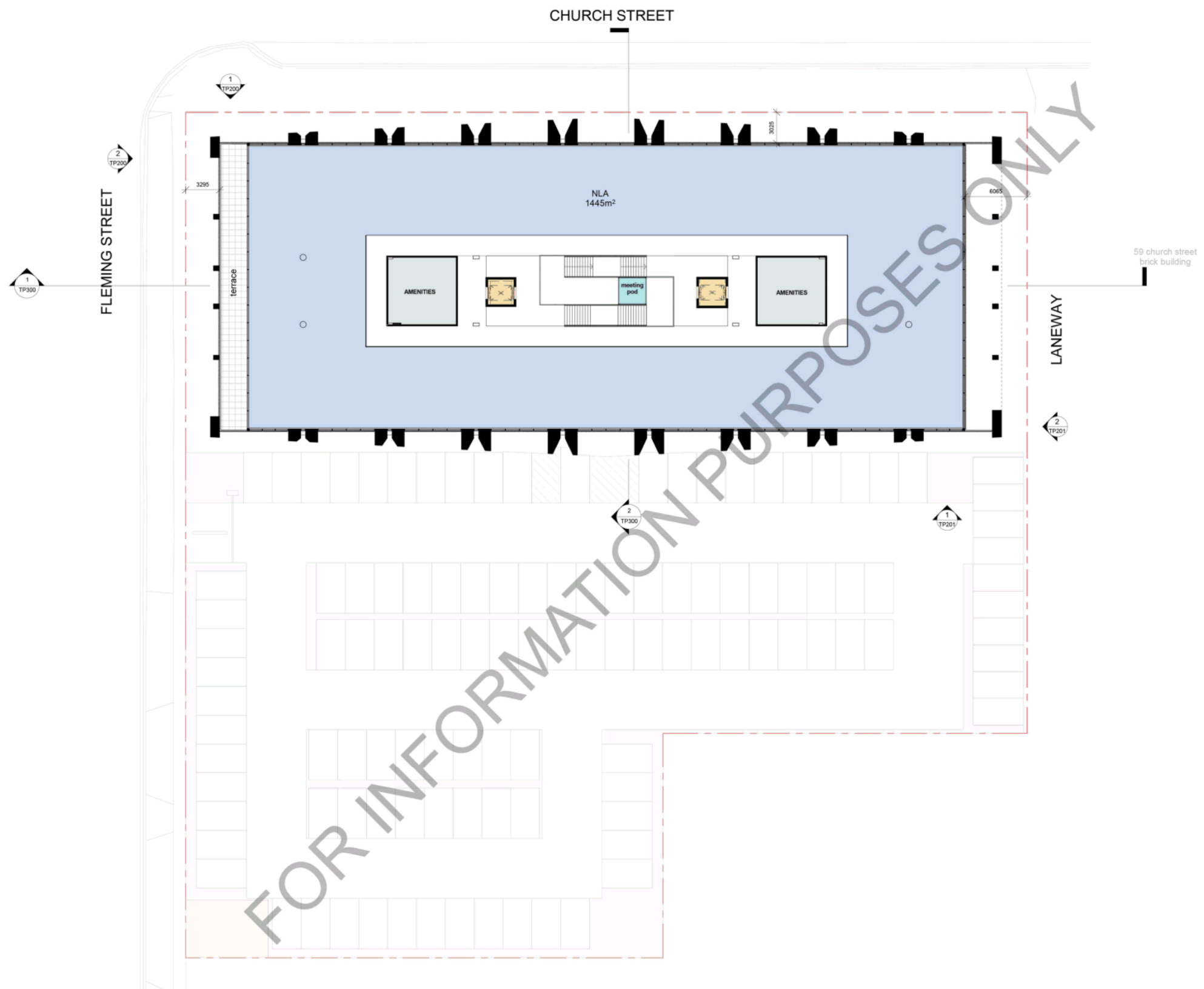


PRELIMINARY



Issue	Description	Date	Client	Project	Title	Drawing No.	Issue
			CASTLEROCK PROPERTY	Morwell commercial office development 65 Church st, Morwell, Victoria 3840	GENERAL ARRANGEMENT PLAN - LEVEL 1	TP101	
						Scale 1 : 200@A1	Drawing Size A1
						Project No. 18186	Drawn By JC
						CAD Reference	

Dimensioned Drawings to take precedence over scaling. Contractor to verify all dimensions on site before construction. All inconsistencies to be reported to the architect immediately. This drawing and its contents remain the copyright of WMK Architecture Pty Ltd © 10/25/2018 9:54:46 AM

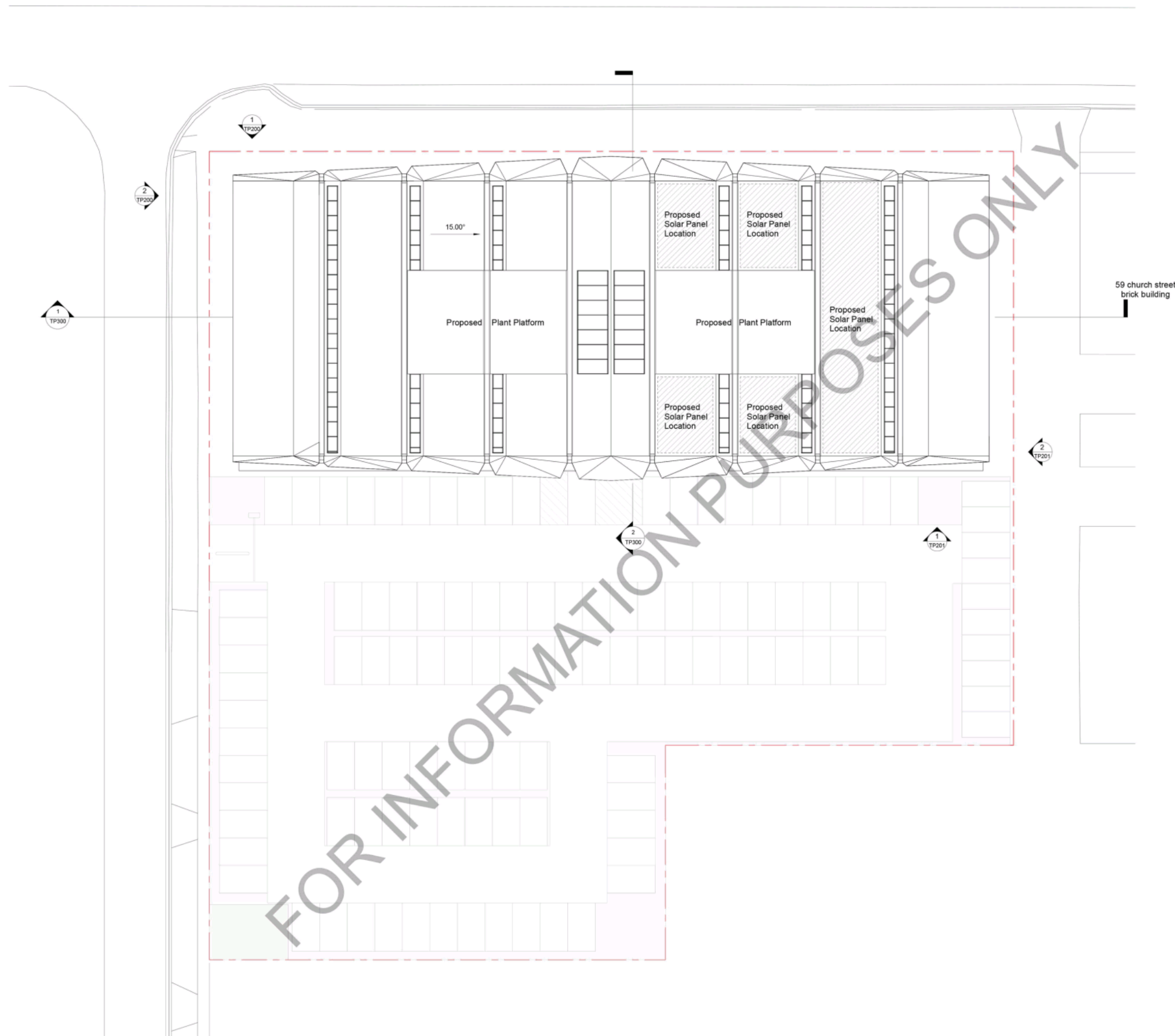


PRELIMINARY



Issue	Description	Date	Client	Project	Title	Drawing No.	Issue
			CASTLEROCK PROPERTY	Morwell commercial office development 65 Church st, Morwell, Victoria 3840	GENERAL ARRANGEMNET PLAN - LEVEL 2	TP102	
						Scale 1 : 200@A1	Drawing Size A1
						Project No. 18186	Drawn By JC
						CAD Reference	

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FOR INFORMATION PURPOSES ONLY

PRELIMINARY



Issue	Description	Date	Client	Project	Title	Drawing No.	Issue
			CASTLEROCK PROPERTY	Morwell commercial office development 65 Church st, Morwell, Victoria 3840	GENERAL ARRANGEMENT PLAN - ROOF PLAN	TP103	
						Scale 1 : 200@A1	Drawing Size A1
						Project No. 18186	Drawn By JC
						CAD Reference	

Dimensioned Drawings to take precedence over scaling. Contractor to verify all dimensions on site before construction. All inconsistencies to be reported to the Architect immediately. This drawing and its contents remain the copyright of WMK Architecture Pty Ltd ©
10/25/2018 9:55:12 AM



1 EAST ELEVATION



2 NORTH ELEVATION

MATERIALS SCHEDULE

- A Clear glazing within powder coated aluminium frame
- B Standing seam metal cladding in charcoal finish
- C Brick cladding
- D Metal cladding in dark charcoal finish
- E Timber look cladding

PRELIMINARY



Issue	Description	Date	Client	Project	Title	Drawing No.	Issue
			CASTLEROCK PROPERTY	Morwell commercial office development 65 Church st, Morwell, Victoria 3840	EXTERNAL ELEVATIONS EAST AND NORTH	TP200	
						Scale 1:200@A1	Drawing Size A1
						Project No. 18186	Drawn By JC
						CAD Reference	

Dimensioned Drawings to take precedence over scaling. Contractor to verify all dimensions on site before construction. All inconsistencies to be reported to the Architect immediately. This drawing and its contents remain the copyright of WMK Architecture Pty Ltd ©
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1 WEST ELEVATION



2 SOUTH ELEVATION

MATERIALS SCHEDULE

- A Clear glazing within powder coated aluminium frame
- B Standing seam metal cladding in charcoal finish
- C Brick cladding
- D Metal cladding in dark charcoal finish
- E Timber look cladding

PRELIMINARY



Issue	Description	Date	Client	Project	Title	Drawing No.	Issue
			CASTLEROCK PROPERTY	Morwell commercial office development 65 Church st, Morwell, Victoria 3840	EXTERNAL ELEVATIONS WEST AND SOUTH	TP201	
						Scale 1 : 200@A1	Drawing Size A1
						Project No. 18186	Drawn By JC
						CAD Reference	
						<small>Dimensioned Drawings to take precedence over scaling. Contractor to verify all dimensions on site before construction. All inconsistencies to be reported to the architect immediately. This drawing and its contents remain the copyright of WMK Architecture Pty Ltd © 11/25/2018 9:55:53 AM</small>	





AMENDMENT C113 – LATROBE GOVHUB - SUMMARY OF SUBMISSIONS TABLE

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
1	Ian Shand Design Officer AusNet Services	Support	Electricity requirements and provisions at Latrobe GovHub. Will require approx. 9-12 months depending on upgrades and equipment required once electrical design is confirmed.	The representative has been informed by Castlerock that final electrical designs would be completed in 2019 and that stage this they would liaise directly with Ausnet	No	26/11/2018
2	Rosie Johnson Executive Assistant to CEO Latrobe Community Health Service	Support	Meeting held in person on 20 December 2018. The conversation was primarily about car parking and the impact that it might have on the street. LCHS reps assumed special dispensation would be sought under the planning scheme in order to avoid meeting statutory requirements.	Car parking provided is in excess of the statutory requirements due to purchase of additional land to provide additional car parking area as a result of feedback received from Council.	No	27/11/2018
3	Laurie Jeremiah Senior Transport Planner, Network Planning Division Transport for Victoria	Support	Car parking and transport issues in Morwell in particular the ratio of car parks to employees using the building. Laurie has recently requested for his communications to be excluded from any formal planning processes and stated <i>"The GovHub project in conjunction with other government investments will provide a positive contribution to carparking in Morwell"</i> .	Car parking provided is in excess of the statutory requirements due to purchase of additional land to provide additional car parking area as a result of feedback received from Council.	No	28/11/2018
4	Michael Harshegyi ICT Officer Latrobe Community Health	Support	Concerned with ICT supply services to the building, in particular the tendering timeline	Castlerock advised that the design and installation of ICT services have not been	No	17/12/2018

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
	Service		and process to provide ICT services to the GovHub as part of the construction phase.	finalised and won't be considered until the detailed design is finalised in 2019. Castlerock have committed to contact the community member to discuss working with them at that time.		
5	Andrew Bradley Manager Strategic Projects and Supply Chains Industry Capability Network	Support	ICN services proposal presenting a range of commercial services offered by ICN Victoria to Company that supports local industry participation, local content considerations and services to assist the project procurement process.	Castlerock is currently reviewing this proposal and will respond in due course.	No	19/12/2018
6	Elva Anderson President Moe Squash Club	Concerns raised	Concerns raised in relation to how they were consulted with in particular that the Government tender for the project didn't identify the Squash Clubs operating on the site. Club members felt that consultation didn't occur early enough. This situation wasn't aided by the fact that formal confirmation was not provided as early as possible that the licence tenure to continue to use the site for squash was going to be extended site until mid – 2019. Overall they feel that consultation has been " <i>limited, and advice spasmodic</i> ".	A commercial arrangement between two commercial agencies is not a relevant planning consideration. However, Castlerock have extended the licence agreement to Morwell Squash Club through to June this year at a cost of \$1 per month. Confirmation of this extended licence arrangement could only be provided in October because it could not guarantee that the site would continue to be safe enough for squash use. The Latrobe Valley Authority and Regional Development Victoria are working through an action plan with	No	11/01/2019

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
				interested parties that will consider the scope of works and feasibility of providing a long term facility for Squash Club Members.		

Additional verbal submissions raised at the information session not raised in written submissions

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
N/a	Members of the Morwell Squash	Support	The impending loss of the Morwell squash facility at the back of the site was met with disappointment by members of the club but noted that Castlerock had worked with them to continue leasing the facility, which means that the site will be available for play until mid-2019.	<p>A commercial arrangement between two commercial agencies is not a relevant planning consideration.</p> <p>However, Karen Cain, CEO LVA has advised as follows in writing "<i>Staff from the Latrobe Valley Authority and Regional Development Victoria met with Ron Kelly, a representative of the squash players group on 20 December 2018 to work through an action plan and a consultant scope of works for a long-term squash feasibility study and a strategic plan for the squash group.</i></p> <p><i>Mr Kelly advised that he was happy with the logic of the</i></p>	No	N/a

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<i>action plan and the elements of the consultant scope of works for the plans".</i>		
N/a	Fleming Street Residents	Support	Residents of Fleming Street were present at the information session. While supportive of the project overall, parking on Fleming Street is an existing issue for these community members and concerns around traffic movement, especially for emergency vehicles along Fleming Street was expressed.	<p>Car parking provided is in excess of the statutory requirements due to purchase of additional land to provide additional car parking area as a result of feedback received from Council.</p> <p>There are a number of options available to address traffic movement given that that if cars are parked on the northern side and southern side of Fleming Street, two cars cannot pass through at once currently. One option is to restrict parking along the frontage of the site on Fleming Street. If a parking restriction were to be considered along all or part of the south side of Fleming Street, this may result in any all-day parking relocating to the west end of Fleming Street and thus impacting on the abutting residential properties.</p> <p>Such parking restrictions could only be considered in Fleming Street after undertaking consultation with</p>	Yes via conditions	N/a

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				the local residents and considering their concerns. As a result it is considered that if indented parking was provided along the southern frontage of Fleming Street abutting the subject site, it would allow two vehicles to pass even if there were vehicles parked along both sides. This will be put forward as Councils preferred method of addressing the concerns raised.		

Agenda Item: 14.2
Agenda Item: Planning Application 2018/81 - Development of Land for a Telecommunications Facility
Sponsor: General Manager, City Development
Council Plan Objective: Improve the liveability and connectedness of Latrobe City.
Status: For Decision

MOTION

Moved: Cr Harriman

Seconded: Cr Howe

That Council:

Issues a Notice of Decision to Refuse to Grant a Permit for the development of the land for a Telecommunications Facility at Traralgon West Road Maryvale (Lot 2 on PS609453S), on the following grounds:

- 1 The proposal fails to meet the strategies and objectives contained within Clauses 15.01, 19.03-4, 21.03 and 21.06-1 of the Latrobe Planning Scheme with regard to protecting and enhancing rural landscapes.**
- 2 The proposal does not comply with the purpose and decision guidelines of Clause 52.19 *Telecommunication Facility* of the Latrobe Planning Scheme, with regard to the effect of the proposal on adjacent land, as it has not been sited to minimise visual impact.**
- 3 The proposal does not comply with the decision guidelines of Clause 65 (Decision Guidelines) of the Latrobe Planning Scheme, with regard to the orderly planning of the area and the effect on the amenity of the area.**

CARRIED UNANIMOUSLY

Executive Summary:

The applicant is seeking approval for the development of the land for the purpose of a telecommunications facility on land owned by Australian Paper, approximately 4.5 kilometres northwest of the Traralgon town centre, adjacent to Traralgon's urban fringe.

A total of seven submissions objecting to the application have been received. The objections relate to the following:

- The suitability of site;

- Concerns that geological testing at the site has affected a tree on an objectors property;
- Concerns in relation to exposure to Electromagnetic Energy (EME);
- Visual impact of the proposal;
- Loss of land value;
- Fire risk concerns;
- Incorrect references within the applicants report;
- Impact on flora and fauna;
- Lack of consultation with aboriginal parties, and,
- Lack of transparency and lack of communication prior to application being made.

The applicant has submitted that the proposed facility cannot be relocated due to tenure restrictions over the subject land and coverage requirements. The applicant also submits that in their view, the site is better screened by vegetation than other candidate sites.

Having considered the submissions and assessed the proposal against the relevant provisions of the Latrobe Planning Scheme (the Scheme), it is considered that the proposal is inconsistent with the relevant objectives and decision guidelines of the Scheme as the visual impact of the facility on the adjoining sensitive land uses has not been minimised. It is therefore recommended that a Notice of Decision to Refuse to Grant a Permit be issued.

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Background:

Summary

Land: Traralgon West Road Maryvale known as Lot 2 on PS609453S

Proponent: Catalyst One Pty Ltd

Zoning: Farming Zone

Overlay Design and Development Overlay and Bushfire Management Overlay

A Planning Permit is required for the development of land for a telecommunications facility in accordance with the following sections of the Latrobe Planning Scheme.

- Clauses 52.19-1 (Telecommunications Facility);

- Clause 35.07-4 (Farming Zone); and
- Clause 43.02-2 (Design and Development Overlay).

Proposal

The application is for the development of the land for a telecommunications facility comprising a 43 metre high monopole (finished in pale green) with a 'turret' antenna, together with equipment cabinets within a fenced Optus compound area. A copy of the plans of the proposal can be viewed at Attachment 1.

Subject Land

The proposal is located approximately 4.5 kilometres northwest of the Traralgon town centre, on land owned by Australian Paper. The proposed Optus compound area is proposed to be leased by Optus and located in a cleared section of the site, with the immediate area of the site being occupied with tall stands of pine plantation. The site forms part of the Australian Paper's Maryvale Pulp and Paper Mill, an extensive operation comprising of approximately 300 hectares.

The immediate area surrounding the proposed facility location comprises of small sections of rural living development. The closest dwelling (161 Scrubby Lane) is located approximately 100 metres from the base of the proposed monopole, and approximately 96 metres from the proposed compound fence. The monopole is proposed to be situated 5.4 metres from the common boundary.

The next closest dwelling is located approximately 125 metres south of the proposed facility, at 170 Scrubby Lane. Land to the south and east is developed for rural living purposes and is suitably zoned Rural Living Zone - Schedule 3.

Reasons for Proposed Resolution:

The proposal fails to meet the strategies and objectives contained within Clauses 15.01, 19.03-4, 21.03 and 21.06-1 of the Latrobe Planning Scheme with regard to protecting and enhancing rural landscapes.

The proposal does not comply with the purpose and decision guidelines of Clause 52.19 *Telecommunication Facility* of the Latrobe Planning Scheme, with regard to the effect of the proposal on adjacent land, as it has not been sited to minimise visual impact.

The proposal does not comply with the decision guidelines of Clause 65 (Decision Guidelines) of the Latrobe Planning Scheme, with regard to the orderly planning of the area and the effect on the amenity of the area.

Strategy Implications

Strategy 9 of the Council Plan 2017-2021 seeks to "*Implement a town planning regime which facilitates appropriate urban growth, industry diversification, liveability and connectivity of Latrobe City*". An objective to achieve this strategy is to "*Improve the liveability and connectedness of Latrobe City*".

Communication

Notification:

The application was advertised pursuant to Sections 52(1)(a) and (d) of the *Planning and Environment Act 1987* (Act), with notices sent to all adjoining and adjacent landowners and occupiers, a notice was displayed on site for a minimum of 14 days and two notices placed in the Latrobe Valley Express over a two week period.

At the completion of the advertising period, seven submissions in the form of written objections had been received.

A copy of the objections can be viewed at Attachment 4 of this report, with a map showing the location of the objectors living in close proximity to the site at Attachment 3. The applicant's written response to the objector's concerns can be viewed at Attachment 2.

External:

The application was not required to be referred to any authorities under Section 55 of the *Planning and Environment Act 1987* (the Act). The application was referred for comment under Section 52(1)(d) of the Act to the CFA (Country Fire Authority), APA Group (as the relevant Gas Transmission Pipeline Authority) and WGCMA (West Gippsland Catchment Management Authority) who had no objection to the granting of a planning permit with APA requiring conditions to be included on any permit that may be issued.

Internal:

The application was referred to the Latrobe Regional Airport, Council's Engineering Team and Environmental Sustainability Team who did not object to the granting of the planning permit with the Environmental Sustainability Team requiring conditions to be included on any permit that may be issued.

Details of Community Consultation following Notification:

A meeting was held on site between Council's Planning Officer and three of the objectors following the notification of the application on 23 November 2018. The main discussion items related to the concerns of the objectors and clarifying the planning permit process.

Financial Implications

Additional resources or financial cost will only be incurred should the planning permit application require determination at the Victorian Civil and Administrative Tribunal (VCAT). The anticipated time required for a Council Officer to prepare a VCAT submission and collate all relevant documentation is 7 business days with an additional three days required to attend and present at the appeal, totalling 10 business days.

This equates to a financial cost in the order of \$4,000. This cost would be far greater if a consultant is required to attend on Council's behalf and would likely be in excess of \$15,000.

Risk Analysis

Identified risk	Risk likelihood*	Controls to manage risk
Seven submissions have been received which raise concerns regarding the proposed development, amenity impacts and other concerns.	3 – Possible	The proposal has been considered against the Latrobe Planning Scheme and it is considered to be inconsistent with the relevant provisions.
Council not supporting the application and the applicant seeking review of the decision at VCAT.	3- Possible	To manage and limit the potential risk the recommendation has been considered against the relevant sections of both State and Local Planning Policy.

* For example, likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

The Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF) have been considered as part of the assessment of this application.

The following clauses are relevant to the consideration of this application.

State Planning Policy Framework

Clause 15.01-5S: Neighbourhood Character

Clause 15.01-6S: Design for rural areas

Clause 19.03-4: Telecommunications

Municipal Planning Statement

Clause 21.03: Environment and Landscape Values

Clause 21.06-1: Built Environment

Zoning

The subject site is currently located within the Farming Zone. The purpose and decision guidelines of the Farming Zone have been taken into account as part of the assessment of this application and the proposal is considered to be generally consistent with the zoning provisions.

Overlays

The land is partially affected by the Design and Development Overlay, Land Subject to Inundation Overlay and Bushfire Management Overlay. The proposal is considered to be consistent with the relevant decision guidelines of each of these overlay provisions.

Particular Provisions

Clause 52.19 (Telecommunications Facility)

This Clause sets out the decision guidelines to be considered before deciding on an application or plan. Following an assessment against the relevant decision guidelines, the proposal is considered to be inconsistent with two of the three decision guidelines as follows:

- *If the Telecommunications facility is located in an overlay (as listed in the Clause), the decision guidelines and schedules to the overlays.*

The proposal is considered to comply with the decision guidelines of the relevant overlays.

- *The principles for the design, siting, construction and operation of a Telecommunications facility set out in A Code of Practice for Telecommunications Facilities in Victoria, July 2004.*

The Code sets out the principles which must be applied where relevant to the design, siting, construction and operation of any telecommunications facility, and an assessment of the proposal against the Code is as follows:

Code Principle	Description	Assessment
1	A Telecommunications facility should be sited to minimise visual impact.	It is considered that the proposed facility has not been sited to minimise visual impact. The 43 metre high monopole is proposed to be located just 5.4 metres from the common boundary, 100 metres from the dwelling, 85 metres from the driveway and garage and visible from the living area of 161 Scrubby Lane. Further, the proposed facility would be visible from the living areas and front garden of the dwelling at 170 Scrubby Lane (125 metres south of the proposed facility). Refer to discussion in relation to relevant Tribunal decision below.
2	Telecommunications facilities should be co-located wherever practical.	The applicant has submitted that there were no viable structures within the targeted area to establish a new Optus mobile base station.

3	Health Standards for exposure to radio emissions will be met.	The maximum environmental EME level from the operational facility will comply with the Australian Communications and Media Authority (ACMA) mandated exposure limit, which is administered under Commonwealth legislation.
4	Disturbance and risk relating to siting and construction should be minimised.	The applicant has detailed how the site preparation, construction and installation ongoing operation of the facility will be managed so as to minimise impacts.

- *The effect of the proposal on adjacent land.*

The applicant has submitted that the proposed facility cannot be relocated due to tenure restrictions over the subject land and coverage requirements.

It is considered that the proposal has not been sited to minimise the visual impact of the 43 metre high facility on the adjoining sensitive land uses (dwellings at 161 and 170 Scrubby Lane). The applicant's submission was limited to the three main view perspectives where there is a direct line of sight to the proposed facility from surrounding roads, being Traralgon West Road (west of the site), Scrubby Lane (south of the site) and Scrubby Lane (east of the site).

The Victorian Civil and Administrative Tribunal (VCAT) considered a similar telecommunications facility proposal in *Milne v Mornington Peninsula SC* [2016] (VCAT 683), where the Tribunal refused to issue a permit for a 35 metre high monopole, situated 127 metres from the nearest dwelling, 9 metres from the common boundary and behind a 15 metre high cypress hedge. In this decision, the Tribunal concluded '*it is difficult to conclude that a 35 metre high structure positioned only 9 metres from the boundary and behind vegetation which effectively only screens less than one-half of it has been sited to minimise visual impact*'.

In the *Rand v Casey CC* [2018] VCAT 970 [27 June 2018] decision, the Tribunal considered a 30 metre high monopole, situated 600 metres from a heritage-listed homestead. In this decision, the tribunal directed that a Notice of Decision to issue a permit as it was determined that the tower would not have an unreasonable visual impact on views from the homestead, and noted that '*views from within paddocks or working areas of the property are less relevant than views from the homestead, particularly its living areas, and garden*'. This demonstrates that although the planning scheme seeks to facilitate the extension of telecommunications infrastructure, the amenity impacts on nearby dwellings, particularly views from living areas and gardens, is an important consideration.

Decision Guidelines (Clause 65):

Clause 65.01 sets out the decision guidelines to be considered before deciding on any application. Following an assessment against the relevant decision guidelines, the proposal is considered to be inconsistent with the following decision guidelines:

- *The orderly planning of the area.*
- *The effect on the amenity of the area.*

As stated above, the 43 metre high monopole is proposed to be 5.4 metres from the common boundary with 161 Scrubby Lane and setback 100 metres from the dwelling. Further, the facility is proposed to be visible from the living area of the dwelling and 85 metres from its detached garage, garden and driveway, which would be an intrusive presence, particularly when entering and leaving their land.

The proposed facility would also be visible from the living areas and front garden of the dwelling at 170 Scrubby Lane, with the dwelling being located 125 metres south of the proposed facility and there only being 75 metres between the front boundary of the site and the proposed monopole.

It is considered that the proposal is contrary to the orderly planning of the area as the proposal has not been sited to minimise the visual impact of the facility on the adjoining sensitive land uses. It is therefore considered that the proposal is inconsistent with the Decision Guidelines of Clause 65.01.

Strategic direction of the Planning Policy Framework and Municipal Planning Statement:

The proposed development is considered to be inconsistent with the relevant provisions of the Planning Policy Framework and the Municipal Planning Statement, as the facility has not been sited to minimise its visual impact. In particular, the proposal is considered contrary to Clause 15.01-5S: which seeks *'to recognise support and protect neighbourhood character, cultural identity, and sense of place'* and Clause 21.03 (Environment and Landscape Values), which seeks *'to protect and enhance the visual, natural and cultural heritage values of rural landscapes'*.

The proposed development is also considered to be inconsistent with the objective of Clause 19.03-4S (Telecommunications) which seeks *'to facilitate the orderly development, extension and maintenance of telecommunication infrastructure'* and Clause 15.01-6S (Design for rural areas) which seeks *'to ensure development respects valued areas of rural character'*, as the facility has not been sited to respond or respect the rural character of the area, particularly in relation to its close proximity to nearby sensitive land uses.

The proposal is also considered to be inconsistent with Clause 21.06-1 (Built Environment) which seeks *'to improve the visual quality of development through improved design, siting and landscaping'*, as the applicant has declined to reposition the facility away from the neighbouring dwellings. It is considered that there is scope available for the facility to be sited further from adjoining dwellings to minimise its visual impact, given the extensive area of the Australian Paper landholding.

'Purpose' and 'Decision Guidelines' of the Farming Zone:

Amongst other things, the zone seeks *'To provide for the use of land for agriculture'* and *'To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture'*. The facility is proposed to be contained within a 10 metre by 6.4 metre (66.5 square metre) compound to be leased by Optus. As this is a very small proportion of the site, the proposal is considered to be generally consistent with the provisions of the zone.

'Purpose' and 'Decision Guidelines' of the Design and Development Overlay (DDO1:High Pressure Gas Pipeline)

The overlay seeks to ensure that buildings and works are sufficiently separated from high pressure gas pipelines to avoid a safety hazard. The application was referred to APA Group, as the beneficiary of the pipeline easement on title, who requested that conditions be placed on any permit issued.

'Purpose' and 'Decision Guidelines' of the Bushfire Management Overlay:

The overlay seeks to ensure that development of land prioritises the protection of human life and strengthens community resilience to bushfire. The application was referred to the CFA pursuant to Section 55 of the Planning and Environment Act who did not object or have any conditions in relation to the proposal.

Community Implications

The application has received seven objections to date. The issues raised relate to:

1. There are other sites that would be more appropriate than this site.

The applicant submitted that a range of options were considered before concluding that this particular site would be the most appropriate site for the facility. It is considered that the facility has been sited without consideration of the neighbouring sensitive land uses and the facility should be situated further from adjoining dwellings to minimise its visual impact.

2. Concerns that geological testing at the site has affected a tree on objectors property.

Any impacts testing may have had on the adjoining properties cannot be considered as part of this assessment as it is a civil matter between the two property owners.

3. Concerns in relation to exposure to Electromagnetic Energy (EME).

The applicant has undertaken a compliance report that predicts the maximum levels of radiofrequency Electromagnetic Energy (EME) from the proposed installation. The maximum environmental EME level from the operational facility will comply with the Australian Communications and Media Authority (ACMA) mandated exposure limit, which is administered under Commonwealth legislation.

4. Visual impact of proposal

The applicant submits that the proposed facility has a low level of visual impact, as the facility is partly screened by vegetation. However, the height of the proposed 43 metre high facility extends above canopy of the existing vegetation and visual impact on the adjoining dwellings at 161 and 170 Scrubby Lane is considered unreasonable and therefore inconsistent with the *Code of Practice for Telecommunications Facilities in Victoria, July 2004*, the Planning Policy Framework and the Municipal Planning Statement.

5. Loss of land value concerns

Land value depreciation is not a relevant planning consideration and this has been demonstrated in numerous VCAT decisions.

6. Concerns that the facility will cause fire risk.

The application was referred to the CFA under Section 55 of the Planning and Environment Act who did not object to the proposal, and the applicant submits that the facility has been designed to be appropriately earthed.

7. Incorrect references within the report, inconsistencies detract from the credibility of the report and site selection process is incorrect.

The objector submitted that a number of the alternative sites should not have been included in applicant's submission as they were not viable alternative locations in the first instance. There are a number of incorrect references within the report and these have been noted and considered in the assessment of the application.

8. Concerns that the facility will impact native flora and fauna.

The arborist report submitted with the application confirmed that no vegetation would be removed or impacted as part of the proposed development of the facility and the applicant has submitted that as the proposed location of the facility is a clear area of land, there will be no significant flora and fauna at the site.

9. Consultation and transparency has been lacking and neighbouring property owners should have been contacted prior to application being made.

Any consultation prior to the application being made would be at the discretion of the applicant. During the processing of the application, the application was advertised pursuant to Sections 52(1)(a) and (d) of the *Planning and Environment Act 1987* (Act), as previously detailed.

10. Concerns that the local aboriginal groups should have been consulted in the processing of the application.

The subject site is located within an area of aboriginal cultural heritage sensitivity; however the proposal does not involve the undertaking of a 'high impact activity' under the *Aboriginal Heritage Act 2006*. Therefore the proposal is not subject to the requirements of a Cultural Heritage Management Plan.

Option

Council has the following options in regard to this application:

1. Issue a Notice of Decision to Grant a Permit; or
2. Issue a Notice of Decision to Refuse to Grant a Permit.

Council's decision must be based on planning grounds, having regard to the provisions of the Latrobe Planning Scheme.

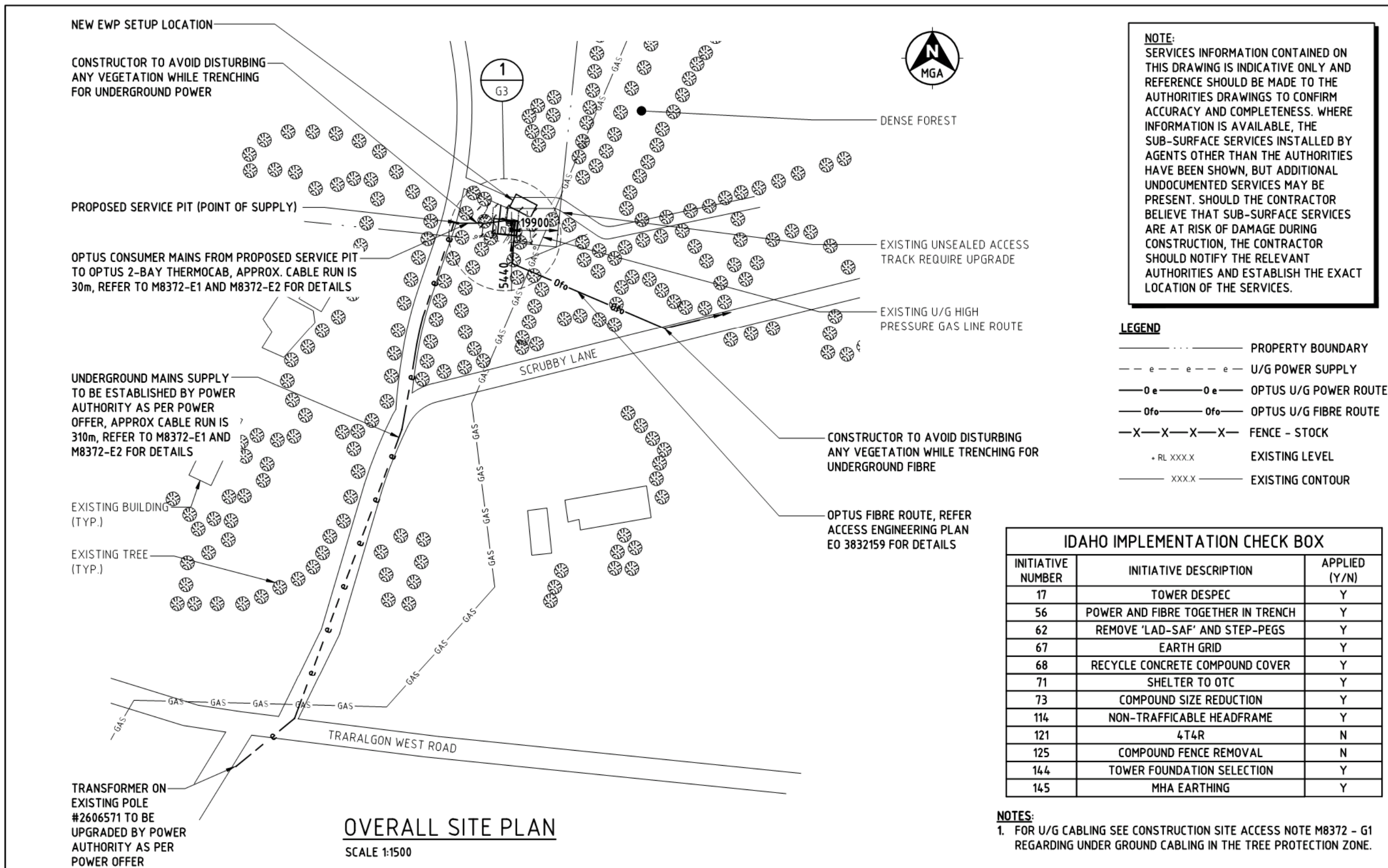
Attachments

1. Plans of proposed telecommunications facility
2. Applicants written response to objections
3. Map of proposed facility and location of objectors in close proximity (Published Separately) (Confidential)
4. Copies of Objections (Published Separately) (Confidential)

14.2

Planning Application 2018/81 - Development of Land for a Telecommunications Facility

- | | | |
|----------|---|-----------|
| 1 | Plans of proposed telecommunications facility..... | 85 |
| 2 | Applicants written response to objections..... | 93 |



NOTE:
 SERVICES INFORMATION CONTAINED ON THIS DRAWING IS INDICATIVE ONLY AND REFERENCE SHOULD BE MADE TO THE AUTHORITIES DRAWINGS TO CONFIRM ACCURACY AND COMPLETENESS. WHERE INFORMATION IS AVAILABLE, THE SUB-SURFACE SERVICES INSTALLED BY AGENTS OTHER THAN THE AUTHORITIES HAVE BEEN SHOWN, BUT ADDITIONAL UNDOCUMENTED SERVICES MAY BE PRESENT. SHOULD THE CONTRACTOR BELIEVE THAT SUB-SURFACE SERVICES ARE AT RISK OF DAMAGE DURING CONSTRUCTION, THE CONTRACTOR SHOULD NOTIFY THE RELEVANT AUTHORITIES AND ESTABLISH THE EXACT LOCATION OF THE SERVICES.

LEGEND

- — — — — PROPERTY BOUNDARY
- - - - - U/G POWER SUPPLY
- 0 e — 0 e — OPTUS U/G POWER ROUTE
- 0 fo — 0 fo — OPTUS U/G FIBRE ROUTE
- X - X - X - X - FENCE - STOCK
- RL XXX.X EXISTING LEVEL
- XXX.X — EXISTING CONTOUR

IDAHO IMPLEMENTATION CHECK BOX		
INITIATIVE NUMBER	INITIATIVE DESCRIPTION	APPLIED (Y/N)
17	TOWER DESPEC	Y
56	POWER AND FIBRE TOGETHER IN TRENCH	Y
62	REMOVE 'LAD-SAF' AND STEP-PEGS	Y
67	EARTH GRID	Y
68	RECYCLE CONCRETE COMPOUND COVER	Y
71	SHELTER TO OTC	Y
73	COMPOUND SIZE REDUCTION	Y
114	NON-TRAFFICABLE HEADFRAME	Y
121	4T4R	N
125	COMPOUND FENCE REMOVAL	N
144	TOWER FOUNDATION SELECTION	Y
145	MHA EARTHING	Y

NOTES:
 1. FOR U/G CABLING SEE CONSTRUCTION SITE ACCESS NOTE M8372 - G1 REGARDING UNDER GROUND CABLING IN THE TREE PROTECTION ZONE.

OVERALL SITE PLAN
 SCALE 1:1500

Rev	Date	Revision Details	Consultant	CAD	Designer	Verifier	Approver
B	02.10.18	ISSUED FOR CONSTRUCTION	CATALYST	MIA	MB	MAA	ML
A	25.08.17	ISSUED FOR CONSTRUCTION	CATALYST	SK	AF	BW	PB

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 MELBOURNE
 LEVEL 24 458 COLLINS STREET
 MELBOURNE VIC 3000
 TEL: +61 3 8610 9000 FAX: +61 3 9421 1575

Client:
 Project:
MOBILE NETWORK AUSTRALIA
 SITE No:- M8372
 TRARALGON WEST
 SCRUBBY LANE, MARYVALE

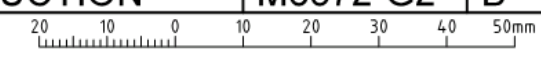
Drawing Title:
OVERALL SITE PLAN

Drawing Status:
FOR CONSTRUCTION

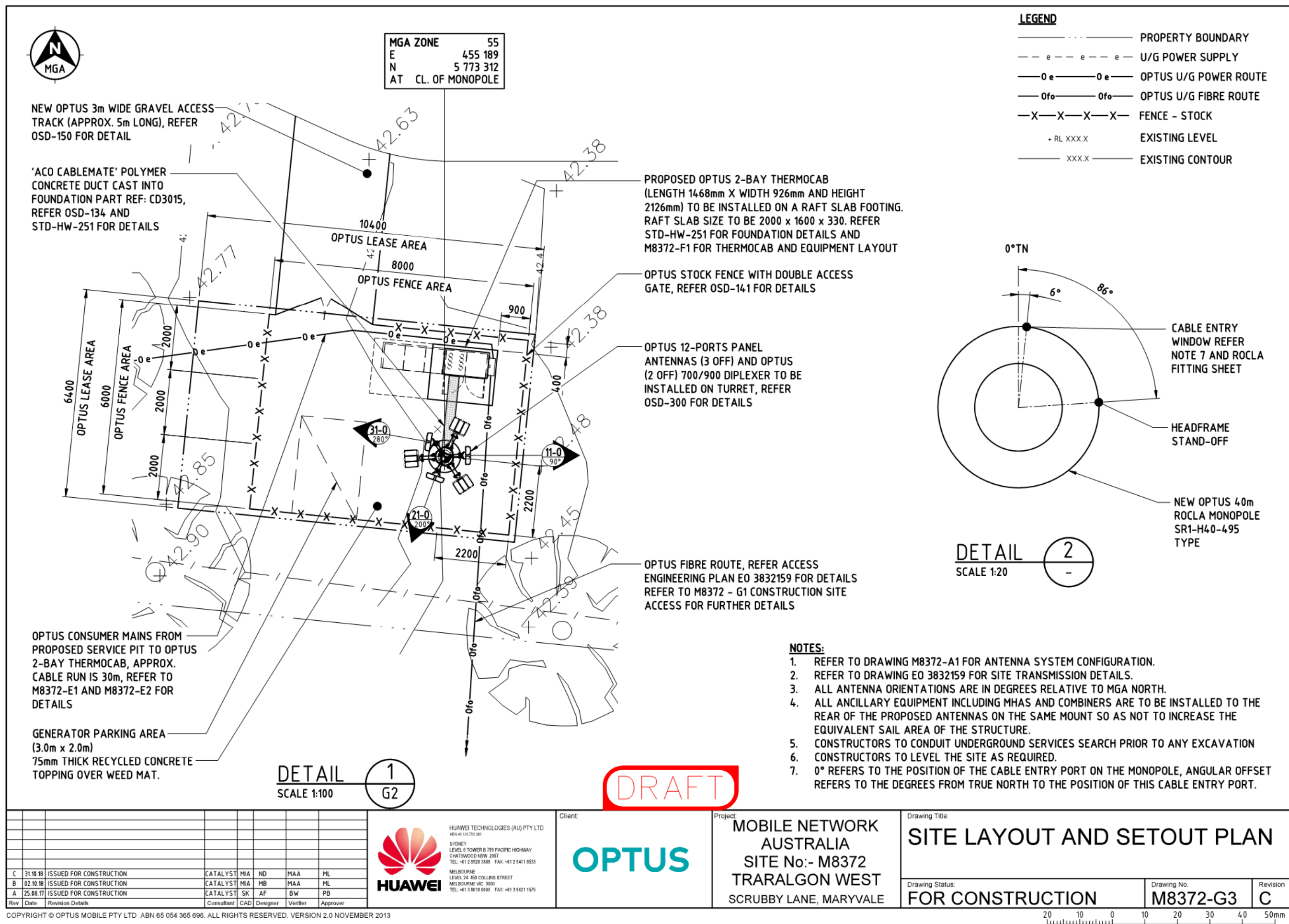
Drawing No.
M8372-G2

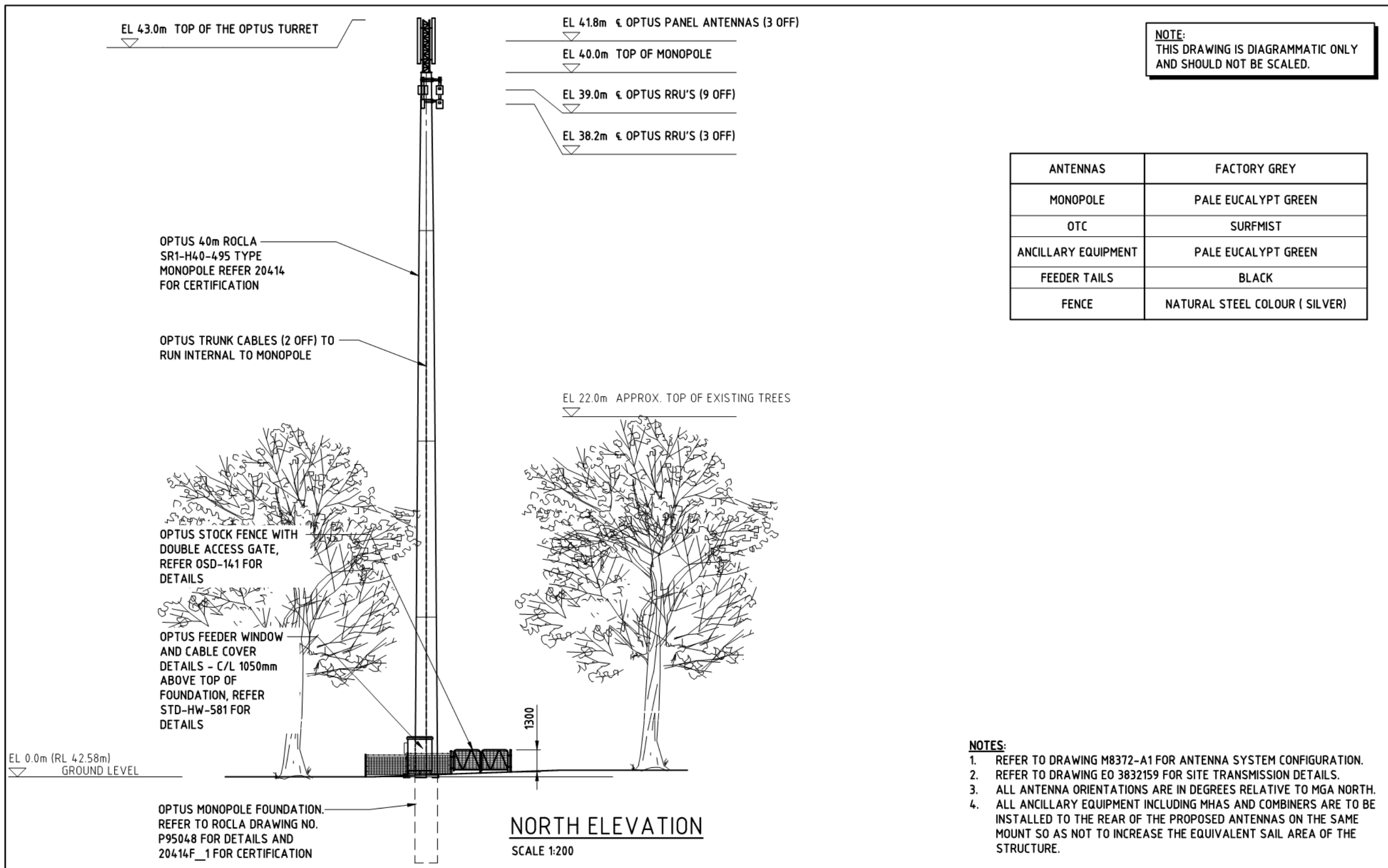
Revision
B

DRAFT



CAD File: \\co-file\Projects & Sites\Optus\1. Mobiles\VIC\M8372 Traralgon West\Drafting\3. For Construction\M8372_Traralgon West_FC_01_2017_08_11_1.dwg Date: 20.04.2016 10:48 AM





ANTENNAS	FACTORY GREY
MONOPOLE	PALE EUCALYPT GREEN
OTC	SURFMIST
ANCILLARY EQUIPMENT	PALE EUCALYPT GREEN
FEEDER TAILS	BLACK
FENCE	NATURAL STEEL COLOUR (SILVER)

- NOTES:**
1. REFER TO DRAWING M8372-A1 FOR ANTENNA SYSTEM CONFIGURATION.
 2. REFER TO DRAWING EO 3832159 FOR SITE TRANSMISSION DETAILS.
 3. ALL ANTENNA ORIENTATIONS ARE IN DEGREES RELATIVE TO MGA NORTH.
 4. ALL ANCILLARY EQUIPMENT INCLUDING MHAS AND COMBINERS ARE TO BE INSTALLED TO THE REAR OF THE PROPOSED ANTENNAS ON THE SAME MOUNT SO AS NOT TO INCREASE THE EQUIVALENT SAIL AREA OF THE STRUCTURE.

Rev	Date	Revision Details	Consultant	CAD	Designer	Verifier	Approver
B	31.10.18	ISSUED FOR CONSTRUCTION	CATALYST	MIA	ND	MAA	ML
A	25.08.17	ISSUED FOR CONSTRUCTION	CATALYST	SK	AF	BW	PB

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Client:

Project:

MOBILE NETWORK AUSTRALIA
 SITE No:- M8372
 TRARALGON WEST
 SCRUBBY LANE, MARYVALE

Drawing Title:

SITE ELEVATION

Drawing Status:

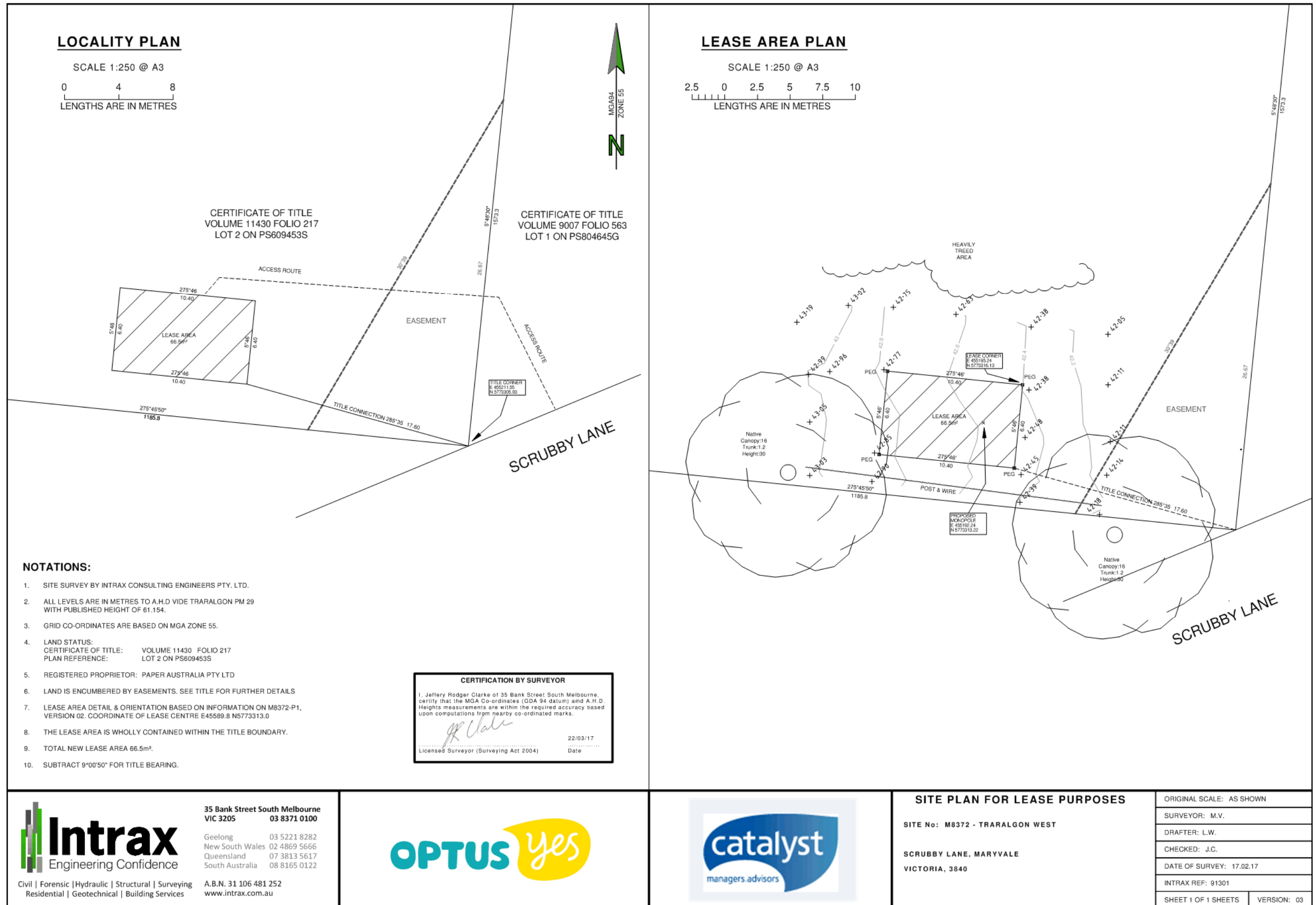
FOR CONSTRUCTION

Drawing No. **M8372-G4** Revision **B**

DRAFT



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LOCALITY PLAN

SCALE 1:250 @ A3
 0 4 8
 LENGTHS ARE IN METRES

CERTIFICATE OF TITLE
 VOLUME 11430 FOLIO 217
 LOT 2 ON PS609453S

CERTIFICATE OF TITLE
 VOLUME 9007 FOLIO 563
 LOT 1 ON PS804645G



LEASE AREA PLAN

SCALE 1:250 @ A3
 2.5 0 2.5 5 7.5 10
 LENGTHS ARE IN METRES

NOTATIONS:

- SITE SURVEY BY INTRAX CONSULTING ENGINEERS PTY. LTD.
- ALL LEVELS ARE IN METRES TO A.H.D VIDE TRARALGON PM 29 WITH PUBLISHED HEIGHT OF 61.154.
- GRID CO-ORDINATES ARE BASED ON MGA ZONE 55.
- LAND STATUS:
 CERTIFICATE OF TITLE: VOLUME 11430 FOLIO 217
 PLAN REFERENCE: LOT 2 ON PS609453S
- REGISTERED PROPRIETOR: PAPER AUSTRALIA PTY LTD
- LAND IS ENCUMBERED BY EASEMENTS. SEE TITLE FOR FURTHER DETAILS
- LEASE AREA DETAIL & ORIENTATION BASED ON INFORMATION ON M8372-P1, VERSION 02. COORDINATE OF LEASE CENTRE E45589.8 N5773313.0
- THE LEASE AREA IS WHOLLY CONTAINED WITHIN THE TITLE BOUNDARY.
- TOTAL NEW LEASE AREA 66.5m².
- SUBTRACT 9°00'50" FOR TITLE BEARING.

CERTIFICATION BY SURVEYOR
 I, Jeffery Rodger Clarke of 35 Bank Street South Melbourne, certify that the MGA Co-ordinates (GDA 94 datum) and A.H.D. Heights measurements are within the required accuracy based upon computations from nearby co-ordinated marks.

 Licensed Surveyor (Surveying Act 2004) 22/03/17
 Date

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 Geelong 03 5221 8282
 New South Wales 02 4869 5666
 Queensland 07 3813 5617
 South Australia 08 8165 0122
 A.B.N. 31 106 481 252
 www.intrax.com.au



SITE PLAN FOR LEASE PURPOSES

SITE No: M8372 - TRARALGON WEST
 SCRUBBY LANE, MARYVALE
 VICTORIA, 3840

ORIGINAL SCALE: AS SHOWN
SURVEYOR: M.V.
DRAFTER: L.W.
CHECKED: J.C.
DATE OF SURVEY: 17.02.17
INTRAX REF: 91301
SHEET 1 OF 1 SHEETS
VERSION: 03



Environmental EME Report Scrubby Lane, MARYVALE VIC 3840

This report provides a summary of Calculated RF EME Levels around the wireless base station

Date 20/7/2017

RFNSA Site No. 3844016

Introduction

The purpose of this report is to provide calculations of EME levels from the existing facilities at the site and any proposed additional facilities.

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at Scrubby Lane MARYVALE VIC 3840. These levels have been calculated by Huawei using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

The maximum EME level calculated for the proposed systems at this site is 0.3% of the public exposure limit.

The ARPANSA Standard

ARPANSA, an Australian Government agency in the Health and Ageing portfolio, has established a Radiation Protection Standard specifying limits for general public exposure to RF transmissions at frequencies used by wireless base stations. The Australian Communications and Media Authority (ACMA) mandates the exposure limits of the ARPANSA Standard.

How the EME is calculated in this report

The procedure used for these calculations is documented in the ARPANSA Technical Report "Radio Frequency EME Exposure Levels - Prediction Methodologies" which is available at <http://www.arpansa.gov.au>.

RF EME values are calculated at 1.5m above ground at various distances from the base station, assuming level ground.

The estimate is based on worst-case scenario, including:

- wireless base station transmitters for mobile and broadband data operating at maximum power
- simultaneous telephone calls and data transmission
- an unobstructed line of sight view to the antennas.

In practice, exposures are usually lower because:

- the presence of buildings, trees and other features of the environment reduces signal strength
- the base station automatically adjusts transmit power to the minimum required.

Maximum EME levels are estimated in 360° circular bands out to 500m from the base station.

These levels are cumulative and take into account emissions from all wireless base station antennas at this site.

The EME levels are presented in three different units:

- volts per metre (V/m) – the electric field component of the RF wave
- milliwatts per square metre (mW/m²) – the power density (or rate of flow of RF energy per unit area)
- percentage (%) of the ARPANSA Standard public exposure limit (the public exposure limit = 100%).

Results

The maximum EME level calculated for the proposed systems at this site is 2.71 V/m; equivalent to 19.47 mW/m² or 0.3% of the public exposure limit.

Radio Systems at the Site

There are currently no existing radio systems for this site.

It is proposed that this base station will have equipment for transmitting the following services:

Carrier	Radio Systems
Optus	LTE700 (proposed), WCDMA900 (proposed), WCDMA2100 (proposed), LTE2100 (proposed), LTE1800 (proposed)

Calculated EME Levels

This table provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined.

Distance from the antennas at Scrubby Lane in 360° circular bands	Maximum Cumulative EME Level at 1.5m above ground – all carriers at this site					
	Existing Equipment			Proposed Equipment		
	Electric Field V/m	Power Density mW/m ²	% ARPANSA exposure limits	Electric Field V/m	Power Density mW/m ²	% ARPANSA exposure limits
0m to 50m				2.15	12.26	0.18%
50m to 100m				1.85	9.13	0.12%
100m to 200m				2.16	12.43	0.21%
200m to 300m				2.71	19.47	0.3%
300m to 400m				2.59	17.78	0.27%
400m to 500m				2.039	11.024	0.17%
Maximum EME level				2.71	19.47	0.3
	249.18 m from the antennas at Scrubby Lane					

Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest that have been identified through the consultation requirements of the Communications Alliance Ltd Deployment Code C564:2011 or via any other means. The calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

Additional Locations	Height / Scan relative to location ground level	Maximum Cumulative EME Level All Carriers at this site Existing and Proposed Equipment		
		Electric Field V/m	Power Density mW/m ²	% of ARPANSA exposure limits
1 No locations identified				

RF EME Exposure Standard

The calculated EME levels in this report have been expressed as percentages of the ARPANSA RF Standard and this table shows the actual RF EME limits used for the frequency bands available. At frequencies below 2000 MHz the limits vary across the band and the limit has been determined at the Assessment Frequency indicated. The four exposure limit figures quoted are equivalent values expressed in different units – volts per metre (V/m), watts per square metre (W/m²), microwatts per square centimetre (µW/cm²) and milliwatts per square metre (mW/m²). Note: 1 W/m² = 100 µW/cm² = 1000 mW/m².

Radio Systems	Frequency Band	Assessment Frequency	ARPANSA Exposure Limit (100% of Standard)
LTE 700	758 – 803 MHz	750 MHz	37.6 V/m = 3.75 W/m ² = 375 µW/cm ² = 3750 mW/m ²
WCDMA850	870 – 890 MHz	900 MHz	41.1 V/m = 4.50 W/m ² = 450 µW/cm ² = 4500 mW/m ²
GSM900, LTE900, WCDMA900	935 – 960 MHz	900 MHz	41.1 V/m = 4.50 W/m ² = 450 µW/cm ² = 4500 mW/m ²
GSM1800, LTE1800	1805 – 1880 MHz	1800 MHz	58.1 V/m = 9.00 W/m ² = 900 µW/cm ² = 9000 mW/m ²
LTE2100, WCDMA2100	2110 – 2170 MHz	2100 MHz	61.4 V/m = 10.00 W/m ² = 1000 µW/cm ² = 10000 mW/m ²
LTE2300	2302 – 2400 MHz	2300 MHz	61.4 V/m = 10.00 W/m ² = 1000 µW/cm ² = 10000 mW/m ²
LTE2600	2620 – 2690 MHz	2600 MHz	61.4 V/m = 10.00 W/m ² = 1000 µW/cm ² = 10000 mW/m ²
LTE3500	3425 – 3575 MHz	3500 MHz	61.4 V/m = 10.00 W/m ² = 1000 µW/cm ² = 10000 mW/m ²

Further Information

The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is a Federal Government agency incorporated under the Health and Ageing portfolio. ARPANSA is charged with responsibility for protecting the health and safety of people, and the environment, from the harmful effects of radiation (ionising and non-ionising).

Information about RF EME can be accessed at the ARPANSA website, <http://www.arpansa.gov.au>, including:

- Further explanation of this report in the document "Understanding the ARPANSA Environmental EME Report"
- The procedure used for the calculations in this report is documented in the ARPANSA Technical Report; "Radio Frequency EME Exposure Levels - Prediction Methodologies"
- the current RF EME exposure standard
Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), 2002, 'Radiation Protection Standard: Maximum Exposure Levels to Radiofrequency Fields — 3 kHz to 300 GHz', Radiation Protection Series Publication No. 3, ARPANSA, Yallambie Australia.
[Printed version: ISBN 0-642-79400-6 ISSN 1445-9760] [Web version: ISBN 0-642-79402-2 ISSN 1445-9760]

The Australian Communications and Media Authority (ACMA) is responsible for the regulation of broadcasting, radiocommunications, telecommunications and online content. Information on EME is available at <http://emr.acma.gov.au>

The Communications Alliance Ltd Industry Code C564:2011 'Mobile Phone Base Station Deployment' is available from the Communications Alliance Ltd website, <http://commsalliance.com.au>.

Contact details for the Carriers (mobile phone companies) present at this site and the most recent version of this document are available online at the Radio Frequency National Site Archive, <http://www.rfnsa.com.au>.

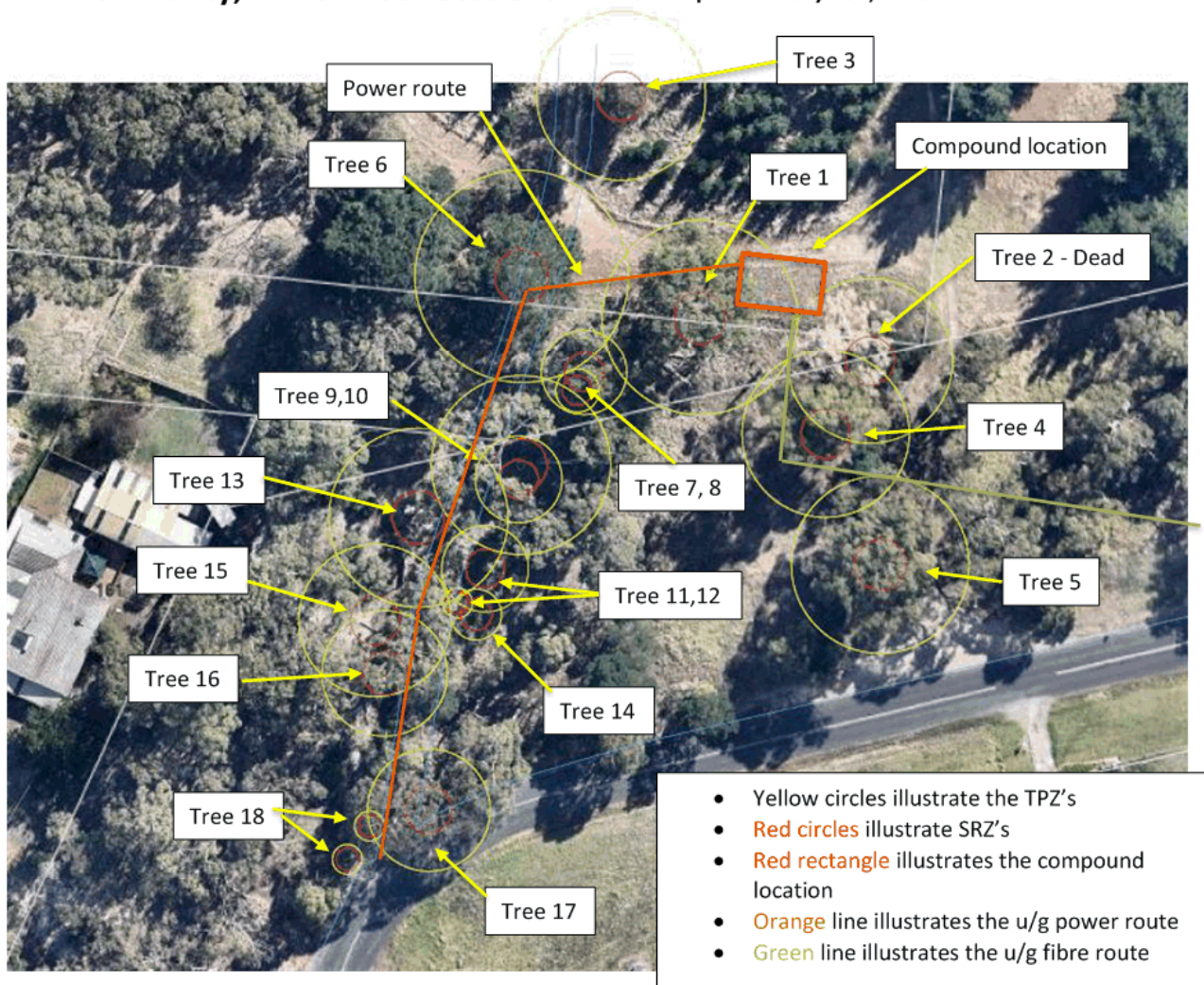
7. Facility Proposal

The proposed facility within the site involves the installation of a communications monopole and inground power duct. The facility will be enclosed by fencing.

An underground submains power supply will be routed along Scrubby Lane.

An optical fibre cable will be routed to the south of the compound through an area which is generally clear of vegetation however, several large trees are proximal to this route.

8. Facility, TPZ & Tree Locations Nearmaps February 10th, 2010





Site Ref: M8372 Traralgon West

7 January 2019

Latrobe City Council
PO Box 264
Morwell Vic 3840
Via email: latrobe@latrobe.vic.gov.au

Permit Application 2018/81 – Response to Community Representations for Optus Proposal at Traralgon West Road, Maryvale Vic 3840

I write concerning the proposed Optus facility at the above address, for which public notification was recently undertaken.

We acknowledge that six objections have been received concerning the proposal. We have addressed the matters raised in the email in turn.

Visual Impact

The objections raised visual impact as a concern. Optus have reconsidered the proposal and taken steps to reduce the visual prominence of the proposed facility.

Relocation of the facility is not possible due to tenure restrictions over the subject property. There is a tree plantation licence restricting both the subject and adjoining lots; it is not possible to relocate the facility elsewhere within the plantation.

In lieu of relocation, Optus have amended the design to reduce its impact. The following changes are proposed:

- Finishing the facility in a shade of pale green, including pole and equipment. This will help the lower portion of the facility to better blend with the surrounding bushland setting.
- Changing the antenna configuration from a headframe to a 'turret' where the antennas are mounted directly to the top of the pole, rather than overhanging it. The pole's appearance will be more streamlined, slimmer and 'cleaner' than the original design.
- Optus have reviewed the height of the facility, but are unable to reduce its height for service reasons.

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An objector suggested that it was inappropriate for this site to be selected when other potential candidates were rejected on visual grounds. We note that, on balance, this site presents a better visual outcome than other candidates that were investigated – this site is surrounded by vegetation and a facility here can be better screened than other candidates. It is also in an area of much lower development density. Optus have also taken community feedback into account and made design changes to reduce the facility's visual profile.

Under Principle 4.1 of *A Code of Practice for Telecommunications Facilities in Victoria* it is established that telecommunications facilities should be sited to minimise visual impact. While this facility will not be totally hidden, and there will be partial views of it in the surrounding environment, Optus comply with the Code as it has been sited to minimise visibility as far as practicable.

In Victoria, it is established that a telecommunications facility need not be totally hidden, only that effort be made to reduce their visibility. A VCAT tribunal member noted, in *Optus Mobile Pty Ltd v Ballarat CC [2010] VCAT 661 (9 June 2010)* that:

"It has to be appreciated that facilities of this sort are necessarily visible. They need to be tall enough (and consequently visible) to serve their purpose of providing telecommunications...In the case of this proposal there is some screening and softening, but not sufficient to hide the works altogether. That will seldom, if ever, be attainable where these sort of facilities are provided."

A similar comment was provided by a tribunal member in *Murdoch v Greater Bendigo CC [2013] VCAT 1899 (11 November 2013)*:

"Principle 1 in the Code does not require that telecommunications facilities be invisible, rather that they be sited to minimise visual impact."

It is also established that Principle 4.1, in respect of visual impact, be balanced against community benefit arising from the facility. In *Optus Mobile Pty Ltd v Yarra Ranges SC [2012] VCAT 1415 (17 September 2012)*, a tribunal member noted that:

"In cases such as this where there are competing planning policies, the planning scheme requires that decisions are made in favour of net community benefit and sustainable development for the benefit of present and future generations. I find that whilst the residents of a few dwellings and some users of the nearby park may consider themselves adversely affected by the visibility of the monopole, on balance the enhanced service level and consumer choice are important outcomes."

In *Goodwin v Yarra Ranges SC [2015] VCAT 74 (27 January 2015)*, a tribunal member noted that:

"In considering applications such as this it is a matter of finding the acceptable planning outcome, it cannot always be ideal or perfect and must be a balance between demonstrated net community benefit and an acknowledgement of some visual impact."

Optus have selected the site with consideration for minimizing visual impact. The facility also responds to a genuine and identified need for improved mobile services, and will have substantial community benefit.

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Proximity to Housing

Several objections have raised proximity to houses as a concern.

There is a tree plantation licence restricting both the subject and adjoining lots; it is not possible to relocate the facility elsewhere within the plantation.

The position of the facility is, however, considered appropriate. The closest residences to the subject facility are approximately 90m and 115m from the site respectively, and separated by mature vegetation. In total, there are five residences within 300m of the subject site and eleven within 500m.

The Optus facility has been positioned in a location where it is well screened by vegetation. Views toward the facility will be partial. Optus note that the facility cannot be totally hidden, however visibility of the facility will be softened by vegetation and its colour scheme.

Optus note that the site of the facility has been selected with consideration for Principle 4.1 of *A Code of Practice for Telecommunications Facilities in Victoria*, which (amongst other matters) requires views from private land be considered. The principle requires that the facility be sited to minimise visual impact; while the facility cannot be totally hidden, its position in a vegetated area will minimise its visibility from surrounding residences.

Coverage Objectives and Need

A submission expressed concerns over the actual purpose of the tower, specifically that it is intended to service Traralgon rather than Maryvale, and that there are no network users (and thus no need for improved service) in the Maryvale area.

The subject lot is located on the suburb boundary between Traralgon and Maryvale. The proposed facility is intended to cover a large geographic area on the western side of Traralgon, which encompasses portions of both suburbs and represents a significant catchment of residences and businesses.

Figure 1 (an extract from the Planning Assessment Report) shows the area that Optus are intending to service with this facility. The proposed service area encompasses both Traralgon and Maryvale, and includes (but is not limited to):

- The dense residential area bounded roughly by Cross's Road and Old Melbourne Road (Traralgon)
- Rural residential development roughly bounded by Tyers Road, Cemetery Drive, Scrubby Lane and Old Melbourne Road (encompassing both Maryvale and Traralgon)
- The paper mill and plantations within Maryvale
- Major traffic routes between Traralgon and Morwell, including Old Melbourne Road, Traralgon West Road and the Princes Highway (Traralgon and Maryvale)



Figure 1: Optus’ proposed coverage area for the facility, per the Planning Assessment Report submitted to Council

The submitter is correct in their assertion there are more network users in Traralgon than Maryvale that will benefit; however, the purpose of the facility is not only to service residential and commercial development, but also to provide coverage for traffic passing through Maryvale.

The proposed facility will directly benefit a significant catchment of users within Traralgon and Maryvale. The facility will also have an indirect benefit for the wider mobile network in the district – as the new facility will relieve network congestion, other Optus facilities in the area will have increased capacity and therefore improved performance.

Conversely, the above area cannot be serviced by upgrading existing Optus facilities elsewhere in the district, or by co-locating on other existing base stations as there are none suitable. See Figure 2, showing the location of existing Optus facilities in the area.

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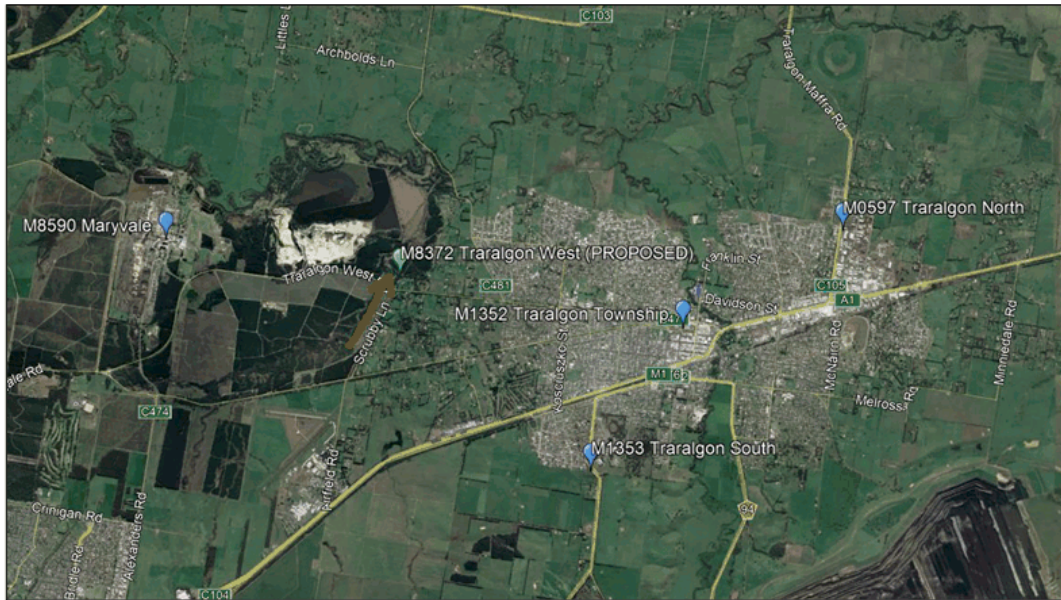


Figure 2: Location of existing Optus facilities in Traralgon and Maryvale. Existing facilities are shown as blue pinpoints. Note the gap between M1352 Traralgon Township and M8590 Maryvale – these sites are separated by a large distance, and M1352 is servicing a dense catchment of users in central Traralgon. There is a blackspot between the paper mill and Traralgon as a result. The new facility will service development on the western side of Traralgon (including Maryvale) and the transport routes toward Morwell (image from Google Earth)

Note that ‘need’ for the facility is not generally a ground for refusal. Per *Tuhan v Moira SC [2016] VCAT 235*:

“Many Tribunal decisions have considered the relevance of need. Their primary finding is that a demonstrated need for a facility or use may be a relevant factor in a planning decision but lack of a need will rarely, if ever, be a ground for refusing to grant a permit.”

Nevertheless, Optus are proposing this facility in response to a genuine need for improved coverage and capacity to the western part of Traralgon. Optus would not propose a facility in a location where it is unnecessary.

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Impact on Health

Public health and safety was raised in the objections. It is the position of peak health bodies (including the World Health Organization), and Australian government agencies, that mobile base stations are not a health risk.

The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), a branch of the Australian federal government, have stated:

“Health authorities around the world, including ARPANSA and the World Health Organization, have examined the scientific evidence regarding possible health effects from base stations. Current research indicates that there are no established health effects from the low exposure to the RF EME from mobile phone base station antennas.”

“No adverse health effects are expected from continuous exposure to the RF EME emitted by the antennas on mobile phone base stations.”

<https://www.arpansa.gov.au/understanding-radiation/radiation-sources/more-radiation-sources/mobile-phone-base-stations>

All mobile facilities across Australia, including this one, must comply with strict federal government safety standards. The Australian Communications and Media Authority (ACMA) is responsible for regulating electromagnetic energy emissions (EME) from mobile phone base stations. It works with the Australian Radiation and Nuclear Scientific Agency (ARPANSA) to ensure community safety is protected.

The proposal achieves compliance with the ARPANSA *Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz* (known as the RPS3 standard). Per the attached ARPANSA EME report, this facility will operate at a level representing no more than **0.31%** of the standard – a level over 320 times lower than the maximum levels regulated by the Australian government.

By complying with the ARPANSA standard, the proposal achieves compliance with Principle 4.3 of *A Code of Practice for Telecommunications Facilities in Victoria*.

Providing the standard is met, EME is not a valid reason for planning refusal. This precedent has been established through *Mason & Ors v Greater Geelong City Council and Telstra Corporation (includes Summary) (Red Dot) [2013] VCAT 2057*, which found VCAT unable to consider EME emissions where the relevant Commonwealth standard will be met.

Noise Pollution

The only noise generated from the facility will be from cooling fans within the outdoor equipment cabinets. Comments from Optus’ build team have indicated:

- The cabinets are rated to 79dBA
- Equipment testing has found, with fans running at maximum speed, a maximum of 50dBA at 5m from the cabinet.

It is not expected that this will constitute a noise nuisance for surrounding residences, given the site is buffered by vegetation and has a setback of at least 90m to the closest residence.

**Lightning Hazard**

All telecommunications facilities, including this one, are designed with consideration for lightning strike and are appropriately earthed.

Property Value

Impact on property value was raised in the submissions. Property valuation is not a town planning matter and does not represent a valid ground for planning refusal.

Location of Power Route

An objector has raised concerns about the power route encroaching onto their property (Lot 1\TP838301). We acknowledge the concerns of this resident, which appear partially based on damage done to their access by the power authority during a visit.

Optus' power route was determined following an application to AusNet to achieve a power supply connection. The pit and underground works on Lot 1\TP838301 were proposed by AusNet rather than Optus. It is understood that the supply cannot be relocated further east because of a gas and fuel pipeline easement.

Increased Visitation of Site

An objector has raised concerns about the facility increasing visitation of the site and encouraging trespassers, intruders and vandalism.

Visitation by Optus representatives will generally only be 2-4 times per year for maintenance. The facility will otherwise be unmanned.

The facility is not expected to attract public visitation. The site is in a relatively isolated location, with the only development close by being large lot residential. There are no public meeting places or footpaths nearby where members of the public would likely be present.

Impact on Flora and Fauna

The submissions raised concerns over impacts to flora and fauna.

Optus have sited the facility to avoid impact on the local environment where possible. No vegetation clearing is required to install the facility. Impact on fauna is anticipated to be minimal.

A Tree Impact Assessment was commissioned to confirm impacts on vegetation. See Figure 3. Reference should also be made to the Tree Data table on page 5 of the Tree Impact Assessment. We note there are several typographical errors in the report itself where referencing specific trees, however the mapping and tree data table provide the correct data.

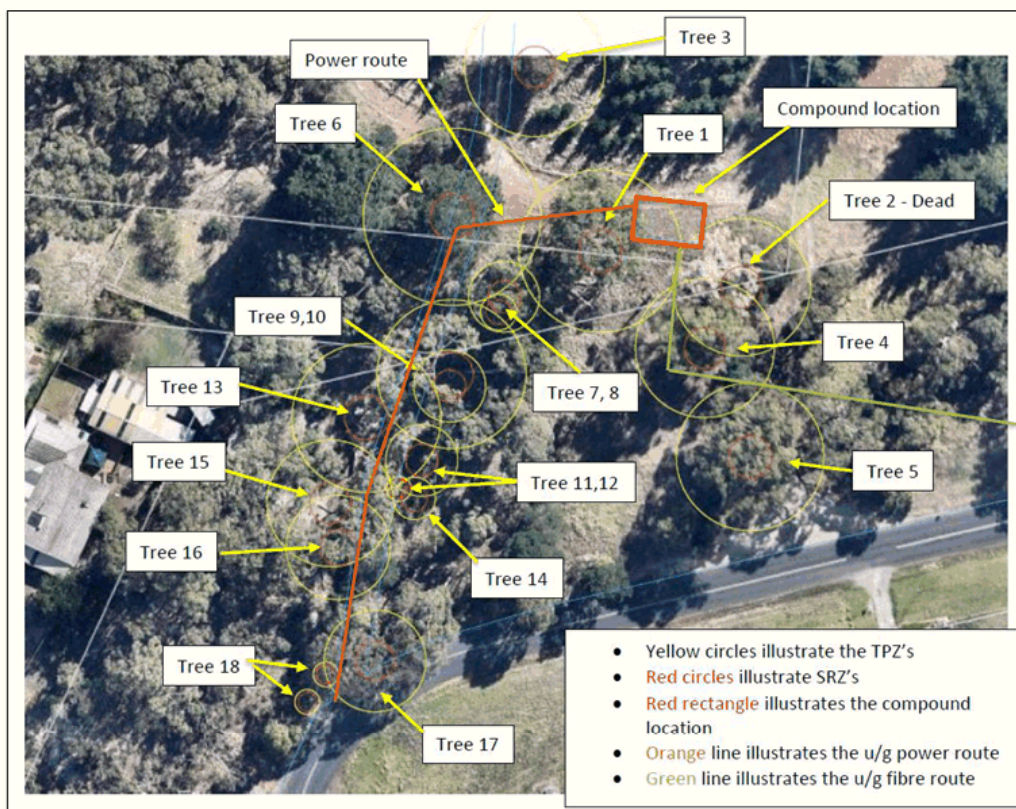


Figure 3: Tree Impact Assessment mapping prepared by Treespace Pty Ltd

Note the following:

- Tree 1 is located on Optus' subject property, not that of the objector, per the attached first order survey.
- Tree 2 has been confirmed by first order survey to be located on the adjoining property.

All excavation for power and fibre will be undertaken in accordance with the recommendations of the Tree Impact Assessment (section 10) where hydro-excavation or directional boring will be utilised, at a depth greater than 600mm.

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Other Candidates

The objections have criticised Optus' site selection process, and have suggested possible alternatives.

Optus' initial preference was for a site closer to Traralgon. 4G facilities are very sensitive to placement, and work best when located centrally within their target service area. Optus' initial candidates were therefore closer to Traralgon. Information on these candidates has been included in the development application because all were explored in detail.

Candidates A, B and C, involving new facilities in a park, would have been favourable from a service perspective, but are very close to a dense residential area with less visual mitigation available. All sites in this area are close to schools. While there is no safety requirement for a setback to schools, there is a perception of risk that often makes such sites controversial. It is likely that a site in this area would have been much more contentious for a much larger group of residents.

Candidate D involved a new pole on a large rural residential block. Optus sought a facility in this area in 2012 but it was rejected by Council. In the interests of fully exploring potential options, the candidate was revisited and was included in the candidate list, but did not proceed given low likelihood of being approved. Other new sites in this area were not considered in detail because they would potentially be refused on similar grounds.

Candidate E involved a new pole in a water treatment plant. While theoretically favourable due to its public use zoning, this site is also surrounded by a dense residential area and there is minimal screening – again, a facility in this location would have been more contentious for a larger group of residents.

Candidate F involved co-location on an NBN facility. Co-location is always preferred where feasible; however, the location of this pole is too far south, and available height on the pole too low, to provide a suitable service outcome.

Several alternate candidates were suggested by objectors:

- West End Supermarket (211 Grey Street, Traralgon): Telstra have a rooftop facility in this location, installed in 2017. The rooftop is approximately 7.5m tall, with Telstra's antennas mounted at 11.8m in height. This is too low for Optus to provide a feasible level of coverage to the area.
- Existing Facility at Dunbar Road, Traralgon: There are no telecommunications towers at Dunbar Road. There is an existing monopole nearby on Hazelwood Road – this is Optus' existing base station M1353 Traralgon South. If upgrading this facility would resolve service issues on the western side of Traralgon, Optus would have done so rather than proposing a new base station.
- 161 Scrubby Lane, Maryvale: A property owned by one of the objectors. Assuming a facility would be placed on the far western side of the lot (away from the house on this property), this area is approximately 10m lower in elevation than the current site. To be feasible, a much larger tower would be needed. As the property is owned by an objector, it is not considered to represent a feasible alternative.

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- Hancock Victoria Plantations: A substantial amount of land in the area forms part of Hancock Victoria's plantations; according to Hancock Victoria mapping (see Figure 4) it appears their plantations surround the Optus site. It is understood that plantation licencing agreements prevent the relocation of the Optus facility.

Aside from issues with licencing, land to the south and west is unsuitable due to its distance from the target coverage area.

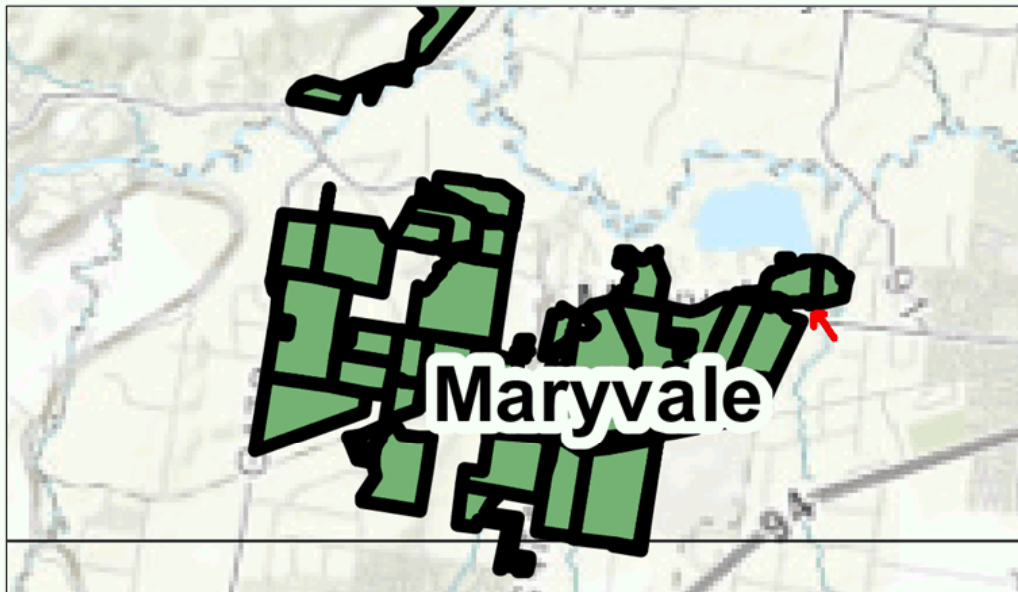


Figure 4: Hancock Victoria Mapping (B7, https://www.hvp.com.au/wp-content/uploads/2016/11/hvp_afs_dfa_july2016_part2-north.pdf)

- Latrobe flats farming land: Assuming the objector is referring to farming land north and south of Traralgon, these locations are too far from the target coverage area to represent feasible options.
- Latrobe City Pound: The Council pound is understood to be at Driffield Road, Morwell, 10km southwest of the current site.
- Traralgon Cemetery: The cemetery is 1km northeast of the current site. It is unlikely that tenure would be granted to install a facility in this location; this is also a visually sensitive area with large vistas – a facility in this location would be difficult to screen.

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Conclusion

We trust the above addresses the matters raised by objectors. Should Council have any additional questions regarding the proposal, please contact the undersigned.

Yours sincerely,

A handwritten signature in black ink, appearing to read "A. McLane".

Andrew McLane
Senior Town Planner – Catalyst ONE

On behalf of **Optus Mobile Pty Ltd**

Enclosed:

- Tree Impact Assessment prepared by Treespace Pty Ltd
- Survey Plan

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INFRASTRUCTURE AND RECREATION

15. INFRASTRUCTURE AND RECREATION

Agenda Item: 15.1

**Agenda Item: Proposed Demolition of the former Watson Park
Preschool, Churchill**

Sponsor: General Manager, Infrastructure and Recreation

**Council Plan Objective: Provide a connected, engaged and safe community
environment, which is improving the well-being of all
Latrobe City citizens.**

Status: For Decision

Proposed Resolution:

**That Council endorses the demolition of the former preschool at Watson
Park, Churchill.**

MOTION

Moved: Cr White OAM

Seconded: Cr McFarlane

That Council:

- 1. Endorses the demolition of the former preschool at Watson Park,
Churchill;**
- 2. Investigate the creation of a commemorative pedestal to be situation
on site after demolition is completed to recognise the Watson Park
Preschool as the first pre-school to be built in Churchill.**

CARRIED UNANIMOUSLY

Executive Summary:

The preschool at Watson Park, Churchill is no longer aligned to Council's current or planned service delivery needs, has been subject to break-ins and vandalism, and is not fit for occupation. This report therefore requests that Council endorse demolition of the building and surrounding structures.

- At the 20 February 2017 Councillor Briefing Councillors requested that before demolishing Watson Park preschool that Officers undertake an Expression of

Interest process with potential user groups to determine if there were any potential users for the sites.

- A second consultation process reported to the 19 November 2018 Councillor Briefing did not receive any feedback until a direct contact was made with the Churchill Primary School principal. The principal has advised that they do not have a purpose for the building. Council Officers have contacted Federation University whose Facility Manager has indicated they do not have a need for the facility.
- A memorial plaque existed within the grounds and efforts have been made to salvage the plaque and return it to the family. The plaque is not at the location where it was originally installed but officers will endeavour to monitor during demolition.
- It is therefore proposed that the demolition proceed.

Background:

Council may recall previous reports that reviewed the history and current status of the former preschool at Watson Park, Churchill.

Churchill was developed primarily during the 1970s as a township to support the State Electricity Commission's operations in the area and several preschools were developed to support the growing population, anticipated at one time to reach 20,000. Over time the demographic of Churchill has changed and fewer families with young children reside in Churchill in the area west of the main shopping centre.

The former preschool within Watson Park in Churchill, being no longer required as a preschool, became vacant several years ago and has fallen into disrepair.

Consultation was undertaken with respect to repurposing the Watson Park preschool in 2017, and following a briefing report proposing that the building be demolished due to its condition, further consultation was undertaken with the same community groups (Table 1) and more specifically with the Churchill Primary School.

Table 1 – Community Groups contacted to express an interest

1 st Churchill Scout Group	Churchill North Primary School Playgroup
Churchill & District Comm Assoc.	Churchill Senior Amateur Basketball Association
Churchill & District Lions Club	Churchill Tennis Club
Churchill Golf Club	Churchill United Soccer Club
Churchill and District News	Churchill Volleyball Club
Churchill Baseball Club	Community Singing Churchill
Churchill Bowls Club	Co-Operating Churches of Churchill
Churchill Christian Fellowship	Friends of Morwell National Park Inc
Churchill Community Garden	Hazelwood Jeeralang Community Association
Churchill Cricket Club	Hazelwood North Cricket Club

Churchill Fire Brigade	Hazelwood Rotary Club
Churchill Football Netball Club Inc.	Latrobe Valley Water Polo Club
Churchill Hockey Club	Lumen Christi Catholic Parish Churchill
Churchill Indoor Netball Assoc.	Mathison Park Churchill
Churchill Men's Shed	Positive Birth Movement- Latrobe Valley
Churchill Neighbourhood Centre	Churchill Primary School
Federation University (2019 only)	

No response was received to this second consultation until Council Officers followed up directly with the Churchill Primary School Principal who indicated there were some non-mainstream classes that may be appropriate. Following further investigation by the school including liaison with the school council, they have advised that they do not have an interest in the building (Attachment 1).

Council Officers contacted Federation University who have not indicated any need for a facility at this location as their focus is on the High Tech Precinct development in Morwell.

The building represents a risk to the community (when people enter it), and an ongoing maintenance burden. The current condition of the facility detracts from the appearance and amenity of the neighbourhood.

Significant funding would be required to refurbish the facility and there is no apparent use for a refurbished building. Without a defined alternative community use or even a commercial use deriving revenue, any investment would provide poor value for money.

Demolition would occur as soon as funding allows and there currently is sufficient funds within the 2018/19 budget should Council resolve to proceed with the demolition of the Watson Park preschool. It should be noted that the preschool carpark and several minor out-buildings and small structures would be included in this demolition, with the footpath connection to be reinstated as part of these works. Once demolished the land would be included as part of the existing reserve.

Council's arborist and Environment Sustainability team identified retaining 15 native trees within the preschool boundary site to complement the existing reserve (see Attachment 2). Prior to any demolition works, tree protection zones will be installed around these trees to help ensure their survival.

Strategy Implications

The recommendation is consistent with Objective 5 "*Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens*" by improving safety and directing funds used to keep the site safe to other services.

Communication

Thirty-one clubs and organisations within Churchill were contacted and asked for proposals to use any of the three buildings proposed to be demolished. There were no proposals and it is intended to proceed with demolition of the buildings.

Following the EOI process it has been confirmed that the Churchill District Community Association were contacted.

Financial Implications

Funding is available in the 2018/19 Building Demolition Program to demolish Watson Park Preschool.

Risk Analysis

Identified risk	Risk likelihood*	Controls to manage risk
Public injury from entering building	Possible	Boarding up the building and inspections as required.
Reputational risk	Likely	If demolition is not imminent, additional maintenance can be implemented to clear the vegetation around the property and to refresh the measures that limit public access.

The recommendation is presented in consideration of reducing the risk to Council.

Legal and Compliance

There are no legal or compliance issues with the recommendation.

Community Implications

The recommendation to demolish the buildings will positively impact the community by removing unsightly and dangerous buildings.

Environmental Implications

There are no environmental implications associated with the recommendation. All works would be undertaken to manage the potential environmental issues (dust, asbestos etc.).

A site visit has been undertaken by Council's arborist and Environment Sustainability team, and it recommended retaining 15 native trees within the preschool boundary site to complement the existing reserve (see attachment 2). Prior to any demolition works, tree protection zones will be installed around these trees to ensure their survival.

Consultation

No further engagement is required other than that normally associated with demolition works in respect of the demolition of the identified buildings.

Further consultation will be undertaken to explore options to repurpose the building within Andrews Park West, including contacting the clubs identified above.

Other

Nil

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Supporting Documents:

Council Report 7 May 2018 – Proposed building demolition Plan 2017/18

Attachments

1. Churchill Primary School response
2. Indicative tree retention map
3. Federation University response

15.1

Proposed Demolition of the former Watson Park Preschool, Churchill

1	Churchill Primary School response	111
2	Indicative tree retention map	113
3	Federation University response	115

<http://www.latrobe.vic.gov.au/>

From: Churchill Primary School [churchill.ps@edumail.vic.gov.au]
[mailto: *Deleted* @edumail.vic.gov.au]
Sent: Monday, 8 October 2018 9:56 AM
To: Kevan Delaney [Kevan.Delaney@latrobe.vic.gov.au]
Subject: FW: Use of Watson Park Preschool

Please find below response from Acting Principal *Deleted* ...

From: *Deleted*
Sent: Monday, 8 October 2018 9:21 AM
To: Churchill Primary School *Deleted*>
Subject: RE: Use of Watson Park Preschool

Hi Kevin
I took this proposal to school council and it was decided Churchill PS has no use for Watson Park Kindergarten

Kind Regards
Deleted

From: Comber, Jacqueline A on behalf of Churchill Primary School
Sent: Monday, 8 October 2018 8:55 AM
To: *Deleted*
Cc: *Deleted*

Subject: FW: Use of Watson Park Preschool

From: Kevan Delaney <Kevan.Delaney@latrobe.vic.gov.au>
Sent: Friday, 5 October 2018 4:27 PM
To: Churchill Primary School *Deleted*
Cc: Lisa Clarke <Lisa.Clarke@latrobe.vic.gov.au>; Steven Piasente <Steven.Piasente@latrobe.vic.gov.au>; Fergal Rabette <Fergal.Rabette@latrobe.vic.gov.au>
Subject: FW: Use of Watson Park Preschool

Hello again.

You will recall I am sure the previous conversations we had about the potential for your school to use the former preschool within Watson Park. You had two potential uses but were contacting the Department of Education about the ability to transition across to the old preschool.

Council is not in a position to absorb the \$150,000 to \$200,000 to clean up the site, refurbish the interior and repair the exterior damage, however any genuine proposal could be put to Council for their consideration.

I need to finalise this inquiry and therefore need a direction from the Department or the school as soon as possible. I have a report going to Council 5 November 2018 (final review 1.5 weeks before) and unless I hear that there is a genuine interest in using the building by 25 October 2018 at the latest, the recommendation within the report will be to demolish the building and clean up the site.

Thanks and if you have any questions please do not hesitate to call.

Regards

Kevan Delaney

From: Kevan Delaney
Sent: Wednesday, 5 September 2018 8:06 AM
To: Deleted
Cc: Lisa Clarke
Subject: Use of Watson Park Preschool

Hello

I spoke with the Principal some 4 weeks ago about the potential re-purposing and renovation of the former preschool within Watson Park. Council remains very interested in using the remaining structure that is quite sound should the damaged walls, windows etc. be replaced.

I was wondering if you had a chance to discuss the potential with the Department of Education. I recognise that there is a fairly substantial refurbishment cost. Council may consider favourably a proposal whereby the refurbishment costs are recovered with a lease fee should there be some community benefit as well.

I look forward to any proposal you may have.

As I have an obligation to present a report in November and must submit it for consideration early October, your early response would be appreciated.

Regards

Kevan Delaney
Manager Infrastructure Development
Latrobe City Council

Kevan.Delaney@latrobe.vic.gov.au
Direct: 03 5128 6106
Mobile: 0439680908
Phone: 1300 367 700
PO Box 264, Morwell 3840
141 Commercial Rd, Morwell 3840



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Watson Park, Churchill
 Trees to be retained

3/01/2019

Scale 1:300



Text from email from Facility Manager

Hi Kevan,

I can confirm that the University is not interested in these buildings.

Thanks,
Deleted

From: Kevan Delaney <Kevan.Delaney@latrobe.vic.gov.au>
Sent: Friday, 18 January 2019 11:50 AM
To: *Deleted* >
Subject: Potential use of former preschools

Hi *Deleted*

Thanks again for your prompt response.

Attached is some general info – location, scale of building, a floor plan – to give some idea of the type of building. I also attached some photos showing some of the damage and condition.

A quick response would be appreciated as I have a Council report to finish next week regarding demolition of Watson Park Preschool. I can delay the Council report to March (buy myself 3 or 4 weeks) if that would help.

Andrews Park West is still in good enough condition that demolition can wait for a few months.

Regards

Kevan

Kevan Delaney

**Manager Infrastructure Development
Latrobe City Council**

Kevan.Delaney@latrobe.vic.gov.au
Direct: 03 5128 6106
Mobile: 0439680908

Phone: 1300 367 700
PO Box 264, Morwell 3840
141 Commercial Rd, Morwell 3840

Agenda Item: 15.2

Agenda Item: **Monash Reserve, Newborough - Proposed Removal of Vegetation**

Sponsor: **General Manager, Infrastructure and Recreation**

Council Plan Objective: **Improve the liveability and connectedness of Latrobe City.**

Status: **For Decision**

MOTION

Moved: Cr Gibson

Seconded: Cr Law

That Council:

- 1. Approves the removal of seven trees at Monash Reserve, Newborough as outlined in Attachment 1 - Monash Reserve - Planned Vegetation Removal; and**
- 2. Provides an allocation of \$1,500 from the Monash Reserve, Newborough Court and Pavilion project for the planting of trees at College Park, Newborough.**

CARRIED UNANIMOUSLY

Executive Summary:

- Council endorsement is sought to remove seven trees at Monash Reserve, Newborough which are in the vicinity of the new court construction scheduled for 2019.
- Council's arborist has provided an assessment of the trees with the species identified in Attachment 2 - Tree Assessment Data Sheet. The specified trees were identified as 5 native trees, and 2 non-native. The native trees were planted for landscaping purposes, not ecological value.
- The removal of these trees are exempt from a planning permit or offset as advised by Council's Environment Sustainability team - see Attachment 3.
- An amount of \$1500 is recommended to be provided from the project budget to support the planting of additional trees at College Park.
- It is recommended that Council undertake voluntary replanting within the same district to offset the tree removal at Monash Reserve.

- The trees along Monash Road, Torres Street, and between the existing courts and sports reserve are not included as part of this report.

Background:

Council has received funding for the construction of a new multi-use pavilion, and 10 netball / tennis (3 of) courts at Monash Reserve, Newborough.

In order to achieve this project, the existing Tennis Club, as well as some vegetation (as identified in Attachment 1) is required to be removed prior to works commencing.

The Environment Sustainability Team have identified that while some of the trees proposed to be removed are native vegetation, they were not planted for the purpose of biodiversity and therefore no planning permit or offsets are required to be compliant.

While no offsets are required, it is recommended that a financial contribution be made to allow for the replacement of the trees being removed. An allocation in the vicinity of \$1,500 would allow for 5 mature trees to be planted within the College Park, Newborough precinct and align with objective three of the Council plan to improve the community's satisfaction with Council's physical spaces.

Issues:

Strategy Implications

The redevelopment of the courts and construction of the pavilion at Monash Reserve directly relate to Objective 3 of the Council's Plan to Improve the liveability and connectedness of Latrobe City.

The redeveloped facilities will improve participation rates across multiple sports, and attract further events to the Latrobe Valley.

In order for this project to be realised, the vegetation within the construction zone is required to be removed, however it is proposed to counteract this with new plantings at College Park, Newborough.

Communication

The existing user groups at the site, as well as the Project Reference Group for the Monash Reserve project will be consulted on the timeline for removal of the vegetation.

Adjacent residents will also be notified in conjunction with the demolition notices for the existing Tennis Pavilion.

Financial Implications

The State and Federal Governments have invested \$3.8 million dollars in the Monash Reserve upgrade.

To allow the project to proceed and the funding to be utilised, the identified trees are required to be removed. The estimated cost for removing the vegetation is \$3,000. An allowance of \$1,500 has been made to support the planting of additional trees at College Park.

Risk Analysis

Identified risk	Risk likelihood*	Controls to manage risk
Tree removal is not approved resulting in the Monash Reserve project unable to proceed.	2 (unlikely)	It is recommended Council approve the request to remove the identified trees.
Potential negative community response.	3 (Possible)	The neighbouring residents will be advised on the proposed vegetation removal and given the opportunity to consult with Council officers prior to the works commencing. Providing an allocation for replacement planting should assist to alleviate a negative response.

* For example, likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

Legal and Compliance

Council officers have complied with all regulations for the removal of native vegetation. There is no requirement for an offset in this case.

Community Implications

There may be some concerns raised by community members regarding the tree removal in relation to amenity. These can be mitigated via timely and transparent communication with the neighbouring residents, as well as complementary planting at a site within the town. It is expected that there will be a positive reaction to the overall redevelopment of Monash Reserve.

Environmental Implications

It has been identified that the trees identified for removal were not planted for biodiversity reasons and therefore do not represent significant ecological value in the area. It is however recommended that Council commit to replacing these trees as part of the College Park, Newborough revegetation works.

Consultation

Consultation continues to occur with the Project Reference Group for the Monash Project which includes all stakeholders currently involved in the use of the current and future facilities.

The surrounding residents will be notified of the tree removal if approved as part of the demolition works notification.

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Supporting Documents:

Tree Work Notification Policy

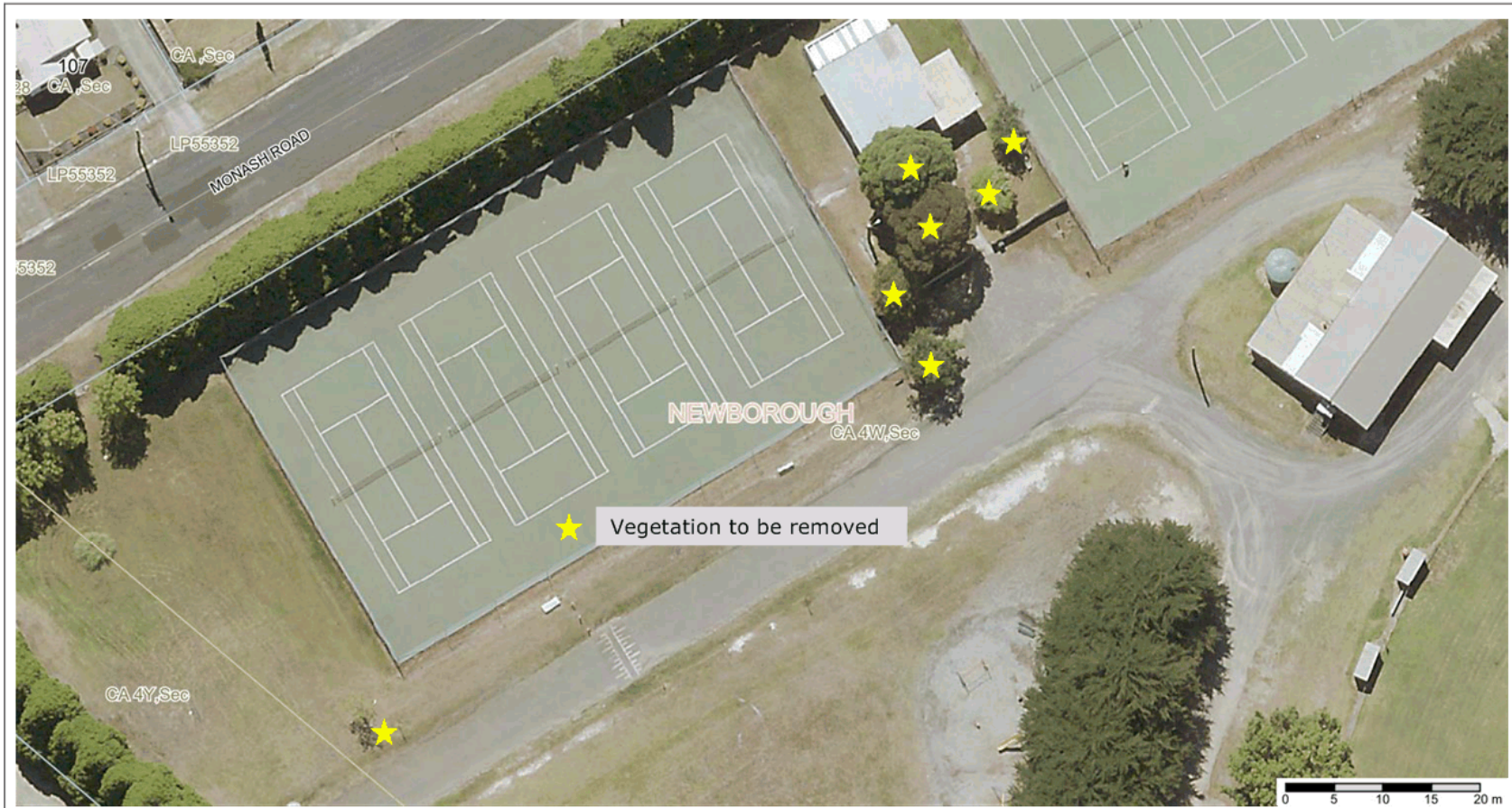
Attachments

1. Monash Reserve - Planned Vegetation Removal
2. Tree Assessment Data Sheet
3. Tree Assessment Advice

15.2

Monash Reserve, Newborough - Proposed Removal of Vegetation

1	Monash Reserve - Planned Vegetation Removal	121
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3	Tree Assessment Advice	129



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Attachment 1
Monash Reserve,
Newborough

12/12/2018

Scale 1:600



Tree Assessment Data Sheet



20180921/01

Assessment Conducted by	Ruth Harper	Cameron Johnson
Date of Assessment	21/9/2018	Property Number 39277
Property Address	Monash Reserve, Newborough	
Planning Application No	/	PreAdvice <input checked="" type="checkbox"/>
NVIM Report Created	Yes <input type="checkbox"/>	Native vegetation report ID

Tree Reference Number	A	Circumference at 1.3m	600 mm
Is the Tree Native?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Tree Species Identification	Crevillea robusta		
Photo(s) Taken	Yes <input type="checkbox"/> No <input type="checkbox"/> Qty:	Date & Time / / @	
EVC Species?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	EVC: Lowland Forest	
Condition / Exemption	Planted for landscape, not ecological value		

Tree Reference Number	B	Circumference at 1.3m	300, 800, 900 mm
Is the Tree Native?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Tree Species Identification	Leptospermum petersonii		
Photo(s) Taken	Yes <input type="checkbox"/> No <input type="checkbox"/> Qty:	Date & Time / / @	
EVC Species?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	EVC: Lowland Forest	
Condition / Exemption	Multi-stemmed, planted, not for ecological value		

Tree Reference Number	C	Circumference at 1.3m	1700 mm
Is the Tree Native?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Tree Species Identification	Angophora costata, Smooth-barked Apple Gum		
Photo(s) Taken	Yes <input type="checkbox"/> No <input type="checkbox"/> Qty:	Date & Time / / @	
EVC Species?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	EVC:	
Condition / Exemption	Planted for landscape value, not ecological		

Tree Reference Number	D	Circumference at 1.3m	1450 mm
Is the Tree Native?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Tree Species Identification	Eucalyptus nichollii Narrow-leaved Black Peppermint		
Photo(s) Taken	Yes <input type="checkbox"/> No <input type="checkbox"/> Qty:	Date & Time / / @	
EVC Species?	Yes <input type="checkbox"/> No <input type="checkbox"/>	EVC:	
Condition / Exemption	Planted for landscape values, not ecological		

Tree Assessment Data Sheet



20180921/01

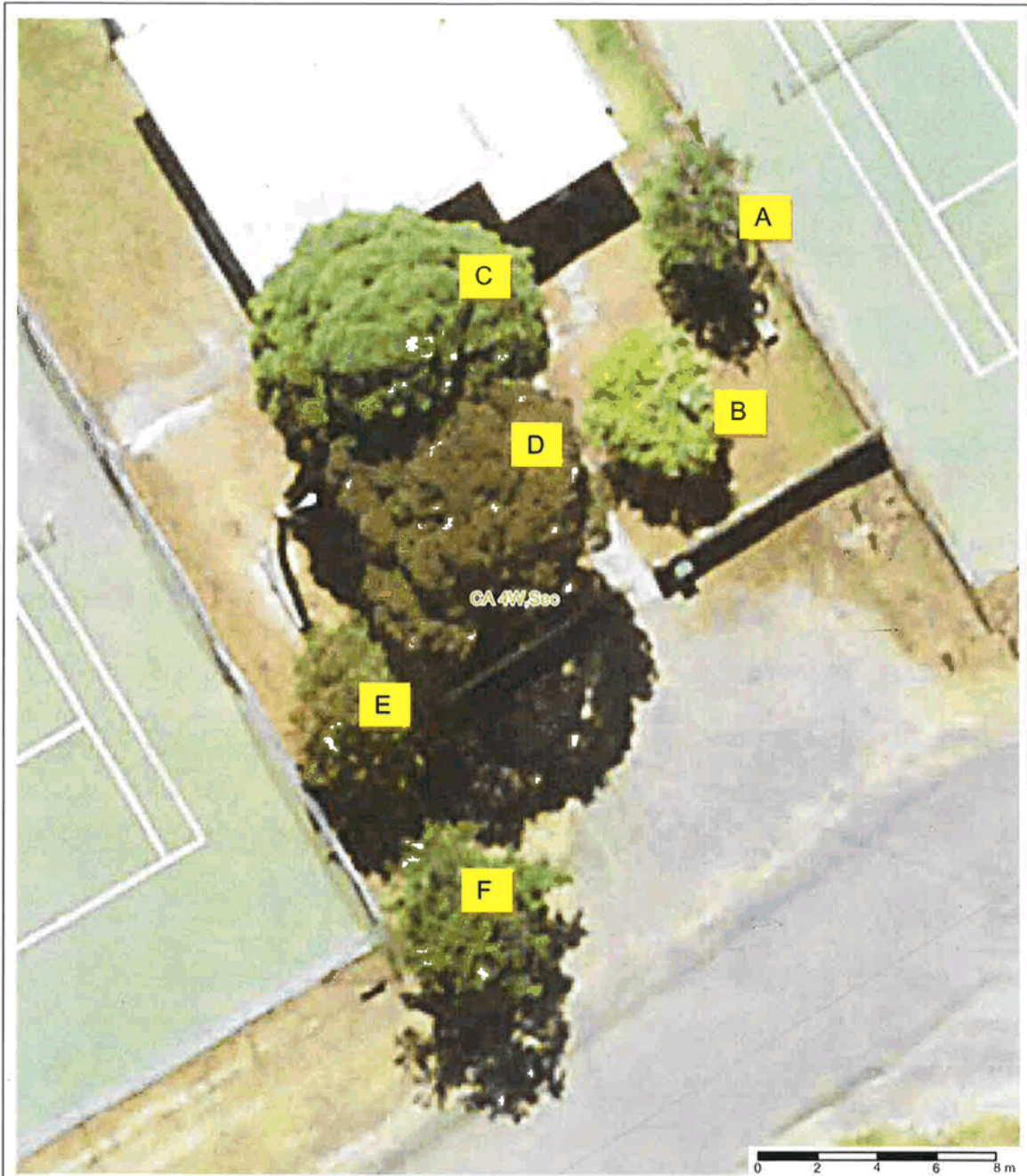
Assessment Conducted by Ruth Harper + Cameron Johnson
 Date of Assessment 21/9/2018 Property Number 39277
 Property Address Monash Reserve, Newborough
 Planning Application No / PreAdvice
 NVIM Report Created Yes Native vegetation report ID

Tree Reference Number E Circumference at 1.3m n/a mm
 Is the Tree Native? Yes No
 Tree Species Identification Liquid Amber Liquidamber styraciflua
 Photo(s) Taken Yes No Qty: Date & Time / / @
 EVC Species? Yes No EVC:
 Condition / Exemption Non-native

Tree Reference Number F Circumference at 1.3m 1000 mm
 Is the Tree Native? Yes No
 Tree Species Identification Crevillea robusta
 Photo(s) Taken Yes No Qty: Date & Time / / @
 EVC Species? Yes No EVC:
 Condition / Exemption Planted for landscaping values, not ecological

Tree Reference Number Circumference at 1.3m mm
 Is the Tree Native? Yes No
 Tree Species Identification
 Photo(s) Taken Yes No Qty: Date & Time / / @
 EVC Species? Yes No EVC:
 Condition / Exemption

Tree Reference Number Circumference at 1.3m mm
 Is the Tree Native? Yes No
 Tree Species Identification
 Photo(s) Taken Yes No Qty: Date & Time / / @
 EVC Species? Yes No EVC:
 Condition / Exemption



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[Type a quote from the document or the summary of an interesting point. You can position the text box anywhere in the document. Use the Drawing Tools tab to change the formatting of the pull quote text box.]



1:200

Tree Assessment Data Sheet



20180921 / 01 SUP

Assessment Conducted by SEAN-PAUL SMITH
 Date of Assessment 03/12/2018 Property Number 39277
 Property Address _____
 Planning Application No _____ / _____ PreAdvice
 NVIM Report Created Yes Native vegetation report ID _____

Tree Reference Number G Circumference at 1.3m N/A mm
 Is the Tree Native? Yes No
 Tree Species Identification NON NATIVE / EXOTIC SPECIES
 Photo(s) Taken Yes No Qty: _____ Date & Time 03 / 12 / 18 @ _____
 EVC Species? Yes No EVC: N/A
 Condition / Exemption NON NATIVE

Tree Reference Number _____ Circumference at 1.3m _____ mm
 Is the Tree Native? Yes No
 Tree Species Identification _____
 Photo(s) Taken Yes No Qty: _____ Date & Time / / @ _____
 EVC Species? Yes No EVC: _____
 Condition / Exemption _____

Tree Reference Number _____ Circumference at 1.3m _____ mm
 Is the Tree Native? Yes No
 Tree Species Identification _____
 Photo(s) Taken Yes No Qty: _____ Date & Time / / @ _____
 EVC Species? Yes No EVC: _____
 Condition / Exemption _____

Tree Reference Number _____ Circumference at 1.3m _____ mm
 Is the Tree Native? Yes No
 Tree Species Identification _____
 Photo(s) Taken Yes No Qty: _____ Date & Time / / @ _____
 EVC Species? Yes No EVC: _____
 Condition / Exemption _____

Handwritten signature and date 03/12



20180921/01 Supp

- * Use same **Tree Reference Number(s)** as on previous page.
- * Include as much detail as possible to allow for comparison with photos taken and/or aerial imagery.

Site Mud Map:



Notes:



[Handwritten signature]
Pg 2/2

Kylie Stockdale

Subject: FW: 20181002 Tree Assessment Data Sheet - Monash Reserve
Attachments: 20180921 Tree Assessment Data Sheet.pdf

From: Sean-Paul Smith
Sent: Tuesday, 2 October 2018 6:32 PM
To: Kylie Stockdale
Cc: Cameron Johnson
Subject: 20181002 Tree Assessment Data Sheet - Monash Reserve

Hi Kylie,

Please find attached a Tree Assessment Data Sheet for Monash Reserve in NEWBOROUGH that was compiled by Cameron Johnson and Ruth Harper.

I have assessed the trees in question and note that they were planted and they are exempt from a planning permit of the need for an offset as they are non-indigenous species that would have been planted for visual amenity rather than biodiversity.

As such their removal will only require a Council report to be put forward to inform our Councillors.

Cheers, Sean

Sean-Paul Smith

A/Coordinator Environment Sustainability
Latrobe City Council

Sean-Paul.Smith@latrobe.vic.gov.au

Direct: [REDACTED]

Mobile: [REDACTED]

Phone: 1300 367 700
PO Box 264, Morwell 3840
141 Commercial Rd, Morwell 3840



<http://www.latrobe.vic.gov.au/>

Agenda Item: 15.3

Agenda Item: 2018/19 Road Rehabilitation program - deferral of Lafayette Street, Traralgon

Sponsor: General Manager, Infrastructure and Recreation

Council Plan Objective: Ensure Council operates openly, transparently and responsibly.

Status: For Decision

MOTION

Moved: Cr Howe

Seconded: Cr O'Callaghan

That Council endorses deferring construction of Lafayette Street to the 2019/20 program.

CARRIED UNANIMOUSLY

Executive Summary:

The lowest tender received for road renewal of Lafayette Street, Traralgon approximately \$180,000 in excess of the estimated value based on previous rates for similar work.

The 2018/19 program budget does not have sufficient funds to undertake both the Lafayette Street and the Healeys Road works.

Deferral of the Lafayette Street project will allow for re-tendering of the work when the contractor availability is greater, and therefore would be more likely to provide good value, and make the allocation available for other works. Deferral would not result in high additional maintenance costs for the road or unacceptable road condition for the users. Some nuisance ponding will continue.

It is therefore proposed to defer the works on Lafayette Street to 2019/20 to seek a better value outcome. The 2018/19 funds would then be available to undertake the planned works on Healeys Road.

Background:

In 2017/18 Council officers received tenders for construction of a portion of Healeys Road, Yinnar. Although the tenders were received in 2017/18, due to timing of the contractor's works and a shortage of capital funds at the time, the works were carried forward to 2018/19.

Lafayette Street, Traralgon road renewal was a 2018/19 project estimated at a total of \$330,000. Following design and including some works requested by the residents as part of the consultation, the estimated construction value was \$450,000.

The lowest tender received for Lafayette Street reconstruction was approximately \$630,000. Council Officers assume that the high tendered price is a result of a lack of competition based on the large amount of civil works currently available in the Latrobe Valley.

The 2018/19 Road Rehabilitation Program budget does not have sufficient funds to undertake both the Lafayette Street and the Healeys Road works.

It is therefore proposed to defer works on Lafayette Street to 2019/20 and the funds remaining in the 2018/19 Road Rehabilitation Program would then be available to undertake the Healeys Road reconstruction project.

Issues:

Strategy Implications

The proposed resolution is consistent with Council Plan Objective 4: “Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens”

Communication

To date all communication has been within Council departments and the Capital Works Board. The Capital Works Board recognised that this is a significant change to the program and resolved to seek specific Council endorsement.

Financial Implications

The 2018/19 program budget does not have sufficient funds to undertake both the Lafayette Street and the Healeys Road works. Deferral of the Lafayette Street project will allow for re-tendering of the work when the contractor availability is greater, and therefore would be more likely to provide good value, and make the allocation available for other works.

The existing Healeys Road tender is considered good value and if deferred the Lafayette Road reconstruction allocation would fund these works. Any remaining surplus will be allocated to the planned works on other roads in the 2018/19 program.

Risk Analysis

There are no risks with the proposed resolution. Should Council not endorse the change a funding shortfall would occur putting completion of other projects at risk, but this risk overall is minor.

Legal and Compliance

There are no legal or compliance issues with the recommendation.

Community Implications

The Lafayette Street residents were involved in the planning and design and there is an expectation that Lafayette Street construction will proceed early in 2019. Deferral of the works would be communicated to them with the advice that the works would be undertaken early in the 2019/20 financial year.

Environmental Implications

There are no environmental implications associated with the proposed resolution

Consultation

Consultation would be limited to the residents involved in the planning and design of the works.

Other

No other issues are noted at this time.

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Supporting Documents:

Nil

Attachments

Nil

- Agenda Item:** 15.4
- Agenda Item:** Application to the 'Safe Traffic in Local Streets' funding program for 40km/h zones in Latrobe City Major Townships
- Sponsor:** General Manager, Infrastructure and Recreation
- Council Plan Objective:** Improve the liveability and connectedness of Latrobe City.
- Status:** For Decision

MOTION

Moved: Cr McFarlane

Seconded: Cr Clancey

That Council:

- 1. Endorses the principle of reducing the speed limits on roads in the township Activity Centres of Churchill, Moe, Morwell and Traralgon to 40km/h;**
- 2. Endorses an application for funding to the *Safe Travel in Local Streets* program to implement speed limit zones and associated works to enhance road safety and the effectiveness of proposed regulatory speed zone signage for Morwell, Traralgon and Moe; and**
- 3. If the funding application is successful, receives a further report for endorsement of the proposed 40km/h speed limit changes and the extent of the precincts within the townships, following consultation with the stakeholders involved.**

CARRIED UNANIMOUSLY

Executive Summary:

Council has been approached by Regional Roads Victoria (RRV) to apply for funding to improve safety in local streets. Funding for this program is provided through the Towards Zero road safety initiative from the Safe System Road Infrastructure Program (SSRIP). The specific program is the Safe Travel in Local Streets initiative.

RRV contacted Council Officers and identified town centres of Traralgon, Morwell and Moe as defined precincts that have a history of vulnerable road user crashes. Churchill township was not identified as having a crash history supporting funding.

The proposal considered is to create precincts of lower speed limits within the activity centres of Traralgon, Morwell and Moe and this report seeks Council’s endorsement of the proposed 40km/h zones in principle, and also for a funding application to the Safe Travel in Local Streets funding program.

- One method to enhance safety is to reduce speeds on the roads. While for the most part the traffic speeds in the township business areas is currently in the order of 40km/h, it is proposed to formally reduce the posted speed limit in and around the township activity centres.
- Part of that project is installing physical measures to encourage lower motorist speeds by developing a “sense of Place” as opposed to a “Through Street” concept for the road network.
- Due to the funding program application deadline, Council officers have applied to Regional Roads Victoria for funding for a project as noted above. Council endorsement is sought at this time for the proposed speed zones and the funding application, however should Council not endorse the application it can be withdrawn.
- Should the application be successful, Council officers will engage a consultant to refine the indicative proposals created for the application, and then engage with Council, the community, and Regional Roads Victoria. Endorsement for any final plan would be obtained from Council prior to a formal request to Regional Roads Victoria to approve the speed zone changes.

Background:

Regional Road Victoria (RRV) has carriage of the *Safe System Road Infrastructure Program* (SSRIP) that includes the *Towards Zero road safety initiative*, of which the *Safe Travel in Local Streets Program* is one funding component.

This funding nominally allows for infrastructure expenditure for 100% of the directly associated works up to \$2 million per council with a per project maximum of \$1 million.

Council was approached by Regional Roads Victoria to apply for funding and suggested localities that focused on crash data involving vulnerable roads users. Latrobe City town centres of Traralgon, Morwell and Moe were identified as defined precincts that have a history of crashes involving vulnerable road users as noted in Table 1.

Table 1: Injury Crashes over the last 5 Years:

Town Centre	Fatalities	Serious Injuries
Traralgon	1	6
Morwell	0	6
Moe	1	3

Council officers presented to RRV and Transport Accident Commission personnel in November 2019 with a proposal to enhance safety within Traralgon, Moe, and Morwell by creating 40 km/h precincts within the townships. The Churchill CBD did not have the crash history necessary to be considered for funding, however it does lend itself very well to this treatment, can be considered in the future. It already has a traffic environment suited to this lower limit.

Having received positive feedback from RRV and TAC representatives Council officers were invited to make a formal submission to RRV for funding.

One method to reduce the frequency and severity of crashes is to reduce motorist speed. Regulatory speed limit signage alone is limited in effectiveness as it requires voluntary compliance from the motorist.

It is therefore proposed that the regulatory signage would be augmented with infrastructure changes that would send a visual cue to the motorist that they are entering an area where a lower speed is appropriate. This, on a large scale would be to create a “sense of Place” or destination, and that the road they are travelling on is not a “Through Street”.

The physical changes may be to install: kerb bulges to constrict the road width at the entries to the CBD; raised platforms or distinctive pavements either at intersections, entries to the CBD, or at key locations for pedestrian safety.

Should the funding application be successful, a concept plan will be developed of proposed physical measures and the 40km/h precincts. The proposed changes would form part of the project development that will include consultation with Council, the community, and Regional Roads Victoria. Following finalisation of the proposed changes, Council endorsement would be obtained before a formal application to Regional Roads Victoria.

Due to the timing of Council meetings compared to the funding program’s timing, it was not possible to obtain Council endorsement in advance of an application. The application therefore will have been made before Council considers this report. Should Council not wish to proceed the application can be withdrawn.

The following figures indicate the preliminary precincts and the roads proposed to be part of the 40km/h zone based on traffic and crash analysis and preliminary feedback. The roads in solid line indicate either roads under RRV control or Council roads that have a through traffic function and thus, are not suited to being developed as a Place.

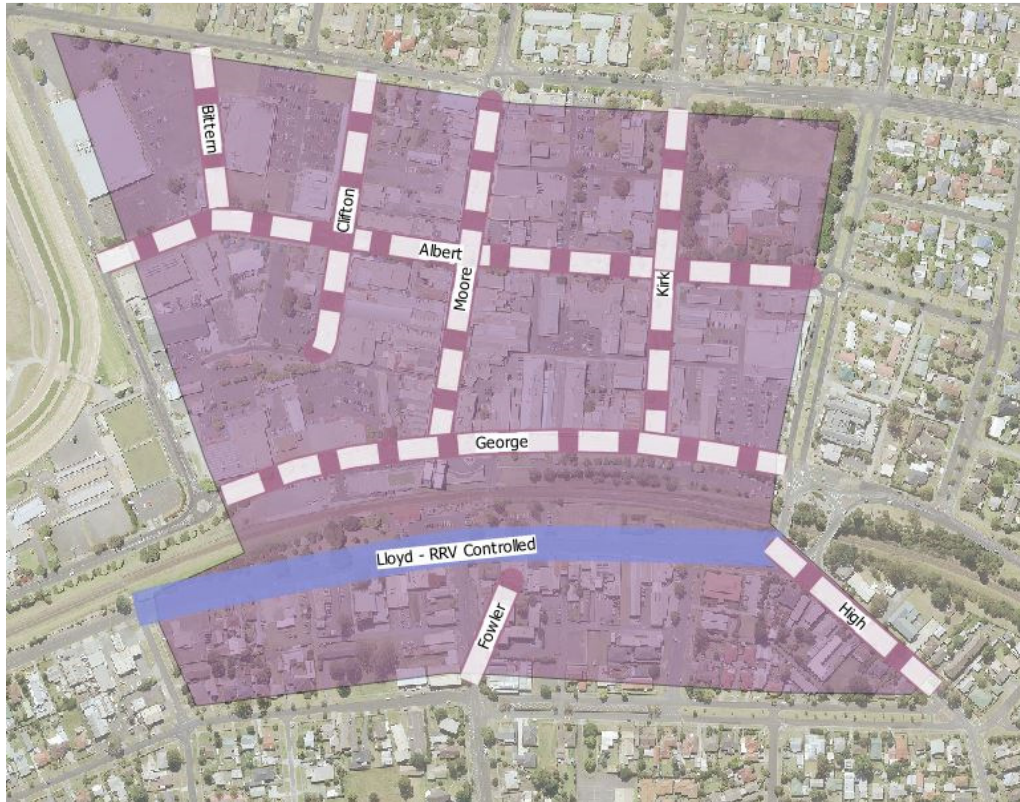
Figure 1) Morwell – proposed indicative precinct



Figure 2) Traralgon – proposed indicative precinct



Figure 3) Moe – proposed indicative precinct



Issues:

Strategy Implications

The proposal to reduce speeds and create a sense of place is consistent with Council Plan Objective 1 - *Improve the liveability and connectedness of Latrobe City.*

Communication

No communication has been undertaken other than within the Infrastructure Development department and Regional Roads Victoria.

Financial Implications

The project is proposed to be funded entirely through the STiL program and includes to a maximum of \$1 million in infrastructure works plus up to \$50,000 for project management/delivery per project with a total cap of \$2 million per Council.

The treatment for the three major towns has been presented as three individual projects. It is recognised however, that there will be considerable consultation and engagement with businesses and road users and inevitably Council Officer time and some minor expenses will be incurred. This will be covered within normal operating budgets.

The proposed projects are currently anticipated to be in the order of \$150,000 to \$800,000 per township.

In addition the project will create several new assets that would attract additional maintenance and renewal costs. This is estimated to be nominal and well within the capacity of Council to absorb within its normal increase to the operating budgets and on balance, given the potential reduction in crash severity and frequency, and that the works will be consistent with improving the amenity of the township activity centres, on balance this increase is considered acceptable.

Risk Analysis

The proposed speed zones and associated infrastructure would reduce risk to the public.

Legal and Compliance

Changing speed limits needs to follow the prescribed legislative process. For Council this consists generally of making a formal request to Regional Roads Victoria as they are the approving authority for speed limits. Working within a Regional Roads Victoria program will facilitate the approval process.

Community Implications

Some motorists will be obliged to drive slower than they wish ,however overall the impact will be positive due to the enhanced safety and improved amenity of the townships. In effect there will be a transfer of amenity from drivers to other road users. With that said predictable lower travel speeds will be positive to the smoothness of traffic flow.

Environmental Implications

There would be no environmental impact as a result of these works.

Consultation

Consultation is required by Regional Roads Victoria as part of any proposed speed limit change. As part of the broader project consultation will be undertaken with the communities on the 40km/h zones.

Consultation will also occur on the physical measures with the community generally, and with the specific businesses affected by the proposed installation more directly.

Other

No other issues are noted.

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Supporting Documents:

Nil

Attachments

Nil

Agenda Item:	15.5
Agenda Item:	Delegate authority to award Keegan Street Oval Redevelopment contract to Chief Executive Officer
Sponsor:	General Manager, Infrastructure and Recreation
Council Plan Objective:	Ensure Council operates openly, transparently and responsibly.
Status:	For Decision

MOTION

Moved: Cr McFarlane

Seconded: Cr White OAM

That Council:

- 1. Subject to the recommended tenders being within the funding agreements of the Latrobe Valley Sports and Community Initiative and the Federal Government's Community Development Grants, and compliance with Council's Procurement Policy, delegates to the Chief Executive Officer (CEO) the authority to award the following contracts which exceed the CEO's financial delegation of \$500,000 (incl. GST):**
 - a. Redevelopment of the Keegan Street Reserve, Morwell (\$600,000 incl GST, wholly funded by Federal Government)**
- 2. Authorises the CEO to sign and seal associated documents to effect the awarding of that contract;**
- 3. Releases the decision to award the contract to the public once the contract is awarded; and**
- 4. Receives a report at an Ordinary Council Meeting detailing the contract awarded by the CEO, and the successful contractor.**

CARRIED UNANIMOUSLY

Executive Summary:

Council has delegated the Chief Executive Officer (CEO) authority to award contract works up to \$500,000 (incl. GST). Council delivers a number of capital works projects. This financial year has seen a significant increase in capital works including Major Recreation Projects, above the standard capital works program.

In order to expedite the contract process and enable the commencement of the redevelopment of the Keegan Street Reserve, Morwell in a timely manner and in line where possible with the request of the funding partners to have contracts signed as

soon as possible, it is recommended that the Council delegate to the CEO the authority to award contracts which exceed the CEO's financial delegation of \$500,000 (incl. GST).

The award of any contracts under this arrangement is subject to the recommended tenders being within Council's adopted budget, the contract complying with Council's Procurement Policy, and the awarding being reportable at a quarterly Council Meeting.

Background:

The Keegan Street Reserve Redevelopment is being delivered as one of the Major Recreation Projects, funded wholly by the Federal Government through its Community Development Grants, this work will involve reshaping of the reserve, installation of an irrigation system and the improvement of surface drainage for the oval.

Contracts are typically advertised for three weeks, followed by a period to evaluate tenders, clarify any tender issues, carry out necessary referee checks, and then prepare the tender evaluation report and associated Council report.

Without the authority delegated to the CEO to award contracts, subject to the recommended tenders being within the appropriate funding agreements, there is typically a delay of a month in order to present the report at the next available Council meeting.

Delegating the CEO the authority to award this contract will greatly assist in commencing the identified project in a timely fashion.

Issues:

Strategy Implications

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2017-2021:

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives – Built Environment

In 2026 Latrobe Valley benefits from a well-planned built environment that is complimentary to its surroundings, and which provides for a connected and inclusive community

Latrobe City Council Plan 2017-2021

Indicators

Objective 3: Improve the liveability and connectedness of Latrobe City

Communication

In accordance with Council's Procurement Policy, Latrobe City Council's website will be updated to provide summary information relating to contracts entered into with an estimated expenditure which exceed the compulsory tender threshold.

All contracts awarded by the CEO will be reported to Council on a quarterly basis detailing the successful contractor.

Financial Implications

The Latrobe Valley Sports and Community Initiative Federal Government's Community Development Grants funding agreements have provided \$500,000 to Council for Redevelopment of the Keegan Street Reserve, Morwell. In addition, there is \$100,000 surplus from other Federal Government projects at the Morwell Recreation Reserve that are available. Council officers are currently seeking approval from the Federal Government to utilise the surplus funds for the redevelopment of the Keegan Street Reserve.

The estimated cost of the work is up to \$600,000.

Risk Analysis

Providing delegation to the CEO will reduce the risk of delay in awarding contracts to commence the funded project in a timely manner in keeping with the request by the key funding bodies for the projects to be contracted as soon as possible. This will also allow the works to be carried out at a time that will cause the least amount of inconvenience for the local cricket and football clubs.

Legal and Compliance

All processes will comply with legal and compliance guidelines

Community Implications

The proposed recommendation will have a positive impact on the community as it will provide state of the art facilities suited to community through to elite use and major events where appropriate.

Environmental Implications

There are not considered to be any environmental implications associated with this report.

Consultation

In preparing this report, internal consultation has been held with the Procurement team. The development of the scope of work has also had input from the community as well as the key stakeholders and user groups.

Other

Nil

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Supporting Documents:

Nil

Attachments
Nil

COMMUNITY SERVICES

16. COMMUNITY SERVICES

Nil reports

CORPORATE SERVICES

17. CORPORATE SERVICES

Agenda Item: 17.1

Agenda Item: Proposed sale of 33-35 Elizabeth Street Moe

Sponsor: General Manager, Corporate Services

Council Plan Objective: Ensure Council operates openly, transparently and responsibly.

Status: For Decision

MOTION

Moved: Cr Gibson

Seconded: Cr Law

That Council:

- 1. Authorises the Chief Executive Officer to commence the statutory process required under sections 189 and 223 of *the Local Government Act 1989* and publishes a notice inviting written submissions concerning the potential sale of 33-35 Elizabeth Street Moe, Lots 8 and 9 on Plan of Subdivision 050951 being Certificate of Title Volume 08898 Folio 411 and 412, and**
- 2. If submissions are received, delegates to the Chief Executive Officer the authority:
 - a) to fix the date of the Ordinary Council Meeting to consider submissions in accordance with Section 223 of the *Local Government Act*, and**
 - b) notify all submitters of the time and place of the Ordinary Council Meeting that Council will consider the submissions and invite them to speak in support of their submission; or****
- 3. If no submissions are received, Council forms the opinion that 33-35 Elizabeth Street Moe, is surplus to Council and community requirements and delegates to the Chief Executive Officers authority to:
 - a) Negotiate the terms and conditions of direct sale with the Advantage Pharmacy Group Pty Ltd located at 33-35 Elizabeth Street Moe, (the sale will be in accordance with Sale of Council Owned Property Policy 11-POL-4), and**
 - b) Arrange for signing and sealing of all documentation associated with the sale and transfer of the property.****
- 4. Notifies Advantage Pharmacy Group Pty Ltd of Council's decision.**

CARRIED UNANIMOUSLY

Executive Summary:

- Council has received a proposal from Advantage Pharmacy Group Pty Ltd (Pharmacy) to purchase the vacant Council building at 33-35 Elizabeth Street, Moe (refer Attachment 1 for an aerial image and Attachment 2 for a street view). The Pharmacy proposes to purchase the property for the purpose of establishing a medical centre and provide a General Practitioner service. Refer Attachment 2 for a copy of the Pharmacy's proposal.
- In accordance with the provision of Sections 189 and 223 of the Local Government Act 1989, Council is required to undertake community consultation by giving public notice of its intention to consider the potential sale of the property, invite written submission and consider submissions received.
- 33-35 Elizabeth Street Moe is a vacant building that abuts the Elizabeth Street strip shopping centre and a small Council park.
- This building has been vacant for a number of years, previously being used as a Maternal and Child Health Centre, then a Youth Drop In Centre and more recently as a storage area for the Moe Rainbow Toy Library shared with MOaRTZ Theatre Group who used the building as a meeting room/stage prop storage area.
- As the building has not been occupied on daily basis and been used for storage, it has deteriorated. Quotes were obtained in December 2017 for general plumbing (replacement of 2 cisterns and pans, replacement and installation of a new hot water service) and roof maintenance works (installation of 4 new downpipes, rust proof spots on the roof, refix and seal roof sheets, installation of new flashing). This quote totalled \$6,600. Other identified building maintenance included servicing/replacement of the air conditioning system and electrical wiring (costs unknown). There is presently no budget allocation to undertake the above works.
- An independent valuation was obtained refer confidential Attachment 3 for an extract of the valuation.

Background:

In September 2018, Pharmacy representatives approached Officers concerning the vacant building at 33-35 Elizabeth Street Moe.

The Pharmacy's proposal is to purchase the property for the purposes of establishing a medical centre and provide a General Practitioner service.

The Pharmacy advises that there is a need for additional General Practitioners in Moe as there are restrictions on transferring from one Moe medical clinic to another and there are presently delays in obtaining medical appointments.

If the Pharmacy acquired the property, it would invest approximately \$250,000 to purposely refit the building.

As the Pharmacy owns and operates the adjoining pharmacy business, it believes by establishing a medical centre in this part of Moe would service those families in the immediate area and alleviate some of the pressure in obtaining a medical appointment in Moe.

Issues:

Strategy Implications

2017/2021 Council Plan:

Objective 6: Ensure Council operates openly, transparently and responsibly.

Communication

Officers have met with the Pharmacy's representatives to discuss their proposal and the assess the suitability of the property for the Pharmacy's purpose.

Financial Implications

The current market value has been assessed. An independent valuation was obtained refer confidential Attachment 3 for an extract of the valuation.

The sale of the property would:

- Return unbudgeted financial income;
- Council will avoid undertaking the necessary building maintenance and payment of utilities;
- Return annual rates and charges presently not currently levied.

Costs

In accordance with Council's Sale of Council Property Policy and Procedure costs associated with the Pharmacy acquiring this Council owned property would include:

Council:

- Officer resources in the preparation of Council reports.
- Public notice in the Latrobe Valley Express inviting submissions.
- The above costs are within existing budget allocations.

Pharmacy:

- All legal costs associated with the transfer of the ownership of the property.
- Independent valuation of the land which has already been obtained.

Risk Analysis

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management Framework.

There is an inherent risk in owning a vacant building, the building appearance deteriorates, fixtures and fittings become obsolete and the building can become the target of repeated vandalism attacks.

Legal and Compliance

Sale of Council Building:

Section 189 of the *Local Government Act 1989* gives Council the power to sell land however, prior to doing so, it must:

- (a) ensure that public notice of the intention to do so is given at least four weeks prior to selling the land; and
- (b) Obtain from a person who holds qualifications or experience specified under section 13DA(2) of the *Valuation of Land Act 1960* a valuation of the land which is made not more than 6 months prior to the sale or exchange.

This power is subject to Section 223 of the *Local Government Act 1989*, which requires Council to:

- Publish a public notice inviting written submissions in respect of the proposal;
- Considered any written submissions received;
- Allow submitters to speak in support of their submission.

Policy – Sale of Council Owned Property Policy 11 POL-4

The principal aim of this policy is to define the circumstances and factors that will be assessed by Council in respect to the sale of Council owned property. The purpose of this policy is to serve as an accountability mechanism to the community.

It is Council's preference that the sale of Council owned property would be via public auction unless circumstances exist that justify an alternative method of sale.

All sales of Council owned property must be consistent with the Local Government Best Practice Guidelines for the Sale and Exchange of Land prepared by the Department of Planning and Community Development.

In this instance Officers have formed the opinion a direct sale as opposed to a public auction is recommended. A potential purchaser has been identified and it is unlikely that there would be any further interest in acquiring this property at public auction given there has been no interest in this property previously.

By giving public notice of Council's intention to sell this property, it may attract interest from other parties in the property. If this is the case, Council could then determine to sell the property by public auction.

Community Implications

This property has been vacant for a number of years. Officers have not identified any Council program/service that could be undertaken from the building.

In November 2018 Council received a proposal from Moe New Life Christian Centre to lease the property to establish an outreach program and:

- create a place of social connection and support;
- a place where people can drop in for a coffee and a chat;
- assistance for pre-employment e.g. helping with resumes, interview coaching;
- a reference and referral point for people struggling issues such as addiction/substance abuse, family issues etc.; and
- possibly establishing a youth and after school programmes.

The Church proposed to use the building for approximately 12-16 hours per week, depending on appropriate staff and volunteers available to manage the centre.

If Council was to lease the building to the Church, the Church has indicated that it has limited financial resources to pay rent, rates and maintain the building. It would be prepared to assist with building repairs subject to Council financing the materials and overseeing the works carried out. An independent rental valuation was obtained refer confidential Attachment 3 for an extract of the valuation.

An estimated cost of the required building repairs and maintenance, is in the vicinity of \$10,000+.

There has not been any other community interest in using the building.

Environmental Implications

The potential sale of the building would not cause any environment implications

Consultation

Engagement method used:

It is proposed to seek public submissions via the following methods:

- Public notice in the Latrobe Valley Express
- Notice displaced at Council's Corporate Headquarters and Moe Service Centre/Library.
- Details placed on the Latrobe City Council website.
- Letters to adjoining and nearby property owners.

Any written submissions received will be considered by Council at a future Council Meeting.

Officers sought feedback from Council's Statutory Planning Team concerning the Pharmacy's proposal. Provided the floor space of the medical centre does not exceed 250 square metres, a planning permit is not required. Any business identification signage would require a planning permit.

Other

Nil

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Supporting Documents:

Nil

Attachments

1. Aerial Image
2. Street View
3. Advantage Pharmacy Proposal
4. Valuation (Published Separately) (Confidential)

17.1

Proposed sale of 33-35 Elizabeth Street Moe

1	Aerial Image	155
2	Street View	157
3	Advantage Pharmacy Proposal.....	159







Advantage Pharmacy Pty Ltd ABN 73 092 158 275
PO Box 5079
Unit 2 / 6 Wedgewood Road
Hallam Victoria Australia 3803
Ph: +61 3 9703 9500 Fax: +61 3 9703 9599
Email: info@advantagepharmacy.com.au

Latrobe City Council



DOC19/103096

Date Received: 09-Jan-2019

14th December 2018

Henry Morrison
Coordinator Property & Statutory Services
Latrobe City
PO Box 264
MORWELL, 3840

Dear Henry,

Re: Potential Sale of Council Building
33-35 Elizabeth Street, Moe 3825

Further to correspondence between ourselves on 25th September and 2nd October 2018 I now wish to make an application to Council under Section 223, to purchase the land known as:

- Lot 8 on Plan of Subdivision 050951 being Certificate of Title Volume 8898 Folio 411;
- Lot 9 on Plan of Subdivision 050951 being Certificate of Title Volume 8898 Folio 412.

I have attached a copy of Title search corresponding to the above property.

I believe that the above property may be surplus to Council needs.

As a way of background, I operate the Chemist Discount Centre retail pharmacy business that adjoins the above property. The pharmacy operates from premises at 37-39 Elizabeth Street, Moe.

The premises immediately adjoining the Council property are known as 37 Elizabeth Street Moe. The premises are owned by an entity known as:

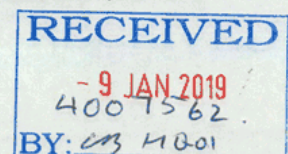
Kardis 126 Painted Hills Road P/L, Kastrinakis 126 Painted Hills Road Pty Ltd Dosung Pty Ltd.

I am a director of that entity and have permission from the other directors to be able to transact on that property. My other fellow directors do not have any objection with the proposal I am making to Council. I have attached a letter of consent from them.

The Proposal

The said premises have been used in the past as a local community Health Centre, as a MOARTZ precinct and most recently as toy exchange library.

The pharmacy has occupied the current premises since 2011 and since that time the Council premises have not been in use.





Advantage Pharmacy Pty Ltd ABN 73 092 158 275
PO Box 5079
Unit 2 / 6 Wedgewood Road
Hallam Victoria Australia 3803
Ph: +61 3 9703 9500 Fax: +61 3 9703 9599
Email: info@advantagepharmacy.com.au

I find that as the premises are unused, have begun to deteriorate, and look run down. The premises sometimes attract young men that loiter in the front area of the property and it has become a eyesore in the street.

The aim of the entity that control 37 Elizabeth Street is to purchase the land from the Council for the purpose of establishing a medical centre and to provide General Practitioner (GP) services to the local community.

Our understanding is that there are 3 medical clinics in the Moe CBD area. One of the clinics does not take on patients that transfer from the other two clinics in town. However, they will take on new patients that come into the area. The remaining two clinics take on new patients, but it make take 1-2 weeks for an appointment for patients to get into a doctor for non-life threatening conditions. We believe that Moe patients are forced to look outside the township for medical services. We believe that if we are able to purchase the property, we may be able to recruit 1-2 doctors into Moe thus reducing wait times and increasing services to the local residents.

Our initial assessment indicates that the investment to bring the current premises up to a standard that can be accredited by the medical authorities will be in the order of \$250,000. We would look at acquiring the premises in order to do the capital works required. We would be resistant to do the works and not have control of the site. If Council had a view that they wanted to retain the site and upgrade the premises and then lease to the pharmacy, that would also be acceptable.

We would be prepared to undertake the required process to get an independent valuer to make an assessment and then review the recommendations.

Summary

As an adjoining retail pharmacy business, we believe that there would be great value to the community to purchase the vacant premises and convert them to a medical centre in this part of Moe and it would service those families in the immediate precinct. The waiting times for patients to see a doctor are in our opinion unacceptable. Even though we see it challenging to entice doctors into the area, it is something that we would endeavour to pursue.

If you have any queries, please feel free to contact me on 0409 800 432.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Steven Kastrinakis', with a long horizontal flourish extending to the right.

Steven Kastrinakis



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**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 1 of 2

VOLUME 08256 FOLIO 523

Security no : 124075391973G
Produced 14/12/2018 02:41 PM

LAND DESCRIPTION

Lot 7 on Plan of Subdivision 050951.
PARENT TITLE Volume 08252 Folio 081
Created by instrument A216962 04/09/1956

*37 Elizabeth St
property.*

REGISTERED PROPRIETOR

Estate Fee Simple

TENANTS IN COMMON

As to 1 of a total of 3 equal undivided shares

Sole Proprietor

KARDIS 126 PAINTED HILLS ROAD PTY LTD of LEVEL 27 150 LONSDALE STREET HALLAM
VIC 3803

As to 1 of a total of 3 equal undivided shares

Sole Proprietor

KASTRINAKIS 126 PAINTED ROAD PTY LTD of LEVEL 27 150 LONSDALE STREET
MELBOURNE VIC 3000

As to 1 of a total of 3 equal undivided shares

Sole Proprietor

DOSUNG PTY LTD of LEVEL 27 150 LONSDALE STREET MELBOURNE VIC 3000
AK397114H 13/06/2013

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AK397115F 13/06/2013
NATIONAL AUSTRALIA BANK LTD

COVENANT A216962

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section
24 Subdivision Act 1988 and any other encumbrances shown or entered on the
plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP050951 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 37 ELIZABETH STREET MOE VIC 3825

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LIMITED

Title 8256/523

Page 1 of 2



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**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 2 of 2

Effective from 23/10/2016

DOCUMENT END



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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 08898 FOLIO 411

Security no : 124075397512L

Produced 15/12/2018 12:22 PM

LAND DESCRIPTION

Lot 8 on Plan of Subdivision 050951.
 PARENT TITLE Volume 08252 Folio 081
 Created by instrument E138379 23/08/1971

REGISTERED PROPRIETOR

Estate Fee Simple
 Sole Proprietor
 LATROBE CITY COUNCIL of 141 COMMERCIAL ROAD MORWELL VIC 3840
AR102747F 07/06/2018

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP050951 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 33-35 ELIZABETH STREET MOE VIC 3825

ADMINISTRATIVE NOTICES

NIL

eCT Control 09873L LATROBE CITY COUNCIL
 Effective from 07/06/2018

DOCUMENT END

Home	Account: 324913		Authority Fee (GST exclusive):	\$0.00	15/12/2018 12:21PM
			Service Fee(GST exclusive):	\$0.00	
			GST Payable:	\$0.00	
			Total:	\$0.00	

Land Registry Document

Page 2 of 2

Your reference: Danielle
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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958
VOLUME 08898 FOLIO 412

Security no : 124075397519D
Produced 15/12/2018 12:23 PM

LAND DESCRIPTION

Lot 9 on Plan of Subdivision 050951.
PARENT TITLE Volume 08252 Folio 081
Created by instrument E138379 23/08/1971

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
LATROBE CITY COUNCIL of 141 COMMERCIAL ROAD MORWELL VIC 3840
AR102747F 07/06/2018

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP050951 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 33-35 ELIZABETH STREET MOE VIC 3825

ADMINISTRATIVE NOTICES

NIL

eCT Control 09873L LATROBE CITY COUNCIL
Effective from 07/06/2018

DOCUMENT END

Home	Account: 324913		Authority Fee (GST exclusive):	\$0.00	15/12/2018 12:21PM
			Service Fee (GST exclusive):	\$0.00	
			GST Payable:	\$0.00	
			Total:	\$0.00	

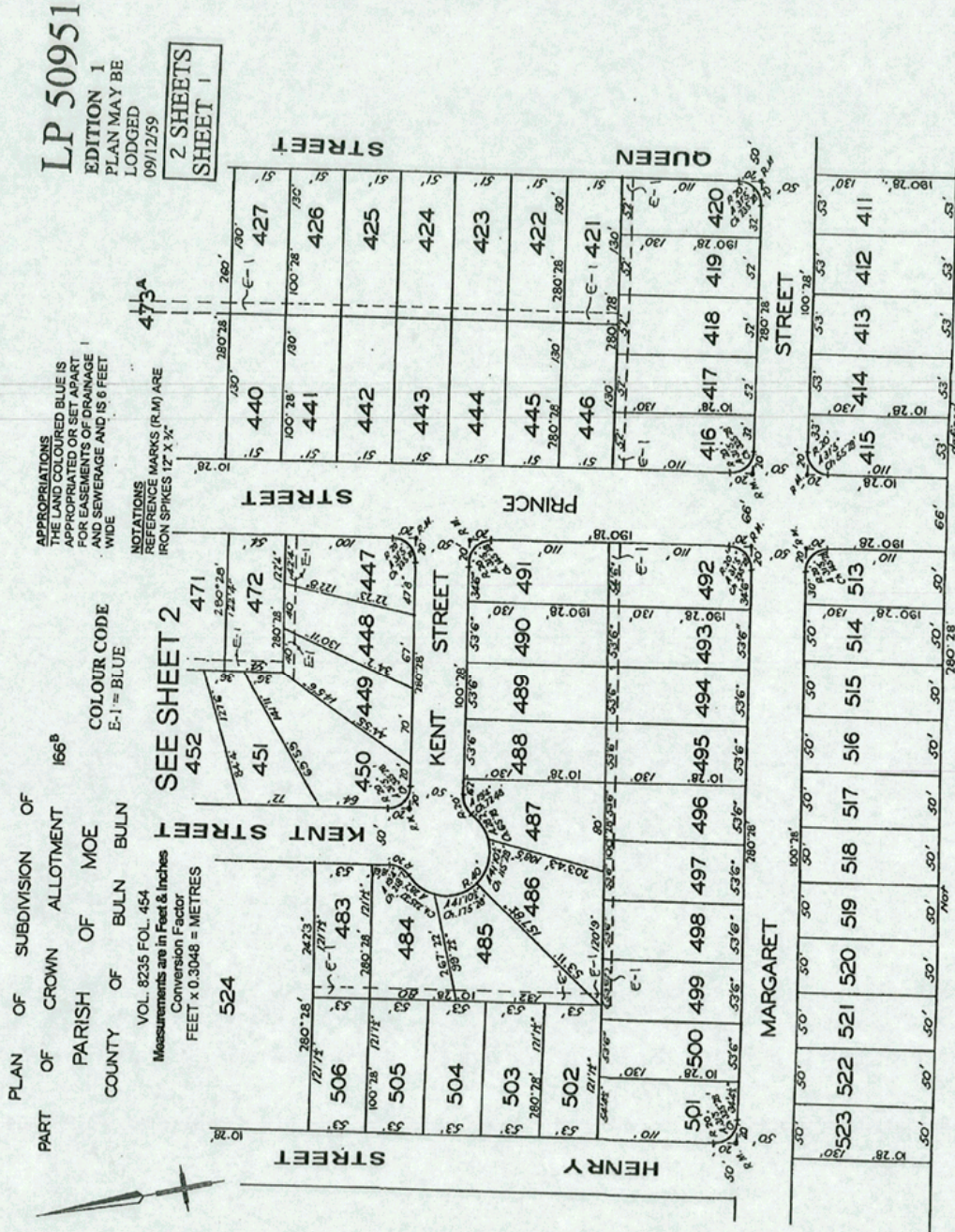
Land Registry Document

Page 2 of 2

Your reference: Danielle
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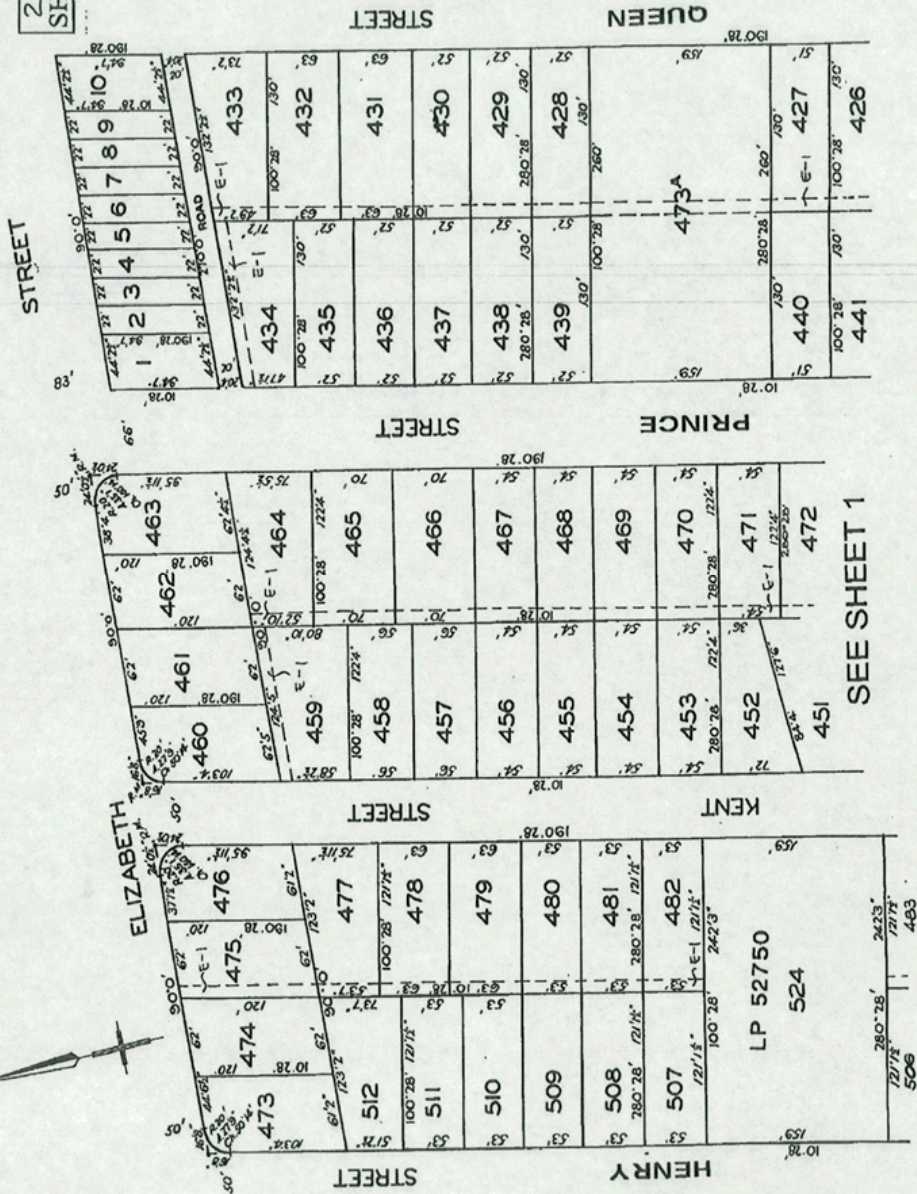




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LP 50951

2 SHEETS
SHEET 2



SEE SHEET 1

Agenda Item: 17.2

Agenda Item: **Variation Of Lease Agreement - Gippsland Rotary Centenary House**

Sponsor: **General Manager, Corporate Services**

Council Plan Objective: **Ensure Council operates openly, transparently and responsibly.**

Status: **For Decision**

MOTION

Moved: Cr O'Callaghan

Seconded: Cr Howe

That Council authorises the Chief Executive Officer to sign the Deed of Variation of Lease with Gippsland Rotary Centenary House Inc. for 39 Valley Drive, Traralgon.

CARRIED UNANIMOUSLY

Executive Summary:

Council currently leases 39 Valley Drive, Traralgon, to Gippsland Rotary Centenary House Inc. for use as accommodation for patients and their families of the Gippsland Cancer Care Centre at Latrobe Regional Hospital.

The current lease is for an initial term of 25 years that commenced on 1 March 2005 with an option for a further 25 year term available.

At the time of entering into the lease agreement the permitted use was for the construction of Gippsland Rotary Centenary House and associated car parking.

As the lease agreement is unclear as to the ownership and responsibility for the improvements that have been made on the land since it was entered into the committee of Gippsland Rotary Centenary House has requested that it be amended to provide clarification.

The attached Deed of Variation of Lease has been prepared to accommodate this request and, given the term of the lease, approval is sought for the Chief Executive Officer to sign this document.

Background:

Council acquired the property at 39 Valley Drive, Traralgon, in 2004 and subsequently entered into a lease agreement with Gippsland Rotary Centenary House Inc. for the construction of accommodation for patients and their families that are accessing the Gippsland Cancer Care Centre at Latrobe Regional Hospital.

This lease is for an initial term of 25 years that commenced on 1 March 2005, with an option available for a further 25 year term that is to be exercised by 30 November 2029.

At the time of entering into the lease the land had not yet been developed and the permitted use was “construction of the Gippsland Rotary Centenary House residential facility and associated car parking”.

The committee of Gippsland Rotary Centenary House recently received legal advice suggesting that clarification was required as to the ownership of all improvements on the land to ensure that it is clear to both parties. Accordingly, a Deed of Variation of Lease has been prepared stating that:

1. All improvements constructed on the land will remain in the ownership of the Gippsland Rotary Centenary House Inc. for the duration of the lease agreement.
2. Gippsland Rotary Centenary House Inc. shall remain fully responsible for the maintenance and insurance of all improvements on the land for the duration of the lease agreement.
3. Upon the expiration or termination of the lease agreement the removal or transfer of the improvements on the land will be negotiated between Council and Gippsland Rotary Centenary House Inc.

The document has been provided to the committee for Gippsland Rotary Centenary House and they have indicated their support for the proposed variation to the lease.

Issues:

Strategy Implications

Objective 6 of the 2017/2021 Council Plan: *Ensure Council operates openly, transparently and responsibly.*

Communication

Council officers have met with representatives of the committee for Gippsland Rotary Centenary House to discuss the variation to the existing lease agreement and a draft has been provided for approval.

Financial Implications

As the proposed Deed of Variation of Lease is to clarify ownership of all improvements constructed on the land there will be no financial obligations for Council as a result.

Risk Analysis

The Deed of Variation of Lease will document that the improvements on the land remain in the ownership of Gippsland Rotary Centenary House Inc. and they will remain responsible for their maintenance and insurance.

Legal and Compliance

Section 154A of the *Property Law Act 1958* provides that a fixture (or other improvement) installed by a tenant, at its own cost, is and remains the property of the tenant during the lease term.

If the improvements remain after the lease agreement has expired then they would become part of Council's property however, if there is a provision in the lease which provides otherwise in relation to ownership then this would prevail.

The purpose of the Deed of Variation of Lease is to incorporate the above terms into the existing lease agreement to clarify ownership of the existing improvements.

Community Implications

Not applicable

Environmental Implications

Not applicable

Consultation

As this is a variation of an existing, long-term lease agreement no consultation is required.

Other

Not applicable

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Supporting Documents:

Nil

Attachments

1. Deed of Variation of Lease Agreement - Gippsland Rotary Centenary House

17.2

Variation Of Lease Agreement - Gippsland Rotary Centenary House

- 1 Deed of Variation of Lease Agreement - Gippsland Rotary Centenary House..... 175**

THIS DEED OF VARIATION OF LEASE is made on the day of
2019

Between:

GIPPSLAND ROTARY CENTENARY HOUSE INCORPORATED
of 39 Valley Drive, Traralgon, 3844 (hereinafter called the "Lessee")

- and -

THE MAYOR, COUNCILLORS AND CITIZENS OF LATROBE CITY COUNCIL,
Corporate Headquarters, 141 Commercial Road, Morwell 3840 (hereinafter
called the "Lessor")

Pursuant to:

Lease Agreement commencing 1st March 2005 between the Lessee and the
Lessor for the land at 39 Valley Drive, Traralgon, ("the Land") for the construction
of the Gippsland Rotary Centenary House residential facility and associated car
parking.

WHEREAS

The lease agreement makes reference to "the unimproved land situate at Lot 8,
Valley Drive, Traralgon".

AND

The Lessee wishes to obtain confirmation of the ownership of the improvements
that have subsequently been constructed on the Land.

IT IS NOW AGREED:

- A.** All improvements constructed on the Land will remain in the ownership of
the Lessee for the duration of the lease agreement.
- B.** The Lessee shall remain fully responsible for the maintenance and
insurance of all improvements on the Land for the duration of the lease
agreement.
- C.** Upon the expiration or termination of the lease agreement the removal or
transfer of the improvements on the Land will be negotiated between the
parties.

AND IT IS FURTHER AGREED that both parties will each respectively perform and observe the terms and conditions contained in the lease agreement described above as fully as if the terms and conditions had been repeated in full herein with only such additions or modifications as are:

- (a) set out in this Deed; or
- (b) necessary to make them applicable to an over holding as described in the Lease.

Executed as a Deed

IN WITNESS whereof the parties have executed these presents the day month and year set out above.

SIGNED for and on behalf of)
LATROBE CITY COUNCIL by)
in accordance with Instrument of)
Delegation dated) Chief Executive Officer
in the presence of:)

Witness

SIGNED on behalf of **GIPPSLAND**)
ROTARY CENTENARY HOUSE INC.)
in the presence of:)
)

Witness

Agenda Item:	17.3
Agenda Item:	Presentation of the Audit and Risk Committee Charter for adoption
Sponsor:	General Manager, Corporate Services
Council Plan Objective:	Ensure Council operates openly, transparently and responsibly.
Status:	For Decision

MOTION

Moved: Cr McFarlane

Seconded: Cr White OAM

That Council:

- 1. Adopts the Audit and Risk Committee Charter (Charter) with an effective date of 04 February 2019;**
- 2. Notes that with the adoption of this Charter, that any previous versions are now rescinded;**
- 3. Makes this Charter available to the public on Council's website; and**
- 3. Notifies the Audit and Risk Committee members accordingly.**

CARRIED UNANIMOUSLY

Executive Summary:

As part of the requirements of the current Audit and Risk Committee Charter (Charter) a review has been completed.

The Audit and Risk Committee, as well as Councillors, have provided feedback and suggested improvements for the Charter. This feedback has been considered, and the following minor changes are being recommended:

- administrative updates e.g. removal of typo's/formatting
- Removal of clause 6.13 relating to the Chair having a casting vote as it conflicts with the previous clause ('6.12 *There will be no official voting process, although all members shall have equal voting rights. Majority and minority opinions will be reflected in Committee minutes*').
- Amend clause 7.5.1 to correct reference to the 'external' auditor, to read 'internal' auditor.

The proposed Charter is now presented to Council for adoption.

Background:

The Charter was adopted by Council in March 2017 and, in accordance with the Charter, is now due for review.

The Charter was initially drafted to align with the Ministerial guidelines '*Audit Committees – A Guide to Good Practice for Local Government*' (guidelines). These guidelines are still valid at this point in time.

The Audit and Risk Committee provided feedback at the meeting held on 29 November 2018. This feedback has been considered, and minor amendments are now proposed.

Issues:

Strategy Implications

The Audit and Risk Committee provides advice to ensure that Council operates openly, transparently and responsibly.

Communication

The Charter will be made publicly available on Council's website in accordance with the guidelines.

Financial Implications

The Audit and Risk Committee is managed through existing budget provisions.

Risk Analysis

The Audit and Risk Committee provides advice into the management of risk in the organisation.

If Council was to not adopt the proposed Charter, there may be minor reputational risks; however, the current Charter would still apply.

There are no known risks with the adoption of the proposed Charter.

Legal and Compliance

The Audit and Risk Committee is required under Section 138 of the *Local Government Act 1989*. The Charter has been drafted and complies with the Ministerial guidelines '*Audit Committees – A Guide to Good Practice for Local Government*'.

Community Implications

There are no known community implications.

Environmental Implications

There are no known environmental implications.

Consultation

Engagement has occurred with Audit and Risk Committee members as well as Councillors. The final Charter (attached with marked up changes) is the outcome of this engagement.

Other

Not applicable.

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Supporting Documents:

Current Audit and Risk Committee Charter

Attachments

1. Proposed Audit and Risk Committee Charter (with marked up changes)

17.3

Presentation of the Audit and Risk Committee Charter for adoption

- 1 Proposed Audit and Risk Committee Charter (with
marked up changes)..... 181**

Audit and Risk Committee Charter



18 April 2017
ADOPTED Draft





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-



1. Establishment of the Committee

- 1.1. The Audit and Risk Committee is a formally appointed Advisory Committee of Latrobe City Council under Section 139 of the *Local Government Act 1989* (Act).
- 1.2. The membership of this Committee and this Charter will be adopted by resolution of Latrobe City Council at an Ordinary Council Meeting.

2. Definitions

- 2.1. Throughout this document, the following terms are defined as:

Act	The <i>Local Government Act 1989</i>
Auditor General	The Victorian State Auditor General; Department; Office; or representative
CEO	The Chief Executive Officer for Latrobe City Council
Committee	The Audit and Risk Committee
Committee Members	The appointed members of the Audit and Risk Committee
Council	The Latrobe City Council
Council Officers	All staff of Latrobe City Council, excluding the CEO of Latrobe City Council
Councillors	The nine elected officials of Latrobe City Council
External Auditor	The auditor appointed by the Auditor General
Internal Auditor	The auditor appointed by Latrobe City Council
Management	The CEO, General Managers, and Managers of Latrobe City Council
Senior Management	The CEO and General Managers of Latrobe City Council

3. Purpose

- 3.1. The Audit and Risk Committee's purpose is to assist the Council in discharging its responsibilities to oversee:



- 3.1.1. corporate reporting processes, including financial reporting processes and internal control;
- 3.1.2. risk management;
- 3.1.3. external audit;
- 3.1.4. internal audit; and
- 3.1.5. compliance with laws, regulations, internal policies and industry standards.

4. Authority

- 4.1. The Committee is an advisory committee and has no executive powers, nor does it have any delegated decision making or financial authority.
- 4.2. The Committee maintains a functional reporting line directly with the Internal and External Auditors.
- 4.3. The Council authorises the Committee, within its scope of responsibilities, to:
 - 4.3.1. Perform the activities identified in this Charter
 - 4.3.2. Seek resolution on any disagreements between the Council and the internal or external auditors on financial and risk reporting;
 - 4.3.3. seek any information it requires from Councillors, Council Officers, Internal or External Auditors via the CEO;
 - 4.3.4. formally meet with the CEO, council officers, internal and/or external auditors as necessary.
- 4.4. The Chair has no executive authority on behalf of Council but can be consulted as required, as a sounding board by the CEO or General Manager Corporate Services on matters that arise regarding audit, risk management or governance related issues.

5. Composition

- 5.1. The Council will appoint as members of the Committee:
 - 5.1.1. two Councillors and one alternate; and
 - 5.1.2. three (3) external independent members, one of whom will be appointed by Council as Chair of the Committee.



- 5.2. The committee, as a whole, should have a mix and balance of relevant skills, knowledge and experience.

External Independent Members

- 5.3. The external independent members will be selected from the broader community after having invited applications by public advertisement.
- 5.4. At least one of the external independent members of the Committee must have significant financial expertise with preference given to formal financial management or business qualifications.
- 5.5. External independent members will be reasonably familiar with public sector operations, including reporting requirements, financial management systems and controls, risk management and corporate governance.
- 5.6. Membership shall expire upon completion of a term of appointment or via a resolution of Council.
- 5.7. External independent members shall be appointed by a resolution of Council stipulating a term of one, two or three years to ensure that appointments to the Committee are staggered.
- 5.8. Members may be reappointed for a second term at Council's discretion but may not exceed a membership of more than six consecutive years in total.

Councillor Members

- 5.9. Where a Councillor member does not have the requisite expertise upon initial appointment, financial literacy should be attained within a reasonable period of time after his or her appointment and council resources made available for this purpose.

Other Attendees

- 5.10. Non-delegated Councillors shall be invited to attend meetings but are not members of the Audit and Risk Committee and therefore do not have any entitlement to vote.
- 5.11. The CEO will facilitate the meetings of the Committee and, in consultation with the Chair of the Committee, invite council officers, auditors or others to attend meetings to provide pertinent information, as necessary.

Resignations

- 5.12. Any resignation from a member of the Committee is to be submitted in writing to the Chief Executive Officer, Latrobe City Council, PO Box 264, Morwell VIC 3840.



Role of the Chair

5.13. The Chair will carry out the following responsibilities:

5.13.1. Promote effective communications between the Committee, Council, the CEO, Council officers and the external auditors

5.13.2. Ensure that meetings of the Committee:

5.13.2.1. run smoothly

5.13.2.2. that the views of all Committee members are heard

5.13.2.3. that adequate time is allowed for discussion of each issue and

5.13.2.4. that the agenda and meeting papers properly reflect proceedings.

5.13.3. Participate in the selection process of the internal auditor as required.

6. Meeting Procedures

General Requirements

6.1. The Committee will meet at least four times per year, with authority to convene additional meetings, as circumstances require.

6.2. All Committee members are expected to attend each meeting in person (or may through teleconference/video conference only if exceptional circumstances apply).

6.3. Meetings will follow standard meeting procedures as established in any applicable guidance material available and outlined in this Charter.

6.4. All Committee meetings and records are considered confidential and may be designated as confidential in accordance with Section 77 of the Act.

6.5. All recommendations, proposals and advice must be directed through the Chair.

Meeting agendas

6.6. Meeting agendas will be prepared and provided at least one week in advance to members, along with appropriate briefing materials.

Quorum

6.7. The quorum for a meeting of committee members will be a majority, including at least one (1) Councillor.



- 6.8. Should the Chair not be in attendance at a meeting, the Committee may appoint another external independent member to chair the meeting temporarily.
- 6.9. If at any Committee meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned to either a later time on the same day, or rescheduled to another day.
- 6.10. A member who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City Council have their term of office revoked.
- 6.11. A member who is unable to attend the majority of meetings during the year may at the discretion of Latrobe City Council have their term of office revoked.

Voting

- 6.12. There will be no official voting process, although all members shall have equal voting rights. Majority and minority opinions will be reflected in Committee minutes.

~~6.13. The Chair shall have a casting vote in the event of an inconclusive vote.~~

Meeting Minutes

~~6.14.~~ 6.13. A Council Officer authorised by the CEO shall take the minutes of each Committee meeting.

~~6.15.~~ 6.14. The minutes shall include a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee.

~~6.16.~~ 6.15. Minutes will be drafted and circulated to all Committee members and attendees within 10 days and ratified at the following meeting.

~~6.17.~~ 6.16. The minutes shall be stored in the Latrobe City Council corporate filing system (currently LCMS electronic document and records management system).

7. Duties and Responsibilities of the Committee

The duties and responsibilities of the Committee include:

7.1. Financial Reporting

- 7.1.1. Oversee the periodic financial reporting process implemented by management and review the interim financial statements.



- 7.1.2. Review the financial statement and provide advice to the Council (including recommending their signing by the Council). In particular, the committee will review:
 - 7.1.2.1. Councils compliance with accounting standards.
 - 7.1.2.2. The appropriateness of accounting policies and disclosures, including any significant changes to accounting policies.
 - 7.1.2.3. Areas of significant judgement and financial statement balances that require estimation.
 - 7.1.2.4. Significant or unusual transactions.
 - 7.1.2.5. Sign off by management in relation to quality of the financial statements.
 - 7.1.2.6. The auditor's judgements about the adequacy of the Council's accounting policies and the quality of the Councils processes for the preparation of the Councils financial statements, through discussions with the external auditor.
 - 7.1.2.7. Whether appropriate management action has been taken in response to any issues raised by the external auditor, including financial statement adjustments or revised disclosures.
 - 7.1.2.8. Gain an understanding of the current areas of greatest financial risk and how they are managed.
- 7.1.3. Receive attestation from the organisation to the effectiveness and response to audit recommendations in certifying the financial report.
- 7.1.4. With management and the external auditor, review all matters required to be communicated to the Committee under the Australian Auditing Standards.

7.2. Internal control

- 7.2.1. Understand the scope of internal and external auditors' review of internal controls, and obtain reports on significant findings and recommendations, together with the management responses.
- 7.2.2. Evaluate whether the management is setting the appropriate "control culture" by communicating the importance of internal control and the management of risk, so that all employees have an understanding of



their roles and responsibilities in respect of internal control and risk management.

7.2.3. Regularly review policies and procedures supporting the existing internal control framework.

7.2.4. Consider the effectiveness of internal controls for the security of information technology systems and applications.

7.3. Risk management

7.3.1. Monitor whether the Council has appropriate processes for:

7.3.1.1. identifying, assessing and responding to risks in a manner that is in accordance with the Councils risk appetite, and

7.3.1.2. that those processes are operating effectively.

7.3.2. Ensure that material business risks, including operational, financial, legal, fraud and compliance risks are appropriately reflected in the risk profile.

7.3.3. Consider the adequacy of actions taken to ensure that the material risks from council's risk framework have been dealt with in a timely manner to mitigate exposures to the Council.

7.3.4. Identify and refer specific projects or investigations deemed necessary through the Chief Executive Officer, the internal auditor and the Council.

7.3.5. Review management's anti-fraud strategies and programs.

7.3.6. Be informed of any subsequent investigation, including the investigation of any suspected cases of fraud or misconduct in accordance with the Fraud and Corruption Policy.

7.4. Business Continuity

7.4.1. Monitor processes and practices to ensure effective business continuity plans are in place.

7.5. Internal audit

7.5.1. Review the internal audit plan to assess whether it addresses the material business risks of the Council and that there is appropriate coordination with the [external-internal](#) auditor.



- 7.5.2. Review and approve the scope of the Internal Audit Plan and work program.
- 7.5.3. Monitor the progress of the internal audit plan and work program, and the implementation of findings and recommendations of the internal audit activity.
- 7.5.4. Consider the processes implemented by management for monitoring and assessing the effectiveness of the internal audit activity
- 7.5.5. Annually review and approve the Internal Audit Plan against which Internal Audit is to prepare audit reports for the Committee's consideration.
- 7.5.6. Consider internal audit findings and review management's responses in terms of content, and commitment and timelines to implement the recommendations.
- 7.5.7. Monitor processes and practices to ensure that the independence of audit function is maintained.
- 7.5.8. Monitor the internal auditor's annual plan linkage with, and coverage of, the material risks.
- 7.5.9. Provide an opportunity for the Committee to meet with the internal auditor(s) to discuss any matters that the Committee or internal auditor believes should be discussed privately.
- 7.5.10. Review the performance of the internal auditor annually having consideration of the Institute of Internal Auditors' International Standards for the Professional Practice of Internal Auditing, and make appropriate recommendations to Council about the extension or cessation of the internal audit contract.
- 7.5.11. Remain informed in relation to the tender process for the selection of the internal audit function (when required). In accordance with clause 5.14.3, if the Chair is unavailable, the Chair may nominate another independent member to participate in the selection process of the internal auditor.

7.6. External audit

- 7.6.1. Receive and note the external auditor's proposed audit scope and approach, including any reliance on internal auditor activity.



- 7.6.2. Provide an opportunity for the Committee to meet with the external auditors, to discuss any matters that the Committee or the external auditors believe should be discussed privately.
- 7.6.3. The external auditors shall attend meetings at which the external audit strategy and external audit closing reports are tabled.

7.7. Compliance

- 7.7.1. Review the effectiveness of systems for monitoring compliance with legislation, regulations, internal policies and industry standards, and the results of management's investigation and follow-up (including disciplinary action) of any instances of non-compliance.
- 7.7.2. Keep informed of the findings of any examinations by regulatory agencies, and any auditor (internal or external) observations and monitor management's response to these findings.
- 7.7.3. Obtain regular updates from management about compliance matters that may have a material impact on the Council's financial statements, strategy, operations or reputation, including material breaches of laws, regulations, standards and Council policies.
- 7.7.4. Review whether Council and senior management has taken steps to embed a culture which is committed to ethical and lawful behaviour, adding to the credibility of Council through adherence with ethical standards.

8. Reporting

- 8.1. The Committee may report to Council on any matter of significance as determined by the Committee.
- 8.2. The Committee will report regularly to Council about Committee activities, issues, and related recommendations through the circulation of minutes
- 8.3. Monitor, through clauses 7.5.12 and 7.6.2 that open communication between the internal auditor, the external auditors, and the Council occurs.
- 8.4. Consider the findings and recommendations of relevant Performance Audits undertaken by the Victorian Auditor-General and to ensure the council implements relevant recommendations.
- 8.5. The Committee Chair shall attend a meeting of an Assembly of Councillors annually (but not later than the following April) to present on the operations of the Committee of the previous (calendar) year.



- 8.6. The Committee Charter and details of its members will be published on Council's website.
- 8.7. Council's Annual Report will contain information on the makeup of the Committee, number of meetings held and attended by Committee members, audit processes, details of any remuneration paid to independent members during the reporting period and a summary of work completed by the Internal and External Auditor during the year.

Performance Evaluation

- 8.8. The Committee will evaluate its own performance, on an annual basis using a Self- Assessment tool which will be reviewed, adopted and completed by the Committee.
- 8.9. The Committee may seek feedback from the Council, the CEO, all Committee members, management and any other stakeholders, (as determined by the Committee) in the review process.
- 8.10. The review must consider:
 - 8.10.1. The Committee's achievements in the period
 - 8.10.2. The Committee's performance against the requirements of this Charter in the period
 - 8.10.3. Any other relevant matter.

9. Other responsibilities and requirements

- 9.1. Perform other activities related to this charter as requested by the Council.
- 9.2. Review and assess the adequacy of the Committee's charter biennially, requesting Council approval for proposed changes, and ensure appropriate disclosure as might be required by legislation or regulation.

Confidentiality

- 9.3. Committee members will have access to confidential information presented to them in the performance of their duties on the Committee. "Confidential Information" means all data and information in oral, written, graphic, recorded or any other form which is disclosed to the member either directly or indirectly by the Latrobe City Council or its stakeholders in connection with the Council's performance.
- 9.4. All Confidential Information which comes into the possession of Committee members is received by them on behalf of Latrobe City Council and for the sole purpose of enabling the Committee to provide advice to the Council. Both



during and after the term of a member's appointment to the Committee, members are required to:

- 9.4.1. hold in confidence and treat as confidential all Confidential Information;
- 9.4.2. use Confidential Information only as required to enable members to perform their duties on the Committee;
- 9.4.3. not request or seek to obtain any Confidential Information, except to the extent that members require such Confidential Information to perform their duties;
- 9.4.4. not to disclose, directly or indirectly, to any person, entity, or organisation any Confidential Information;
- 9.4.5. take all reasonable precautions to protect the Confidential Information from theft, loss and any other unauthorized access, use or disclosure; and
- 9.4.6. upon the termination of the member's appointment to the Committee, destroy or return to the Chairperson or CEO all materials containing Confidential Information in whatever media or form and not make or retain any copies of the Confidential Information.

Conflicts of Interest

- 9.5. Committee Members are required to comply with Sections 76D, 79, 79B and 81 of the Act which includes, amongst other things, the following requirements:
 - 9.5.1. Submit six monthly interest returns on the form specified by Council in accordance with the Act; and
 - 9.5.2. Declare and manage any conflicts of interest which arise in accordance with the Act.
- 9.6. Committee members must be fully aware of their responsibilities with regard to the management of interests in relation to the discharge of their duties as a member of the Committee. Management of interests includes the proper disclosure of any conflicts of interest as and when they may arise.
- 9.7. Committee members must also be fully aware of the statutory definitions of direct and indirect interests which may give rise to a conflict of interest. These are set out in sections 77A, 77B, 78, 78A, 78B, 78C and 78D of the Act.
- 9.8. Failure to comply with the provisions of the Act with regard to conflicts of interest may result in the member's appointment being terminated.



Professional Fees for External Independent Members

- 9.9. External independent members receive payment as set by the Council.
- 9.10. Remuneration is set at \$1,500 per meeting for the Chair and \$1,000 per meeting for the other external members and subject to the review of Council.

Management Responsibility

- 9.11. It is the responsibility of the management to:
- 9.11.1. keep the Committee informed regarding financial reporting, regulatory compliance, risk management and risk exposures of the Council;
 - 9.11.2. keep the Committee informed of the findings of any examinations by regulatory agencies, and any auditor (internal or external) observations in order that the Committee may monitor the management's response to these findings;
 - 9.11.3. provide a comprehensive induction for all newly appointed Committee members including all necessary and relevant information regarding the Committee's responsibilities and the Council's operations and background to enable them to understand the Council and their duties and responsibilities.

- Agenda Item:** 17.4
- Agenda Item:** **Authorisation of Council Officers under the Planning & Environment Act 1987**
- Sponsor:** **General Manager, Corporate Services**
- Council Plan Objective:** **Ensure Council operates openly, transparently and responsibly.**
- Status:** **For Decision**

MOTION

Moved: Cr Harriman

Seconded: Cr Gibson

That Council in exercising the powers conferred by Section 224 of the *Local Government Act 1989* and Section 147(4) of the *Planning and Environment Act 1987 (Act)*:

- 1. Appoints and authorises Strategic Planning Officers Tegan McKenzie, Miriam Turner; Strategic Planner Leah Misiurka, Planning Administration Officer Lauren Snowdon and Senior Statutory Planner Kristy Crawford as Authorised Officers for the purposes of the Act and associated regulations; and**
- 2. Delegates and authorises the Chief Executive Officer to sign and seal the Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) as presented which comes into force immediately the common seal of Council is affixed.**

CARRIED UNANIMOUSLY

Executive Summary:

By authorising officers, Council is authorising a suitably skilled/qualified officer to undertake the duties required of a particular statutory position. Once a person is authorised by Council, that person has the powers of that statutory position; as distinct from being delegated the powers of the Council.

Authorisations are different from delegations as delegations involve the Council giving its powers to members of staff who then act on behalf of Council. Persons authorised by Council to hold a statutory position are acting as holders of statutory powers; they are not acting as delegates on behalf of the Council. Their powers and responsibilities are different to the powers and responsibilities of the Council.

By authorising Strategic Planning Officer - Tegan McKenzie, Miriam Turner, Strategic Planner – Leah Misiurka, Planning Administration Officer – Lauren Snowdon and

Senior Statutory Planner Kristy Crawford for the purposes of administration and enforcement of the *Planning and Environment Act 1987* (Act), this will enable the newly appointed officers to operate and perform their duties with respect to the statutory planning powers and functions of the Council.

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Background:

Council has the power to appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement on any Act, regulation or local laws which operate with respect to the powers and functions of the Council. A Council must maintain a register that shows the names of all people appointed by it to be authorised officers. Each authorised officer is to be issued with an identity card that contains a photograph and signature of the authorised officer and is signed by the Chief Executive Officer.

In accordance with Section 224 of the *Local Government Act 1989*, an authorised officer has the following powers:

- To demand the name and address of a person who has committed, or who is reasonably suspected by the officer to have committed, an offence under any Act, regulation or local law in respect of which he or she is appointed. In doing so, the officer must inform the person in sufficient detail of the reason for which the demand is made to enable the person to understand the nature of the offence or suspected offence; and
- To enter any land or building in the municipal district at any reasonable time to carry out their duties as an authorised officer.

Section 147(4) of the *Planning and Environment Act 1987* provides for the following:

1. *Any reference in this Act to an Authorised officer of a responsible authority of the Department is a reference to an officer or employee of the authority or employee of the Department whom the authority or the Secretary to the Department (as the case requires) authorises in writing generally or in a particular case to carry out the duty or function or to exercise the power in connection with which the expression is used.*

Reasons for Proposed Resolution:

Section 188(2)(c) of the *Planning and Environment Act 1987*, stipulates that Council has *the power of a responsible authority to authorise any officer to carry out a duty or function or to exercise a power.*

Issues:

Strategy Implications

Council Plan objective, 'to ensure Council operates openly, transparently and responsibly'.

Communication

Not Applicable.

Financial Implications

There are no financial or resource implications, as this position is within the adopted budget. However, if Council decides not to authorise the nominated officer, it will impede their ability to fully execute their duties.

Risk Analysis

If an officer is not authorised by Council under section 224, the officer will be unable to adequately perform their duties, as described in their position description. Further implications to this are as follows:

- Delays in processing decisions on planning applications.
- Development and subdivision projects within the Latrobe City Council having timely delays.
- Risk that developers will become frustrated with delays and appeal to VCAT.
- Planning officers that do not have the appropriate authorisation and delegation are unable to determine planning applications.
- A court or tribunal can declare any planning permit issued by the unauthorised officer invalid.

Legal & Compliance

The *Planning and Environment Act 1987* requires direct authorisation from Council to council officers in order to perform certain statutory duties.

By authorising the nominated officer under the *Planning and Environment Act 1987* and under section 224 of the *Local Government Act 1989*, Council will ensure that the nominated officer will be able to perform and fulfil their role as described in their position description.

Community Implications

No Community impact.

Environmental Implications

No environmental impact.

Consultation

There is no engagement required as part of this process.

Supporting Documents:

S11A. Instrument of Appointment and Authorisation – Tegan McKenzie

S11A. Instrument of Appointment and Authorisation – Miriam Turner

S11A. Instrument of Appointment and Authorisation – Leah Misiurka

S11A Instrument of Appointment and Authorisation – Lauren Snowdon

S11A Instrument of Appointment and Authorisation – Kristy Crawford

Attachments

1. S11A Instrument of Appointment & Authorisation - Tegan McKenzie
2. S11A Instrument of Appointment & Authorisation - Miriam Turner
3. S11A Instrument of Appointment & Authorisation - Leah Misiurka
4. S11A Instrument of Appointment & Authorisation - Lauren Snowdon
5. S11A Instrument of Appointment & Authorisation - Kristy Crawford

17.4

Authorisation of Council Officers under the Planning & Environment Act 1987

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Maddocks Delegations and Authorisations

*S11A. Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*



Latrobe City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987 only)

Tegan McKenzie

February 2019

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Tegan McKenzie

By this instrument of appointment and authorisation Latrobe City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.
3. Any planning application which has received one or more objection(s).

Any planning application recommended for refusal (including planning applications where Council has no discretion for approval).

Any application of strategic significance (at the discretion of the CEO).

Any matter relating to the signing and sealing of Section 173 Agreements.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) that any authority or appointment to the officer referred to in this Instrument is automatically revoked upon that officer ceasing employment with the Council.

This instrument is authorised by a resolution of the Council on 1 October 2018.

The Common Seal of **LATROBE CITY COUNCIL**
was affixed in accordance with Local Law No. 1
this day of 2019 in the presence of:

Steven Piasente – Chief Executive Officer

Maddocks Delegations and Authorisations

*S11A. Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*



Latrobe City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987 only)

Miriam Turner

February 2019

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Miriam Turner

By this instrument of appointment and authorisation Latrobe City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
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Steven Piasente – Chief Executive Officer

Maddocks Delegations and Authorisations

*S11A. Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*



Latrobe City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987 only)

Leah Misiurka

February 2019

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Leah Misiurka

By this instrument of appointment and authorisation Latrobe City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
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Steven Piasente – Chief Executive Officer

Maddocks Delegations and Authorisations

*S11A. Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*



Latrobe City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987 only)

Lauren Snowdon

February 2019

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Lauren Snowdon

By this instrument of appointment and authorisation Latrobe City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
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Steven Piasente – Chief Executive Officer

Maddocks Delegations and Authorisations

*S11A. Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*



Latrobe City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987 only)

Kristy Crawford

February 2019

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Kristy Crawford

By this instrument of appointment and authorisation Latrobe City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.
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was affixed in accordance with Local Law No. 1
this day of 2019 in the presence of:

Steven Piasente – Chief Executive Officer

Agenda Item: 17.5
Agenda Item: **Contract Variations and Contracts Awarded by the Chief Executive Officer Report for the period 1 September 2018 to 31 December 2018**
Sponsor: **General Manager, Corporate Services**
Council Plan Objective: **Ensure Council operates openly, transparently and responsibly.**
Status: **For Information**

MOTION

Moved: Cr McFarlane
Seconded: Cr White OAM

That Council receives and notes this report on contract variations and contracts awarded by the Chief Executive Officer during the period 1 July 2018 to 30 September 2018.

CARRIED UNANIMOUSLY

Executive Summary:

In accordance with Latrobe City Council's *Procurement Policy 18-POL-10* section 2.12 Contract Management, there is a requirement for contract variations to be reported to Council on a quarterly basis.

All contract variations by approving delegate and contracts awarded by the Chief Executive Officer under delegation are detailed in the attachment.

Further detail is provided below in relation to Contract LCC-528 Hubert Osborne Park Site Remediation Works given the cumulative total of variations exceeds 180% of the original contract value. These site works are required as part of the Gippsland Regional Aquatic Centre development.

LCC-528 Hubert Osborne Park Site Remediation Works

Investigations were undertaken in the form of historical research, boreholes, test pits and passive soil vapour sampling to confirm the extents of the contaminated material under the ground. A scope of works for the removal of that material was developed and tendered and the contract won by Enviropacific.

Once works were underway it became clear that the quantities of contaminated material present on the site were more than predicted. Excavations revealed that the black ash, coal tar and heavily contaminated soils were deeper and more widespread than anticipated.

A large section of highly odorous naphthalene impacted soils was encountered and workers were required to wear powered air respirators and full suits to work in the vicinity. In addition, multiple types of friable asbestos were encountered in each area of excavation. This resulted in significant additional time and cost to ensure that all works were done in a manner to safely protect workers, Council staff and the public.

Due to the heavy contamination, Council could not leave this material on a site which is to be used for public recreation purposes into the future. Particularly under the foot print of the new aquatic centre, it is critical to remove all material that poses a vapour risk as there is the potential for vapours to become concentrated if they rise up from beneath a building into the building envelope.

All material that was removed from site has been disposed of in accordance with EPA requirements which involves being thermally desorbed at the SOLVE soil treatment facility in Altona. All material that has been removed from site has been done so in accordance with the tendered contract rates – these are rates that Enviropacific were the cheapest tenderers for, out of the five tenders that were received.

The works carried out mean that a significant portion of the identified Category A Contaminated Soils and asbestos contamination considered to pose a potential risk to site workers and future commercial/recreation uses have been removed from site.

However, works could not proceed whilst the Traralgon Outdoor Pool was open to the public as the contamination was chased up to the edge of the existing pool buildings, and with friable asbestos encountered, a safe working distance to pool attendees could not be guaranteed.

Officers are working with the Environmental Consultants and builder for GRAC to resolve a way forward to deal with the rest of the contaminated material when the main building works get underway in March 2019.

Declaration of Interest:

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Attachments

1. Contract Variations & Contracts Awarded by the CEO 1 Sep 2018 - 31 Dec 2018

17.5

Contract Variations and Contracts Awarded by the Chief Executive Officer Report for the period 1 September 2018 to 31 December 2018

- 1 Contract Variations & Contracts Awarded by the CEO 1
Sep 2018 - 31 Dec 2018 215

Contract No. and Title:		LCC-334 Provision of an OHS Management Software Solution							
Contractor:		Netsight AFT AM Trust & FM Trust							
Date Contract Awarded:		17/03/2017	Contract Awarded by:		CEO		Original Contract Value:		\$163,608.00
Contract variation no.	Variation description	Date variation approved	Variation approved by	Variation amount	Individual variation % of original contract value	Previous value of variations to date	Total value of variations	Cumulative total variation % of original contract value	Revised contract value
11	Injury management module final customisation	16/11/2018	General Manager	\$895.50	0.55%	\$17,172.75	\$18,068.25	11.04%	\$181,676.25
12	Purchase of additional user licences and new module	16/11/2018	General Manager	\$7,458.00	4.56%	\$18,068.25	\$25,526.25	15.60%	\$189,134.25

Contract No. and Title:		LCC-409 Construction of a Sports Pavilion at Latrobe Synthetic Sports Field, Churchill							
Contractor:		System Building Pty Ltd T/As Rick Doultree Builders							
Date Contract Awarded:		14/12/2017	Contract Awarded by:		CEO		Original Contract Value:		\$1,482,728.00
Contract variation no.	Variation description	Date variation approved	Variation approved by	Variation amount	Individual variation % of original contract value	Previous value of variations to date	Total value of variations	Cumulative total variation % of original contract value	Revised contract value
29	Landscaping	17/10/2018	Manager	\$10,556.60	0.71%	\$46,311.80	\$56,868.40	3.84%	\$1,539,596.40
30	Balustrading	17/10/2018	General Manager	\$5,101.80	0.34%	\$56,868.40	\$61,970.20	4.18%	\$1,544,698.20
31	Latent Conditions (as per Australian Standards) and Design Variation - Additional Timber Reveal	13/12/2018	Coordinator	\$511.50	0.03%	\$61,970.20	\$62,481.70	4.21%	\$1,545,209.70
32	Latent Conditions (as per Australian Standards) and Design Variation - Additional door furniture	13/12/2018	Coordinator	\$748.07	0.05%	\$62,481.70	\$63,229.77	4.26%	\$1,545,957.77
33	Latent Conditions (as per Australian Standards) and Design Variation - Waterproof enclosures for alarm/security equipment	13/12/2018	Coordinator	\$1,005.00	0.07%	\$63,229.77	\$64,234.77	4.33%	\$1,546,962.77
34	Latent Conditions (as per Australian Standards) and Design Variation - Floor sealing	13/12/2018	Coordinator	\$517.00	0.03%	\$64,234.77	\$64,751.77	4.37%	\$1,547,479.77
35	Latent Conditions (as per Australian Standards) and Design Variation - Additional drainage	13/12/2018	Coordinator	\$19,140.00	1.29%	\$64,751.77	\$83,891.77	5.66%	\$1,566,619.77
36	Latent Conditions (as per Australian Standards) and Design Variation - Exotec cladding	13/12/2018	Coordinator	\$6,336.00	0.43%	\$83,891.77	\$90,227.77	6.09%	\$1,572,955.77

Contract No. and Title:		LCC-425 Moe Landfill Rehabilitation - Construction of Landfill Cap and Leachate Pond							
Contractor:		RTL Mining and Earthworks Pty Ltd							
Date Contract Awarded:		4/12/2017	Contract Awarded by:		Council		Original Contract Value:		\$2,740,734.00
Contract variation no.	Variation description	Date variation approved	Variation approved by	Variation amount	Individual variation % of original contract value	Previous value of variations to date	Total value of variations	Cumulative total variation % of original contract value	Revised contract value
1	Expose leachate drains, place GCL and cover with soils	24/10/2018	Manager	\$16,061.54	0.59%	\$0.00	\$16,061.54	0.59%	\$2,756,795.54
2	Additional clay used for leachate pond construction and redesign leachate construction pipe	27/11/2018	Manager	\$18,907.68	0.69%	\$16,061.54	\$34,969.22	1.28%	\$2,775,703.22

Contract No. and Title:		LCC-428 Latrobe Creative Precinct Design and Detailed Documentation							
Contractor:		Daryl Jackson Pty Ltd T/As Jackson Architecture							
Date Contract Awarded:		4/12/2017	Contract Awarded by:		Council		Original Contract Value:		\$1,944,280.00
Contract variation no.	Variation description	Date variation approved	Variation approved by	Variation amount	Individual variation % of original contract value	Previous value of variations to date	Total value of variations	Cumulative total variation % of original contract value	Revised contract value
4	Architects attendance at OVGA	20/07/2018	Manager	\$6,100.00	0.31%	\$46,525.00	\$52,625.00	2.71%	\$1,996,905.00
5	Agreed adjustment to fee due to account error	12/06/2018	Manager	\$20,000.00	1.03%	\$52,625.00	\$72,625.00	3.74%	\$2,016,905.00
6	Additional work required for review of car parking options	27/05/2018	Manager	\$2,507.00	0.13%	\$72,625.00	\$75,132.00	3.86%	\$2,019,412.00
7	Catering area design and planning by Maytrix Group	17/12/2018	General Manager	\$43,493.00	2.24%	\$75,132.00	\$118,625.00	6.10%	\$2,062,905.00
8	Preparation and assessment of JV3 modelling	17/12/2018	General Manager	\$14,720.00	0.76%	\$118,625.00	\$133,345.00	6.86%	\$2,077,625.00
9	CFD modelling and review requirement for basement car park	17/12/2018	General Manager	\$6,440.00	0.33%	\$133,345.00	\$139,785.00	7.19%	\$2,084,065.00
10	Café relocation - client request	17/12/2018	General Manager	\$48,095.00	2.47%	\$139,785.00	\$187,880.00	9.66%	\$2,132,160.00
11	Basement Carpark and associated changes to existing ground floor	18/12/2018	CEO	\$48,876.00	2.51%	\$187,880.00	\$236,756.00	12.18%	\$2,181,036.00
12	WT Partnerships (QS) portion of the basement car park work	18/12/2018	CEO	\$9,775.00	0.50%	\$236,756.00	\$246,531.00	12.68%	\$2,190,811.00

Contract No. and Title:		LCC-456 Design and Construction of Morwell Recreation Reserve Sports Pavilion							
Contractor:		Langden Constructions Pty Ltd							
Date Contract Awarded:		19/02/2018	Contract Awarded by:		CEO		Original Contract Value:		\$1,046,100.00
Contract variation no.	Variation description	Date variation approved	Variation approved by	Variation amount	Individual variation % of original contract value	Previous value of variations to date	Total value of variations	Cumulative total variation % of original contract value	Revised contract value
7	Relocate Distribution Board & Telstra	1/10/2018	CEO	\$2,178.00	0.21%	\$139,713.30	\$141,891.30	13.56%	\$1,187,991.30
8	Additional concrete paving and carpark as per drawings	20/11/2018	CEO	\$56,562.00	5.41%	\$141,891.30	\$198,453.30	18.97%	\$1,244,553.30

Contract No. and Title:		LCC-465 Latrobe Leisure Stadiums Evaporative Cooling								
Contractor:		Williams & Burns Contracting Pty Ltd								
Date Contract Awarded:		4/06/2018	Contract Awarded by:			Council	Original Contract Value:		\$613,170.00	
Contract variation no.	Variation description	Date variation approved	Variation approved by	Variation amount	Individual variation % of original contract value	Previous value of variations to date	Total value of variations	Cumulative total variation % of original contract value	Revised contract value	
1	Relocation of switchboard at Morwell Leisure site	29/10/2018	Coordinator	\$2,850.00	0.46%	\$0.00	\$2,850.00	0.46%	\$616,020.00	

Contract No. and Title:		LCC-484 Traralgon to Morwell Shared Path - Stage 3A & B - Airfield Lane to Old Melbourne Road and Village Avenue at Morwell							
Contractor:		ACE Earthmoving Pty Ltd							
Date Contract Awarded:		22/06/2018	Contract Awarded by:			CEO	Original Contract Value:		\$601,357.50
Contract variation no.	Variation description	Date variation approved	Variation approved by	Variation amount	Individual variation % of original contract value	Previous value of variations to date	Total value of variations	Cumulative total variation % of original contract value	Revised contract value
2	Soft spot excavation from chainage 1980 to 2220, 240m long c .500 deep x 3.5 wide	29/10/2018	Manager	\$19,373.00	3.22%	\$20,500.00	\$39,873.00	6.63%	\$641,230.50

Contract No. and Title:		LCC-508 Design and Construct of a Synthetic Soccer Pitch and Sports Lighting at Latrobe City Sports and Entertainment Stadium							
Contractor:		Turf One Pty Ltd							
Date Contract Awarded:		17/10/2018	Contract Awarded by:		CEO		Original Contract Value:		\$1,743,558.00
Contract variation no.	Variation description	Date variation approved	Variation approved by	Variation amount	Individual variation % of original contract value	Previous value of variations to date	Total value of variations	Cumulative total variation % of original contract value	Revised contract value
1	Remediation of synthetic pitch subgrade	30/11/2018	General Manager	\$111,037.50	6.37%	\$0.00	\$111,037.50	6.37%	\$1,854,595.50

Contract No. and Title:		LCC-528 Hubert Osborne Park Site Remediation Works							
Contractor:		Enviropacific Services Pty Ltd							
Date Contract Awarded:		15/10/2018	Contract Awarded by:		CEO		Original Contract Value:		\$232,051.00
Contract variation no.	Variation description	Date variation approved	Variation approved by	Variation amount	Individual variation % of original contract value	Previous value of variations to date	Total value of variations	Cumulative total variation % of original contract value	Revised contract value
1	Day works: Excavation, stockpiling, loading, backfill of Category B and C	13/12/2018	CEO	\$96,600.00	41.63%	\$0.00	\$96,600.00	41.63%	\$328,651.00
2	Excessive levels of volatile contaminants	13/12/2018	CEO	\$11,150.00	4.80%	\$96,600.00	\$107,750.00	46.43%	\$339,801.00
3	Abatement of non-friable asbestos containing materials	13/12/2018	CEO	\$7,007.28	3.02%	\$107,750.00	\$114,757.28	49.45%	\$346,808.28
4	Acceleration of site works	13/12/2018	CEO	\$23,000.00	9.91%	\$114,757.28	\$137,757.28	59.37%	\$369,808.28
5	Backfill with crushed rock	13/12/2018	CEO	\$12,857.23	5.54%	\$137,757.28	\$150,614.51	64.91%	\$382,665.51
6	Increase to project quantities	13/12/2018	CEO	\$263,066.82	113.37%	\$150,614.51	\$413,681.33	178.27%	\$645,732.33
7	Additional backfill above contract value	13/12/2018	CEO	\$18,974.95	8.18%	\$413,681.33	\$432,656.28	186.45%	\$664,707.28

CONTRACTS AWARDED BY THE CEO UNDER DELEGATION FROM 1 SEPTEMBER 2018 TO 31 DECEMBER 2018

Contract Number and Title:	Contractor:	Date Awarded:	Contract Amount or SOR
LCC-Construction of Sports Lighting at Northern Recreation Reserve and Monash Recreation Reserve, Newborough	Contracting Kings Pty Ltd	27/09/2018	\$308,895.00
LCC-528 Hubert Osborne Park Site Remediation Works	Enviropacific Services Pty Ltd	15/10/2018	\$232,051.00
LCC-491 Reconstruction of Retaining Wall at Whittakers Road, Traralgon	ACE Earthmoving Pty Ltd	14/09/2018	\$103,912.00
* LCC-508 Design & Construct of a Synthetic Soccer Pitch and Sports Lighting at Latrobe City Sports and Entertainment Stadium	Turf One Pty Ltd	17/10/2018	\$1,743,558.00
LCC-514 Design and Delivery of Startup Business Support Program	Gippsland Tech Consulting Pty Ltd T/As GippsTech	11/10/2018	\$400,000.00
LCC-521 Glengarry AFL/Cricket Pavilion Refurbishment	System Building Pty Ltd	23/10/2018	\$369,000.00
LCC-513 Construction of Stormwater Outfall to Traralgon Creek	Ace Earthmoving Pty Ltd	23/10/2018	\$270,765.00
* LCC-510 Design and Construct - Cricket Centre of Excellence at Ted Summerton Reserve, Moe	Langden Constructions	1/11/2018	\$2,288,450.00
LCC-535 Preparation of Works Approval Application for Hyland Highway Landfill Extension	GHD Pty Ltd	9/11/2018	\$68,365.00
LCC-537 Traralgon Recreation Reserve Netball Court Upgrade and Sports Lighting	HCM Constructions	5/12/2018	\$235,775.00
LCC-533 Provision of Footpath Grinding Services	McDonough Contracting Pty Ltd	13/12/2018	SOR

*Delegation to award contract provided at 03 September Ordinary Council Meeting

- Agenda Item:** 17.6
- Agenda Item:** Finance Report - December 2018
- Sponsor:** General Manager, Corporate Services
- Council Plan Objective:** Ensure Council operates openly, transparently and responsibly.
- Status:** For Information

MOTION

Moved: Cr White OAM

Seconded: Cr Howe

That Council receives and notes the Finance Report for the six months ended 31 December 2018, prepared in accordance with the requirements of the *Local Government Act 1989*.

CARRIED UNANIMOUSLY

Executive Summary:

- The December 2018 Finance Report is presented for Council's consideration.
- This report meets the requirements of the Local Government Act 1989 (Act) to report to Council at least every three months comparing budget and actual revenue and expenditure for the financial year to date.
- The report shows that Council overall is operating within the parameters of its adopted budget with most variances relating to carry forward funds from the previous year and the timing of revenue and expenditure within the current financial year.
- The report is provided for Council's information.

Background:

Under Section 138 (1) of the Act, at least every three months, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to Council at a Council meeting which is open to the public. This report ensures compliance with this legislative requirement.

The attached report as at 31 December 2018 is provided for the information of Council and the community. The financial report compares budgeted income and expenditure with actual results for the first quarter of the financial year. The key issues of note are:

- The “Income Statement” report forecasts a surplus result for the full financial year of \$63.2M which is a favourable variance of \$21.0M to the original budget. This result is due to a number of variances with a forecast increase in income of \$30.1M and additional expenditure of \$9.1M.
 - The increased income is mainly a result of capital grants largely due to a timing variance related to earlier than expected receipt of funding for Regional Sporting Infrastructure Projects \$31.245 million.
 - The forecasted additional expenditure in employees costs (\$0.5M) and materials and services (\$6.2M) is primarily a result of funding carried forward from the higher than expected cash surplus in 2017/18 together with unbudgeted government grants to be received in 2018/19.
 - Depreciation and amortisation expense is forecast to be \$1.8M over budget mainly as a result of the buildings revaluation completed at the end of the 2017/18 financial year which recognised an increase in valuations and also provided more detailed useful lives for the different components of Council's buildings.
- The “Balance Sheet” shows that Council maintains a strong liquidity position with \$159.9M in current assets compared to \$22.3M current liabilities (a liquidity ratio of 7.2:1).
- The budgeted cash & investments at the beginning of the year was \$71.0 million, the actual opening balance was \$88.0 million. The additional \$17.0 million was largely the result of higher than anticipated surplus funds and carry forward funding for capital and operational projects and programs. Total Cash and financial assets (investments) as at the end of December stand at \$103.0M.
- The “Capital Works Statement” shows a forecast expenditure of \$64.8M compared to the budget of \$68.6M. This is mainly a result of carry forward works and unsuccessful grant applications.
- The “Financial Performance Ratios” indicate that Council remains within the industry expected ranges.

Further details on these and other items are provided in the attached report including year to date and full year forecast income and expenditure variances and explanations, balance sheet and cash flow movements to date, capital works expenditure to date and full year forecasts, together with the financial performance ratios as per the Local Government Performance Reporting Framework (LGPRF).

Issues:

Strategy Implications

This report provides information to the Council and community on how Council is performing against its adopted budget and supports the Council Plan objective of ensuring openness, transparency and responsibility.

Communication

No consultation required.

Financial Implications

The attached report provides details of budget variances for the six months to 31 December 2018 and the forecasted full financial year. The result indicates that Council remains in a strong financial position and has sufficient funds to meet current and forecast financial commitments.

Risk Analysis

This report ensures legislative requirements are met and informs Council as to whether it is acting within the parameters of its Adopted Budget.

Legal and Compliance

This report meets the requirements of the Section 138 (1) to report to Council at least every three months comparing budget and actual revenue and expenditure for the financial year to date.

Community Implications

Not applicable.

Environmental Implications

Not applicable.

Consultation

No engagement.

Other

Not applicable.

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Supporting Documents:

2018/19 Annual Budget

Attachments

1. Finance Report - December 2018

17.6

Finance Report - December 2018

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Quarterly Finance Report

December 2018



In 2026 the Latrobe Valley is a liveable and sustainable region with collaborative and inclusive community leadership.

**Quarterly Finance Report
December 2018**



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December 2018 Quarterly Report Summary**KEY ISSUES**

The attached report provides the overall outcomes to the end of the first half of the 2018/2019 financial year together with forecasted year end results compared to budget. The key issues of note are:

- The "Income Statement" report forecasts a surplus result for the full financial year of \$63.2M which is an favourable variance of \$21.0M to the original budget.
- The "Balance Sheet" shows that Council maintains a strong liquidity position with \$159.9M in current assets compared to \$22.3M current liabilities (a liquidity ratio of 7.2:1).
- The "Statement of Cash Flows" shows that Council has \$103.0M in Cash and Financial assets (i.e. investments). The level is higher than anticipated due to carry forward funds from previous financial years including capital works, reserves funds and government grants advanced earlier than expected.
- The "Capital Works Statement" shows a forecast expenditure of \$64.8M compared to the budget of \$68.6M. This is mainly a result of carry forward works and unsuccessful grant applications.
- The "Financial Performance Ratios" indicate that Council remains within the industry expected ranges.

BACKGROUND

Under the provisions of the *Local Government Act 1989 Section 138 (1)*, at least every three months, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to Council at a Council meeting which is open to the public

INCOME STATEMENT ANALYSIS**Overview**

The surplus amounts shown in the Income Statement are required to be generated to enable Council to invest in new assets and to upgrade and expand our existing assets. They also enable Council to repay its borrowings. On a cash basis Council budgets for a break even result, with any cash remaining at year end required to meet current and future liabilities together with current commitments. Therefore any variances to budget in the operating result are generally caused by changes in non-cash items (e.g. depreciation), variances in grants and monetary contributions for capital works and expenditure that is funded from revenue that has been received in a previous financial year. In 2017/18 Council held \$88.0M in cash and investments which was \$16.9M favourable to budget largely due to funds generated that had not yet been spent for ongoing projects and commitments.

The "Income Statement" report forecasts a surplus result for the full financial year of \$63.2M which is an favourable variance of \$21.0M to the original budget. This result is due to a number of variances with a forecast increase in income of \$30.1M and additional expenditure of \$9.1M. The increased income is mainly a result of capital grants largely due to a timing variance related to earlier than expected receipt of funding for Regional Sporting Infrastructure Projects \$31.245 million. The forecasted additional expenditure in employees costs (\$0.5M) and materials and services (\$6.2M) is primarily a result of funding carried forward from the higher than expected cash surplus in 2017/18 together with unbudgeted government grants to be received in 2018/19. Depreciation and amortisation expense is forecast to be \$1.8M over budget mainly as a result of the buildings revaluation completed at the end of the 2017/18 financial year which recognised an increase in valuations and also provided more detailed useful lives for the different components of Council's buildings.

Year to date

The year to date result shows an operating position of \$71.2M surplus which is \$21.4M favourable to budget. The key items that make up this variance are as follows;

- Grants – Capital (\$20.4M favourable) mainly a result of earlier than expected receipt of funding for Regional Sporting Infrastructure Projects \$17.801 million, Gippsland Logistics Precinct \$0.800 million and unbudgeted amounts raised for Monash Reserve Pavillion and Courts \$1.950 million and Fixing Country Roads Program \$0.200 million.

December 2018 Quarterly Report Summary

- Grants – Operating (\$1.1M unfavourable) mainly a result of the State Government advancing 50% of the 2018/19 Victorian Grants Commission funding in the previous financial year.
- Materials and Services (\$1.1M favourable) mainly due to timing variances for expenditure that will be incurred later than originally expected.

Full year forecast

The full year forecasted result shows an operating surplus of \$63.2M which is an \$21.0M favourable variance to the adopted budget. The key items that make up this variance are as follows;

- Grants – Capital (\$33.1M favourable) mainly due to a timing variance related to earlier than expected milestone payments for Regional Sporting Infrastructure Projects.
- Grants – Operating (\$5.4M unfavourable) mainly due to the State Government advancing 50% of the 2018/19 Victorian Grants Commission funding in the previous financial year.
- Contributions - Monetary (\$1.3M favourable) mainly due to unbudgeted capital contributions for the Latrobe Regional Hospital Footpath project \$1.0 million and the Traralgon Tennis LED Lighting upgrade project \$0.3 million.
- Other Income (\$1.1M favourable) reflects additional income forecast for the Startup Gippsland project \$0.40M, interest on investments \$0.25M, interest on rates & charges and other unbudgeted rental, reimbursements and other income items.
- Employee costs (\$0.5M unfavourable) mainly due to increased salaries as a result of additional funding to provide services e.g Kindergarten Inclusion Support \$0.30M, Aboriginal Maternal & Child Health \$0.18M and Parenting Support Program \$0.12M.
- Materials and Services (\$6.2M unfavourable) mainly due to unexpended funds carried over from the 2017/18 financial year to complete projects in 2017/18, combined with the allocation of surplus funds to undertake new projects and unbudgeted government grant funding to be received.
- Depreciation and amortisation (\$1.8M unfavourable) mainly due to higher than anticipated depreciation on buildings as a result of the revaluation carried out at the end of the 2017/18 financial year. The revaluation process included the splitting of building values into their various components with varying useful lives.
- Other expenses (\$0.6M unfavourable) mainly due to higher than expected EPA landfill levies \$0.369 million, Small Town grant and Community Sponsorship funding carried over from the 2017/18 financial year \$0.189M.

BALANCE SHEET

The significant movements in the balance sheet over the six months were as follows;

- Cash and Cash Equivalents together with Other Financial Assets (i.e. investments). The overall favourable increase of \$15.1M is mainly due to capital grants received in advance of expenditure..
- Trade and Other receivables (\$46.8M increase) this is primarily due to the annual rates notices being raised in the first quarter and is part of the normal pattern. This amount will continue to reduce as rate payments are received over the remainder of the year in line with the full payment and quarterly instalment due dates.
- Other Assets (\$1.4M decrease) is primarily due to prepayments and accrued revenue as at 30 June 2018 having now been reversed/received in the current financial year.
- Property, Infrastructure, Plant and Equipment (\$2.1M increase) total capital expenditure has exceeded depreciation to date.
- Payables (\$6.7M decrease) is primarily due to amounts that were outstanding to suppliers at 30 June 2018. These amounts have now been paid in the current financial year.
- Provisions Landfill (Current) (\$1.2M decrease) relates to expenditure to date on landfill rehabilitation mainly at the Moe legacy landfill site.

STATEMENT OF CASH FLOWS

The budgeted cash & investments at the beginning of the year was \$71.0 million, the actual opening balance was \$88.0 million. The additional \$17.0 million was largely the result of higher than anticipated surplus funds and carry forward funding for capital and operational projects and programs. Total Cash and financial assets (investments) as at the end of December stand at \$103.0M which represents a favourable cash movement of \$15.1M from the start of the financial

December 2018 Quarterly Report Summary

year.

STATEMENT OF CAPITAL WORKS

The statement of capital works includes all expenditure that is expected to be capitalised during the financial year, it excludes some amounts which for "Accounting" purposes are not capitalised e.g. Landfill Rehabilitation which is a reduction in a provision liability and other items which are included in operating expenditure e.g. Community Minor Capital Grants Program.

As at the 31 December 2018 Council had spent \$15.8M on capital works mostly on Property (land & buildings) \$5.5M and Infrastructure projects \$9.4M (including Roads projects \$5.1M) . Full year forecasted capital expenditure is \$64.8M compared to the budget of \$68.6M. This is mainly a result of funds now expected to be carried forward to 2019/20 for the Latrobe Creative Precinct together with unsuccessful grant applications for the Logistics precinct and Latrobe City Sports & Entertainment Stadium.

FINANCIAL PERFORMANCE RATIOS

The final part of the report is the Financial Performance Ratios as per the *Local Government Performance Reporting Framework (LGPRF)*. The results of the first half of the financial year show that Council is expected to remain within the expected ranges by the end of the financial year. Some of the ratios when measured part way through the year will fall outside the ranges in the year to date figures purely because they are designed to look at an annual result.

INCOME STATEMENT
For The Quarter Ended 31 December 2018

	NOTE	YTD Actual \$'000	YTD Budget \$'000	Variance YTD Act/Bud \$'000	Variance Type (P)ermanent/ (T)iming	Full Year Forecast \$'000	Annual Budget \$'000	Variance Annual Budget /Forecast \$'000
INCOME								
Rates and charges	1	78,000	77,977	23	T	77,961	78,100	(139)
Statutory fees and fines	2	1,114	1,113	1	T	2,164	2,207	(42)
User fees	3	6,401	6,387	14	P	13,057	12,848	209
Grants - operating	4	11,121	12,221	(1,101)	P	20,782	26,170	(5,387)
Grants - capital	5	29,164	8,747	20,417	P	73,441	40,390	33,051
Contributions - monetary	6	503	45	458	P	1,635	305	1,329
Contributions - non monetary	7	0	0	0	P	3,000	3,000	0
Net gain (loss) on disposal of property, infrastructure, plant and equipment	8	57	(6)	63	T	0	0	0
Other income	9	2,409	1,870	539	P	4,835	3,757	1,078
TOTAL INCOME		128,769	108,355	20,414		196,876	166,777	30,099
EXPENSES								
Employee costs	10	26,895	27,334	439	T	58,611	58,125	(486)
Materials and services	11	15,398	16,463	1,065	T	42,897	36,733	(6,164)
Bad and doubtful debts	12	(0)	1	1	P	8	9	1
Depreciation and amortisation	13	13,637	13,099	(538)	P	28,018	26,197	(1,821)
Borrowing costs	14	369	381	12	P	704	732	28
Other expenses	15	1,299	1,274	(26)	P	3,485	2,861	(625)
TOTAL EXPENSES		57,598	58,552	954		133,723	124,656	(9,067)
SURPLUS (DEFICIT) FOR THE YEAR		71,171	49,804	21,368		63,153	42,121	21,032

NOTES TO THE INCOME STATEMENT - Year to Date and Full Year Variances**1. Rates and charges**

Year to Date - \$0.023M Favourable

Minor variance.

Full Year - (\$0.139M) Unfavourable

Unfavourable result forecast given pending valuation objections and limited further supplementary rates & charges to be raised.

2. Statutory fees and fines

Year to Date - \$0.001M Favourable

Minor variance.

Full Year - (\$0.042M) Unfavourable

Unfavourable result forecast given lower than expected parking fine income \$0.144 million partially offset by higher than expected building and planning permit fees.

3. User fees

Year to Date - \$0.014M Favourable

Minor variance.

Full Year - \$0.209M Favourable

A favourable result is forecasted mainly due to higher than expected Landfill fees for commercial waste \$0.374 million partially offset by lower than expected Learn to Swim fees \$0.141M .

4. Grants - operating

Year to Date - (\$1.101M) Unfavourable

The unfavourable variance is due to the State Government advancing \$6.2 million of the 2018/19 Grants Commission funding to Council in the 2017/18 financial year, partially offset by higher than expected funding for Family Services, LVA Events and School Crossing supervision.

Full Year - (\$5.387M) Unfavourable

The unfavourable variance is due to the State Government advancing \$6.2 million of the 2018/19 Grants Commission funding to Council in the 2017/18 financial year together with funding budgeted for the Latrobe City Sports & Entertainment Stadium lighting that was not successful. Overall including the funding received in 2017/18 Council's Victorian Grants Commission funding is \$0.026 million in excess of the budgeted amount. Additional funding is also expected for LVA funded events, Family Services programs and school crossing supervision.

NOTES TO THE INCOME STATEMENT - Year to Date and Full Year Variances**5. Grants - capital**

Year to Date - \$20.417M Favourable

The favourable variance is mainly due to a timing variance related to earlier than expected receipt of funding for Regional Sporting Infrastructure Projects \$17.801 million, Gippsland Logistics Precinct \$0.800 million and unbudgeted amounts raised for Monash Reserve Pavillion and Courts \$1.950 million and Fixing Country Roads Program \$0.200 million.

Full Year - \$33.051M Favourable

The favourable variance is mainly due to a timing variance related to earlier than expected receipt of funding for Regional Sporting Infrastructure Projects \$31.245 million, Gippsland Logistics Precinct \$0.800 million and unbudgeted projects for Monash Reserve Pavillion and Courts \$3.800 million, Blackspot Program \$1.832 million and Fixing Country Roads Program \$0.500 million. These variances have been partially offset by reduced funding for the Logistics Precinct of \$3.800M due to unsuccessful federal funding \$2.0M and \$1.8M state funding now expected in the 2019/20 financial year, the Haunted Hills Mountain Bike Park \$1.200M this project will not be managed by Council and unsuccessful grant applications for the Latrobe City Sports & Entertainment Stadium \$1.35M.

6. Contributions - monetary

Year to Date - \$0.458M Favourable

The favourable variance mainly a result of unbudgeted capital contributions to the Traralgon Tennis LED Lighting upgrade \$0.227 million and earlier than expected receipt of the Federation University contribution towards the Latrobe City Sports Field Pavilion project \$0.200 million.

Full Year - \$1.329M Favourable

The favourable variance is mainly due to unbudgeted capital contributions for the Latrobe Regional Hospital Footpath project \$1.000 million and the Traralgon Tennis LED Lighting upgrade project \$0.309 million.

7. Contributions - non monetary

Year to Date - \$0.000M Nil Variance

No variance.

Full Year - \$0.000M Nil Variance

No variance identified to date.

8. Net gain (loss) on disposal of property, infrastructure, plant and equipment

Year to Date - \$0.063M Favourable

Favourable variance to date on disposal of plant and fleet.

Full Year - \$0.000M Nil Variance

No variance identified to date.

9. Other income

Year to Date - \$0.539M Favourable

The favourable variance is primarily due to higher interest on investments due to higher cash and investments holdings as a result of grants received in advance and other funds carried forward from the 2017/18 financial year, together with interest on rates and earlier than expected raising of property rentals and gaming charter contributions.

Full Year - \$1.078M Favourable

The favourable variance reflects additional income forecast for the Startup Gippsland project \$0.400M, interest on investments \$0.250M, interest on rates & charges and other unbudgeted rental, reimbursements and other income items.

NOTES TO THE INCOME STATEMENT - Year to Date and Full Year Variances**10. Employee costs**

Year to Date - \$0.439M Favourable

Year to date savings mainly as a result of temporary staff vacancies together with Council's workcover premium being less than expected \$0.169M.

Full Year - (\$0.486M) Unfavourable

The additional expenditure is due to increased salaries as a result of additional funding to provide services e.g Kindergarten Inclusion Support \$0.300M, Aboriginal Maternal & Child Health \$0.181M and Parenting Support Program \$0.121M.

11. Materials and services

Year to Date - \$1.065M Favourable

The favourable variance is mainly due to timing variances for expenditure that will be incurred later than originally expected.

Full Year - (\$6.164M) Unfavourable

The additional expenditure is due to unexpended funds carried over from the 2017/18 financial year to complete projects in 2018/19, combined with the allocation of surplus funds to undertake new projects and unbudgeted government grant funding to be received.

12. Bad and doubtful debts

Year to Date - \$0.001M Favourable

Minor variance.

Full Year - \$0.001M Favourable

Minor variance.

13. Depreciation and amortisation

Year to Date - (\$0.538M) Unfavourable

The unfavourable variance is mainly due to higher than anticipated depreciation on buildings as a result of the revaluation carried out at the end of the 2017/18 financial year.

Full Year - (\$1.821M) Unfavourable

The unfavourable variance is mainly due to higher than anticipated depreciation on buildings as a result of the revaluation carried out at the end of the 2017/18 financial year. The revaluation process included the splitting of building values into their various components with varying useful lives.

14. Borrowing costs

Year to Date - \$0.012M Favourable

Minor variance.

Full Year - \$0.028M Favourable

Minor favourable variance as a result of lower than expected interest rate on new loan drawn down in June 2018.

15. Other expenses

Year to Date - (\$0.026M) Unfavourable

The unfavourable variance is mainly due to EPA landfill levies as a result of higher than expected commercial waste acceptances at Council's landfill facility .

Full Year - (\$0.625M) Unfavourable

The additional expenditure mainly relates to higher than expected EPA landfill levies \$0.369 million, Small Town grant and Community Sponsorship funding carried over from the 2017/18 financial year \$0.189M.

RECONCILIATION OF INCOME STATEMENT TO CASH BUDGET
For The Quarter Ended 31 December 2018

	NOTE	YTD Actual \$'000	YTD Budget \$'000	Variance YTD Act/Bud \$'000	Full Year Forecast \$'000	Annual Budget \$'000	Variance Annual Budget /Forecast \$'000
Operating Surplus (Deficit)		71,171	49,804	21,368	63,153	42,121	21,032
Reconciliation to Cash Budget							
Plus Depreciation		13,637	13,099	538	28,018	26,197	1,821
Plus Written Down Value of Assets Disposed		93	359	(266)	774	718	56
Less Developer Contributed assets		0	0	0	(3,000)	(3,000)	0
Less Capital Expenditure		(15,768)	(21,226)	5,458	(64,802)	(68,614)	3,812
Less Loan Principal Repayments		(798)	(790)	(8)	(1,573)	(1,559)	(15)
Less Landfill Rehabilitation Expenditure		(1,179)	(588)	(591)	(4,359)	(4,350)	(9)
Plus Internal Transfers		19,698	2,021	17,677	(22,368)	3,487	(25,855)
Plus Loan Proceeds		0	0	0	5,000	5,000	0
Net Other Non-Operating Items		0	(1)	1	(0)	0	(0)
Net Total Non-Operating items		(15,683)	7,126	(22,809)	62,311	42,121	20,190
Cash Budget Surplus (Deficit)		86,854	42,678	44,176	842	0	842

INCOME STATEMENT
For The Quarter Ended 31 December 2018 Compared To Previous Financial Year

	2018/19			2017/18		
	YTD Actuals	YTD Budgets	Variance YTD Act/Bud	YTD Actuals	YTD Budgets	Variance YTD Act/Bud
INCOME						
Rates and charges	78,000	77,977	23	75,427	77,977	(2,549)
Statutory fees and fines	1,114	1,113	1	1,109	1,113	(4)
User fees	6,401	6,387	14	6,867	6,387	480
Grants - operating	11,121	12,221	(1,101)	10,134	12,221	(2,088)
Grants - capital	29,164	8,747	20,417	1,515	8,747	(7,232)
Contributions - monetary	503	45	458	150	45	105
Contributions - non monetary	0	0	0	0	0	0
Net gain (loss) on disposal of property, infrastructure, plant and equipment	57	(6)	63	31	(6)	37
Other income	2,409	1,870	539	2,150	1,870	280
TOTAL INCOME	128,769	108,355	20,414	97,383	108,355	(10,972)
EXPENSES						
Employee costs	26,895	27,334	439	26,072	27,334	1,262
Materials and services	15,398	16,463	1,065	14,906	16,463	1,557
Bad and doubtful debts	(0)	1	1	(1)	1	2
Depreciation and amortisation	13,637	13,099	(538)	12,679	13,099	420
Borrowing costs	369	381	12	393	381	(11)
Other expenses	1,299	1,274	(26)	1,116	1,274	157
TOTAL EXPENSES	57,598	58,552	954	55,165	58,552	3,387
SURPLUS (DEFICIT) FOR THE YEAR	71,171	49,804	21,368	42,218	49,804	(7,585)

BALANCE SHEET
As at 31 December 2018

	Current Balance \$'000s	Opening Balance 1/07/2018 \$'000s	Movement for Year to Date \$'000s	Balance as at 31/12/17 \$'000s
CURRENT ASSETS				
Cash and Cash Equivalents	3,320	23,459	(20,140)	34,963
Other Financial Assets	99,712	64,518	35,194	36,584
Other Assets	1,610	2,961	(1,351)	512
Trade and Other Receivables	55,282	8,441	46,842	51,645
Non-Current Assets Held for Sale	0	48	(48)	385
Total Current Assets	159,924	99,427	60,497	124,090
NON CURRENT ASSETS				
Property, Infrastructure, Plant and Equipment	1,152,256	1,150,138	2,118	1,177,596
Intangible Assets	93	124	(32)	356
Trade and Other Receivables	18	18	0	16
Financial Assets	2	2	0	2
Total Non-Current Assets	1,152,368	1,150,282	2,086	1,177,970
TOTAL ASSETS	1,312,292	1,249,709	62,583	1,302,059
CURRENT LIABILITIES				
Payables	1,335	8,010	(6,676)	662
Interest-bearing Liabilities	775	1,573	(798)	954
Provisions - Employee Benefits	12,176	12,729	(552)	11,575
Provisions - Landfill	5,302	6,481	(1,179)	4,115
Trust Funds and Deposits	2,730	2,114	616	2,384
Total Current Liabilities	22,318	30,906	(8,588)	19,691
NON CURRENT LIABILITIES				
Interest-bearing Liabilities	15,061	15,061	0	14,281
Provisions - Employee Benefits	1,903	1,903	0	1,573
Provisions - Landfill	20,530	20,530	0	14,421
Total Non-Current Liabilities	37,494	37,494	0	30,276
TOTAL LIABILITIES	59,812	68,400	(8,588)	49,966
NET ASSETS	1,252,480	1,181,309	71,171	1,252,093
EQUITY				
Current Year Surplus/(Deficit)	71,171	(2,422)	73,593	42,218
Accumulated Surplus	697,464	699,936	(2,472)	699,938
Reserves	483,845	483,794	51	509,937
TOTAL EQUITY	1,252,480	1,181,309	71,171	1,252,093

STATEMENT OF CASH FLOWS
For the Quarter ended 31 December 2018

	NOTE	YTD Cash Flow	Adopted Budget Annual Cashflow	Cash Flow 2017/18
		\$'000s	\$'000s	\$'000s
		Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)
CASH FLOWS FROM OPERATING ACTIVITIES				
Rates and charges		31,734	77,946	75,636
Statutory Fees & Fines		1,121	2,207	2,271
User fees		6,474	12,848	14,221
Grants - operating		11,121	26,170	27,717
Grants - capital		29,922	40,390	6,389
Contributions - monetary		503	305	345
Interest received		1,341	1,694	2,366
Trust funds and deposits taken/(repaid)		616	46	(236)
Other receipts		418	2,063	2,715
Net GST refund/(payment)		87	0	3,119
Employee costs		(28,361)	(57,635)	(55,420)
Materials & services		(21,675)	(40,953)	(42,239)
Other Payments		(1,299)	(2,861)	(3,262)
Net cash from operating activities		32,001	62,220	33,622
CASH FLOWS FROM INVESTING ACTIVITIES				
Proceeds from Property, Plant & Equipment		150	718	905
Proceeds from Investments		64,518	100,000	107,584
Payments for Property, Plant & Equipment		(15,934)	(68,614)	(26,878)
Payments for Investments		(99,712)	(100,000)	(100,584)
Net Cash Flows used in investing activities		(50,978)	(67,896)	(18,973)
CASH FLOWS FROM FINANCING ACTIVITIES				
Finance costs		(366)	(732)	(745)
Proceeds from borrowings		-	5,000	2,350
Repayment of borrowings		(798)	(1,559)	(1,866)
Net Cash Flows from Financing Activities		(1,164)	2,709	(261)
Net Increase/(Decrease) in cash held		(20,140)	(2,967)	14,388
Cash & cash equivalents at beginning of year		23,459	23,704	9,071
Cash & cash equivalents at end of period		3,320	20,737	23,459
Summary of Cash & Investments				
		Current Balance	Current year Movement	Opening Balance
Cash & Cash Equivalents		3,320	(20,140)	23,459
Other Financial Assets (Investments)		99,712	35,194	64,518
Total Cash & Investments	1	103,032	15,054	87,977
Budgeted Opening Balance of Cash & Investments				71,047
Variance in Opening Balance				16,930

NOTES

1. The budgeted cash & investments at the beginning of the year was \$71.0 million, the actual opening balance was \$88.0 million. The additional \$17.0 million was largely the result of higher than anticipated surplus funds and carry forward funding for capital and operational projects and programs.

STATEMENT OF CAPITAL WORKS
For The Quarter Ended 31 December 2018

	NOTE	YTD Actuals \$'000	Full Year Forecast \$'000	Annual Budget \$'000	Variance Annual Budget /Forecast \$'000
Property					
Land	1	22	322	0	(322)
Buildings	2	5,474	23,583	31,528	7,944
Heritage buildings	3	5	229	0	(229)
Total Property		5,501	24,134	31,528	7,393
Plant and Equipment					
Plant, machinery & equipment	4	717	2,880	2,282	(598)
Fixtures, fittings & furniture	5	33	36	10	(26)
Computers & telecommunications	6	132	566	700	134
Artwork collection	7	6	18	15	(3)
Total Plant and Equipment		888	3,500	3,007	(494)
Infrastructure					
Roads	8	5,101	13,385	9,716	(3,669)
Bridges & culverts	9	104	310	150	(160)
Footpaths & cycleways	10	1,797	6,571	4,537	(2,034)
Drainage	11	84	961	895	(66)
Waste management	12	30	1,628	1,600	(28)
Parks, open space and streetscapes	13	549	3,715	3,265	(450)
Recreational, leisure & community facilities	14	1,579	8,405	6,917	(1,488)
Aerodromes	15	0	0	0	0
Offstreet carparks	16	113	113	0	(113)
Other infrastructure	17	23	2,080	7,000	4,920
Total Infrastructure		9,379	37,168	34,080	(3,088)
Total Capital Works expenditure		15,768	64,802	68,614	3,812
REPRESENTED BY;					
New asset expenditure	18	6,268	28,099	36,739	8,640
Asset renewal expenditure	19	6,241	18,542	17,528	(1,015)
Asset expansion expenditure	20	21	113	20	(93)
Asset upgrade expenditure	21	3,238	18,048	14,328	(3,720)
Total Capital Works expenditure		15,768	64,802	68,614	3,812

NOTES TO THE CAPITAL WORKS STATEMENT - Full Year Forecast Variances

1. Land (\$0.322M) Unfavourable

The unfavourable variance is in relation to unbudgeted costs in relation to a land exchange in relation to the Churchill Central Activity Plan.

2. Buildings \$7.944M Favourable

The forecast reduced expenditure is due to the timing of costs of projects spanning over multiple financial years now expected to be spent in the 2019/20 financial year e.g. Latrobe Creative Precinct \$7.4M, Traralgon Sports Stadium \$1.5M and Ted Summerton Reserve \$0.8M, together with government grants now not expected to be received for the Latrobe City Sports & Entertainment Stadium \$1.35M. These variances are partially offset by additional expenditure as a result of financial year timing for the Gippsland Regional Aquatics Facility \$2.2M, Latrobe City Sports Field pavilion \$0.3M, Latrobe Leisure Stadiums Evaporative cooling \$0.3M and an unbudgeted government grant for the Traralgon West Sporting Complex upstairs fitout (\$0.3M).

3. Heritage buildings (\$0.229M) Unfavourable

The forecast additional expenditure relates to carried over from the 2017/18 year for the Traralgon Court House upgrade project.

4. Plant, machinery & equipment (\$0.598M) Unfavourable

The forecast additional expenditure relates to unexpended funds carried over from the 2017/18 financial year for the Plant replacement programs together with CCTV equipment funded from unbudgeted government grants.

5. Fixtures, fittings & furniture (\$0.026M) Unfavourable

Minor variance.

NOTES TO THE CAPITAL WORKS STATEMENT - Full Year Forecast Variances**6. Computers & telecommunications \$0.134M Favourable**

The forecast favourable variance relates mainly to IT expenditure on items that don't meet Council's capitalisation criteria.

7. Artwork Collection (\$0.003M) Unfavourable

Minor variance relating to funding carried forward from the 2017/18 financial year.

8. Roads (\$3.669M) Unfavourable

The forecast additional expenditure mainly relates to National Blackspot program (\$1.98M) and Fixing Country Roads Program (\$0.50M) projects that were not included in the adopted budget together with road rehabilitation program (\$1.17M) funding originally scheduled to be paid in 2017/18 but subsequently carried over to 2018/19.

9. Bridges & culverts (\$0.160M) Unfavourable

The forecast additional expenditure relates to carry over funded works for Downies Lane and other renewal works.

10. Footpaths & cycleways (\$2.034M) Unfavourable

The forecast additional expenditure mainly relates to works on the Morwell to Traralgon Shared pathway (\$1.07M) which have carried over from the 2017/18 financial year and new externally funded pathway works at the Latrobe Regional Hospital \$1.00M).

11. Drainage (\$0.066M) Unfavourable

The forecast additional expenditure mainly relates to drainage augmentation works on the Furlonger/Nixon Court area Traralgon (\$0.07M) funded from drainage reserves.

12. Waste management (\$0.028M) Unfavourable

Minor unbudgeted expenditure on completion of landfill cell 5 funded from Waste & Landfill reserves.

13 Parks, open space and streetscapes (\$0.450M) Unfavourable

The forecast additional expenditure relates to unexpended funds carried over from the 2017/18 financial year for the Playground & Retaining Wall Renewal & upgrade programs and previously unallocated cash surplus allocated to the design for the next stage of the Moe Revitalisation Project.

14. Recreational, leisure & community facilities (\$1.488M) Unfavourable

The forecast additional expenditure relates to government funding mainly for Latrobe Valley Sports and Community Initiative projects e.g. Morwell Recreation Reserve \$1.2M.

15. Aerodromes \$0.000M Nil Variance

No current year projects.

16. Offstreet carparks (\$0.113M) Unfavourable

The forecast additional expenditure relates mainly to the Harold Preston Reserve carpark project which has been carried over from 2017/18.

17. Other infrastructure \$4.920M Favourable

The reduced expenditure reflects reduced funding for the Gippsland Logistics Precinct due to no federal funding being available at this time and the timing of some of the state government funding which will push out into the 2019/20 financial year.

18. New asset expenditure \$8.640M Favourable

The overall reduction is due to reduced government grants relating to the Gippsland Logistics Precinct and the Haunted Hills Mountain Bike Park and timing variances for the Latrobe Creative Precinct. These have been partially offset by additional expenditure on a range of carry forward and additional externally funded projects e.g. Gippsland Regional Aquatics Facility, Morwell to Traralgon Shared pathway and the Latrobe Regional Hospital footpath project.

19. Asset renewal expenditure (\$1.015M) Unfavourable

The forecast additional expenditure is mainly due to unexpended funds carried over from the 2017/18 financial year which is largely relating to the Road Rehabilitation program.

20. Asset expansion expenditure (\$0.093M) Unfavourable

The forecast additional expenditure is mainly due to unexpended funds carried over from the 2017/18 financial year which is largely relating to the Latrobe Convention Centre feasibility project.

21. Asset upgrade expenditure (\$3.720M) Unfavourable

The forecast additional expenditure mainly relates to unbudgeted government grant funding for Nation Building Blackspot program and Latrobe Valley Sports and Community Initiative projects, together with funds carried forward from previous years for other projects.

FINANCIAL PERFORMANCE RATIOS

As at 31 December 2018

	Year to Date Ratios			Forecast at 30/06/19	Budget at 30/06/19	Expected Range	
	\$'000s	Ratio at 31/12/18	Ratio at 31/12/17				
OPERATING POSITION							
Adjusted Underlying Result Indicator							
(Indicator of the broad objective that an adjusted underlying surplus should be generated in the ordinary course of business. A surplus or increasing surplus suggests an improvement in the operating position)							
Adjusted underlying surplus (or deficit)							
	<u>Adjusted net Surplus/(Deficit)</u>	41,850	42.1%	42.4%	(11.5%)	(0.3%)	-20% - +20%
	Adjusted underlying revenue	99,448					
The ratio takes out the effect of once off capital grants & developer contributions.							
Note: The forecasted lower ratio of (11.5%) is mainly a result of unspent 2017/2018 recurrent project and program expenditure which led to a greater than expected 'cash' surplus result at the end of the financial year together with government funding advanced to Council in 2017/18 that was budgeted in 18/19.							
LIQUIDITY							
Working Capital Indicator							
(Indicator of the broad objective that sufficient working capital is available to pay bills as and when they fall due. High or increasing level of working capital suggests an improvement in liquidity)							
Current assets compared to current liabilities							
	<u>Current Assets</u>	159,924	716.6%	630.2%	315.1%	215.5%	100% - 300%
	Current Liabilities	22,318					
Unrestricted Cash Indicator							
(Indicator that sufficient cash which is free of restrictions is available to pay bills as and when they fall due. High or increasing level of cash suggests an improvement in liquidity)							
	<u>Unrestricted Cash</u>	(2,864)	-12.8%	148.2%	177.4%	50.4%	0.0% - 200%
	Current Liabilities	22,318					
Note: Unrestricted cash does not include funds held in term deposits with a maturity term of greater than 90 days. These deposits are managed to ensure they mature in time for payment runs and are available to meet liabilities when they fall due. As at the reporting date Council held less cash excluding these term deposits than it has restrictions on the cash leading to the negative ratio.							

	Year to Date Ratios			Forecast at 30/06/19	Budget at 30/06/19	Expected Range
	\$'000s	Ratio at 31/12/18	Ratio at 31/12/17			
OPERATING POSITION						
OBLIGATIONS						
Loans and borrowings Indicator						
(Indicator of the broad objective that the level of interest bearing loans and borrowings should be appropriate to the size and nature of a council's activities. Low or decreasing level of loans and borrowings suggests an improvement in the capacity to meet long term obligations)						
Loans and borrowings compared to rates						
<u>Interest Bearing loans and borrowings</u>	15,836	20.3%	20.2%	25.7%	25.7%	0% - 50%
Rate Revenue	78,000					
Note: This ratio is expected to be in line with the budgeted result.						
Loans and borrowings repayments compared to rates						
<u>Interest & principal repayments</u>	1,167	1.5%	1.7%	2.9%	2.9%	0% - 10%
Rate Revenue	78,000					
Note: This ratio is expected to be in line with the budgeted result.						
Indebtedness Indicator						
(Indicator of the broad objective that the level of long term liabilities should be appropriate to the size and nature of a Council's activities. Low or decreasing level of long term liabilities suggests an improvement in the capacity to meet long term obligations)						
Non-current liabilities compared to own source revenue						
(to ensure Council has the ability to pay its long term debts & provisions)						
<u>Non Current Liabilities</u>	37,494	42.6%	35.4%	31.7%	26.5%	0% - 50%
Own Source Revenue	87,924					
Own Source Revenue is adjusted underlying revenue excluding revenue which is not under the control of council (including government grants)						
Asset Renewal Indicator						
(Indicator of the broad objective that assets should be renewed as planned. High or increasing level of planned asset renewal being met suggests an improvement in the capacity to meet long term obligations)						
<u>Asset Renewal Expenditure</u>	6,241	45.9%	60.9%	67.8%	69.9%	50%-100%
Depreciation	13,605					

	Year to Date Ratios			Forecast at 30/06/19	Budget at 30/06/19	Expected Range
	\$'000s	Ratio at 31/12/18	Ratio at 31/12/17			
OPERATING POSITION						
STABILITY						
Rates Concentration Indicator						
(Indicator of the broad objective that revenue should be generated from a range of sources. High or increasing range of revenue sources suggests an improvement in stability)						
Rates compared to adjusted underlying revenue						
	<u>Rate Revenue</u>	78,000				
	Adjusted underlying revenue	99,448	78.4%	78.8%	65.0%	62.9%
						40% - 80%
Rates Effort Indicator						
(Indicator of the broad objective that the rating level should be set based on the community's capacity to pay. Low or decreasing level of rates suggests an improvement in the rating burden)						
Rates compared to property values						
	<u>Rate Revenue</u>	78,000				
	property values (CIV)	11,200,811	0.7%	0.7%	0.7%	0.7%
						0.2% to 0.7%
EFFICIENCY						
Expenditure Level Indicator						
(Indicator of the broad objective that resources should be used efficiently in the delivery of services. Low or decreasing level of expenditure suggests an improvement in organisational efficiency)						
Expenses per property assessment						
	<u>Total expenses</u>	57,598				
	Number of property assessments	39	\$ 1,493	\$ 1,443	\$ 3,467	\$ 3,231
						\$2000 - \$4000
Note: The forecasted increase in expenses per assessment is mainly related to employee costs and materials and services expenditure funded from additional government funding and carry forward funds.						
Revenue Level Indicator						
(Indicator of the broad objective that resources should be used efficiently in the delivery of services. Low or decreasing level of rates suggests an improvement in organisational efficiency)						
Average residential rate per residential property assessment						
	<u>Residential Rate Revenue</u>	58,912				
	Number of residential property assessments	35	\$ 1,692	\$ 1,608	\$ 1,692	\$ 1,692
						\$800 - \$1,800

Agenda Item: 17.7
Agenda Item: Tabling of 'Assembly of Councillors' Records
Sponsor: General Manager, Corporate Services
Council Plan Objective: Ensure Council operates openly, transparently and responsibly.
Status: For Information

MOTION

Moved: Cr Clancey
Seconded: Cr Gibson

That Council receives and notes the Assembly of Councillors records tabled for the period 04 September 2018 to 20 December 2018.

CARRIED UNANIMOUSLY

Executive Summary:

The following Assembly of Councillor records have been submitted for tabling since the last ordinary Council meeting:

Date	Assembly Details	In Attendance	Confidential	Declarations of Interest
04 September 2018	Latrobe Regional Gallery Advisory Committee Meeting	Councillors Cr White OAM Cr Clancey Officers Mark Themann Michael Bloyce	Yes - (c) Industrial Matters	No
17 September 2018	Motorsport Complex Committee	Councillors Cr Middlemiss Cr Howe Cr Gibson Officers Bruce Connolly Eliza Bayley	Yes - Section 89(2) (e) Proposed Developments	No

Date	Assembly Details	In Attendance	Confidential	Declarations of Interest
20 September 2018	Latrobe City International Relations Advisory Committee	Councillors Cr White OAM Cr Harriman Cr Clancey Cr Gibson Officers Bruce Connolly Jie Liu Jo DeJong Michelle Tones	No	No
20 September 2018	Traralgon CBD Safety Committee	Councillors Cr Howe Officers Andrew Legge	No	No
16 October 2018	Latrobe City International Relations Advisory Committee	Councillors Cr White OAM Cr Clancey Cr Gibson Officers Bruce Connolly Jo DeJong Michelle Tones	No	No
18 October 2018	Traralgon CBD Safety Committee	Councillors Cr Howe Officers Andrew Legge	No	No
24 October 2018	Traralgon Sports Stadium Project Reference Group	Councillors Cr Harriman Cr Howe Cr Clancey Officers Larry Sengstock Brian Feltham Bianca James Steven Piasente	No	No
07 November 2018	Tourism Advisory Committee meeting	Councillors Cr White OAM Officers Imelda Dover Michael Bloyce Jo DeJong	No	No

Date	Assembly Details	In Attendance	Confidential	Declarations of Interest
13 November 2018	Latrobe Regional Gallery Advisory Committee Meeting	Councillors Cr Clancey Officers Mark Themann	Yes – (c) Industrial Matters	No
14 November 2018	Morwell Recreation Reserve Project Reference Group	Councillors Cr McFarlane Officers Larry Sengstock Josh Wilson Lauren Dinsdale	Yes - Confidential under section 89(2)(e) proposed developments.	No
19 November 2018	Councillor Briefing	Councillors Cr McFarlane Cr Middlemiss Cr White OAM Cr O'Callaghan Cr Clancey Cr Law Cr Gibson Officers Steve Piasente Sara Rhodes-Ward Gail Gatt Amy Phillips Larry Sengstock Matthew Rogers	Yes – (e) Proposed Developments (d) Contractual Matters (h) Prejudicial to Council or any person	No
20 November 2018	Latrobe City International Relations Advisory Committee	Councillors Cr White OAM Cr Gibson Officers Bruce Connolly Jie Liu Jo DeJong Michelle Tones	No	No
20 November 2018	Latrobe City Sports & Entertainment Stadium - PRG meeting	Councillors Cr McFarlane Cr Middlemiss Officers Larry Sengstock Josh Wilson Lauren Dinsdale	Yes - Confidential under section 89(2)(e) proposed developments.	No

Date	Assembly Details	In Attendance	Confidential	Declarations of Interest
26 November 2018	Councillor Briefing	Councillors Cr McFarlane Cr Middlemiss Cr White OAM Cr O'Callaghan Cr Howe Cr Clancey Cr Law Cr Gibson Officers Steve Piasente Sara Rhodes-Ward Gail Gatt Greg Drumm Martin Teplik Amy Phillips Matthew Rogers	Yes – (e) Proposed Developments (f) Legal Advice (d) Contractual Matters (h) Prejudice the Council or any other person	Yes – Cr Howe x 2 Cr Law x 2 Cr White Cr Clancey
27 November 2018	Municipal Emergency Management Planning Committee	Councillors Cr Law Officers Lance King Rebecca Johnson Robyn Duffy	No	No
27 November 2018	Ted Summerton Reserve Project Reference Group Meeting	Councillors Cr Law Cr Gibson Officers Larry Sengstock Josh Wilson Lauren Dinsdale	Yes - Confidential under section 89(2)(e) proposed developments.	No
28 November 2018	Latrobe City Cultural Diversity Advisory Committee Meeting	Councillors Cr White OAM Officers Steve Tong Abby Hill Nikki Drummond	No	No
28 November 2018	Traralgon Sports Stadium Project Reference Group	Councillors Cr Howe Cr Clancey Officers Larry Sengstock Bianca James	No	No

Date	Assembly Details	In Attendance	Confidential	Declarations of Interest
5 December 2018	Braiakulung Advisory Committee	Councillors Cr O'Callaghan Officers Steve Tong Chelsea Stewart Deb Bragger	No	No
5 December 2018	Tourism Advisory Committee	Councillors Cr White OAM Cr Howe Officers Michael Bloyce Jo DeJong Imelda Dover	No	No
5 December 2018	Future Morwell Steering Committee	Councillors Cr Middlemiss Officers Sara Rhodes-Ward Daniel Kelabora Belinda Kolek	No	No
6 December 2018	Gippsland Regional Aquatic Centre Project Reference Group	Councillors Cr Howe Cr Law Officers Larry Sengstock Luke McGrath Tania Eleftheriou	No	No
13 December 2018	Latrobe Creative Precinct Project Reference Group Meeting	Councillors Cr McFarlane Cr Clancey Cr Law Officers Gail Gatt Larry Sengstock Trevor Dando Michael Bloyce Andrea Stanlake	No	No

Date	Assembly Details	In Attendance	Confidential	Declarations of Interest
17 December 2018	Audit and Risk Committee Chairperson Annual Report	Councillors Cr McFarlane Cr Middlemiss Cr White OAM Cr Harriman Cr Howe Cr Law Officers Steve Piasente Amy Phillips Greg Drumm	Yes - Confidential (h) prejudicial matters	No
17 December 2018	Morwell Recreation Reserve Project Reference Group Meeting 7	Councillors Cr McFarlane Cr Middlemiss Officers Larry Sengstock, Josh Wilson Lauren Dinsdale	Yes - Confidential under section 89(2)(e) proposed developments.	No
18 December 2018	Traralgon Sports Stadium Project Reference Group	Councillors Cr Harriman Cr Howe Cr Clancey Officers Larry Sengstock Brian Feltham Bianca James	No	No
19 December 2018	Victory Park Precinct Advisory Committee	Councillors Cr Clancey Officers Simon Clark	No	No
20 December 2018	Traralgon CBD Safety Committee	Councillors Cr Howe Officers Andrew Legge Steve Tong	No	No

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Reasons for Proposed Resolution:

The attached *Assembly of Councillors* records have been submitted for tabling.

Section 80(A)2 of the *Local Government Act 1989* states '*The Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as is practicable - (a) reported at an ordinary meeting of the Council; and (b) incorporated in the minutes of that Council meeting*'.

Attachments

1. Latrobe Regional Gallery Advisory Committee Meeting
2. Motorsport Complex Committee
3. Latrobe City International Relations Advisory Committee
4. Traralgon CBD Safety Committee
5. Latrobe City International Relations Advisory Committee
6. Traralgon CBD Safety Committee
7. Traralgon Sports Stadium Project Reference Group
8. Tourism Advisory Committee meeting
9. Latrobe Regional Gallery Advisory Committee Meeting
10. Morwell Recreation Reserve Project Reference Group
11. Councillor Briefing
12. Latrobe City International Relations Advisory Committee
13. Latrobe City Sports & Entertainment Stadium - PRG meeting
14. Councillor Briefing
15. Municipal Emergency Management Planning Committee
16. Ted Summerton Reserve Project Reference Group Meeting
17. Latrobe City Cultural Diversity Advisory Committee Meeting
18. Traralgon Sports Stadium Project Reference Group
19. Braiakulung Advisory Committee
20. Tourism Advisory Committee
21. Future Morwell Steering Committee
22. Gippsland Regional Aquatic Centre Project Reference Group
23. Latrobe Creative Precinct Project Reference Group Meeting
24. Audit and Risk Committee Chairperson Annual Report
25. Morwell Recreation Reserve Project Reference Group Meeting 7
26. Traralgon Sports Stadium Project Reference Group
27. Victory Park Precinct Advisory Committee
28. Traralgon CBD Safety Committee

17.7

Tabling of 'Assembly of Councillors' Records

1	Latrobe Regional Gallery Advisory Committee Meeting	255
2	Motorsport Complex Committee	257
3	Latrobe City International Relations Advisory Committee	259
4	Traralgon CBD Safety Committee	261
5	Latrobe City International Relations Advisory Committee	263
6	Traralgon CBD Safety Committee	265
7	Traralgon Sports Stadium Project Reference Group.....	267
8	Tourism Advisory Committee meeting	269
9	Latrobe Regional Gallery Advisory Committee Meeting	271
10	Morwell Recreation Reserve Project Reference Group.....	273
11	Councillor Briefing	275
12	Latrobe City International Relations Advisory Committee	277
13	Latrobe City Sports & Entertainment Stadium - PRG meeting.....	279
14	Councillor Briefing	281
15	Municipal Emergency Management Planning Committee	283
16	Ted Summerton Reserve Project Reference Group Meeting	285
17	Latrobe City Cultural Diversity Advisory Committee Meeting	287
18	Traralgon Sports Stadium Project Reference Group.....	289
19	Braiakulung Advisory Committee	291
20	Tourism Advisory Committee.....	293
21	Future Morwell Steering Committee	295
22	Gippsland Regional Aquatic Centre Project Reference Group.....	297
23	Latrobe Creative Precinct Project Reference Group Meeting	299
24	Audit and Risk Committee Chairperson Annual Report	301
25	Morwell Recreation Reserve Project Reference Group Meeting 7	303
26	Traralgon Sports Stadium Project Reference Group.....	305
27	Victory Park Precinct Advisory Committee.....	307
28	Traralgon CBD Safety Committee	309



Assembly of Councillors Record

Assembly details:	Latrobe Regional Gallery Advisory Committee Meeting
Date:	04 th September 2018
Time:	17.00 - 18.30
Assembly Location:	Latrobe Regional Gallery

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input checked="" type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input checked="" type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
Officer/s:	Mark Themann, Michael Bloyce		
Matters discussed:	<ul style="list-style-type: none"> - Artist Loan Fees - Update on planned exhibitions and programs (Industrial matters) - Cultural Gifts to LRG /Art work acquisitions (Industrial matters) - External Funding Applications (industrial matters) - Public Art Policy (Industrial matters) 		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
N/A	N/A
XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX

Record Completed by: Mark Themann

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Motorsport Complex Committee
Date:	17 September 2018
Time:	3:00pm - 4:00pm
Assembly Location:	Meeting room 3, LCC HQ

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Alan McFarlane	<input checked="" type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Darrell White
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Darren Howe
	<input type="checkbox"/> Cr Dan Clancey	<input type="checkbox"/> Cr Bradley Law	<input checked="" type="checkbox"/> Cr Sharon Gibson
Officer/s:	Bruce Connolly, Eliza Bayley		
Matters discussed:	Motorsport Feasibility Study presentation from Otium. Information regarding proposed sites was deemed confidential as Council does not own the land.		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Eliza Bayley



Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Latrobe City International Relations Advisory Committee
Date:	20 September 2018
Time:	5.00 pm - 6.30 pm
Assembly Location:	Nambur Wariga Meeting Large Room

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Alan McFarlane	<input type="checkbox"/> Cr Graeme Middlemiss	<input checked="" type="checkbox"/> Cr Darrell White 5.00 pm - 6.30 pm
	<input checked="" type="checkbox"/> Cr Dale Harriman 5.00 pm - 6.30 pm	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Darren Howe
	<input checked="" type="checkbox"/> Cr Dan Clancey 5.00 pm - 6.30 pm	<input type="checkbox"/> Cr Bradley Law	<input checked="" type="checkbox"/> Cr Sharon Gibson 5.00 pm - 6.30 pm
Officer/s:	Bruce Connolly, Jie Liu, Jo DeJong and Michelle Tones		
Matters discussed:	2018 Sister Cities Festival Economic Development Updates ALT Program Additional IRAC Member/s General Business 1) Chinese Garden Updates 2) International Engagement and Investment Strategy 3) Friendship City with Villers-Bretonneux France 4) Study Tour Program		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the			



guidance notes.

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Jie Liu



Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Traralgon CBD Safety Committee
Date:	Thursday 20 September 2018
Time:	7.45 am - 9.00 am
Assembly Location:	MacFarlane Burnet Room, Traralgon Servcie Centre

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Alan McFarlane	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Darrell White
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Darren Howe 7.45 am - 9.00 am
	<input type="checkbox"/> Cr Dan Clancey	<input type="checkbox"/> Cr Bradley Law	<input type="checkbox"/> Cr Sharon Gibson
Officer/s:	Andrew Legge		
Matters discussed:	Meeting did not meet the requirements to reach quorum Anti-Socail Issues in and around the Stockland Plaza Traralgon Traralgon Taxis Report LV Bus Lines Report Victoria Police Report Traralgon Liquor Accord Report Traralgon Chamber of Commerce Report		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:



Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Andrew Legge 13/11/2018



Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Latrobe City International Relations Advisory Committee
Date:	16 October 2018
Time:	5.00 pm - 6.30 pm
Assembly Location:	Nambur Wariga Meeting Large Room

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Alan McFarlane	<input type="checkbox"/> Cr Graeme Middlemiss	<input checked="" type="checkbox"/> Cr Darrell White 5.00 pm - 6.30 pm
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Darren Howe
	<input checked="" type="checkbox"/> Cr Dan Clancey 5.00 pm - 6.30 pm	<input type="checkbox"/> Cr Bradley Law	<input checked="" type="checkbox"/> Cr Sharon Gibson 5.00 pm - 6.30 pm
Officer/s:	Bruce Connolly, Jo DeJong and Michelle Tones		
Matters discussed:	2018 Sister Cities Festival Economic Development Updates International Engagement and Investment Strategy General Business		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No



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Record Completed by: Bruce Connolly





Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Traralgon CBD Safety Committee
Date:	Thursday 18 October 2018
Time:	7.45 am - 9.00 am
Assembly Location:	MacFarlane Burnet Room, Traralgon Servcie Centre

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Alan McFarlane	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Darrell White
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Darren Howe 7.45 am - 9.00 am
	<input type="checkbox"/> Cr Dan Clancey	<input type="checkbox"/> Cr Bradley Law	<input type="checkbox"/> Cr Sharon Gibson
Officer/s:	Andrew Legge		
Matters discussed:	Meeting did not meet the requirements to reach quorum Anti-Socail Issues in and around the Stockland Plaza Traralgon Traralgon Taxis Report LV Bus Lines Report Victoria Police Report Traralgon Liquor Accord Report Traralgon Chamber of Commerce Report		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:



Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Andrew Legge 13/11/2018



Assembly of Councillors Record

Assembly details:	Traralgon Sports Stadium Project Reference Group
Date:	Wednesday 24 October 2018
Time:	5.40 pm - 6.30 pm
Assembly Location:	Macfarlane Burnet Room - Traralgon Service Centre 34-38 Kay Street, Traralgon

In Attendance

Councillors:	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
Arrival / Departure Time:	<input checked="" type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input checked="" type="checkbox"/> Cr Howe
	<input checked="" type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
Officer/s:	Larry Sengstock, Brian Feltham, Bianca James, Steven Piasente		
Matters discussed:	1. Community Sports Infrastructure Loans Scheme/Minister Announcement 2. Project Manager Update; TSS Redevelopment Contract Awarded, Multipurpose room (MPR), Facility ongoing operations, Design Development process, Proposed seating systems and Project future proofing.		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
Nil	

Record Completed by: Bianca James

ECM Registration Number 1784496

(Please use the Quick Add Profile Number **602** when registering this form on ECM)



Assembly of Councillors Record

Assembly details:	Tourism Advisory Committee meeting
Date:	Wednesday 7 November 2018
Time:	5.55pm end 7.50pm
Assembly Location:	Meeting room 3 Latrobe City Headquarters Morwell

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input checked="" type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
Officer/s:	Imelda Dover Michael Bloyce Jo DeJong		
Matters discussed:	SpendMap presentation Roving Small business Tourism Support proposal Dump points report to Council LCC Events and Tourism Strategy Latrobe Convention Centre Business Case study		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
nil	NA



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Record Completed by: Imelda Dover

*(Please use the **Quick Add Profile No - 563** when registering this form on ECM)*





Assembly of Councillors Record

Assembly details:	Latrobe Regional Gallery Advisory Committee Meeting
Date:	13 th November 2018
Time:	17.00 - 17.40
Assembly Location:	Latrobe Regional Gallery

In Attendance

Councillors:	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
Arrival / Departure Time:	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input checked="" type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
	Officer/s: Mark Themann		
Matters discussed:	<ul style="list-style-type: none"> - Update on planned exhibitions and programs (Industrial matters) - Cultural Gifts to LRG /Art work acquisitions (Industrial matters) - Budgets and External Funding Applications (industrial matters) - Advisory Committee composition (Industrial matters) - Public Art Policy (Industrial matters) 		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
N/A	N/A
XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX

Record Completed by: Mark Themann

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



Assembly of Councillors Record

Assembly details:	Morwell Recreation Reserve Project Reference Group
Date:	Wednesday 14 November 2018
Time:	5.30 pm – 6.20 pm
Assembly Location:	Meeting Room, Morwell Croquet Club, Morwell Recreation Reserve – Travers Street, Morwell 3840

In Attendance

Councillors: Arrival / Departure Time:	<input checked="" type="checkbox"/> Cr McFarlane 5.30 - 6.20pm	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
Officer/s:	Larry Sengstock, Josh Wilson, Lauren Dinsdale		
Matters discussed:	1. Project Status update 2. Updates on construction of new shared sports pavilion and concept designs of Morwell Recreation Reserve user group facilities upgrades for consideration and feedback - Confidential under section 89(2)(e) proposed developments.		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Lauren Dinsdale

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



Assembly of Councillors Record

Assembly details:	Councillor Briefing
Date:	19 November 2018
Time:	6.03pm-10.33pm
Assembly Location:	Nambur Wariga Meeting Room`

In Attendance

Councillors:	<input checked="" type="checkbox"/> Cr McFarlane	<input checked="" type="checkbox"/> Cr Middlemiss	<input checked="" type="checkbox"/> Cr White OAM
Arrival / Departure Time:	<input type="checkbox"/> Cr Harriman	<input checked="" type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input checked="" type="checkbox"/> Cr Clancey	<input checked="" type="checkbox"/> Cr Law	<input checked="" type="checkbox"/> Cr Gibson until 6.35pm
Officer/s:	Steve Piasente, Sara Rhodes-Ward, Gail Gatt, Amy Phillips, Larry Sengstock (7.05pm-9.20pm), Matthew Rogers (7.14pm-8.20pm)		
Matters discussed:	<p>Tonight's Presentations</p> <p>Future Presentations</p> <p>Mayor's Update</p> <p>Chief Executive Officer General Update</p> <p>Transition Briefing: Confidential (e) Proposed Developments</p> <p>Organisational Report</p> <p>2019/2020 Budget Preparation</p> <p>Major Project Reference Group Updates</p> <p>Business Case Support for Loan Applications for Gippsland Regional Aquatics Centre and Traralgon Sports Stadium: Confidential (d) Contractual Matters</p> <p>Latrobe Creative Precinct Car Parking Update</p> <p>Review of Recreation Needs Assessment for 2018</p> <p>Draft Temporary Naming Rights of Sporting Grounds and Fields Policy</p> <p>2019 Council Meeting Cycle</p> <p>Appointment of Councillors to Committees 2018-2019</p> <p>Former Budgeree Primary School No. 2864, 36 Roys Road Budgeree</p> <p>Haunted Hills Road - Black Spot Road Safety Program background information.</p> <p>Proposed demolition of the former preschool at Watson Park, Churchill</p>		



Hazelwood Pondage Caravan Park
 Trial Fenced Off-Leash Dog Park - Revised location
 Regional Roads Victoria Maintenance Agreement
 Events and Tourism Strategy: Draft Action Plan and Proposals for Tourism and Major Events Advisory Committee and Major Events Selection and Funding Framework
 School Crossing Supervision Program: Confidential (d) contractual matters
 Morwell Maternal and Child Health Centre
 Update report- future provision of Aged and Disability Services
 Online Submission of Petitions
 Councillor Issues For General Discussion
 Outstanding Issues: Confidential (h) Prejudicial to Council or any person
 Strategic Issues for Future Briefings

Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?

Yes **No**

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
Cr Middlemiss - Interest, not being a Conflict of Interest	No
Cr Gibson - Interest, not being a Conflict of Interest	No

Record Completed by: Amy Phillips, Coordinator Governance

*(Please use the **Quick Add Profile No - 563** when registering this form on ECM)*



Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Latrobe City International Relations Advisory Committee
Date:	20 November 2018
Time:	5.00 pm - 6.30 pm
Assembly Location:	Nambur Wariga Meeting Large Room

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Alan McFarlane	<input type="checkbox"/> Cr Graeme Middlemiss	<input checked="" type="checkbox"/> Cr Darrell White 5.00 pm - 6.30 pm
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Darren Howe
	<input type="checkbox"/> Cr Dan Clancey	<input type="checkbox"/> Cr Bradley Law	<input checked="" type="checkbox"/> Cr Sharon Gibson 5.00 pm - 6.30 pm
Officer/s:	Bruce Connolly, Jie Liu, Jo DeJong and Michelle Tones		
Matters discussed:	2018 Sister Cities Festival Federation Univeristy -Correspondence Official Meeting with Taizhou Delegation ALT Program Economic Development Updates International Engagement and Investment Strategy General Business		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:





Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Jie Liu



Assembly of Councillors Record

Assembly details:	Latrobe City Sports & Entertainment Stadium - PRG meeting
Date:	Tuesday 20 November 2018
Time:	5.30pm - 6.15pm
Assembly Location:	Main Pavilion, Latrobe City Sports and Entertainment Stadium Fairway Drive, Morwell 3840

In Attendance

Councillors: Arrival / Departure Time:	<input checked="" type="checkbox"/> Cr McFarlane 5.30pm - 6.15pm	<input checked="" type="checkbox"/> Cr Middlemiss 5.30pm - 6.15pm	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
Officer/s:	Larry Sengstock, Josh Wilson, Lauren Dinsdale		
Matters discussed:	1. Discussion on awarded tender and project design and construction details of the LCSES soccer facility redevelopment for consideration and feedback - Confidential under section 89(2)(e) proposed developments.		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by:

*(Please use the **Quick Add Profile No - 563** when registering this form on ECM)*





Assembly of Councillors Record

Assembly details:	Councillor Briefing
Date:	26 November 2018
Time:	6:10pm - 9:30pm
Assembly Location:	Morwell Headquarters, Nambur Wariga Meeting Room

In Attendance

Councillors:	<input checked="" type="checkbox"/> Cr McFarlane	<input checked="" type="checkbox"/> Cr Middlemiss	<input checked="" type="checkbox"/> Cr White OAM
Arrival / Departure Time:	<input type="checkbox"/> Cr Harriman	<input checked="" type="checkbox"/> Cr O'Callaghan	<input checked="" type="checkbox"/> Cr Howe
	<input checked="" type="checkbox"/> Cr Clancey	<input checked="" type="checkbox"/> Cr Law	<input checked="" type="checkbox"/> Cr Gibson from 7:41pm
Officer/s:	Steve Piasente, Sara Rhodes-Ward, Gail Gatt, Greg Drumm, Martin Teplik, Amy Phillips, Matthew Rogers 6:10pm-7:27pm)		
Matters discussed:	<p>Future Presentations</p> <p>Upcoming Council Meeting</p> <p>Notice of Motion Requests</p> <p>Points of Clarification</p> <p>Alternate Motion Requests</p> <p>Upcoming Significant Items</p> <p>Mayor's Update</p> <p>Chief Executive Officer General Update</p> <p>Transition Briefing - Section 89(2) (e) Proposed Developments</p> <p>Organisational Report</p> <p>2019/2020 Budget Preparation</p> <p>Accumulated Cash Surplus - Surplus Allocations 2018/19</p> <p>Fair Go Rates System - Overview</p> <p>Latrobe City Trust - Section 89(2) (f) Legal Advice</p> <p>Future Consideration of Memorials In Recognition Of Outstanding Community Members</p> <p>Latrobe City Wide Parking Project - Section 89(2) (d) Contractual Matters</p> <p>Outstanding Issues - Section 89(2) (h) Prejudice the Council or any other person</p> <p>Strategic Issues For Future Briefings</p>		



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Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?

Yes No

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
Cr Howe x 2	Yes
Cr Law x 2	Yes (x2)
Cr White	Yes
Cr Clancey	Yes

Record Completed by: Amy Phillips, Coordinator Governance

*(Please use the **Quick Add Profile No - 563** when registering this form on ECM)*



Assembly of Councillors Record

Assembly details:	Municipal Emergency Management Planning Committee
Date:	27/11/2018
Time:	10am-11.05am
Assembly Location:	MacFarlane Burnet Room

In Attendance

Councillors:	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input checked="" type="checkbox"/> Cr Law 10am-11.15am	<input type="checkbox"/> Cr Gibson
Arrival / Departure Time:			
Officer/s:	Lance King Rebecca Johnson Robyn Duffy		
Matters discussed:	Correspondence Reports – as tabled 6.1 Red Cross 6.2 DHHS 6.3 WICEN LEAPS Reports 7.1 CEC MECC activations Training and Exercises MEMP Audit and Review Sub Plan review CERA Review General Business		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			





Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Rebecca Johnson

*(Please use the **Quick Add Profile No - 563** when registering this form on ECM)*





Assembly of Councillors Record

Assembly details:	Ted Summerton Reserve Project Reference Group Meeting
Date:	Tuesday 27 November 2018
Time:	5.30 pm - 6.56 pm
Assembly Location:	Meeting Room 4 & 5, Moe Service Centre, George Street, MOE 3825

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input checked="" type="checkbox"/> Cr Law 5.30 pm - 6.56 pm	<input checked="" type="checkbox"/> Cr Gibson 5.30 pm - 6.56 pm
Officer/s:	Larry Sengstock, Josh Wilson, Lauren Dinsdale		
Matters discussed:	1. Discussion on concept design details of the Ted Summerton Reserve Cricket facility redevelopment for consideration and feedback - Confidential under section 89(2)(e) proposed developments.		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Lauren Dinsdale

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



Assembly of Councillors Record

Assembly details:	Latrobe City Cultural Diversity Advisory Committee Meeting
Date:	28 November 2018
Time:	6.05 pm - 7.40 pm
Assembly Location:	Nambur Wariga Room, Latrobe City Headquarters, Morwell

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input checked="" type="checkbox"/> Cr White OAM Arr: 5.55 pm, Dep: 7.45 pm
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
Officer/s:	Steve Tong, Manager Community Development Abby Hill, Community Development Officer Nikki Drummond, Coordinator Human Resources (Guest Speaker) - 30 minutes		
Matters discussed:	Welcome, Introduction, Apologies and Declaration of Interest Guest Speaker: Nikki Drummond - Latrobe City Workforce Diversity and Inclusion Plan Adoption of Minutes/Notes from Previous Meetings - Wednesday 14 February 2018, Wednesday 30 May 2018, Wednesday 22 August 2018 Matters Arising from Previous Minutes - Citizenship Ceremonies - Latrobe City New Residents Pack - Providing of Public Transport for Victoria/Morwell Taxi contact details - Motion to extend Julie Fenley as a co-opted member for another 12 month term - Committee member questions related to development of next Cultural Diversity Action Plan - Gippsland Local Government Network - Cultural Diversity Action Plan 2014 - 2018 Year Four Annual Report Correspondence Update on Latrobe City Cultural Diversity Action Plan 2019 - 2023		



	<p>Introduction of appointed consultant - Linda Stoneman</p> <p>Action Plan Workshops & Timeline</p> <p>Latrobe Settlement Network Update</p> <p>Rohingya Community Visit to Latrobe</p> <p>Discussion on different VISA's and support eligibilities</p> <p>Committee Members Reports</p> <p>- Soula Kannelopoulos: International Women's Group Update and Wirraway Road Speed Limit concerns</p> <p>- Aamer Hkan Mohammed: GAMCI Soccer Game for All</p> <p>Committee Membership Update</p> <p>Latrobe City Citizenship Ceremony 2019 Dates</p> <p>Cultural Diversity Advisory Committee 2019 Meeting Dates</p>
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Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?

Yes No

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
N/A	N/A
N/A	N/A

Record Completed by: Abby Hill

*(Please use the **Quick Add Profile No - 563** when registering this form on ECM)*



Assembly of Councillors Record

Assembly details:	Traralgon Sports Stadium Project Reference Group
Date:	Wednesday 28 November 2018
Time:	5.35 pm - 6.15 pm
Assembly Location:	Macfarlane Burnet Room - Traralgon Service Centre 34-38 Kay Street, Traralgon

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input checked="" type="checkbox"/> Cr Howe
	<input checked="" type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
Officer/s:	Larry Sengstock, Bianca James		
Matters discussed:	1. South west carpark – Early Works & Design 2. Design Development Update – Foyer & Amenities 3. Project Management Update		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
Nil	

Record Completed by: Bianca James

ECM Registration Number 1818681

*(Please use the Quick Add Profile Number **602** when registering this form on ECM)*





Assembly of Councillors Record

Assembly details:	Braiakulung Advisory Committee
Date:	5 December 2018
Time:	10 am to 12 pm
Assembly Location:	Latrobe Regional Gallery Meeting Room

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input checked="" type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
Officer/s:	Steve Tong, Chelsea Stewart and Deb Bragger		
Matters discussed:	Victorian Treaty Family Violence Prevention 20 Year Anniversary Celebration		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Chelsea Stewart

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



Assembly of Councillors Record

Assembly details:	Tourism Advisory Committee
Date:	5 December 2018
Time:	5.0 pm - 7.50pm
Assembly Location:	Nambur Wariga room, LCC Morwell HQ

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input checked="" type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input checked="" type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
Officer/s:	Michael Bloyce, Jo DeJong, Imelda Dover		
Matters discussed:	Events position with Destination Gippsland (presentation); Hazelwood pondage; implementatino of the new Events and Tourism STrategy and resulting abolishment of the Tourism Advisory Committee and creation of a new Tourism and Major Events Advisory Committee; presentation of reports by Tourism and Events officers and the LCBTA		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
Nil	

Record Completed by: Imelda Dover

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



Assembly of Councillors Record

Assembly details:	Future Morwell Steering Committee
Date:	5 December 2018
Time:	6.00 pm until 7.00 pm
Assembly Location:	Room 4 Latrobe City Council Headquarters 141 Commercial Road, Morwell

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr McFarlane	<input checked="" type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
Officer/s:	Sara Rhodes-Ward, Daniel Kelabora and Belinda Kolek		
Matters discussed:	Morwell CBD Streetscape <ul style="list-style-type: none"> • Construction of demonstration parklets – Update • Trader feedback re Concept design for parklets 1 to 12 – For information and discussion • Concept design for Legacy Place & Tarwin Street Gathering Place - For discussion • Tender process – Update 		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No



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Record Completed by: Stuart Simmie, Coordinator Community Resilience

*(Please use the **Quick Add Profile No - 563** when registering this form on ECM)*





Assembly of Councillors Record

Assembly details:	GRAC PRG
Date:	6 December 2018
Time:	5.30pm
Assembly Location:	MacFarlane Burnett Room, Traralgon

In Attendance

Councillors:	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
Arrival / Departure Time:	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input checked="" type="checkbox"/> Cr Howe 5pm - 7pm
	<input type="checkbox"/> Cr Clancey	<input checked="" type="checkbox"/> Cr Law 5.23pm - 6.40pm	<input type="checkbox"/> Cr Gibson
Officer/s:	Larry Sengstock, Luke McGrath, Tania Eleftheriou		
Matters discussed:	Project Manager update		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Tania Eleftheriou, Project Officer Major Recreation Projects
(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



Assembly of Councillors Record

Assembly details:	Latrobe Creative Precinct Project Reference Group Meeting
Date:	13 December 2018
Time:	4.00 pm to 5.30 pm
Assembly Location:	Nambur Wariga Room, Latrobe City Council Headquarters

In Attendance

Councillors:	<input checked="" type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
	4.00 pm to 5.30 pm		
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
Arrival / Departure Time:	<input checked="" type="checkbox"/> Cr Clancey	<input checked="" type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
	4.00 pm to 5.30 pm	4.00 pm to 5.30 pm	
Officer/s:	Gail Gatt, Larry Sengstock, Trevor Dando, Michael Bloyce, Andrea Stanlake		
Matters discussed:	<ol style="list-style-type: none"> 1. Project Budget 2. Design Update 3. Construction Update 4. Presentation made by Federation University 5. Sponsorship and Fundraising 		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
Nil	

Record Completed by: Andrea Stanlake

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



Assembly of Councillors Record

Assembly details:	Audit and Risk Committee Chairperson Annual Report
Date:	17 December 2018
Time:	5.10pm-5.25pm
Assembly Location:	Nambur Wariga Meeting Room, Latrobe City Council Headquarters

In Attendance

Councillors:	<input checked="" type="checkbox"/> Cr McFarlane	<input checked="" type="checkbox"/> Cr Middlemiss	<input checked="" type="checkbox"/> Cr White OAM
Arrival / Departure Time:	<input checked="" type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input checked="" type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input checked="" type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
Officer/s:	Steve Piasente, Amy Phillips, Greg Drumm		
Matters discussed:	Audit and Risk Committee Chairpersons Annual Report - Confidential (h) prejudicial matters		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
Nil.	

Record Completed by: Amy Phillips, Coordinator Governance

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



Assembly of Councillors Record

Assembly details:	Morwell Recreation Reserve Project Reference Group Meeting 7
Date:	Tuesday 17 December 2018
Time:	4.30 pm – 5.17 pm
Assembly Location:	Meeting Room, Morwell Croquet Club, Morwell Recreation Reserve – Travers Street, Morwell 3840

In Attendance

Councillors: Arrival / Departure Time:	<input checked="" type="checkbox"/> Cr McFarlane 4.30 - 5.17	<input checked="" type="checkbox"/> Cr Middlemiss 4.30 - 5.17pm	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
Officer/s:	Larry Sengstock, Josh Wilson, Lauren Dinsdale		
Matters discussed:	1. Project Status update 2. Updates on construction of new shared sports pavilion and concept designs of Morwell Recreation Reserve user group facilities upgrades for consideration and feedback - Confidential under section 89(2)(e) proposed developments.		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Lauren Dinsdale

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



Assembly of Councillors Record

Assembly details:	Traralgon Sports Stadium Project Reference Group
Date:	Tuesday 18 December 2018
Time:	5.40 pm - 6.22 pm
Assembly Location:	Macfarlane Burnet Room - Traralgon Service Centre 34-38 Kay Street, Traralgon

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
	<input checked="" type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input checked="" type="checkbox"/> Cr Howe
	<input checked="" type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
Officer/s:	Larry Sengstock, Brian Feltham, Bianca James,		
Matters discussed:	1. Review of updated plans a) Emergency Access/Carparks b) Ground floor level 2. Sports Pavilion Update		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Bianca James

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



Assembly of Councillors Record

Assembly details:	Victory Park Precinct Advisory Committee
Date:	19 December 2018
Time:	5:30pm
Assembly Location:	Macfarlane Burnet Room, Traralgon Service Centre

In Attendance

Councillors:	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
Arrival / Departure Time:	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input checked="" type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
	Officer/s: Simon Clark		
Matters discussed:	1. Proposed location of Victory Park Public Toilet 2. SEC Monument Plaque 3. Map of Australia Plaque 4. Three phase power in Victory Park		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
Nil	No

Record Completed by: Simon Clark

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Traralgon CBD Safety Committee
Date:	Thursday 20 December 2018
Time:	7.45 am - 9.00 am
Assembly Location:	Latrobe Room, Traralgon Service Centre

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Alan McFarlane	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Darrell White
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Darren Howe 7.45 am - 9.00 am
	<input type="checkbox"/> Cr Dan Clancey	<input type="checkbox"/> Cr Bradley Law	<input type="checkbox"/> Cr Sharon Gibson
Officer/s:	Andrew Legge, Steve Tong		
Matters discussed:	Meeting did not meet the requirements to reach quorum Anti-Social Issues in and around the Stockland Plaza Traralgon Traralgon Taxis Report Traralgon Liquor Accord Report Traralgon Chamber of Commerce Report		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
Nil	N/A



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Record Completed by: Steve Tong 20/12/2018

URGENT BUSINESS

18. URGENT BUSINESS

Business may be admitted to the meeting as urgent business in accordance with clause 19 of the Meeting Procedure Local Law by resolution of the Council, if it relates to a matter which has arisen since distribution of the agenda and cannot safely or conveniently be deferred until the next Ordinary meeting.

MEETING CLOSED TO THE PUBLIC

19. MEETING CLOSED TO THE PUBLIC

Section 89(2) of the *Local Government Act 1989* enables the Council to close the meeting to the public if the meeting is discussing any of the following:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property;
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

MOTION

Moved: Cr White OAM

Seconded: Cr Gibson

That Council closes this Ordinary Meeting of Council to the public to consider the following items which are of a confidential nature, pursuant to section 89(2) of the *Local Government Act 1989* for the reasons indicated

- 19.1 Request to Extend the Term of an Independent Member Appointment to the Audit and Risk Committee**
Agenda item 19.1 *Request to Extend the Term of an Independent Member Appointment to the Audit and Risk Committee* is designated as confidential as it relates to contractual matters (s89 2d) and a matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)
- 19.2 Presentation of the Audit and Risk Committee Minutes - November 2018 and the Committee's 2018 Annual Report**
Agenda item 19.2 *Presentation of the Audit and Risk Committee Minutes - November 2018 and the Committee's 2018 Annual Report* is designated as confidential as it relates to a matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)
- 19.3 LCC-518 Blackspot Upgrade of Haunted Hills Road at Newborough**
Agenda item 19.3 *LCC-518 Blackspot Upgrade of Haunted Hills Road at Newborough* is designated as confidential as it relates to contractual matters (s89 2d)

- 19.4 LCC-532 Design & Construct - Multiple Cricket Net Training Facilities**
Agenda item 19.4 *LCC-532 Design & Construct - Multiple Cricket Net Training Facilities* is designated as confidential as it relates to contractual matters (s89 2d)
- 19.5 LCC-539 Provision of Electrical Services**
Agenda item 19.5 *LCC-539 Provision of Electrical Services* is designated as confidential as it relates to contractual matters (s89 2d)
- 19.6 LCC-540 Provision of Plumbing and Gasfitting Services**
Agenda item 19.6 *LCC-540 Provision of Plumbing and Gasfitting Services* is designated as confidential as it relates to contractual matters (s89 2d)
- 19.7 LCC-542 Provision of Planning Services**
Agenda item 19.7 *LCC-542 Provision of Planning Services* is designated as confidential as it relates to contractual matters (s89 2d)
- 19.8 LCC-550 Specialist Turf Supplies and Services**
Agenda item 19.8 *LCC-550 Specialist Turf Supplies and Services* is designated as confidential as it relates to contractual matters (s89 2d)

CARRIED UNANIMOUSLY

The Meeting closed to the public at 7:38pm.

The meeting re-opened to the public at 8:11pm.

There being no further business the meeting was declared closed at 8:11pm.

I certify that these minutes have been confirmed.

Mayor: _____

Date: _____