

## Questions and Answers – from submissions to the review, February & March 2013

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*D. A. (Tony) Paul, 30 January 2013:*

*Nothing appears to have been done in 6 years to refine the Anzac Street overpass-roundabout. I ask that you reconsider the minimal-cost practical suggestions which I previously made. Has anyone from Council actually spoken with Vicroads about those proposals?*

Latrobe City has not undertaken any works or investigations into improvements on this roundabout in the past 6 years. This roundabout is the management and maintenance responsibility of Vic Roads.

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*D. A. (Tony) Paul, 30 January 2013:*

*Do councillors still intend to follow through with the Urban Renewal component of MACP?*  
At the 18 February 2013 Ordinary Council Meeting, Council resolved the following:

- 1. That Council proceeds to publically call for Expressions of Interest as a mechanism to assess the viability and interest in developing an affordable housing project on land known as the Kingsford Reserve in Moe.*
- 2. That a further report be presented to Council for consideration on the outcome of the Expression of Interest process for the development of an affordable housing project on land known as the Kingsford Reserve in Moe.*

The development is expected to comprise of up to fourteen or more individual houses depending on design proposals. The project aims to deliver affordable housing to the market and set a benchmark for quality affordable housing projects that can be replicated elsewhere.

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*P. G. Aboltins, 15 February 2013:*

*This will also need to look at when, and if at all, the improvements to the Moe Library as promised in the 2006/2011 Library Strategy Plan, will take place since these are now tied to the iconic 'Civic Centre' being built in George St. What will happen if Council cannot build such 'Civic Centre' immediately? Should basic affordable improvements be made for the Moe Library while the community waits for the 'Civic Centre' and if so what are these to be?*

The Library Plan 2006-2011 included an action to *investigate options for future development of Moe Library and Service Centre.*

The Library Plan 2011-2017 includes an action to *relocate the Moe Service Centre and Library into the Moe Community Hub when constructed.*

The delivery of this action is dependant on the construction of the Moe Community Hub and the availability of funding.

All Council facilities receive ongoing maintenance as part of Council's Cyclic Maintenance Program.

Over the next 12 months the Moe Library is scheduled for:

- New public access computer workstations
  - Painting of internal feature walls
  - External painting of eaves
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Over the next 12 months the Moe Service Centre is scheduled for:

- New carpet
- External painting of eaves.

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*Graham Scott, 18 February 2013:*

*Can the project be broken into discrete sub projects?*

Please refer to the *Review of the Moe Activity Centre Plan, and Moe Rail Precinct Revitalisation Project March 2013* - section 6: Funding.

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*Brian Auger, 20 February 2013:*

*George St bus route? Is it intended that buses turn right into Moore Street through the pedestrian civic hub area? How will bus passengers access the core of Moe's shopping centre when there is no apparent opportunity to develop an alternative to the town hall bus stop on the north side of Albert Street? Will buses fit through the narrowed George St. area?*

The design allows for safe passage of buses along George Street. The Moore Street shared zone will not form part of the bus route. Public Transport Victoria and Latrobe Valley Bus Lines have indicated their satisfaction with the bus interchange being located at George Street. Any new future bus routes will ensure that the proximity of access to Moe's shopping centre is not diminished.

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*Brian Auger, 20 February 2013:*

*Skatepark. Latrobe City does not have a regional skatepark facility – why not Moe as the preferred location?*

Please refer to the *Review of the Moe Activity Centre Plan, and Moe Rail Precinct Revitalisation Project March 2013* - section 4: Concept Design.

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*Alix Williams, 22 February 2013:*

*What are the priorities of the various projects that form the MACP? What is the anticipated time line for receiving funds to enable stages to be implemented?*

Please refer to the *Review of the Moe Activity Centre Plan, and Moe Rail Precinct Revitalisation Project March 2013* - section 6: Funding.

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*Joe Diamente, 25 February 2013:*

*I find it simply amazing that both the Moe Councillors are stopping this development (including funding) and yet I just noticed those same Councillors (before they were Councillors), have their name on a submission to stop the library being moved – It is almost a conflict of interest to be now representing “themselves” on this topic of moving the library?*

The provisions of conflicts of interest are outlined in the *Local Government Act 1989* and the Councillor Code of Conduct. In accordance with these provisions, the legal onus to determine whether a conflict of interest exists rests with each individual Councillor.

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*Sue Abbott, 27 February 2013:*

*The view on government funding for the MACP project. Our view is why has this not been applied for? Who is responsible for this?*

Please refer to the *Review of the Moe Activity Centre Plan, and Moe Rail Precinct Revitalisation Project March 2013* - section 6: Funding.

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*Cheryl Wragg and Craig McIver, 27 February 2013:*

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*Was Council's internal decision to use the MAC Plan and its related processes to relocate the Moe Library / Council Service Centre a direct result of discussions and agreement with the then owners of TPMC and/or their agents, RGM, that they purchase the Moe Library/Council Service Centre?*

The correspondence received by RGM Accountants & Advisors, on behalf of the Tanjil Place Medical Group, on 26 February 2007 was previously considered in a VCAT case (VCAT Reference No. G547 of 2007), in which His Honour Judge I J K Ross noted in his reasons for decision:

*"50. On the following basis of the Respondent's [Latrobe City Council] evidence I make the following findings:*

- 5. There has been no decision made by the Council at any time to relocate the Moe Library.*

Subsequently, at its Ordinary Meeting of Council on 4 February 2008, Council considered two petitions that had been received in relation to the Moe Library / Service Centre. As a result, Council resolved:

- 1. That Council considers the location of the Moe Library and Service Centre within the context of the Moe Activity Centre Plan.*
- 2. That Council undertakes community consultation, in accordance with Council's Community Engagement Policy and Strategy, regarding any project identified in respect to the Moe Library Service Centre."*

At its Ordinary Meeting of Council on 20 July 2009, Council considered the outcomes of community consultation regarding the Moe Rail Precinct Revitalisation Project.

The following excerpt from the Moe Rail Precinct Revitalisation Project: Community Engagement and Consultation Activities, Consultation Findings Report, July 2009 indicates the core themes that emerged throughout the consultation:

<b>'function' themes</b>	<b>Transportation hub services</b> – a clear non-negotiable for the revitalisation of the area is that the rail precinct remains a transport hub.
	<b>Car parking facilities</b> – while contested with respect to the best design for delivering it (e.g. on or off site or a mix), there does appear to be a majority view that more car parking needs to be provided...
	<b>Library services</b> – while still contested, our consultations have illustrated a significant majority view favouring the relocation and redevelopment of the library...
	<b>Lifestyle/entertainment oriented activity</b> – people's ideas for cafes/restaurants, artwork, passive recreation, greenery and the like all pointed to an aspiration for a space that could satisfy people's lifestyle needs...
	<b>Youth and child friendly facilities</b> – many were concerned that there is appropriate, supervised and healthy activity for children and young people...
	<b>Community services and facilities</b> – in addition to the types of services mentioned above, people were interested in having shopfront-type facilities for key community services...
<b>'form' themes</b>	<b>Integration/connection</b> – working creatively to link existing and new facilities, services and programs...
	<b>Safety and amenity</b> – people had various ideas aimed at reducing crime and fear of crime in and around the precinct and for promoting safe and well designed (for day and night) public spaces and buildings...
	<b>Image</b> – many people responded to the opportunity that the site represents

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in creating a new, fresh, modern and well appointed gateway or welcome to Moe...

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As a result, Council resolved:

1. *That Council adopts the Moe Rail Precinct Revitalisation Project: Community Engagement and Consultation Activities, Consultation Findings Report, July 2009.*
2. *That the Moe Rail Precinct contain the following function themes, consistent with the recommendations of the Moe Rail Precinct Revitalisation Project: Community Engagement and Consultation Activities, Consultation Findings Report, July 2009:*
  - a. *Transportation Hub Services*
  - b. *Car Parking*
  - c. *Library Services*
  - d. *Lifestyle/entertainment facilities*
  - e. *Youth and child friendly facilities*
  - f. *Community services and facilities.*”

In 6 June 2011, Latrobe City Council adopted the Library Plan 2011-2017. This plan includes an action to *relocate the Moe Service Centre and Library into the Moe Community Hub when constructed* in accordance with the earlier decision of Council to include library services in the Moe Rail Precinct Revitalisation Project Master Plan.

The resolutions of Council outlined above demonstrate that the decision to relocate the library was not an internal decision, but in fact a decision of Council.

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*Cheryl Wragg and Craig McIver, 27 February 2013:*

*Does Council have an agreement to sell the Moe Library/Council Service Centre to the current owners of the TPMC building and property/and or the new owners of the TPMC medical practice?*

No.

In order to sell Council owned land, Council must comply with the requirements of the Local Government Act 1989 (s189.2) , which states:

- (2) Before selling or exchanging the land the Council must-*
- (a) ensure that public notice of intention to do so is given at least 4 weeks prior to selling or exchanging the land; and*
  - (b) obtain from a person who holds the 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.*

At no point in time has Council been presented with a report to consider the sale of the Moe Library / Service Centre to any individual or organisation, including the current owners of the Tanjil Place Medical Centre building, and, no valuation in respect to this parcel of land has been obtained by Council.

In addition to the requirements of the Act, the potential sale of Council owned property is required to be considered by Council in accordance with the *Sale of Council Owned Property Policy*. At no time has the potential sale of the Moe Library / Service Centre been presented to Council for consideration in accordance with the requirements of this policy.

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*Cheryl Wragg and Craig McIver, 27 February 2013:*

*Why did Council select the most expensive option to modernise Moe Library/Council Service Centre, a new offsite build, when it had the choice of the least expensive option of an onsite extension and modernisation that could have been completed prior to 2010?*

At its Ordinary Meeting of Council on 4 February 2008, Council considered two petitions that had been received in relation to the Moe Library / Service Centre. As a result, Council resolved:

1. *That Council considers the location of the Moe Library and Service Centre within the context of the Moe Activity Centre Plan.*
2. *That Council undertakes community consultation, in accordance with Council's Community Engagement Policy and Strategy, regarding any project identified in respect to the Moe Library Service Centre."*

In accordance with the Council resolution of 4 February 2008, the outcomes of the community consultation process were presented to Council for consideration.

Subsequently, at its Ordinary Meeting of Council on 20 July 2009, Council resolved:

1. *That Council adopts the Moe Rail Precinct Revitalisation Project: Community Engagement and Consultation Activities, Consultation Findings Report, July 2009.*
2. *That the Moe Rail Precinct contain the following function themes, consistent with the recommendations of the Moe Rail Precinct Revitalisation Project: Community Engagement and Consultation Activities, Consultation Findings Report, July 2009:*
  - g. *Transportation Hub Services*
  - h. *Car Parking*
  - i. *Library Services*
  - j. *Lifestyle/entertainment facilities*
  - k. *Youth and child friendly facilities*
  - l. *Community services and facilities.*

In 6 June 2011, Latrobe City Council adopted the Library Plan 2011-2017. This plan includes an action to *relocate the Moe Service Centre and Library into the Moe Community Hub when constructed* in accordance with the earlier decision of Council to include library services in the Moe Rail Precinct Revitalisation Project Master Plan.

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*Cheryl Wragg and Craig McIver, 27 February 2013:*

*Isn't Council's 2007 internal decision to relocate the Moe Library/Council Service Centre to the railway corridor the most expensive modernisation option and, therefore contrary to the requirements of the Local Government Act (LGA) S140 2 (f) ensure efficiency and economy of operations and the avoidance of waste and extravagance?*

*Please refer to the Review of the Moe Activity Centre Plan, and Moe Rail Precinct Revitalisation Project March 2013 - section 1: Project Background.*

As confirmed above, the decision to relocate the Moe Library / Service Centre was not an internal decision, it was a decision of Council.

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*Cheryl Wragg and Craig McIver, 27 February 2013:*

*How does Council's commitment to upgrade Moe Library/Service Centre using a design with a build cost of approximately \$10 million instead of upgrading the current facility with a build cost of approximately \$2-3 million meet Council's responsibilities as per LGA S 3C (b) to ensure that resources are used efficiently and effectively and services are providing in accordance with the Best Value Principles to best meet the needs of the local*

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community?

Please refer to the *Review of the Moe Activity Centre Plan, and Moe Rail Precinct Revitalisation Project March 2013* - section 1: Project Background.

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*Debra DeCarli, 28 February 2013:*

*I have heard that during a 1 in 100 year flood event where the railway line was damaged and all passengers from the East were bussed into Moe there were issues with regard to busses, has Vic Track complained to the council about this situation?*

No. Latrobe City Council has not received any correspondence from VicTrack in relation to this matter.

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*Tom Hayes, 28 February 2013:*

*I am very frustrated that council have not proceeded with application for funding for the entire project. What is the hold up? The project was passed in 2009 to proceed and funding to be applied for. What has happened?*

Please refer to the *Review of the Moe Activity Centre Plan, and Moe Rail Precinct Revitalisation Project March 2013* - section 6: Funding

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*Tony Price, 28 February 2013:*

*Was this project always about revitalization of the Moe CBD and was never about a Transport interchange being the priority project?*

Please refer to the *Review of the Moe Activity Centre Plan, and Moe Rail Precinct Revitalisation Project March 2013* - section 1: Project background.

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*Tony Price, 28 February 2013:*

*Does a new modern library on this site fit the criteria of revitalising the Moe CDB?*

Through the community consultation process undertaken during the preparation of the Moe Activity Centre Plan a set of physical, social and economic priorities for Moe community were identified. Two key urban design priorities included:

- The idea of collocation (hubs) with a civic focus to capitalise on significant existing community pride and spirit.
- Connectivity, particularly the north south divide of the centre.

The idea of a civic hub within a green corridor was presented for feedback at the subsequent community consultation and received community support. The design progressed by the project consultants has responded to these community aspirations. The design also responds to the transit cities principles which focussed mixed use developments clustered around transport nodes, with pedestrian friendly streets and connectivity to public transport nodes creating a core of activity.

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*Tony Price, 28 February 2013:*

*Was it always anticipated that as each stage of the project progressed, funding would be sort for the next stage?*

The Moe Rail Precinct Revitalisation Project: Master Plan was adopted at the Ordinary Meeting of Council on 7 December 2009. As part of this process, Council resolved:

- “4. That Council authorises the Chief Executive Officer to prepare a business case incorporating a proposed funding model for all project components included in the Moe Rail Precinct Revitalisation Project: Master Plan, as detailed in the Final Report November 2009.*
  - 5. That the business case and proposed funding model be presented to Council for consideration prior to construction of any project components included in the Moe Rail Precinct Revitalisation Project: Master Plan, as detailed in the Final Report November 2009.”*
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The Moe Rail Precinct Revitalisation Project: Strategic Business Case (V2.1) was adopted at the Ordinary Meeting of Council on 4 June 2012. As part of this process, Council resolved:

*"2. Continue to pursue funding opportunities to progress various elements of the Moe Rail Precinct Revitalisation Project in a staged delivery approach."*

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*Tony Price, 28 February 2013:*

*Has the Gibbons motion voted on in December and supported by Gibson Cr Sindt & Cr Rossiter STOPPED COUNCIL OFFICERS FROM CURRENTLY SEEKING ANY FURTHER FUNDING FOR THIS PROJECT?*

At the Ordinary Meeting of Council on 17 December 2012, Council resolved:

*"That the Moe Railway Revitalisation Project – Moe Activity Centre Plan (MRPRP – MACP) be brought back to Council for a full review and that no further works be commenced, external funding sought and/or Council funding allocated until such time as Council completes the review, with the exception of those projects already approved by Council and funded, namely the underground placement of powerlines, construction of public toilets and the clocktower."*

In accordance with the resolution of Council, officers have not pursued further funding opportunities in relation to the MACP or MRPRP.

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*Tony Price, 28 February 2013:*

*Does Council believe there will be any issues acquiring the remaining parcel of land that the Building is to be cited on?*

Please refer to the *Review of the Moe Activity Centre Plan, and Moe Rail Precinct Revitalisation Project March 2013* - section 5: Land Tenure

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*Tony Price, 28 February 2013:*

*Did the Moe Activity Centre Plan (MACP) project commence in March 2007?*

The Victorian Government announced a \$50,000 grant to prepare a plan for the Moe Activity Centre in accordance with Transit Cities principles in August 2006. Following this announcement, Latrobe City Council engaged Tract Consultants in December 2006, who commenced consultation activities in March 2007 to inform development of the draft Moe Activity Centre Plan.

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*Tony Price, 28 February 2013:*

*Was the MRPRP Master Plan adopted by Council in December 2009?*

The Moe Rail Precinct Revitalisation Project: Master Plan was adopted at the Ordinary Meeting of Council on 7 December 2009.

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*Tony Price, 28 February 2013:*

*Was the MRPRP concept design adopted by Council May 2011?*

The concept design of the Moe Rail Precinct Revitalisation Project was adopted at the Ordinary Meeting of Council on 9 May 2011.

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*Tony Price, 28 February 2013:*

*Was the Community consulted throughout the entire process?*

Both the MACP and MRPRP projects have incorporated formal and informal opportunities for public participation. An outline of this is provided in the report that was presented to Council on 4 February 2013.

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*Tony Price, 28 February 2013:*

*What is the reason behind this review, what new information has this current council*

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*obtained that the previous council did not consider?*

Review of the MACP and MRPRP is the result of the resolution of Council at the Ordinary Meeting of Council on 17 December 2012.

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*Tony Price, 28 February 2013:*

*Will council review all major Projects within Latrobe City?*

There has not been a resolution of Council to undertake reviews into all major projects.

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*Tony Price, 28 February 2013:*

*What costs have been involved in this review including advertising, hours by council officers, police attending council meetings etc.?*

The costs associated with the review of the MACP and MRPRP, have been accommodated within existing budget allocations.

The presence of Victoria Police at recent Council Meetings has not resulted in a direct cost to Council.

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*Tony Price, 28 February 2013:*

*Will police be attending all Latrobe City council meetings in future or is this just for the privilege of community members attending meetings when Moe issues are on the agenda.*

The presence of police officers has not been sought for all meetings of council. Any future request to the Victoria Police will be made on a case by case basis.

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*Tony Price, 28 February 2013:*

*Who instigated the Police to attend Council meetings and could you give the reasons why the police are attending?*

The presence of police officers at recent council meetings was provided by Victoria Police at the request of Latrobe City Council following reports of inappropriate behaviour at the Council Meeting of 17 December 2012.

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*Tony Price, 28 February 2013:*

*Have police attended Latrobe City Council meetings previously or is this something new to council?*

Council Officers are not aware of requested police presence at previous Council meetings.

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*Rodney Lloyd, 1 March 2013:*

*A duplicate rail line. This is part of the original talks, why has it been forgotten?*

Correspondence was received from the Department of Transport on 12 March 2009 to advise that the provision of additional rail tracks would now occur to the south side of the existing rail line. Information provided by the Department at this time was incorporated into the MRPRP Master Plan.

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*Rodney Lloyd, 1 March 2013:*

*A coach parking Bay for trips to the snow, was in the original plans, where is it now?*

There are two long bay parking spaces provided at the Eastern end of George Street.

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