



LATROBE CITY COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING

HELD IN THE
NAMBUR WARIGA MEETING ROOM,
CORPORATE HEADQUARTERS, MORWELL
AT 7:00 PM ON 19 SEPTEMBER 2011

PRESENT:

Cr Darrell White, Mayor - Firmin Ward
Cr Sharon Gibson, Deputy Mayor - Merton Ward
Cr Dale Harriman - Dunbar Ward
Cr Sandy Kam - Galbraith Ward
Cr Bruce Lougheed - Tanjil Ward
Cr Graeme Middlemiss - Rintoull Ward
Cr Kellie O'Callaghan - Burnet Ward
Cr Ed Vermeulen - Gonyah Ward
Paul Buckley, Chief Executive Officer
Michael Edgar, Acting General Manager Built and Natural Environment
Carol Jeffs, General Manager Governance
Allison Jones, General Manager Economic Sustainability
Casey Hepburn, Acting General Manager Community Liveability
Zemeel Saba, General Manager Organisational Excellence
David Elder, Acting General Manager Recreation, Culture and Community
Tom McQualter, Manager Council Operations and Legal Services
Meagan Bennetts, Council Operations Administration Officer

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CLOSED

1. Opening Prayer

The Opening Prayer was read by the Mayor.

Recognition of Traditional Landholders

The Recognition of Traditional Landholders was read by the Mayor.

2. Apologies for Absence

NIL

3. Declaration of Interests

Cr O'Callaghan declared a direct interest under section 77B of the Local Government Act 1989 in Item 11.3.2 – Planning Permit Application 2011/141 – Two Lot Re-Subdivision (Boundary Re-alignment), 3 & 4 Southdown Way, Traralgon East

Cr O'Callaghan declared an indirect interest under section 78B of the Local Government Act 1989 in Item 11.3.6 – Planning Permit Application 2010/307 Use and Development of Land for Accommodation and Removal of Native Vegetation, 15 Northern Avenue Traralgon

4. Adoption of Minutes

Moved: Cr Gibson
Seconded: Cr Harriman

That Council adopts the Minutes of the Ordinary Council Meeting held on 5 September 2011 (CM 356), relating to those items discussed in open Council.

CARRIED UNANIMOUSLY

Moved: Cr Gibson
Seconded: Cr Lougheed

That Council adopts the Minutes of the Special Council Meeting held on 12 September 2011 (SM 357), relating to those items discussed in open Council.

CARRIED UNANIMOUSLY

PUBLIC QUESTION TIME

5.1 GIPPSLAND AQUATIC FACILITY

Ms. Christine Sindt asked the following question:

Background

At the Council Meeting of 23 May 2011 (CM 346), Council unanimously resolved to establish a working party to include Traralgon Swimming Club, Save Hubert Osborne Park group, Traralgon Croquet Club and Traralgon Community Development Association. The working party was established in respect to the Traralgon Indoor Aquatic and Leisure Centre Feasibility Study 15 July 2010.

Questions

1. Who are the members of the Working Party?
2. How many meetings have they held?

Answer

The General Manager Recreation, Culture and Community Infrastructure provided the following answers:

The members of the working party are:

- Councillor Dale Harriman
- Nola Kirkpatrick – Save Hubert Osborne Park Group
- Simon Trebilcock – Traralgon Croquet Club
- Bronwyn McGenneskin – Traralgon Community Development Association
- Jane Mitchell – Traralgon Swimming Club
- Grantley Switzer – General Manager Recreation, Culture and Community Infrastructure, Latrobe City Council
- Jamey Mullen – Manager Recreational Liveability, Latrobe City Council
- Alan Cox – Project Officer Fixed Plant and Equipment, Latrobe City Council

Two meetings have been held to date as follows:

- Tuesday, 28 June 2011; and
- Tuesday, 23 August 2011.

Suspension of Standing Orders

Moved: Cr Gibson
Seconded: Cr Lougheed

That Standing Orders be suspended to allow members of the gallery to address Council in support of their submissions.

CARRIED UNANIMOUSLY

Standing Orders were suspended at 7.05 pm

Ms Jean Topps addressed Council in relation to Item 6.3 2011/22 - Notice of Motion - Regional Carers Support and Advocacy Networks

Cr O'Callaghan left the Chamber at 7.15 pm due to a direct interest under section 77B and an indirect interest under section 78B of the Local Government Act 1989

Mr Adrian Stone addressed Council in relation to Item 11.3.2 Planning Permit Application 2011/141 – Two Lot Re-Subdivision (Boundary Re-alignment), 3 & 4 Southdown Way, Traralgon East

Mr Geoff Potter addressed Council in relation to Item 11.3.6 Planning Permit Application 2010/307 – Use and Development of Land for Accommodation and Removal of Native Vegetation, 15 Northern Avenue Traralgon

Mr John MacKenzie addressed Council in relation to Item 11.3.6 Planning Permit Application 2010/307 – Use and Development of Land for Accommodation and Removal of Native Vegetation, 15 Northern Avenue Traralgon

Resumption of Standing Orders

Moved: Cr Lougheed
Seconded: Cr Gibson

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

Standing Orders were resumed at 7.31 pm

Cr O'Callaghan returned to the Chamber at 7.31 pm

NOTICES OF MOTION

6.1 2011/20 - NOTICE OF MOTION - CREATION OF A SHARED FOOTPATH ALONG HICKOX STREET

CR HARRIMAN

MOTION

In order to avoid pedestrians, including people wheel-chair bound, from walking on the Hickox Street road surface that Council investigate and provide a report on options and costings regarding the creation of a shared path along Hickox Street from the Rose Avenue Intersection to the entrance of Railway Reserve.

Footpath options to be considered:

- Extension of the existing path surface that exists at the Railway Reserve
- Standard concrete footpath

ALTERNATE MOTION

In order to avoid pedestrians, including people wheel-chair bound, from walking on the Hickox Street road surface that Council investigate and provide a report on options and costings regarding the creation of a shared path along Hickox Street from the Rose Avenue Intersection to the entrance of Railway Reserve. This report is to return to the second Ordinary Council Meeting in November 2011.

Footpath options to be considered:

- **Extension of the existing path surface that exists at the Railway Reserve**
- **Standard concrete footpath**

Moved: Cr Harriman

Seconded: Cr Kam

That the Motion be adopted.

CARRIED UNANIMOUSLY

Cr White, Mayor vacated the Chair to address Notice of Motion Expression of Condolences at 7.38 pm and Cr Gibson, Deputy Mayor took the chair.

**6.2 2011/21 - NOTICE OF MOTION - EXPRESSION OF
CONDOLENCES**

CR WHITE

MOTION

That Council express sincere condolences to the family of Mr Tom Lawless, former Councillor of the Shire and City of Morwell, and acknowledge with appreciation his tireless, valuable community involvement and contribution over many years to the community of Latrobe City.

Moved: Cr White
Seconded: Cr Gibson

That the Motion be adopted.

CARRIED UNANIMOUSLY

Cr White, Mayor resumed the chair at 7.43 pm.

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6.3 **2011/22 - NOTICE OF MOTION - REGIONAL CARERS SUPPORT AND ADVOCACY NETWORKS**

CR GIBSON

MOTION

That the Mayor writes to the Prime Minister, Federal Opposition Leader, Premier of Victoria, Opposition Leader of Victoria together with the Premier's Opposition Leaders of all other States and Territories, strongly urging them to increase assistance to Carers, in particular to Fund 44 Regional Carers Support and Advocacy Networks Nationwide to ensure that caring Families obtain grassroots support in their irreplaceable role as unpaid carers.

That the Mayor also writes to the VLGA and the MAV asking for their support in helping the carers to obtain the Funding of 44 Regional Carers Support and Advocacy Networks Nationwide.

ALTERNATE MOTION

That the Mayor writes to the Prime Minister, Federal Opposition Leader, Premier of Victoria, Opposition Leader of Victoria together with the Premiers and Opposition Leaders of all other States and Territories, strongly urging them to increase assistance to Carers, in particular to Fund 44 Regional Carers Support and Advocacy Networks Nationwide to ensure that caring Families obtain grassroots support in their irreplaceable role as unpaid carers.

That the Mayor also writes to the VLGA and the MAV asking for their support in helping the carers to obtain the Funding of 44 Regional Carers Support and Advocacy Networks Nationwide.

Moved: Cr Gibson

Seconded: Cr Lougheed

That the Motion be adopted.

CARRIED UNANIMOUSLY

6.4 2011/23 - NOTICE OF MOTION - REGIONAL DEVELOPMENT AUSTRALIA

CR GIBSON

MOTION

That the CEO prepare a report to be brought back to Council no later than the last Ordinary Council Meeting in October 2011 showing:

- 1. What the structure is of Regional Development Australia?**
- 2. What the terms of reference are for Regional Development Australia?**
- 3. What the terms of reference are for the Regional Development Australia Gippsland sub group?**

Moved: Cr Gibson

Seconded: Cr Harriman

That the Motion be adopted.

For the Motion

Councillor/s O'Callaghan, Kam, Gibson and Harriman

Against the Motion

Councillor/s Vermeulen, Middlemiss, Lougheed and White.

The Motion was LOST on the casting vote of the Mayor.

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6.5 **2011/24 - NOTICE OF MOTION - ECONOMIC AND SOCIAL
IMPACT STUDY**

CR GIBSON

MOTION

That the CEO prepare an Economic and Social impact study of what the impact would be to the Latrobe Valley with the closure of Hazelwood Power Station in terms of jobs lost without any replacement Industry provided.

Moved: Cr Gibson

Seconded: Cr Kam

Before the motion was put to the vote, it was withdrawn by the mover and seconder with leave of Council.

ALTERNATE MOTION

That the CEO prepare a report on the number of jobs, direct and indirect, that would be lost and the dollar value of those losses if the Hazelwood Power Station was to close.

Moved: Cr Gibson

Seconded: Cr O'Callaghan

That the Motion be adopted.

For the Motion

Councillor/s O'Callaghan, Kam, Gibson, Harriman and White

Against the Motion

Councillor/s Vermeulen, Middlemiss and Lougheed

The Mayor confirmed that the Motion had been CARRIED

BUILT AND NATURAL ENVIRONMENT

11.3.1 PLANNING PERMIT APPLICATION 2010/352 - DEVELOPMENT OF SIX DWELLINGS ON A LOT - 6 HIGHFIELD COURT, TRARALGON

AUTHOR: General Manager Built and Natural Environment
(ATTACHMENT - YES)

1. PURPOSE

The purpose of this report is to determine Planning Permit Application 2010/352 for the development of six dwellings on a lot at 6 Highfield Court, Traralgon, also known as Lot 231 on Plan of Subdivision 614947L.

2. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act* 1989 in the preparation of this report.

3. STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2011-2015.

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 connected and inclusive community.

Latrobe City Council Plan 2011 - 2015

Strategic Direction – Built Environment

- *Promote and support high quality urban design within the built environment; and*
- *Ensure proposed developments enhance the liveability of Latrobe City, and provide for a more sustainable community.*

Legal

The discussions and recommendations of this report are consistent with the provisions of the *Planning and Environment Act 1987* (the Act) and the Latrobe Planning Scheme (the Scheme), which apply to this application.

4. BACKGROUND

4.1 SUMMARY

Land:	Lot 231 on Plan of Subdivision more commonly known as 6 Highfield Court, Traralgon.
Proponent:	Mr Hasan Kaygusuz C/- Vision 3 Pty Ltd
Zoning:	Residential 1 Zone
Overlay	There are no overlays that affect the subject site.

A Planning Permit is required for the construction of two or more dwellings on a lot within the Residential 1 Zone in accordance with Clause 32.01-4 of the Latrobe Planning Scheme.

4.2 PROPOSAL

The application is for the construction of six dwellings on a lot within the Residential 1 Zone.

Each of the proposed dwellings is single storey. All units will be accessed by a common driveway and all units will have secure parking spaces. There is a visitor car parking space located at the front end of the development located within the common area. Each dwelling will contain two bedrooms, a sole bathroom/laundry and a kitchen/meals living area addressing the designated private open space areas.

Each of the dwellings will be constructed of a range of materials, including face brickwork, timber cladding and a coloured render finish. The roofs will be constructed of tile.

For further detail, please refer to *Attachment 3* to view a copy of the proposed plans.

Subject Land:

The subject site is currently vacant, with a slight slope down from the east to the west. The site contains no vegetation and comprises 1365 square metres. The subject site contains a sewerage easement along the western site boundary.

Surrounding Land Use:

North: 47 Christian Rise, Traralgon
Vacant lot comprising a site area of 1365 square metres.

South: 7 Highfield Court, Traralgon
Vacant lot comprising a site area of 810 square metres.

East: 4 Mountbatten Court, Traralgon
Single dwelling and associated outbuilding, with an overall site area of 1777 square metres.

West: 6 Holly Lane, Traralgon
Single dwelling with an overall site area of 821 square metres.

5 Highfield Court, Traralgon
Single dwelling with an overall site area of 821 square metres.

4.3 HISTORY OF APPLICATION

The history of the assessment of planning permit application 2010/352 is identified within *Attachment 1*.

The relevant provisions of the Scheme relevant to this application are identified within *Attachment 2*.

5. ISSUES

5.1 ASSESSMENT AGAINST THE RELEVANT PLANNING POLICIES

The proposal has been considered against the relevant clauses under the State and Local Planning Policy Frameworks.

Within the State Planning Policy Framework Clause 15.01-1 'Urban Design' requires development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate.

Clause 16.01-1 'Integrated Housing' encourages an increase in the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.

The objective of Clause 16.01-4 'Housing Diversity' is to provide for a range of housing types to meet increasingly diverse needs. Strategies to achieve this objective include ensuring planning for growth areas provides for a mix of housing types and higher housing densities in and around activity centres; and encouraging the development of well-designed medium-density housing which respects the neighbourhood character, improves housing choice, makes better use of existing infrastructure and improves energy efficiency of housing.

Within the Local Planning Policy Framework Clause 21.04-2 'Settlement Overview' has objectives to contain urban development within distinct boundaries and to encourage a wider variety of housing types, especially smaller and more compact housing, to meet the changing housing needs of the community.

Strategies at Clause 21.05-2 'Main Towns Overview' encourage consolidation of urban settlement within the urban zoned boundaries in accordance with the adopted structure plans and encourage well designed, infill residential development throughout the existing urban area, especially in locations close to activity centres, areas of open space and areas with good public transport accessibility.

The proposal is considered to be consistent with all of the directions discussed above and is aligned with the relevant clauses of the State and Local Planning Policy Frameworks.

The site is contained within a Residential 1 Zone and is not encumbered by any overlays. The purpose and decision guidelines of the Residential 1 Zone have been considered and it is deemed appropriate for the site. An application for a planning permit must also demonstrate compliance with the relevant provisions of Clause 55 of the Scheme. The proposal has been assessed against the relevant provisions of the Scheme and it is considered to comply with the requirements of Clause 55.

5.2 OBJECTORS CONCERNS

Following advertising, the application received three submissions in the form of objections. The issues raised by the submitters were:

The decrease in value of surrounding properties.

Officer Comment

Impacts on property values are not considered a valid ground for objection.

Decrease in property value is typically not a ground for refusal when considered at VCAT hearings. The property values component of any objection is outside the realms of matters to be considered by this application.

Lack of allocated car spaces and traffic management.

Officer Comment

Clause 55.03-11 requires that for every five dwellings, one visitor car parking space should be provided. A visitor car parking space has been provided within the car parking area adjoining Unit 1. The above clause also requires that for a two bedroom dwelling, one car parking space must be provided for that residence. The permit applicant has demonstrated that the required number of spaces has been provided and the vehicles are able to appropriately manoeuvre within the development to be able to exit the site in a forward direction.

It is the only 6 unit development in the estate.

Officer Comment

Whilst this development is the first 6 unit development in the estate, it should be noted that there are several other unit developments in close proximity. At No 11 Highfield Court there is a 5 unit development, at No 10 Greythorn Road a 3 unit development, 10 units at the front of the estate on Hammersmith Circuit and another 2 unit developments side by side at 114 and 116 Hammersmith Circuit. There are also two, two lot subdivisions at No 8 and 9 Highfield Court.

This is evidence showing that the estate is still relatively new and emerging with a mixture of lot sizes and dwelling densities.

The impact on the high quality image of the estate.

Officer Comment

The proposal has been assessed against the relevant clauses of Clause 55 including Clause 55.03 (Site layout and building massing) and Clause 55.06 (Detailed design) and is considered appropriate for the site and the surrounds.

The quality of the residents that may occupy the units.

Officer Comment

The persons that may reside in the units once they are constructed is not a relevant planning consideration. Therefore, this objection is outside the realms of matters to be considered by the Responsible Authority.

Noise pollution from six residences

Officer Comment

The increase in noise generated from additional dwellings on one site is not a relevant planning consideration. Therefore, this objection is outside the realms of matters to be considered by the Responsible Authority.

Waste Collection

Officer Comment

A condition will be placed on a planning permit if issued to require the submission of a waste management plan to demonstrate how up to 12 bins will be collected on a weekly basis. This plan will be reviewed and approved by the Responsible Authority if appropriate.

Lack of recreation and public transport facilities at this end of the estate.

Officer Comment

There are two recreation reserves in the estate (The Strand). One is located approximately 600 metres to the west which is well established and contains playground equipment. The other which will be occurring in future stages of the subdivision and is approximately 300 metres to the north west of the site and will contain large grassy areas and a pedestrian link. Both of these recreation reserves are within walking distance of the subject site.

The nearest bus route is 1.1 kilometres to the south west of the subject site.

The proposal is considered to address the Planning Scheme requirements in relation to these matters.

6. **FINANCIAL AND RESOURCES 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).

7. **INTERNAL / EXTERNAL CONSULTATION**

Engagement Method Used:

Notification:

The application and was advertised pursuant to Section 52(1)(a) and Section 52(1)(d) of the *Planning and Environment Act 1987* (the Act). Notices were sent to all adjoining and adjacent landowners and occupiers and an A3 notice was displayed on site for a minimum of 14 days.

External:

There were no referral requirements pursuant to Section 55 of the Act.

Notice of the application was given under Section 52(1)(d) of the Act to Gippsland Water who objected to the granting of a permit. Revised plans were submitted and re-referred to Gippsland Water who withdrew their objection and consented to the proposal.

Internal:

Internal officer comments were sought from Council's Infrastructure Planning team in relation to drainage and traffic management and the Rates team in relation to street numbering.

Each team gave consent to the granting of a Planning Permit in relation to their area of expertise, with Infrastructure Planning consent subject to appropriate conditions.

It is noted that these comments only relate to part of the assessment process and do not necessarily direct the final recommendation to Council.

Details of Community Consultation following Notification:

Following the referral and advertising of the application, three submissions in the form of an objection to the application has been received.

At the request of the permit applicant a planning mediation meeting was not held. The applicant requested instead that the proposal go directly to an ordinary Council meeting for a decision.

8. OPTIONS

Council has the following options in regard to this application:

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

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

9. CONCLUSION

Having evaluated the proposal against the relevant provisions of the Scheme, it is considered that the application meets the requirements of the Scheme, subject to appropriate Planning Permit conditions. It is therefore recommended that a Notice of Decision to Grant a Planning Permit be issued.

10. RECOMMENDATION

- A. That Council issues a Notice of Decision to Grant a Permit for the development of six dwellings on a lot at Lot 231 on Plan of Subdivision 614947L, more commonly known as 6 Highfield Court Traralgon, with the following conditions:
 1. Prior to the commencement of any works hereby permitted, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit.

The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show:

- a) The proposed vehicle accessway and parking space layout shown on the site plan must be amended to comply with the requirements of Australian Standard AS 2890. The parking layout plan must include vehicle swept paths for vehicle movements accessing and exiting from all proposed on-site parking spaces and garages;
 - b) Relocation of the proposed storage shed for unit 1 such that no part of the storage shed is located within the drainage easement; and
 - c) Delete any reference to a footpath along the west side of Highfield Court and one does not exist at that location.
2. The development as shown on the endorsed plans must not be altered without the consent of the Responsible Authority.
3. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
- a) A survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - b) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
 - c) Details of surface finishes of pathways and driveways;
 - d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - e) Landscaping and planting within all open areas of the site; and
 - f) Six canopy trees (minimum two metres tall when planted) in the private open space of each unit.

4. Within three months of the issue of a certificate of occupancy or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
5. The landscaping as shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
6. Before the development starts a waste management plan must be submitted to and approved by the Responsible Authority to indicate how the weekly collection of all waste receptacles will be managed for garbage collection purposes.
7. All garbage and other waste material must be stored in an area within the land and set aside for such purpose to the satisfaction of the Responsible Authority.
8. No garbage bin or surplus materials generated by the site may be deposited or stored outside the site and bins must be returned to the garbage storage areas as soon as practicable after garbage collection.
9. All building plant and equipment are to be concealed to the satisfaction of the Responsible Authority. The construction of any additional plant machinery and equipment, including but not limited to all air-conditioning equipment, ducts, exhausts and communications equipment must be to the satisfaction of the Responsible Authority.
10. Construction works on the land must be carried out in a manner which does not result in damage to existing Council assets and does not cause detriment to any adjoining land owners or occupiers.
11. Once building works have commenced they must be completed to the satisfaction of the Responsible Authority.
12. Upon completion of the works, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.
13. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

Engineering Conditions:

14. Prior to the commencement of any works hereby permitted, a site drainage plan including all hydraulic computations must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The drainage plan must be prepared in accordance with the requirements of Latrobe City Council Design Guidelines and must provide for the following:
 - a) How the land including all buildings, open space and paved areas will be drained for a 1 in 5 year ARI storm event;
 - b) An underground pipe drainage system conveying stormwater discharge to the legal point of discharge; and
 - c) The provision of storm water detention within the site and prior to the point of discharge into the Council drainage system if the total rate of stormwater discharge from the property exceeds the rate of discharge that would result if a co-efficient of run-off of 0.45 was applied to the whole of the property area.
15. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.
16. Prior to the issue of a Certificate of Occupancy for any of the proposed dwellings hereby permitted:
 - a) All drainage works must be constructed in accordance with the approved site drainage plan;
 - b) The proposed vehicle crossing must be constructed in accordance with the endorsed plans, at right angles to the road and must comply with the vehicle crossing standards set out in Latrobe City Council's Standard Drawing LCC307; and
 - c) The areas shown on the endorsed plans for vehicle access and car parking must be constructed to such levels that they can be used in accordance with the approved plans including surfacing with an all-weather sealed surface, drained, line marking to indicate each car space and all access lanes; and clearly marked to show the direction of traffic along access lanes and roadways.

Expiry of Permit:

17. The permit will expire if one of the following circumstance applies:
- a) The development is not started within two years of the date of this permit; or
 - b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

Note 1: This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

Note 2: Unless exempted by the Responsible Authority, an Asset Protection Permit must be obtained prior to the commencement of any proposed building works (as defined by Latrobe City Council's Local Law No. 3). The Responsible Authority must be notified in writing at least 7 days prior to the building works commencing or materials/equipment are delivered to the site.

Note 3: A Latrobe City Vehicle Crossing Permit must be obtained prior to the commencement of any works that include the construction, installation, alteration, or removal of a vehicle crossing. The relevant fees, charges and conditions of the Vehicle Crossing Permit will apply even if the vehicle crossing works have been approved as part of a Planning Permit.

Note 4: Vehicle crossings must be provided with minimum clearances to other infrastructure in accordance with Latrobe City Council's Vehicle Crossing Policy, including clearances to property boundaries, and adjacent side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required must be in accordance with the requirements of the relevant Authority and must be at the applicant's expense.

Note 5: A Latrobe City Stormwater Connection Permit must be obtained prior to the connection of any new stormwater drainage into Latrobe City Councils stormwater drainage system. All new stormwater drainage connections must be inspected by the Responsible Authority before any backfilling of the connection is undertaken.

Note 6: The location of the legal point of discharge into Latrobe City Councils stormwater drainage system can be obtained for any property by completing a Legal Point of Discharge form, found at www.latrobe.vic.gov.au/services/roads/workspermits

ALTERNATE MOTION

Moved: Cr O'Callaghan

Seconded: Cr Gibson

That Council issues a Notice of Refusal to grant a planning permit for the development of six dwellings on a lot at Lot 231 on Plan of Subdivision 614947L, more commonly known as 6 Highfield Court, Traralgon, on the following grounds;

- 1. The proposal does not meet the objective of Clause 55.02-1 (Neighbourhood Character objective). The configuration and number of dwellings and minimal landscaping area is not consistent with the existing neighbourhood character of the area.**
- 2. The proposal does not meet the decision guidelines of Clause 55.03-11 (Parking provision objectives), as there is limited public transport within close proximity.**
- 3. The proposal is contrary to Clause 65.01 as it does not facilitate the orderly planning of the area due to minimal landscaping opportunities in a predominantly detached, single storey residential area.**

CARRIED UNANIMOUSLY

ATTACHMENTS

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ATTACHMENT 1
HISTORY OF APPLICATION

DATE	EVENT
8 November 2010	Application received by Responsible Authority.
9 December 2010	Additional information requested by the Responsible Authority.
4 January 2011	Additional information received by Council.
18 February 2011	Following a telephone conversation with the applicant, additional plans were submitted in support of the application.
9 March 2011	<p>On behalf of the permit applicant, Council officers undertook the notice requirements by sending letters to adjoining land owners. A sign was subsequently displayed on the site in accordance with Section 52(1) of the <i>Planning and Environment Act 1987</i>.</p> <p>Internal referrals were provided to Council's Project Services and Property and Rates teams for consideration.</p> <p>Notice was also sent to Gippsland Water pursuant to Section 52(1)(d) of the Act.</p>
16 March 2011	It was noted that the advertising package that was sent to all affected parties contained incorrect information. The sign was corrected and placed on site for a further 14 days as well as letters to all the notified parties advising of the correction.
21 March 2011	Council's Rates team provided consent to the granting of a planning permit.
22 March 2011	Objection 1 received.
28 March 2011	Objection 2 received.
29 March 2011	Objection 3 received.
13 April 2011	Response from Gippsland Water received objecting to the granting of a planning permit.
2 May 2011	Additional plans received from the applicant to appease the concerns raised in Gippsland Water's objection.
17 May 2011	Application re-referred to Gippsland Water under Section 52(1)(d) of the Act.
27 June 2011	Council's Infrastructure Planning team provided conditional consent to the granting of a planning permit.
29 June 2011	Response from Gippsland Water received consenting to the granting of a planning permit.

ATTACHMENT 2
RELEVANT CLAUSES OF THE LATROBE
PLANNING SCHEME

LATROBE PLANNING SCHEME

State Planning Policy Framework

Clause 11.02-1 – Supply of Urban Land
Clause 11.02-3 – Structure Planning
Clause 15.01-2 – Urban Design Principles
Clause 16.01-4 – Housing Diversity
Clause 19.03-2 – Water Supply, Sewerage and Drainage

Local Planning Policy Framework

Clause 21.01 – Municipal Profile
Clause 21.02 – Municipal Vision
Clause 21.04-2 – Settlement
Clause 21.04-5 – Urban Design
Clause 21.05-2 – Main Towns
Clause 21.08-3 – Health Urban Design

Zoning – Residential 1 Zone

The subject land is located within a Residential 1 Zone.

Overlay

There are no overlays that affect this property.

Particular Provisions

Clause 55 'Two or More Dwellings on a Lot'

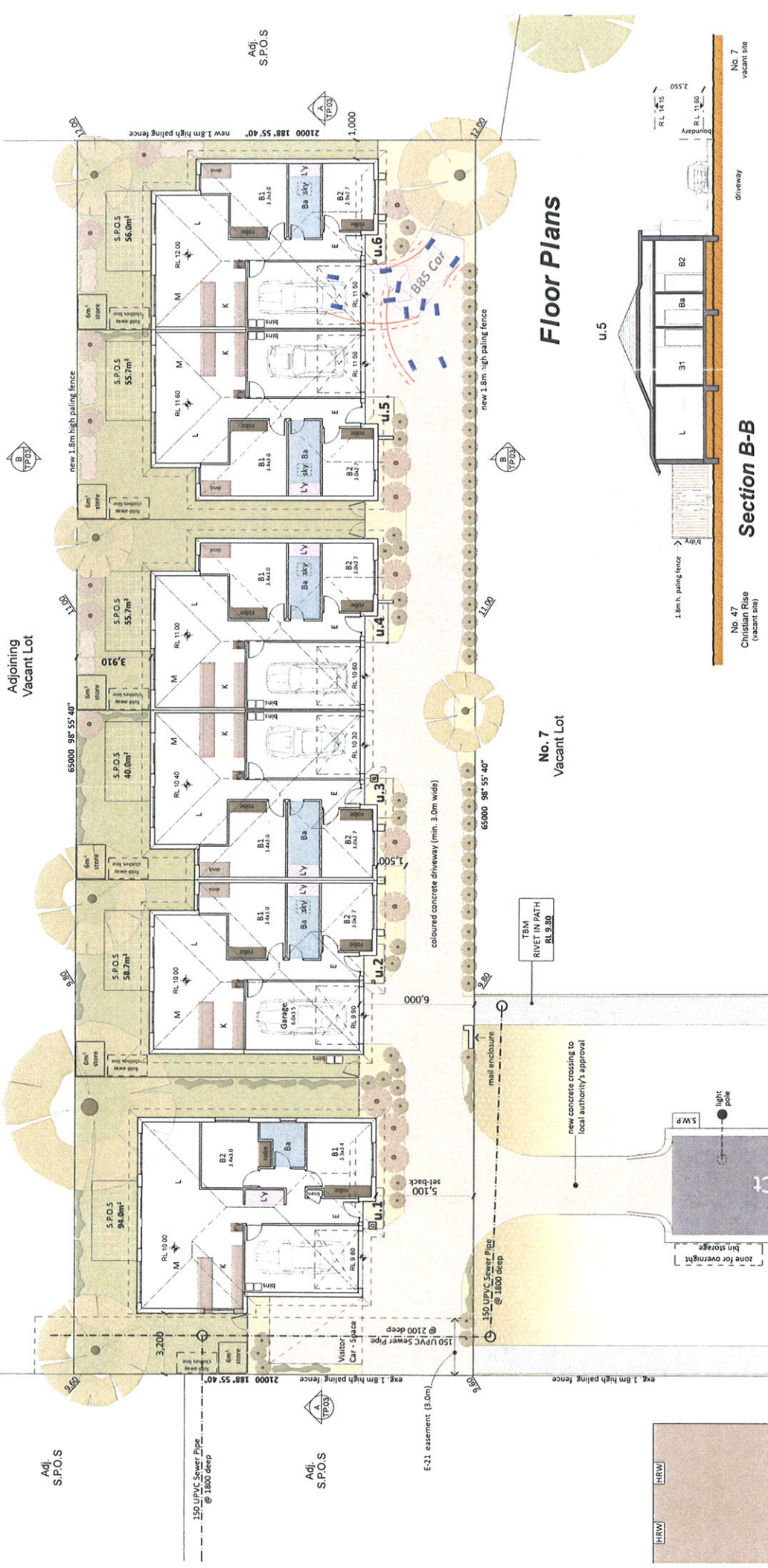
General Provisions

Clause 65 'Decision Guidelines'

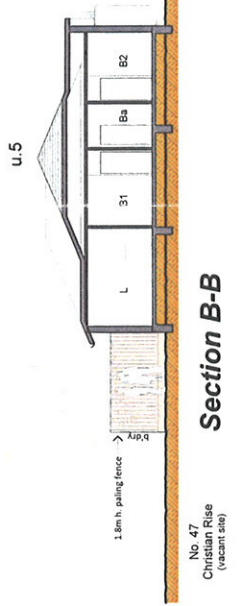
Incorporated Documents

There are no incorporated documents that relate to the consideration of this application.

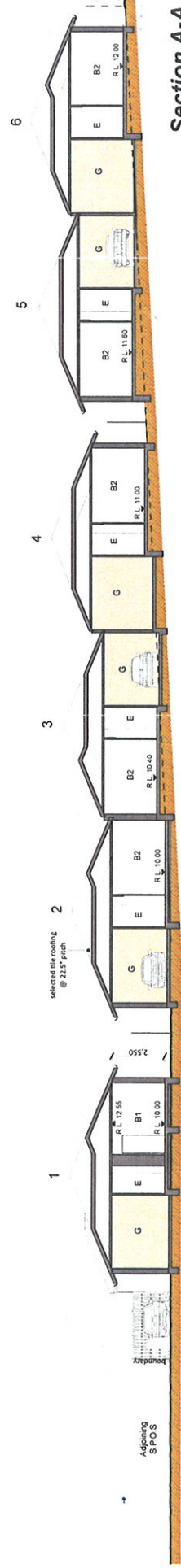
ATTACHMENT 3
PROPOSED PLANS



Floor Plans



Section B-B



Section A-A

Issue:
 28-10-10 A: TP Application
 23-12-10 B: Response to Council RFI dated 05.12.10
 16-02-11 C: Amendments (6 dwellings in lieu of 7)
 28-04-11 D: Gippsland Water amendments

Project:
 Proposed Residential Development
 6 Highfield Court TRARALGON VIC 3844
 Client:
 Mir Hasean Kaygusuz
 Floor Plans & Sections

VISION3 Pty Ltd
 Suite 6 / 97 Graham Street
 Port Melbourne VIC 3207
 www.vision3.com.au
 T 613 9646 2363
 F 613 9646 0373
 Drawn: SE
 Checked: MV
 1:100 @ A1
 or 1:200 @ A3

VISION3
 architecture

Job No
 10144 TP.03.D
 Sheet No

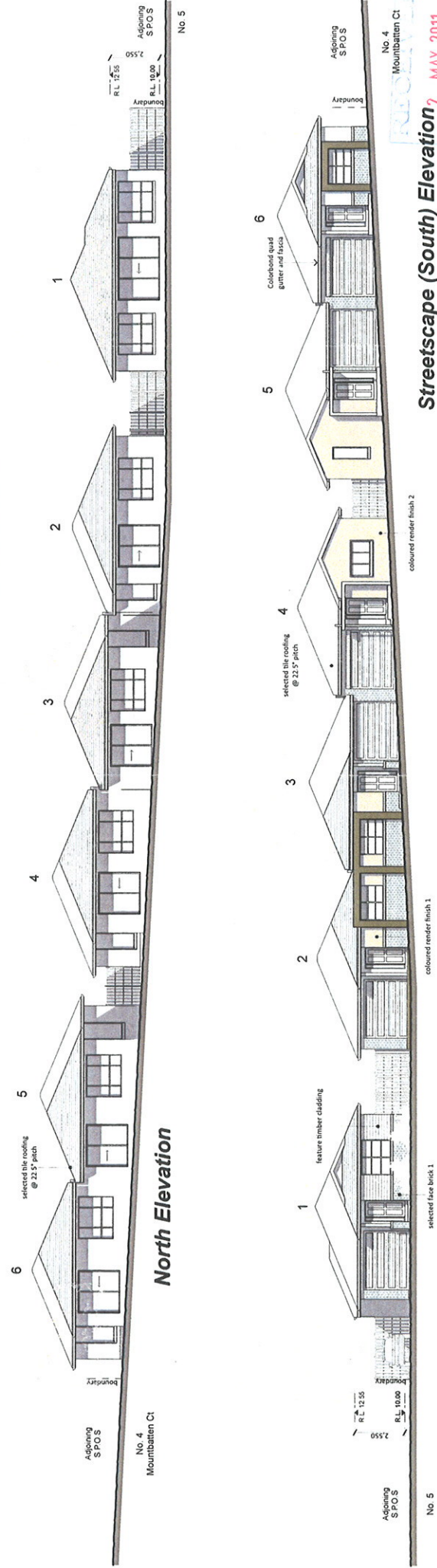
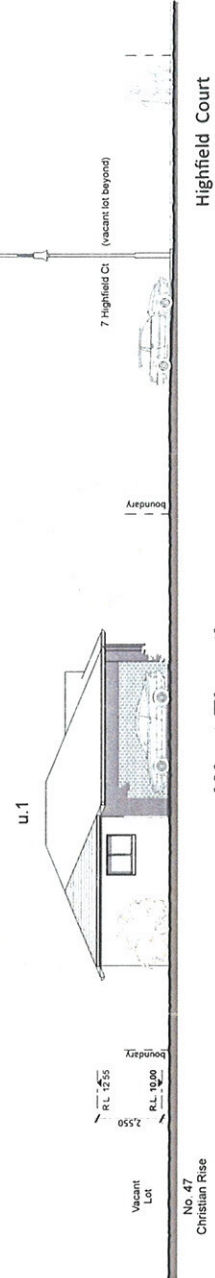
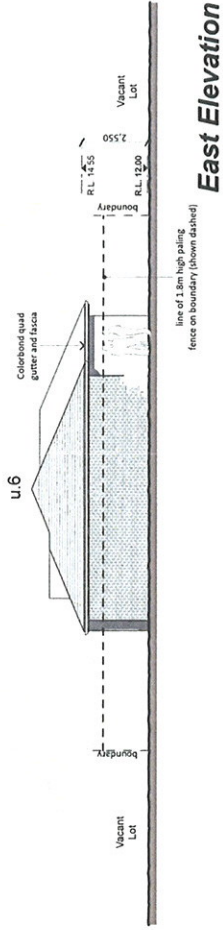
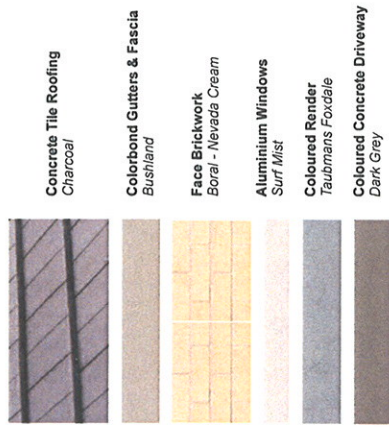
All Contractors must check dimensions on site prior to commencement of any works

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Area Schedule

Site Area	1385.0 m ²
Site Coverage (Building Footprint)	618.6 m ² 46.4%
Permeability	485.4 m ² 35.6%
	Area (m²)
Unit 1	
Living	31.9
Garage	31.9
Private Open Space	34.0
Units	10.2 Sq
Cars	2.5 Sq
Units	2
Unit 2	
Living	37.0
Garage	37.0
Private Open Space	55.7
Units	8.3 Sq
Cars	2.5 Sq
Units	2
Unit 3	
Living	76.8
Garage	76.8
Private Open Space	40.0
Units	8.2 Sq
Cars	2.5 Sq
Units	2
Unit 4	
Living	76.8
Garage	76.8
Private Open Space	55.7
Units	8.3 Sq
Cars	2.5 Sq
Units	2
Unit 5	
Living	76.8
Garage	76.8
Private Open Space	55.7
Units	8.3 Sq
Cars	2.5 Sq
Units	2
Unit 6	
Living	76.3
Garage	76.3
Private Open Space	55.0
Units	8.2 Sq
Cars	2.5 Sq
Units	2
Visitor Car Space	1
Total Car Spaces	7

Materials Schedule



Streetscape (South) Elevation 2 MAY 2011

VISION3 architecture

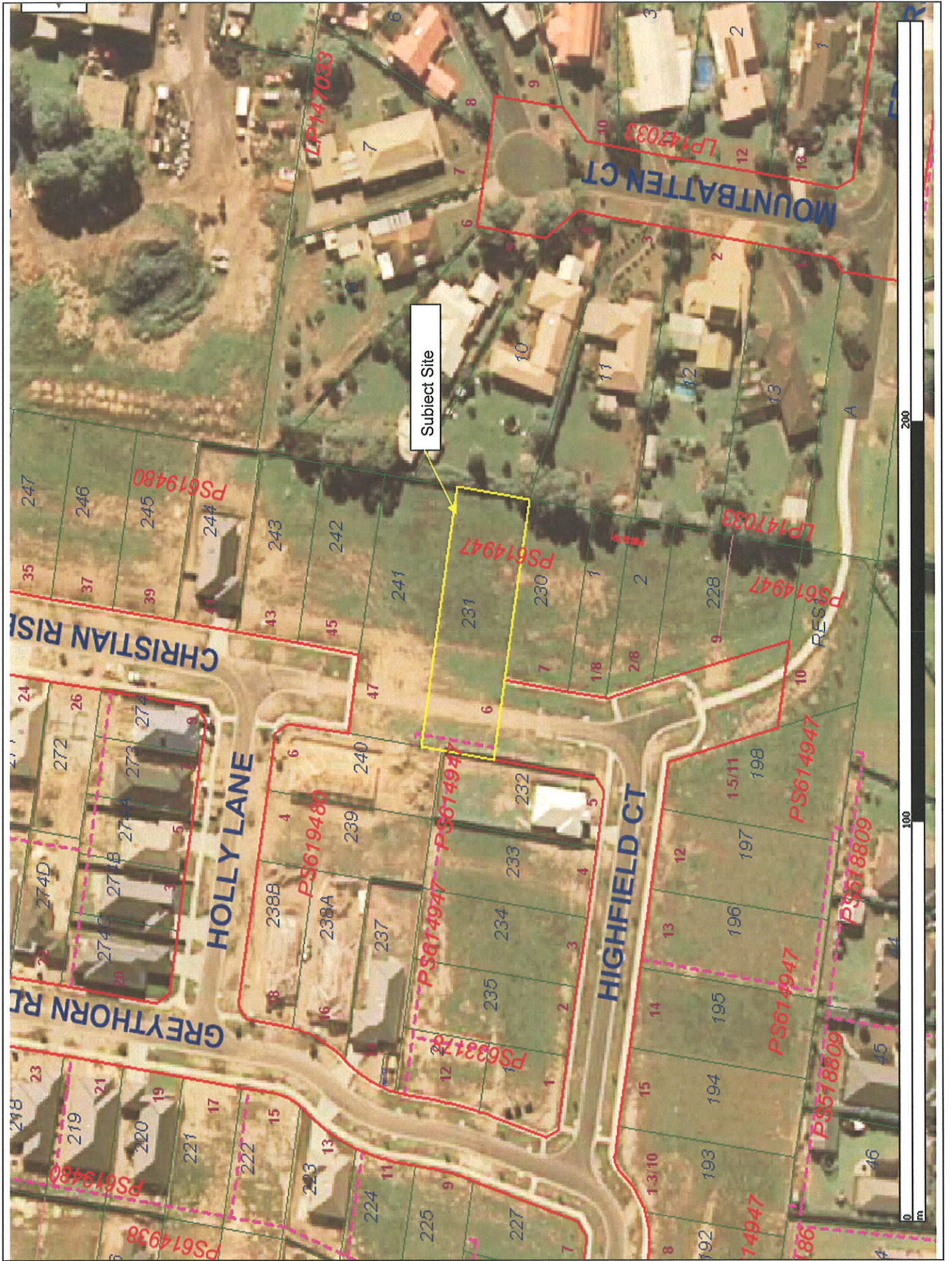
Project: Proposed Residential Development
6 Highfield Court TRARALGON VIC 3844
Client: Mr Hasan Kaygusuz
Drawing Title: Streetscape Elevations
Drawn: SE
Checked: MV
1:100 @ A1
or 1:200 @ A3

VISION3 Pty Ltd
Suite 6 / 97 Graham Street
Port Melbourne VIC 3207
www.vision3.com.au
T 613 9645 2363
F 613 9645 0373

Issue:
28.10.10 A: TP Application
23.12.10 B: Response to Council RFI dated 09.12.10
16.02.11 C: Amendments (6 dwellings in lieu of 7)
28.04.11 D: Gippsland Water amendments

All Contractors must check dimensions on site prior to commencement of any works

ATTACHMENT 4
LOCALITY PLAN



ATTACHMENT 5
COPIES OF SUBMISSIONS

pw 23/3
jac

Your Ref 2010/352

17 March 2011

Jacklyn Hiriaki
Planning Officer
Latrobe City Council
PO Box 264
MORWELL VIC 3840

LATROBE CITY COUNCIL INFORMATION MANAGEMENT RECEIVED 22 MAR 2011	
R/O:	Doc No: 624992
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R.S. & J.E. Tunks

Traralgon VIC 3844

Mobile:

Home Number:

SUBJECT: OBJECTION TO APPLICATION 2010/352 FOR A PLANNING PERMIT

Dear Jacklyn

We are writing to lodge our objection to the proposal received for the following:

APPLICATION: 2010/352
 PROPERTY: 6 Highfield Court Traralgon
 DESCRIPTION: L 231 PS 614947

Your letter dated 9 March 2011 advising of the proposal for seven dwellings on 6 Highfield Court Traralgon has created much anxiety and concern for us even though we now understand that the number of dwellings proposed is now six and not seven.

We purchased our property hoping to build our "dream home" in a quiet cul de sac. It is hard not to become emotive when we receive such a proposal in the mail but we have tried to be constructive in our response.

Whilst we are realists and accept some multi dwelling development and further subdivision in the area what we are now seeing is the type and amount of development that we believe negatively impacts on the liveability of the cul de sac and us directly including future worth of our property.

The reasons for our objection:

1. The top of Highfield Court is a small cul de sac that we believe has been designed for a small amount of traffic and dwellings. Whilst we recognise the reality of some subdivision and a small number of multi dwellings on blocks of land in the particular area the proposed development creates a significant impost on the cul de sac.

We have already seen blocks subdivided at the top end of Highfield Court and five dwellings approved on the corner block at Lot 198 Highfield Court. A balance is needed and on this basis we would prefer a single dwelling at 6 Highfield Court or at very most a small development.

A further six or seven on the one block at 6 Highfield Court must have an undesirable impact socially, financially and functionally e.g. recreation, peace and quiet, liveability, parking, traffic movement, future worth of other properties including ours and waste pickup.

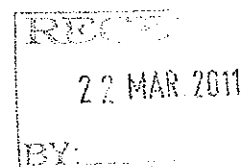
We believe this development will infringe on us specifically being next door at number 7 and co-sharing a driveway, a boundary and a small restricted cul de sac road.

2. The number of dwellings proposed and number of cars that will likely use the driveway on the development – both residents and visitors, would make the development in our view too busy causing unsatisfactory noise and disruption to our comfort and privacy.

Our privacy and welfare is paramount and we find this may be difficult to achieve with so many dwellings and possibly cars constantly using the driveway on the one residential site.

Also we consider that the allowance provided for the garaging/parking of one car per household does not meet reality where households can have two, three or more cars.

3. It is hard to understand how a small width driveway is suitable for the number of dwellings and length of property. The issues include cars not being able to sight each other at ends of the driveway given the nature of the driveway, tight turning requirement of vehicles in and out of garages and difficulty in cars being able to pass one another. What we view as significant driveway traffic movement means difficulties for residents/visitors and us including possible damage or disruption at the nature strip/ cross over area if vehicles pass or park there.
4. We are also concerned that any damage to the border fencing on our northern side caused by a car or other at 6 Highfield Court that is not reported to us or blame admitted could be left for us to rectify at our cost. There seems to be no barriers or provision for this risk to be mitigated.
5. We have concerns about traffic movement and traffic management in the cul de sac and driveway, particularly given the one way entry/exit of Highfield Court and the nature of the cul de sac. We believe this will be negatively impacted by the number of dwellings proposed at 6 Highfield, subdivision of other blocks plus dwellings still to be built including the five at Lot 198.



6. With so many dwellings being proposed for 6 Highfield Court and five already approved at Lot 198 where do visitors to the property park given there is only one visitor parking spot on the property? They wouldn't seem to be able to park outside the dwellings in the driveway. We believe we will be impacted as parking in this cul de sac is restrictive anyway.
7. Our concern about lack of recreation and public transport facilities at the eastern end of The Strand estate is magnified when we have multi dwelling developments of this size, particularly given the one way entry / exit of Highfield Court.
8. We are concerned about how waste will be collected from 6 Highfield Court and its impact on us. Essentially there will be up to 12 bins each week put out for waste collection.
9. Our concern about this development is that we see it as having a detrimental impact on the future worth of our property. We cannot see how it would increase the worth.

This is the first objection we have ever raised to a development such as this but we are very concerned.

Our view is that developers can sell the dwellings and simply move on. We will be left with the future outcomes. We also understand that the developers are not local and we are therefore not sure how cognisant they might be of concerns such as ours. As such we appreciate this opportunity to raise our concerns.

Thank you for the opportunity to raise the objection to this Application. We trust our objection will be acted on and therefore look forward to hearing from you further.

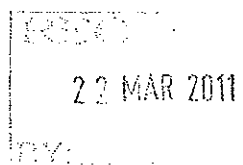
Yours Sincerely



Raymond Tunks



Janet Tunks



Joel PW 28/3

Mr Joel & Mrs Rachelle Leak

Traralgon Victoria 3844

Wednesday 23rd March 2011

To the Responsible Authority:
Latrobe City Council
PO Box 264
Morwell Victoria 3840

Dear Sir/Madam,

Regarding the below Application for Planning Permit:

Application No: 2010/352
Proposal: Development of six dwellings
Property: 6 Highfield Court, Traralgon
Description: L 231 PS 614947

We wish to lodge a formal submission against this development. Outlined below are our reasons for this objection.

Due to the small size of local roads in 'The Strand', we believe that this development would further congest roads and cause danger to local children. The development would permit six residences, instead of one, on the above mentioned block. This would result in more traffic passing through the area, on roads which are already tested during the peak hours of the day. There are several traffic 'hot-spots' in 'The Strand', namely the corner of Highfield Court and Greythorn Road, and the intersection of Greythorn Road and Hammersmith Circuit, both of which would be enormously negatively impacted by allowing the above proposal.

Further, as the corner of our block in particular will be touching the above mentioned property, we have concern for the noise pollution in the area. Again, allowing six residences instead of one will mean up to a six times increase in individuals located on the block, which will raise general noise levels, impacting on our and our children's environment.

Finally, after discussing this matter with a number of residences on our block, we are of the opinion that this development will impact negatively on the value of our properties.

Thank you for taking the time to consider our submission.

Sincerely,


Joel & Rachelle Leak

LATROBE CITY COUNCIL	
INFORMATION MANAGEMENT	
RECEIVED	
28 MAR 2011	
R/O:	Doc No: 627599
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QUALITY OF RESIDENCE

Due to the 'budget build look' of this proposed development, this will affect the quality of residents in this high quality estate.

Furthermore to my objection of this proposed development, when I initially invested in this estate, I was under the impression this estate will remain of 'High Quality". After viewing the plans and the material schedule for this development I was shocked to see such a budget look proposed development for this estate. This will affect me financially, and will affect my standard of living.

Kind Regards,

A handwritten signature consisting of a horizontal line above the letters 'T' and 'M'.

Travis Schmitz

11.3.2 PLANNING PERMIT APPLICATION 2011/141 - TWO LOT RE-SUBDIVISION (BOUNDARY RE-ALIGNMENT), 3 & 4 SOUTHDOWN WAY, TRARALGON EAST

AUTHOR: General Manager Built and Natural Environment
(ATTACHMENT - YES)

1. PURPOSE

The purpose of this report is to determine Planning Permit Application 2011/141 for a two lot re-subdivision (boundary re-alignment) at Lots 235 and 236 on Plan of Subdivision 517500, commonly known as 3 and 4 Southdown Way, Traralgon East.

2. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act* 1989 in the preparation of this report.

3. STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2011-2015.

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 2011 - 2015

Strategic Direction – Built Environment

Promote and support high quality urban design within the built environment.

Ensure proposed developments enhance the liveability of Latrobe City, and provide for a more sustainable community.

Legal

The discussions and recommendations of this report are consistent with the provisions of the *Planning and Environment Act* 1987 (the Act) and the Latrobe Planning Scheme (the Scheme), which apply to this application.

4. BACKGROUND

4.1 SUMMARY

Land:	3 & 4 Southdown Way, Traralgon East, known as Lot 235 and Lot 236 on Plan of Subdivision 517500X
Proponent:	Mr A Stone C/- Beveridge Williams & Co Pty Ltd
Zoning:	Residential 1 Zone
Overlay	No overlays affect the subject site

A Planning Permit is required to subdivide land (including re-subdividing) within the Residential 1 Zone in accordance with Clause 32.01-2 of the Scheme.

4.2 PROPOSAL

The application is for a two lot re-subdivision (boundary realignment) which will result in a 'land swap' between the two land owners to which the application relates.

The proposed Lot 1 (4 Southdown Way) will be reduced in size from 1,639 square metres to 934 square metres. The northern (rear) boundary will measure 43.75 metres, the southern (front) boundary will extend 18.65 metres and the eastern and western (side) boundaries will extend 41.43 and 26.11 metres respectively.

The proposed Lot 2 (3 Southdown Way) will be increased in size from 900 square metres to 1,605 square metres. The eastern (front) boundary extends 46.14 metres, the western (rear) boundary measures 36.33 metres and the northern and southern (side) boundaries extend 32.04 and 40.11 metres respectively.

Subject Land:

The subject land is slightly undulating to the north-west and is void of any significant native vegetation.

Lot 235 on Plan of Subdivision 517500X (4 Southdown Way) is irregular in shape with a total site area of 1,639 square metres and is currently vacant. The northern (rear) boundary extends 175.78 metres, the southern (front) boundary measures 58.85 metres and the eastern and western (side) boundaries extend 41.43 and 14.36 metres respectively.

This allotment is vacant and contains a 3 metre wide easement for pipeline and ancillary purposes. This easement traverses the entire length of the western boundary of the site. A formal crossover is not provided to this allotment at this point in time.

Lot 236 on Plan of Subdivision 517500X (3 Southdown Way) is almost rectangular in shape with a total site area of 900 square metres and contains an existing dwelling. The eastern (front) boundary of the allotment extends 23.03 metres, the western (rear) boundary measures 21.97 metres and the northern and southern (side) boundaries extend 40.20 and 40.11 metres respectively.

Access to the allotment is provided via an existing driveway crossover to Southdown Way. A 3 metre wide Pipeline or Ancillary Purposes easement traverses the entire length of the western boundary of the site.

There is a restrictive covenant registered on each of the titles to the land. The covenant registered on 3 Southdown Way, Traralgon East (AD091937B) provides that no building constructed of second hand materials may be constructed on the site. There is also an agreement made pursuant to Section 173 of the Act which relates to works required as part of the original subdivision of the area.

The covenant registered on 4 Southdown Way, Traralgon East (AD169319X) provides for more specific detail in regard to the materials by which a dwelling may be constructed on the site. There is also an agreement made pursuant to Section 173 of the Act which relates to works required as part of the original subdivision of the area.

Neither agreement will be contravened as a result of this subdivision proceeding.

Surrounding Land Use:

North: To the north of the lots are residential lots each containing single dwellings and front Ernest Court. Each of these lots comprises approximately 1000 square metres.

- South: To the south of the lots are residential lots each containing single dwellings fronting Southdown Way. Each of these lots comprise approximately 700 square metres and 900 square metres.
- East: To the east of the subject land is a drainage reserve. This reserve spans from the railway line to the north of the Ellavale Estate and extends to the southern edge of the estate.
- West: To the west of the site are lots containing single dwellings fronting Woodhall Close. These lots range in sizes from 620 square metres to 1014 square metres.

4.3 PLANNING CONTEXT

There are no previous Planning Permits which relate to the subject site.

The history of assessment of this application is set out in Attachment 1.

The provisions of the Scheme that are relevant to the subject application have been included in Attachment 2.

5. ISSUES

The lot is contained within the Residential 1 Zone, where the subdivision of land (including re-subdivision) is a discretionary consideration for Council. An application must demonstrate its consistency with the relevant Planning Scheme provisions.

5.1. STATE AND LOCAL PLANNING POLICY FRAMEWORK

The proposal has been considered against the State and Local Planning Policy Frameworks. The proposal is considered to be consistent with the general direction of these frameworks and does not contravene any of the applicable objectives or strategies.

5.2. RESIDENTIAL 1 ZONE

The application has been considered against the 'Purpose' of the Residential 1 Zone which is:

- *'To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households.*
- *To encourage residential development that respects the neighbourhood character.*
- *In appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs'.*

The re-subdivision is considered to be suitable and it is unlikely that realigning the shared boundary of the properties will have a detrimental impact on any persons.

Considering the size of surrounding allotments and the subdivisional design of the area it is considered that the proposed re-subdivision is respectful of the existing neighbourhood character of the area.

The application is simply a land swap between the two land owners which will result in an existing 900 square metre lot becoming 1605 square metres, and the existing 1639 square metre lot becoming 934 square metres.

5.3. CLAUSE 56 'RESIDENTIAL SUBDIVISION'

The proposal is considered to be consistent with the objectives of the relevant standards of Clause 56 of the Scheme. An assessment has been undertaken by the assessing officer and the proposal is considered to comply with the relevant standards and objectives of Clause 56.

5.4. CLAUSE 65.02 'DECISION GUIDELINES'

Before deciding on an application to subdivide land, the responsible authority must also consider the relevant 'Decision Guidelines at Clause 65.02.

The proposal has been considered against all relevant 'Decision Guidelines' and it is considered that the land is suitable for re-subdivision considering the applicable zoning of the land and the existing neighbourhood character of the area. The density of the allotments does not vary much from the density of the current allotments and the subdivisional design is considered to be appropriate.

The proposal is considered to be consistent with the 'Decision Guidelines' at Clause 65.02.

5.5. OBJECTOR CONCERNS

The application received one submission in the form of an objection to the application. The issues raised in the objection were:

1. When residents purchased in the estate there was a covenant that provided that there was to be "No Lot Re-Subdivision".

Officer comment:

The allotments in question each have a restrictive covenant registered on certificate of title. This covenant states '*That the Purchasers or their successors in title will not at any time erect or cause or suffer to be erected upon the said lot more than one main building being a dwelling house with the usual outbuildings and will not suffer any existing building to be relocated on the said Lot.*'

There are no restrictions registered on the certificates of title that restrict further subdivision or re-subdivision of the lots affected by the covenant. Despite this, no additional lots are being created by the realignment of the boundary.

2. There is no mention of what would be built on the vacant lot in the application or the location of any future dwellings.

Officer comment:

At present no planning permit is required to construct a dwelling on the vacant lot forming part of the subdivision. Any subsequent single dwelling development on the vacant allotment created will not require planning approval. Therefore, detail of any future development is not required under the Act or the Scheme and cannot be regulated through this planning permit. Any development of a higher density than a single dwelling will be subject to a separate planning permit process.

6. FINANCIAL AND RESOURCES 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).

7. INTERNAL / EXTERNAL CONSULTATION

Engagement Method Used:

Notification:

The application has been advertised under Section 52(1)(a) of the Act by sending notices to all adjoining and adjacent landowners and occupiers.

External:

Clause 66 of the Scheme details that the application is exempt from the referral requirements of Section 55 of the Act as it seeks to realign a common boundary between two existing lots.

Internal:

Internal officer comments were sought from Council's Infrastructure Planning team in relation to drainage of the land.

The Infrastructure Planning team gave consent to the granting of a Planning Permit in relation to their area of expertise, providing comments on the application.

Details of Community Consultation following Notification:

Following receipt of the objection, the land owner and objector discussed the issues raised. These discussions happened external to Council's mediation process. As no consensus was able to be reached, Council's usual mediation process did not occur.

Following the discussions held consensus was not reached between the parties, which would have allowed the matter to be determined by officer delegation, therefore requiring a decision by Council.

8. OPTIONS

Council has the following options in regard to this application:

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

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

9. CONCLUSION

Having evaluated the proposal against the relevant provisions of the Scheme, it is considered that the application meets the requirements of the Scheme, subject to appropriate Planning Permit conditions. It is therefore recommended that a Notice of Decision to Grant a Permit be issued for the reasons set out in this report.

10. RECOMMENDATION

A. That Council issues a Notice of Decision to Grant a Permit, for a two lot re-subdivision (boundary re-alignment) at Lots 235 and 236 on Plan of Subdivision 517500X, more commonly known as 3 and 4 Southdown Way, Traralgon East, with the following conditions:

- 1. Prior to the certification of the plan, amended plans must be submitted to and approved by the Responsible Authority. The plans must show:**
 - a) Removal of the proposed carriageway easement;**

- b) Realignment of the proposed title boundaries to negate the need for such an access to occur. When approved. The plans will be endorsed and then form part of the permit. The plans must be to scale and three copies must be provided.
2. The subdivision as shown on the endorsed plan must be altered without the written consent of the Responsible Authority.
 3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
 4. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
 5. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
 6. This permit will expire if:
 - a) The plan of subdivision is not certified within 2 years of the date of this permit; or
 - b) The registration of the subdivision is not completed within 5 years of certification.The Responsible Authority may extend the time if a request is made in writing before the permit expires or within three months afterward.

Cr O'Callaghan left the Chamber at 8.24 pm due to a direct interest under section 77B and an indirect interest under section 78B of the *Local Government Act 1989*

Moved: Cr Middlemiss

Seconded: Cr Kam

That the Recommendation be adopted.

Suspension of Standing Orders

Moved: Cr Lougheed

Seconded: Cr Gibson

That Standing Orders be suspended to allow members of the gallery to address Council.

CARRIED UNANIMOUSLY

Standing Orders were suspended at 8.26 pm

Mr Adrian Stone addressed Council in relation to Item 11.3.2 Planning Permit Application 2011/141 – Two Lot Re-Subdivision (Boundary Re-alignment), 3 & 4 Southdown Way, Traralgon East

Resumption of Standing Orders

Moved: Cr Lougheed

Seconded: Cr Gibson

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

Standing Orders were resumed at 8.27 pm

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENTS

ATTACHMENT 1
History of Application

DATE	EVENT
10 May 2011	Application received by Responsible Authority.
19 May 2011	A request for additional information was forwarded to the applicant to address.
24 May 2011	The required information was provided addressing the concerns raised by Council.
10 June 2011	The permit applicant was directed to undertake the notice requirements of Section 52(1) of the Act by notifying adjoining property owners and occupiers of the proposal.
4 July 2011	One submission in the form of an objection was received to the application.
11 July 2011	A statutory declaration was received from the applicant advising that notice had occurred as per the direction of Council officers.

ATTACHMENT 2
Relevant Clauses of the
Latrobe Planning Scheme

LATROBE PLANNING SCHEME

State Planning Policy Framework

Clause 11.02 'Urban Growth'
Clause 11.05 'Regional Development'
Clause 15.01 'Urban Environment'
Clause 16.01 'Residential Development'

Local Planning Policy Framework

Clause 21.01 'Municipal Profile'
Clause 21.02 'Municipal Vision'
Clause 21.03 'Natural Environment Sustainability'
Clause 21.04 'Built Environment Sustainability'
Clause 21.05 'Main Towns'
Clause 21.08 'Liveability'

Zoning – Residential 1 Zone

The subject land is located within a Residential 1 Zone.

Overlay

There are no overlays that affect this property.

Particular Provisions

Clause 56 'Residential Subdivision'

General Provisions

Clause 65 'Decision Guidelines'

Incorporated Documents

There are no incorporated documents that relate to the consideration of this application.

ATTACHMENT 3
Locality Plan

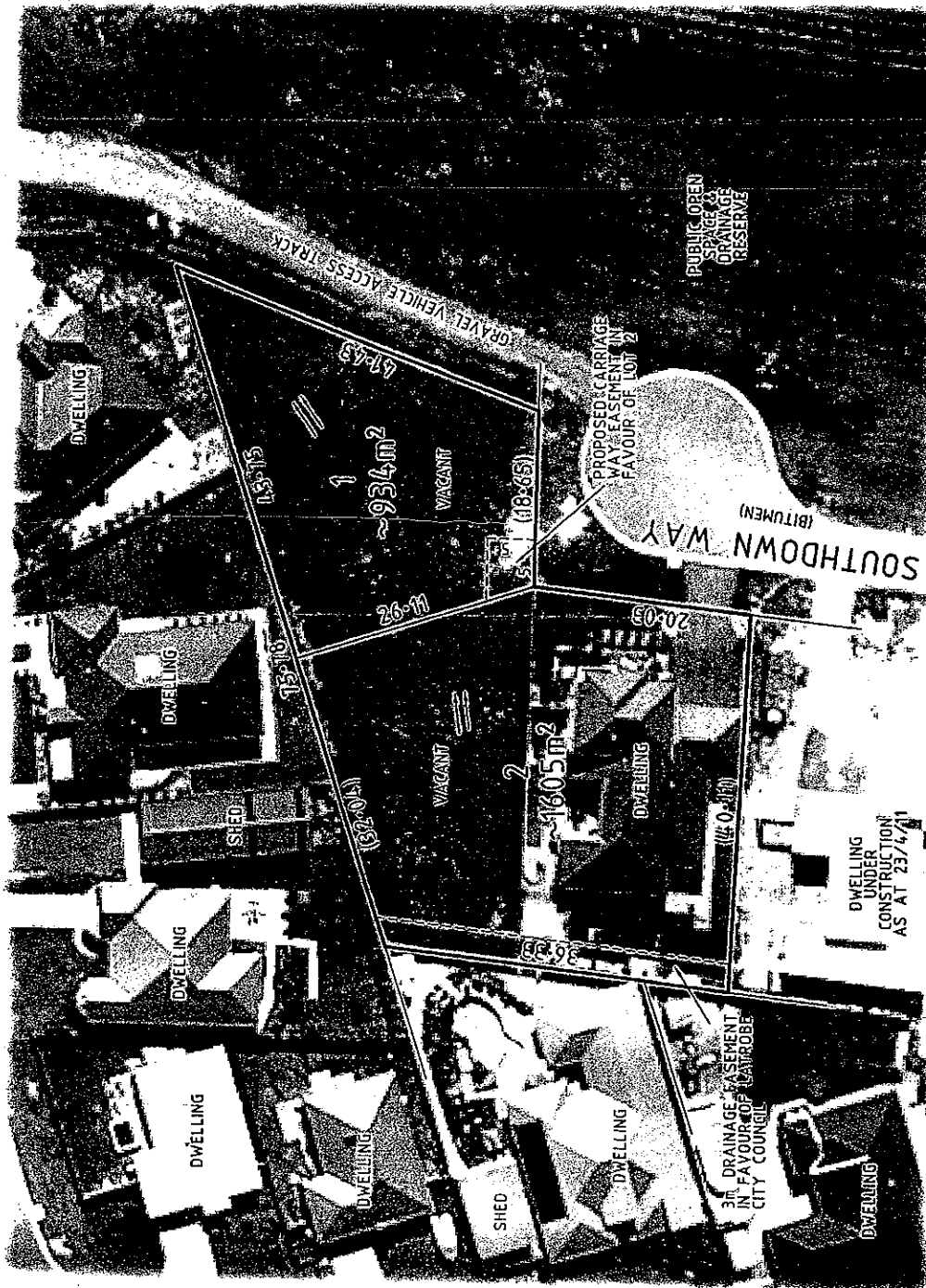


Subject Site



ATTACHMENT 4
Proposed Subdivision Layout

10 MAY 2011



==
DIRECTION OF SLOPE

NOTE: DIMENSIONS ARE APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY
 PHOTO SOURCE: AEROMETREX

Beveridge Williams development & environment consultants Traralgon ph : 03 5176 0374 www.beveridgewilliams.com.au	ORIGINAL Scale 1:500 Sheet Size A3 Dwg No 1100466	PREPARED BY A. SPEIR	PROJECT NO 1100466
	PLAN OF PROPOSED SUBDIVISION	CHECKED BY P.G. DELL	DATE 22/03/2011
SHEET 1 OF 1		A STONE	
3 & 4 SOUTHDOWN WAY, TRARALGON LOTS 235 & 236 ON P9517600X		LATROBE CITY COUNCIL	

ATTACHMENT 5
Copy of Submission

LATROBE CITY COUNCIL
INFORMATION MANAGEMENT

RECEIVED

- 4 JUL 2011

pw. 5/7
Tom

29/06/2011

To Responsible Authority
Latrobe City Council
PO Box 264
Morwell 3840

R/O:		Doc No:	
Comments/Copies Circulated to:			
<input type="checkbox"/> Copy registered in DataWorks <input type="checkbox"/> Invoice forwarded to accounts			

Subject: Application 2011/141 for Two Lot Re- Subdivision.

Dear Sir/Madam

My name is Andrew Williams of Traralgon East, 3844. I am responding to the application for Two Lot Re-Subdivision Reference number 2011/141, to 3&4 Southdown Way, Traralgon East.

The Application for the Subdivision is to the rear boundary of my property, on viewing the plan for boundary re- alignment, I am objecting the application, on the view that on purchasing the property in this Estate, that the Covenant, and we where informed that there was to be NO Lot Re-Subdivision. Also viewing the Lot Re-Subdivision plan at the Service Centre 34-38 Kay Street Traralgon, there was no mention of what would be built, no mention of where on the property the dwelling would be placed, or what its use would be, as we have a young family this would back onto our property.

Regards



Andrew Williams

Traralgon East 3844

COPY

The Mayor sought Council's consent to bring forward the following Item:

- 11.3.6 PLANNING PERMIT APPLICATION 2010/307 – USE AND DEVELOPMENT OF LAND FOR ACCOMMODATION AND REMOVAL OF NATIVE VEGETATION, 15 NORTHERN AVENUE TRARALGON

11.3.6 PLANNING PERMIT APPLICATION 2010/307 - USE AND DEVELOPMENT OF LAND FOR ACCOMMODATION AND REMOVAL OF NATIVE VEGETATION, 15 NORTHERN AVENUE TRARALGON

AUTHOR: General Manager Built and Natural Environment
(ATTACHMENT - YES)

1. PURPOSE

The purpose of this report is to determine Planning Permit Application 2010/307 for the use and development of land for accommodation and the removal of native vegetation at Lot 11 Lodged Plan 94411, more commonly known as 15 Northern Avenue, Traralgon.

2. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act* 1989 in the preparation of this report.

3. STRATEGIC FRAMEWORK

The discussions and recommendations of this report are consistent with the provisions of the *Planning and Environment Act* 1987 (the Act) and the Latrobe Planning Scheme (the Scheme), which apply to this application.

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 2011 - 2015

Strategic Direction – Built Environment

- Promote and support high quality urban design within the built environment; and
- Ensure proposed developments enhance the liveability of Latrobe City, and provide for a more sustainable community.

4. BACKGROUND

4.1 SUMMARY

Land:	Lot 11 PS 094411, known as 15 Northern Avenue, Traralgon.
Proponent:	G and C Hellings C/-NBA Group Pty Ltd
Zoning:	Rural Living Zone Schedule 3 Abuts a Road Zone Category 1
Overlay	Design and Development Overlay Schedule 6. The site is also subject to the Latrobe regional Airport Interim Land Use and Development Controls.

A Planning Permit is required in accordance with the following Clauses of the Latrobe Planning Scheme:

- Clause 35.03-1; to use land for accommodation within the Rural Living Zone;
- Clause 35.03-4; to undertake building and works associated with a Section 2 Use in the Rural Living Zone;
- Clause 43.02-2; to construct a building within the Design and Development Overlay;
- Clause 52.17-2; to remove native vegetation; and
- The Latrobe Regional Airport Interim Land Use and Development Controls; to use land for accommodation.

4.2 PROPOSAL

The application seeks permission to use and develop the land for accommodation, comprising 92 moveable buildings, and to remove native vegetation from the site.

The proposal seeks to expand the existing Park Lane Caravan Park which adjoins the site to the west into this parcel of land.

The moveable buildings to be constructed on the site are single storey and each comprises two bedrooms with an associated single car parking space. The buildings have a footprint of approximately 62 square metres and are contained within a designated 'site'. There are three proposed 'site' sizes associated with these buildings, being 200 square metres, 221 square metres, and 255 square metres.

These 'sites' are designed so as to include the buildings, associated car parking, and private open space areas for individual buildings.

The proposal has included measures required to properly ensure that stormwater retardation occurs within the site and does not cause detriment to downstream properties.

The existing Park Lane Caravan Park is sewered and the proposal will be able to utilise this existing sewer and water supply without requiring effluent disposal within the site.

The proposed vegetation to be removed is one Rough Barked Manna Gum (*eucalyptus viminalis ssp. Pryoriana*) with a diameter at breast height of 48cm. This tree is located in the north western corner of the site. There are large areas of native vegetation to be protected within the site as appropriate offsets for the loss of this tree (there are two trees nominated on the site plan for removal, only one of these requires planning permission to be removed).

The single point of access to be created will allow for direct access to Northern Avenue. There is possibility for residents of the site to enter and exit via the adjoining Park Lane existing access from Airfield Road and the Princes Highway.

Subject Land:

The subject land presently contains a single dwelling and an associated outbuilding. The site contains an overall area of 4.1 hectares and is presently accessed via an existing driveway crossover in the north eastern corner of the site. The site abuts Northern Avenue along the eastern boundary and the Princes Highway to the south. The site is relatively flat but contains a designated waterway through the property. There are patches of remnant vegetation particularly along the western boundary of the site. There are a number of scattered native trees within the site which are primarily Manna Gums and Swamp Gums.

The existing Park Lane Caravan Park is located directly to the west of the site and the proposal will connect these two parcels.

Surrounding Land Use:

- North: Directly to the north of the subject land is the Traralgon West Nursery, a commercial nursery comprising a number of buildings, with approximately 1000 square metres of car parking along the Northern Avenue site frontage. This site comprises a total site area of approximately 2 hectares and shares a common boundary with the subject land for 140 metres.
- South: The southern site boundary adjoins the Princes Highway. Further south of the highway is the Melbourne – Bairnsdale railway line which abuts farming land set aside for the future Traralgon bypass route.
- East: On the opposite side of Northern Avenue, to the east of the subject land is a 2.3 hectare parcel of vacant land.
- West: There are four parcels of land that join the subject land to the west. The lot containing the largest shared boundary area, at 5353 Princes Highway, contains the existing Park Lane Caravan Park with proposed connections through to the subject land. This site comprises an overall area of 3.7 hectares and adjoins the subject land for 123 metres.

Further to the south-west, the subject land adjoins 5357 Princes Highway, Ian Grant's Caravans for a length of 33 metres, against the vegetation protection zone nominated in the application. This site is used for commercial caravan sales with car parking provided within the site boundary and informally within the Princes Highway.

Further north, 50 Airfield Road adjoins the western boundary of the subject land for 75 metres and contains a single dwelling and associated outbuildings. This site comprises an overall area of 2 hectares.

To the north, 60 Airfield Road adjoins the western boundary of the subject land for 92 metres. This site contains a building for which the use is not clear.

Within 600 metres to the west of the site are the Park Lane Caravan Park, Latrobe Regional Hospital, Latrobe Regional Airport, Century Inn and the Village Caravan Park. In addition to this, a planning permit is valid for the construction of a hotel and restaurant at the corner of Princes Highway and Airfield Road, however this is yet to be constructed.

4.3 HISTORY OF APPLICATION

The history of assessment of this application is set out in Attachment 1.

The provisions of the Scheme that are relevant to the subject application have been included in Attachment 2.

5. ISSUES

The lot is contained within the Rural Living Zone, Schedule 3, where the use and development of land for accommodation is a discretionary consideration for Council. An application must demonstrate its consistency with the relevant Planning Scheme provisions, in particular the Rural Living Zone purpose and decision guidelines. The land is also affected by the Design and Development Overlay, Schedule 6 and must address these controls.

The application must also meet the requirements set out in the relevant Particular Provisions which are Clause 52.17 'Native Vegetation' and Clause 52.36 'Integrated Public Transport Planning'.

5.1 STATE AND LOCAL PLANNING POLICY FRAMEWORK

The application has been considered against the relevant provisions of the State and Local Planning Policy Frameworks. The application is considered to protect and enhance aspects of the natural environment, supports opportunities for diversity of choice in a housing market, and provides an accommodation opportunity in close proximity to the Latrobe Regional Airport in an appropriate accessible location.

The proposal is considered to be generally consistent with the relevant provisions of the State and Local Planning Policy Frameworks and is generally appropriate having regard to the site and surrounds.

5.2 RURAL LIVING ZONE, SCHEDULE 3

The application has been considered against the 'Purpose' of the Rural Living Zone which is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for residential use in a rural environment.
- To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
- To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

The proposed use is considered to be consistent with the land use pattern in the area given the commercial nature of many of the lots in this area. There are several examples of existing accommodation developments within this area and several other commercial businesses. The use of the land for accommodation is a Section 2 Use which allows for a planning permit to be granted.

There are existing accommodation facilities located to the west of the site, and on the western side of Airfield Road. Within 600 metres to the west of the site are the Park Lane Caravan Park, Latrobe Regional Hospital, Latrobe Regional Airport, Century Inn and the Village Caravan Park.

A locality plan displaying the development pattern of the area has been included as Attachment 3 to this report.

It should also be noted that a landscaping plan will be required as a condition of permit, should a permit be issued.

This landscape plan will need to work around the native vegetation and any protection zones established and provide a landscape design that provides an appropriate interface between the subject land and the rural residential lots to the north-east of the subject land. The purpose of the plan will be to soften the appearance of the development and to assist it in integrating into the environment.

5.3 DESIGN AND DEVELOPMENT OVERLAY SCHEDULE 6

The proposal has been considered against the design objectives of the Design and Development Overlay which are:

- To ensure that the height of all buildings and works are constrained within specified limits to avoid creating a hazard to aircraft in the vicinity of the Latrobe Regional Hospital, and to facilitate safe Emergency Medical Service (EMS) helicopter operations.
- To ensure that flight paths associated with the Latrobe Regional Hospital EMS helipad are protected from the encroachment of inappropriate obstacles which may affect the safe and effective operation of the Latrobe Regional Hospital Helipad.

The proposal was referred to the General Manager Latrobe Regional Airport to assess flight circuit paths and any potential issues created by the proposal in relation to height. The Latrobe Regional Airport General Manager provided conditional consent to the proposal when assessing the likely impacts that it will have on the facility and the impacts the airport operations may have on the proposed land use. The scale of development does not exceed the height requirements within this schedule to the Design and Development Overlay and the height of proposed buildings will not interfere with the operations of the helipad at the hospital.

5.4 LATROBE REGIONAL AIRPORT INTERIM LAND USE AND DEVELOPMENT CONTROLS

The proposal has been considered against the 'Purpose' of the Latrobe Regional Airport Interim Land Use and Development Controls which are an Incorporated Document to Clause 52.03. The purpose of the controls is stated as:

- The Latrobe Regional Airport is a significant development in the Latrobe City and provides a range of important employment, transport, recreation, community and economic development opportunities.
- Due to the changing nature of the Latrobe Regional Airport's aviation activities, the 2005 Master Plan no longer represents or provides a clear strategic direction of the Airports operations and is therefore under review.
- To ensure that any detrimental effects of aircraft operations are taken into account in planning the use, development or subdivision of land. This document is introduced into the Latrobe Planning Scheme, pending the completion of the Latrobe Regional Airport Master Plan review and subsequent amendments to the Latrobe Planning Scheme.

The proposal is considered to be generally consistent with these controls and has been considered by the General Manager Latrobe Regional Airport who provided consent to the granting of a Planning Permit subject to appropriate conditions.

5.5 **NATIVE VEGETATION**

The proposal seeks approval for the removal of one native tree to facilitate the development of the site.

The proposed vegetation to be removed is a Rough Barked Manna Gum (*eucalyptus viminalis* ssp. *Pryoriana*) with a DBH of 48cm. This tree is located in the north western corner of the site.

Following the assessment of the proposal by both the Department of Sustainability and Environment (DSE) and Council's Natural Environment Sustainability team, it is considered that the steps to avoid and minimise native vegetation removal have been adequately addressed in the planning permit submission and is generally consistent with the requirements of Clause 52.17 of the Scheme.

A Flora and Fauna Assessment and Net Gain Analysis report for the development has been prepared by Ethos NRM and submitted as part of the application. The submission of a Vegetation Management and Native Vegetation Offset planting plan is to be required by way of a condition on permit, should a permit be issued.

With adequate offsets being provided via permit conditions, it is reasonable to consider that the conservation status of the vegetation and habitat significance will not be significantly undermined by the proposal.

5.6 LAND ADJACENT TO A ROAD IN A ROAD ZONE CATEGORY 1

The subject site is located adjacent to a road in a Road Zone, Category 1 (Princes Highway). Due to the high volumes of traffic experienced on this road, direct access to the site is being provided via Northern Avenue only. There is opportunity for future patrons of the site to enter and exit the site from the Park Lane Caravan Park access points on the Princes Highway and Airfield Road, but these accesses are existing and do not form part of this application.

Notice of the application was given to Vic Roads under Section 52(1)(d) of the Act to ensure that they were satisfied that a safe and efficient treatment was being implemented at the intersection of Airfield Road and the Princes Highway, considering the additional traffic generated by the proposal.

Vic Roads initially objected to the granting of a planning permit. Following discussion regarding their concerns and their review of the traffic report submitted, the objection was withdrawn and conditional consent provided.

5.7 INTEGRATED PUBLIC TRANSPORT

The subject site is located in close proximity to a bus stop and access to public transport is relatively convenient. The proposal is considered to comply with the requirements of Clause 52.36.

5.8 ISSUES RAISED BY SUBMITTERS

The application received nine submissions in the form of objections. The issues raised by the objectors were:

1. The density of development is not consistent with the purpose of the Rural Living Zone.

Officer comment:

It is considered that the proposal is generally consistent with the 'Purpose' and the 'Decision Guidelines' of the Rural Living Zone, as detailed under Section 5.1 of this report. The use and development of land for accommodation is a 'Section 2 Use', meaning that it is discretionary and a permit is required to operate this land use.

Given the density of accommodation development within the area, the proposal is considered to be consistent with the existing uses in the area.

2. The increase in traffic volume as a result of the proposed development is likely to put a strain on existing residents and impact on residents' safety

Officer comment:

The proposal has been assessed by Council's Infrastructure Planning team and it is considered the surrounding street network is capable of accommodating the increase in traffic volume. The proposed vehicular access arrangement is also deemed satisfactory, in terms of allowing safe and efficient vehicle movements and connections within the development and to Northern Avenue.

3. The potential demographics of tenants utilising the site.

Officer comment:

The socioeconomic status of potential future residents of a property is generally not considered as valid planning objections by the Victorian Civil and Administrative Tribunal (VCAT). This objection is outside the realms of matters to be considered by this application.

4. The proposal is inconsistent with Planning Scheme Amendment C23.

Officer comment:

This Planning Scheme Amendment sought to incorporate specific policies recognising the potential of the Morwell – Traralgon corridor to accommodate land uses that make a significant economic contribution to the region

The amendment was never adopted into the Latrobe Planning Scheme. This amendment lapsed on 25 November 2006 and as such is not a relevant consideration in the assessment of this application.

5. The proposal will negatively impact property values in the area.

Officer comment:

No evidence has been provided that would suggest property impacts will be negatively affected. Council officers are unable to state at this time the weight to be given to this ground of objection without any evidence to provide a basis for a response.

6. The proposed fencing treatment will negatively impact the rural atmosphere of the area.

Officer comment:

A primary challenge in assessing this application is ensuring that any fence along the southern site boundary in particular is acoustically treated to minimise potential noise issues for future residents.

It is acknowledged by Council officers that the provision of a colour bond fence along the site boundaries, particularly Northern Avenue, is not a desirable outcome for the site or surrounds.

A planning permit condition will therefore be prepared to require a fencing treatment to be proposed to the satisfaction of Council officers and Vic Roads. This must ensure that appropriate acoustic attenuation measures are undertaken but also provide a treatment more suited to the character of the area.

In order to soften the impact of the fencing along Northern Avenue, a planning permit condition has been prepared which will require a landscaping treatment along the Northern Avenue site frontage.

Whilst this may affect the internal layout with a slight reduction of the yield of buildings, the outcome will ensure that the eastern site boundary is more responsive to the rural residential and farming zoned land located to the north and east of the site. It is not considered that this will transform the application and is a reasonable requirement in regard to the land to the east and north.

It should also be noted that a landscaping plan will be required as a condition of permit, should one be issued. This landscape plan will need to respond to the native vegetation and any protection zones established. The purpose of the plan will be to soften the appearance of the development and to assist it in integrating into the environment.

7. The colours of the buildings may detrimentally affect the amenity of the area.

Officer comment:

A planning permit condition has been prepared to require that any building constructed on the site must be of a non-reflective nature and of muted tones, to the satisfaction of the Responsible Authority.

8. The additional stormwater generated by the site may negatively impact nearby property owners as the site is already subject to inundation.

Officer comment:

With several of the objections and an officer's inspection of the site, photos were obtained which demonstrate surface water existing on the subject land after heavy rain events.

The permit applicant has provided a drainage buffer for 30 metres either side of the designated waterway within the site. There is provision of stormwater retardation within this area to ensure that there are no negative impacts downstream of the waterway.

The West Gippsland Catchment Management Authority (WGCMA) and Council's Infrastructure Planning team have reviewed the drainage study provided with the application and are satisfied the stormwater can be appropriately managed within the site.

6. FINANCIAL AND RESOURCES IMPLICATIONS

Additional resources or financial cost may only be incurred should the planning permit application require determination at the Victorian Civil and Administrative Tribunal (VCAT).

7. INTERNAL / EXTERNAL CONSULTATION

Engagement Method Used:

Notification:

The application has been advertised under Section 52(1) of the Act by sending notices to all adjoining and adjacent landowners and occupiers; displaying an A3 sign on each site frontage for a minimum of 14 days.

Notice was provided in accordance with Section 52(1)(d) of the Act to the WGCMA, Gippsland Water, Vic Roads, and the Department of Sustainability and Environment for consideration.

The WGCMA objected initially to the granting of a planning permit, which was withdrawn after additional information and revised plans were received. The WGCMA subsequently provided conditional consent to the amended plans and requested conditions for Council to include in any approved planning permit.

Gippsland Water requested Council include two conditions on any approved planning permit.

Vic Roads objected initially to the granting of a planning permit, which was withdrawn after additional information and revised plans were received. Vic Roads subsequently provided conditional consent to the amended plans and requested conditions for Council to include in any approved planning permit.

The Department of Sustainability and Environment provided comments in regard to the application and did not object to the granting of a planning permit.

External:

In accordance with the referral requirements of Section 55 of the Act, the application was referred to the Latrobe Regional Airport and the Department of Public Transport for consideration.

Latrobe Regional Airport did not object to the granting of a planning permit subject to appropriate conditions.

The Department of Public Transport did not object to the granting of a planning permit and required no planning permit conditions.

Internal:

The application was referred internally to Council's Infrastructure Planning, Health Services and Natural Environment Sustainability teams for consideration. There were no internal objections to the granting of a planning permit.

Details of Community Consultation following Notification:

Following the referral and advertising of the application nine submissions were received to the application in the form of objections. An additional submission questioning Council's notification process was received, but this land owner did not object to the granting of a planning permit.

A planning mediation meeting was held on 16 March 2011 and attended by the land owner, permit applicant, the Galbraith Ward Councillor and some of the objectors. Following mediation, some additional information was agreed to be obtained from the permit applicant. This was circulated to all objectors. Following this, no objectors were agreeable to withdraw their objections despite this additional information.

Consensus was not reached between all parties, which would have allowed the matter to be determined by officer delegation, therefore requiring a decision by Council.

8. OPTIONS

Council has the following options in regard to this application:

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

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

9. CONCLUSION

The proposal is considered to be:

- Generally Consistent with the strategic direction of the State and Local Planning Policy Frameworks;
- Generally Consistent with the 'Purpose' and 'Decision Guidelines' of the Rural Living Zone;
- Generally Consistent with the purpose and decision guidelines of the Design and Development Overlay Schedule 6;
- Generally Consistent with the Latrobe Regional Airport Interim Land Use and Development Controls; and
- Generally Consistent with Clause 65 (Decision Guidelines).

The objections received have been considered against the provisions of the Latrobe Planning Scheme. Relevant permit conditions addressing the majority of these issues will be included on any planning permit issued.

10. RECOMMENDATION

A. That Council issues a Notice of Decision to Grant a Permit for the use and development of land for accommodation and the removal of native vegetation at Lot 11 Lodged Plan 94411, more commonly known as 15 Northern Avenue, Traralgon, with the following conditions:

1. **Prior to the commencement of any works hereby permitted, revised plans must be submitted to and approved by the Responsible Authority. The plans must be generally in accordance with those provided with the application but modified to show:**

- a) A landscaping treatment along the Northern Avenue site frontage, located within the boundaries of the subject land but to the east of any proposed fencing, which provides a screen when viewing the subject land from Northern Avenue;
- b) Realignment of the 'sites' within the site to reflect the landscape buffer referred to in Condition 1 (a);
- c) All mitigating works recommended by the approved traffic impact assessment report required by Condition 23 of this permit, including any provision of road widening, turning lanes, kerb and channel, traffic islands, street furniture, signage and road pavement line marking; and
- d) How waste collection is to be managed including the storage and collection of wastes from the site.

When approved, the plans will be endorsed and will then form part of this permit. The plans must be to scale and three copies must be provided.

2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Prior to the commencement of any works, a landscape plan must be submitted to and approved by the Responsible Authority for the additional landscaping requirements. The plan must show:
 - a) Details of all surface finishes and pathways;
 - b) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
 - c) Landscaping and planting within all open areas of the site, the rain garden area, and the interface areas between property fencing and roads;
 - d) The provision of canopy trees throughout the open areas of the site; and
 - e) A proposed fencing treatment for the Princes Highway and Northern Avenue frontages which incorporates noise attenuation measures in accordance with Conditions 32, 33 and 34 of this permit and a fencing style consistent with rural residential development.

- When approved, the plans will be endorsed and will then form part of this permit. The plans must be to scale and three copies must be provided.
4. Prior to the commencement of works, an offset management plan showing appropriate offsets to compensate for the removal of native vegetation must be submitted to and approved by the Responsible Authority. The plan must provide for:
- a) The permanent protection of the areas nominated as 'habitat zones' on the endorsed plans;
 - b) Provision of ten trees within the site to be recruited and protected, planted over an area of 400 square metres and in accordance with the Department of Sustainability and Environment Revegetation Planting Standards for Woodland EVC's;
 - c) Methods of managing and restoring the vegetation, such as fencing, weed control, enhancement planting and other habitat management actions;
 - d) Time frames for implementing the offset management plan;
 - e) Any dead, diseased or dying plants must be replaced without delay;
 - f) The relevant offset area must be watered, mulched and tended so as to maximise plant survival rates until established;
 - g) Any saplings must be protected with tree guards;
- all to the satisfaction of the Responsible Authority. The proposed offsets must be in accordance with *Victoria's Native Vegetation Framework – A Framework for Action*. When approved, the offset plan must be implemented within 12 months of the date of this permit, unless otherwise specified in writing by the Responsible Authority.
5. Within 6 months of the preparation of the offset management plan referred to in Condition 4 of this permit, the operator of this permit must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning and Environment Act 1987* to provide for the following:

- a) The offset management plan must be implemented and maintained to the satisfaction of Latrobe City Council. All identified vegetation within this document is to be permanently protected.

Following this, application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Act.

The operator of this permit must pay the reasonable costs of the preparation, execution and registration of the agreement. The operator of this permit must provide Council with a copy of the dealing number issued by the Titles Office. Once titles are issued, Council requires the operator of this permit or its legal representative to provide either:

- a) A current title search; or
b) A photocopy of the duplicate certificate of title as evidence of registration of the Section 173 Agreement on title.

6. Prior to the removal of any native vegetation, all trees to be removed must be inspected by a zoologist or a suitably qualified person to the satisfaction of the Responsible Authority to determine the presence of animals living or nesting in the trees. Should any animal be detected, reasonable steps must be taken to capture and relocate such animals as recommended by the zoologist or a suitably qualified person to the satisfaction of the Responsible Authority.
7. Prior to the works commencing, a 'protection zone' must be erected around vegetation to be retained within the site. The tree protection zone must remain in place until construction is completed. No vehicular or pedestrian access, trenching or soil excavation is to occur within the tree protection zone. No storage or dumping of tools, equipment or waste is to occur within the tree protection zone.
8. No native vegetation other than that shown on the endorsed plan, shall be removed, destroyed or lopped without the written consent of the Responsible Authority.
9. All tree roots left exposed by construction must be cut by or under the supervision of an Arborist or suitably qualified person, to the satisfaction of the Responsible Authority.

- 10. Within 60 days of the completion of plantings, the operator of this permit must submit to the Responsible Authority a report from an ecological consultant which certifies that the works have been carried out in accordance with the specifications of this permit. The report is to identify any works which remain outstanding.**
- 11. Prior to the commencement of the use or by such a date approved by the Responsible Authority in writing, all landscaping works as shown on the endorsed landscaping plan required by Condition 3 of this permit must be completed to the satisfaction of the Responsible Authority.**
- 12. The landscaping as shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.**
- 13. All buildings erected on the site must be constructed of non-reflective materials and of muted tones to the satisfaction of the Responsible Authority.**
- 14. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.**
- 15. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.**
- 16. Once building works have been commenced they must be completed to the satisfaction of the Responsible Authority.**
- 17. Upon completion of the works, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.**
- 18. Construction works on the land must be carried out in a manner that does not result in damage to existing Council assets and does not cause detriment to any adjoining land owners, occupiers or road users.**
- 19. Appropriate measures must be undertaken throughout any construction stages of the development to rectify and/or minimise any mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.**

- 20. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.**
- 21. All garbage and other waste material must be stored within an area of the site and set aside for such purpose to the satisfaction of the Responsible Authority.**
- 22. No garbage bin or surplus materials generated by the site may be deposited or stored outside the site.**

Engineering Conditions

- 23. Prior to the commencement of any works hereby permitted, a revised traffic impact assessment report must be submitted to and approved by the Responsible Authority. The traffic report must be revised to include an assessment of the impact of the development and any mitigating works required on the following issues:**
 - a) Traffic implications from large vehicles entering and leaving the site including vehicle manoeuvres, forward entry/forward exit, sight distance, modifications to the existing physical environment to facilitate large vehicle turns and impacts of turning vehicles on other traffic; and**
 - b) The need for road widening/turn lanes to be provided within Northern Avenue.**

When approved, the traffic report will be endorsed and will then form part of the permit.
- 24. Prior to the commencement of any works hereby permitted, the following plans must be submitted to and approved by the Responsible Authority:**
 - a) A site drainage plan including all hydraulic computations. The drainage plan must be prepared in accordance with the requirements of Latrobe City Council Design Guidelines and must provide for the following:**
 - i. How the land including all buildings, open space and paved areas will be drained for a 1 in 5 year ARI event;**
 - ii. An underground pipe drainage system or other means of conveying stormwater to the legal point of discharge to the satisfaction of the Responsible Authority;**
 - iii. Measures to enhance stormwater discharge quality from the site and protect downstream waterways;**

- All parking areas and vehicle accessways must be surfaced with either concrete or an all-weather seal, drained, line marked to indicate each car space and all access lanes and clearly marked to show the direction of traffic along access roads;
- d) All mitigating works recommended by the traffic impact assessment report including the provision of any road widening, kerb and channel, traffic islands, street furniture, signage and road pavement line marking.
26. Any security gate, barrier or similar device controlling vehicle access to the premises from Northern Avenue must be located an appropriate distance from the edge of the road such that any vehicle or combination of vehicle and trailer stopping at the barrier is clear of the through carriageway along Northern Avenue to the satisfaction of the Responsible Authority.

Latrobe Regional Airport Conditions

27. Prior to the completion of development, the owner must enter into an agreement with the Responsible Authority in accordance with Section 173 of the Planning and Environment Act 1987. The agreement must be prepared by the permit applicant and shall include in Operative Provisions: *“The Owner with the intent that this covenant shall run with the land hereby covenants and agrees:*
- a) The use of nearby airspace by aircraft landing and taking off from the Latrobe Regional Airport, will create noise which would cause disturbance and may be visually intrusive to occupiers of the land; and
- b) The Owners and/or Occupiers of the land may not use, or permit to be used on the land, any electrical or other equipment which may cause interference with communications to or from aircraft, or communications to or from centres established for air traffic control, or with navigational aids or with surveillance air systems; and

- c) The Owners and/or Occupiers of the land may not construct or erect, or allow to be constructed or erected or permit to remain in the land, any roof having a highly reflective surface and in particular shall not erect or allow to be erected or to remain on the land, any roof which is coloured white or another similar light colour which is constructed of metal which is not painted and which does not have a bonded colour finish; and
- d) No building may be constructed or any tree allowed to grow on the land, which extends in height above the obstacle limitation surfaces as defined in the Manual of Standards issued by the Civil Aviation Safety Authority in relation to aerodromes, and which therefore might interfere with the flight of aircraft taking off or landing at the Latrobe Regional Airport. Any building or tree which does breach that obstacle limitation surface is to be removed.
- e) The Owners and/or Occupiers will not take any action against the owner/operator of Latrobe Regional Airport in relation to claims, complaints, or any other matter pertaining to the airport and its current or future operations.

Prior to the commencement of the use, application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Act. The operator of this permit must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

Prior to the commencement of the use, the operator of this permit must provide Council with a copy of the dealing number issued by the Titles Office. Once titles are issued, Council requires the operator of this permit or its legal representative to provide either:

- a) A current title search; or
- b) A photocopy of the duplicate certificate of title as evidence of the registration of the Section 173 Agreement on title.

Gippsland Water Conditions

28. Prior to the commencement of the use, the subject land must be consolidated with the existing Park Lane Caravan Park (CP166727).

29. A hydraulic report is to be submitted to Gippsland Water prior to any works commencing, confirming that the existing internal water and sewer infrastructure, including the size of the existing water and sewer connections points, have sufficient capacity for this development.

Vic Roads Conditions

30. Any proposed sites created should have sufficient space to allow the units to be sited where the noise level does not exceed 70dB(A).
31. Units shall be designed and constructed to acoustic standards as set out in AS 3671 – 1989 *“Acoustics – Road Traffic Noise Intrusions – Building Siting and Construction”* where the noise level is in excess of 60dB(A). Noise levels quoted are free field L₁(18hr).
32. The developer shall attenuate traffic noise to a level of 63dB(A) or less, at the most exposed façade of the noise sensitive buildings. The adopted noise attenuation requirements will be met for 10 years after finalisation of the development or, where relevant, for each stage of the development.
33. Any noise fence shall have a demonstrated design life of not less than 25 years.
34. After the installation of noise barriers erected to satisfy the requirement of Condition 33 above, noise attenuation measures shall be undertaken at several suitable locations that have been agreed to by Vic Roads and the applicant. The results of the measurements will be submitted to Vic Roads for review and assessment. It should be noted that the measurements should demonstrate that the noise barrier would perform as required in Condition 33 above.
35. The discharge of any concentrated drainage on to the Princes Highway will not be permitted unless approved in writing by Vic Roads.
36. As general conditions for road works on declared roads, contractors must:
- a) Provide a Worksite Traffic Management Plan for approval at least 7 days prior to any works commencing within the declared road reserve;
 - b) Cover all works with a defects liability period of 12 months for all works;
 - c) Allow Vic Roads officers to carry out surveillance activities;

- d) Prior to commencing work within the road reserve, the applicant must provide a security deposit of either \$5,000 or 10% of the estimated cost of the road works, whichever is greater, to Vic Roads. On practical completion of the works, Vic Roads will refund 50% of the deposit and will return the balance after the duration of the defects liability maintenance period (12 months).
37. Vic Roads, in responding to this permit application, is not deemed to have been notified of, or to have given consent to undertake any works within the road reserve proposed within this permit application.
38. The proponent must meet the requirements of the Road Management Act 2004 with respect to notifying and/or seeking consent from Vic Roads to undertake works in the road reserve.

**West Gippsland Catchment Management Authority
Condition**

39. Prior to the commencement of the use, a Waterway Management Plan (WMP) must be developed by a suitably qualified consultant. The WMP must be to the satisfaction of the Authority and clearly set out the short, medium and long term maintenance requirements and responsibilities of the relevant agencies/developers. Any works (i.e. realignment) within 30 metres of the top of bank or that may impact on the bed or banks, or water quality or quantity entering the waterway, requires approval from the Authority under a Works on Waterways permit. Included on this must be a WMP which details the initial stabilisation and vegetation works, establishment of a maintenance regime and long term management and maintenance actions. This WMP must be approved by the Authority before the commencement of any works within 30 metres of the waterway.

Expiry of Permit

40. The use and development allowed by this permit will expire if one of the following circumstances applies:
- a) The use and/or development is not started within two years of the date of this permit;
 - b) The development is not completed within four years of the date of this permit;

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

- B. That Council authorises the Chief Executive Officer to sign and seal any agreement under Section 173 of the *Planning and Environment Act 1987* in accordance with the planning permit arising from Application 2010/307, for the use and development of land for accommodation and the removal of native vegetation at Lot 11 on Lodged Plan 94411, commonly known as 15 Northern Avenue, Traralgon.

Moved: Cr Lougheed
Seconded: Cr Middlemiss

PROCEDURAL MOTION

Moved: Cr Gibson
Seconded: Cr Harriman

That Council defer consideration of this matter until the Ordinary Council Meeting to be held on 3 October 2011.

For the Motion

Councillor/s Vermeulen, Kam, Gibson, Middlemiss, Harriman and White

Against the Motion

Councillor Lougheed

The Mayor confirmed that the Procedural Motion had been CARRIED.

Cr O'Callaghan returned to the Chamber at 8.35 pm.

ATTACHMENTS

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ATTACHMENT 1
History of Application

DATE	EVENT
23 September 2010	Application received by Responsible Authority.
20 October 2010	A request for additional information was forwarded to the applicant to address.
9 November 2010	Revised plans were provided addressing the concerns raised by Council in relation to various aspects of the proposal.
12 November 2010	<p>The permit applicant was directed to undertake the notice requirements of Section 52(1) of the Act by notifying adjoining property owners and occupiers of the proposal and displaying two signs on the site for 14 days.</p> <p>Notice was provided pursuant to Section 52(1)(d) of the Act to Gippsland Water, the West Gippsland Catchment Management Authority, Vic Roads and the Department of Sustainability and Environment.</p> <p>Referrals were provided pursuant to Section 55 of the Act to the General Manager Latrobe Regional Airport and the Department of Transport for consideration.</p> <p>Internal referrals were provided to Council's Infrastructure Planning, Health Services and Natural Environment Sustainability teams for consideration.</p>
1 December 2010	The Latrobe Regional Airport board objected to the granting of a planning permit.
2 December 2010	The West Gippsland Catchment Management Authority objected to the granting of a planning permit.
6 December 2010	The Department of Sustainability and Environment provided comments in regard to the application.
7 December 2010	Six submissions in the form of objections were received to the application.
13 December 2010	A statutory declaration was received from the applicant advising that notice had occurred as per the direction of Council officers.
15 December 2010	<p>Vic Roads objected to the granting of a planning permit.</p> <p>The Department of Transport did not object to the granting of a planning permit.</p>
17 December 2010	A seventh submission in the form of an objection was received to the application.

24 December 2010	A response to the objections from the permit applicant was received
8 February 2011	Gippsland Water did not object to the granting of a planning permit.
17 February 2011	The Latrobe Regional Airport Board revised their response and provided consent to the granting of a planning permit subject to conditions.
16 March 2011	An eighth submission in the form of an objection was received to the application. A Planning Mediation Meeting was held and was attended by the permit applicant, several objectors, a Council planning officer and the Galbraith Ward Councillor. Following this meeting, there were a number of revisions to the plan and additional information to be obtained by the permit applicant.
27 May 2011	Revised information was submitted to the permit applicant to Council following mediation. This information was reviewed internally.
12 July 2011	The West Gippsland Catchment Management Authority withdrew their objection following the revised information provided. The revised information and a letter with additional steps was circulated to the objectors with a template letter providing the opportunity to retract their objections.
27 July 2011	Vic Roads withdrew their objection to the granting of a planning permit subject to conditions.
30 August 2011	A ninth submission in the form of an objection was received to the application.

ATTACHMENT 2
Relevant Ordinance

LATROBE PLANNING SCHEME

State Planning Policy Framework

Clause 11.02 'Urban Growth'
Clause 11.05 'Regional Development'
Clause 12.01 'Biodiversity'
Clause 13.04 'Noise and Air'
Clause 17.03 'Tourism'
Clause 15.01 'Urban Environment'
Clause 16.01 'Residential Development'
Clause 18.01 'Integrated Transport'
Clause 18.02 'Movement Networks'
Clause 18.04 'Airports'
Clause 19.03 'Development Infrastructure'

Local Planning Policy Framework

Clause 21.01 'Municipal Profile'
Clause 21.02 'Municipal Vision'
Clause 21.03 'Natural Environment Sustainability'
Clause 21.04 'Built Environment Sustainability'
Clause 21.05 'Main Towns'
Clause 21.07 'Economic Sustainability'
Clause 21.08 'Liveability'

Zoning – Rural Living Zone Schedule 3

The subject land is located within a Rural Living Zone Schedule 3 and Abuts a Road Zone Category 1.

Overlay – Design and Development Overlay Schedule 6

The subject land is affected by a Design and Development Overlay Schedule 6. The site is also affected by the Latrobe Regional Airport Interim Land Use and Development Controls.

Particular Provisions

Clause 52.03 'Specific Sites and Exclusions'
Clause 52.17 'Native Vegetation'
Clause 52.29 'Land Adjacent to a Road Zone Category 1'
Clause 52.36 'Integrated Public Transport'

General Provisions

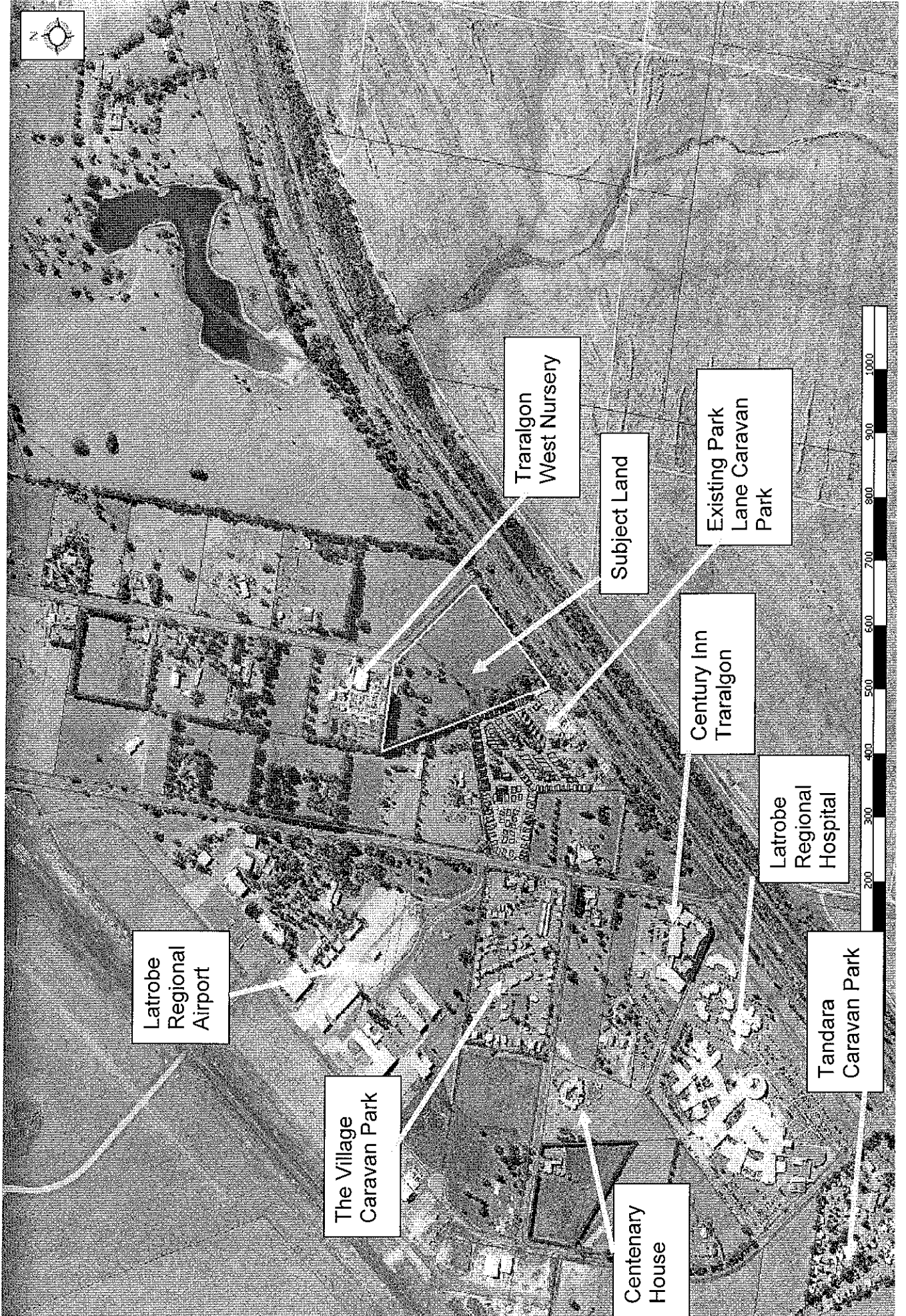
Clause 65 'Decision Guidelines'

Incorporated Documents

The incorporated documents relevant to the consideration of this application are:

- Victoria's Native Vegetation Management – A Framework for Action, August 2002
- Latrobe Regional Airport Interim Land Use and Development Controls, January 2011

ATTACHMENT 3
Locality Plan



Latrobe
Regional
Airport

The Village
Caravan Park

Centenary
House

Traralgon
West Nursery

Subject Land

Existing Park
Lane Caravan
Park

Century Inn
Traralgon

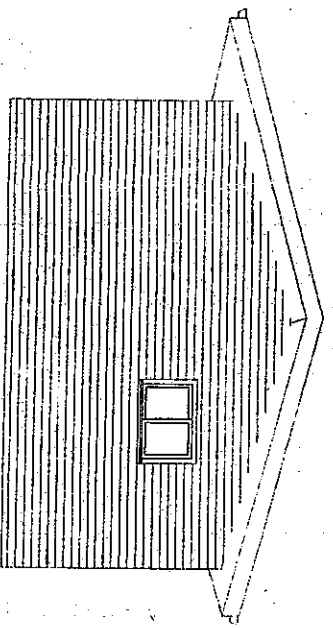
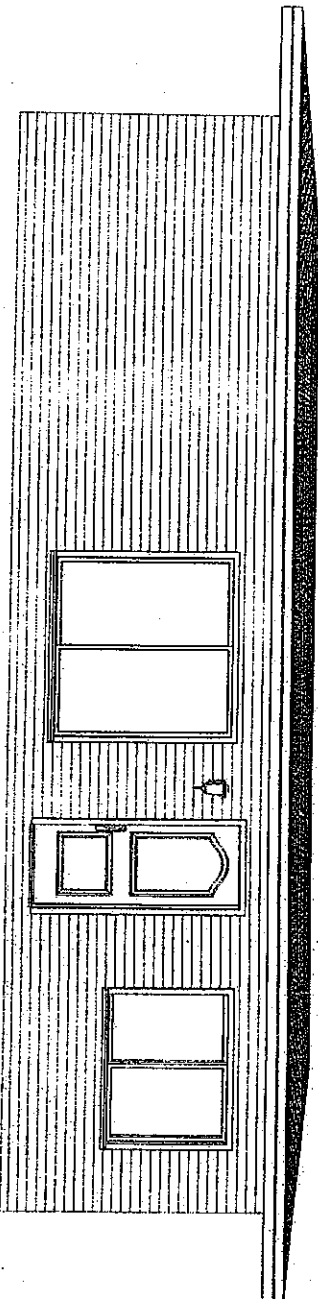
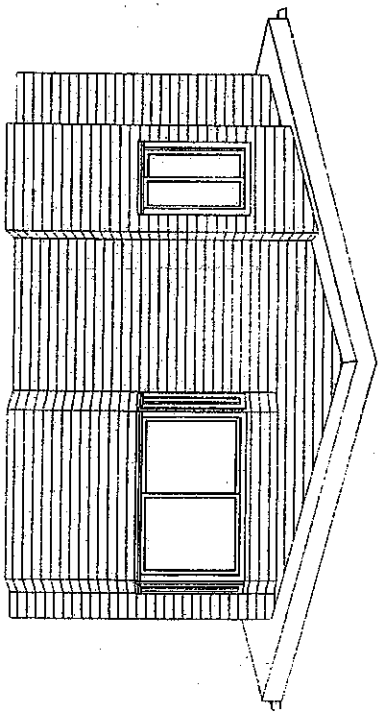
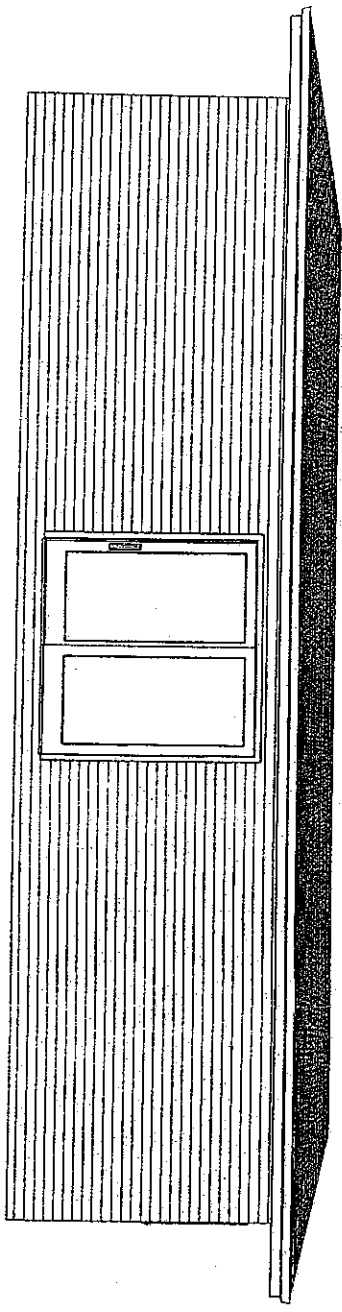
Latrobe
Regional
Hospital

Tandara
Caravan Park



ATTACHMENT 4
Proposed Plans

**Unit - for Park lane
Tourist Park**



Park lane Relocatable Homes

RELOCATABLE
23 SEP 2010
BY: _____

Window Schedule

1. Lounge 2100 x 2100 Sliding Door
2. Lounge/Dining 1800 x 1800
3. Bathroom Window 900 x 600 (opaque)
4. Bedroom 1 2100 x 2100 Bay
5. Kitchen 1000 x 1000 Box Bay
6. Bedroom 2 1200 x 1200

Roof Trusses

Designed and Manufactured by Capeview Trusses

Chassis

Manufactured from 75 x 50 Gal RHS
-Engineer approved Design

Footings

As per requirements for Local Council & Engineers
Computations. (see Drawings)

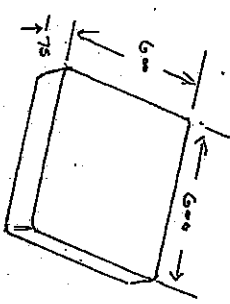
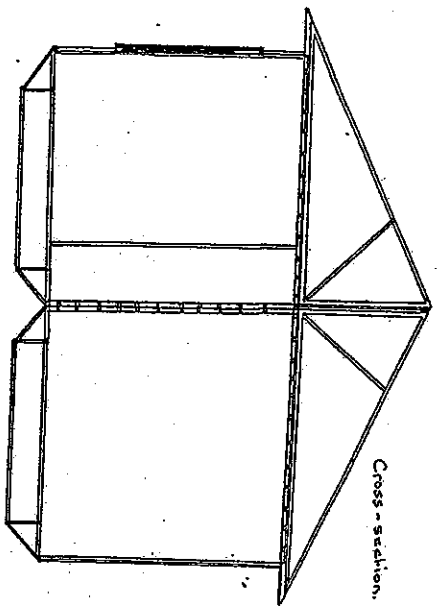
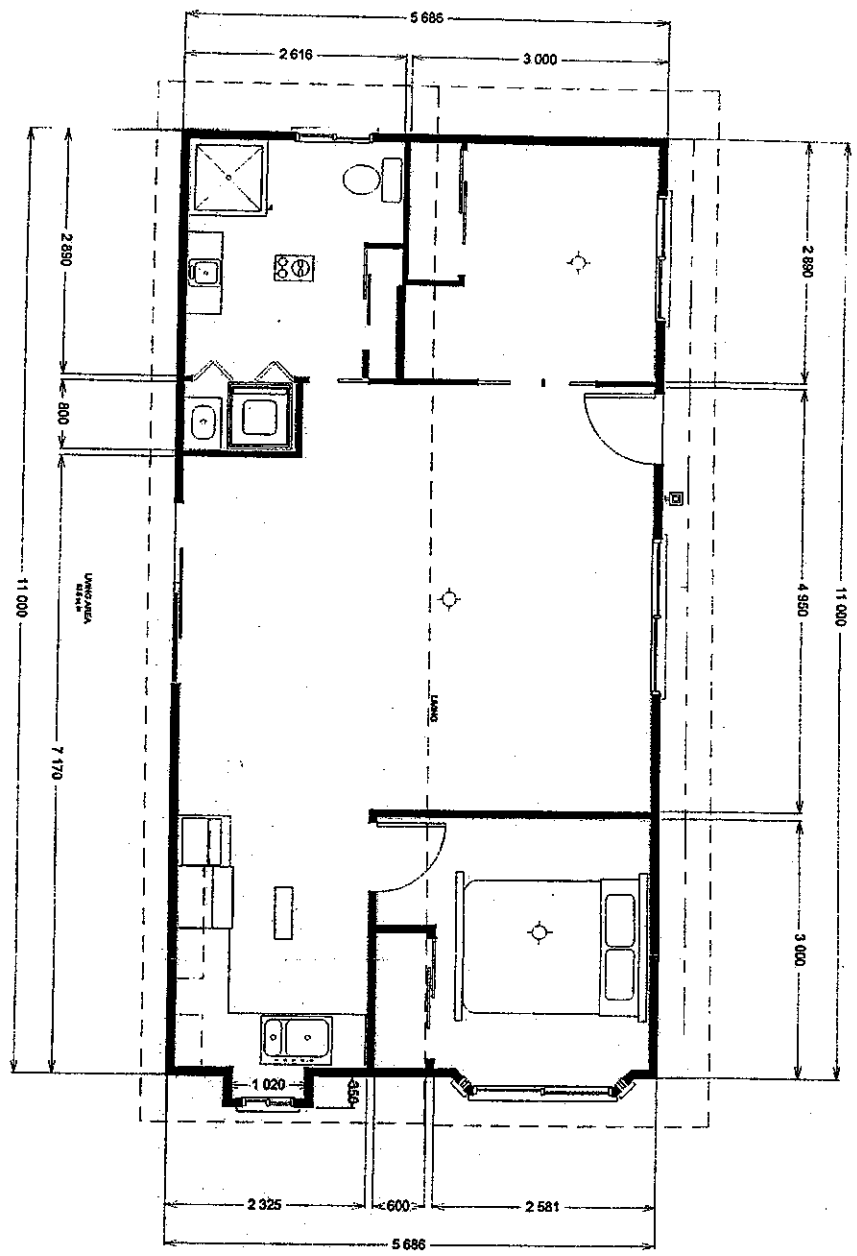
Roofing

Trindeck - colorbond

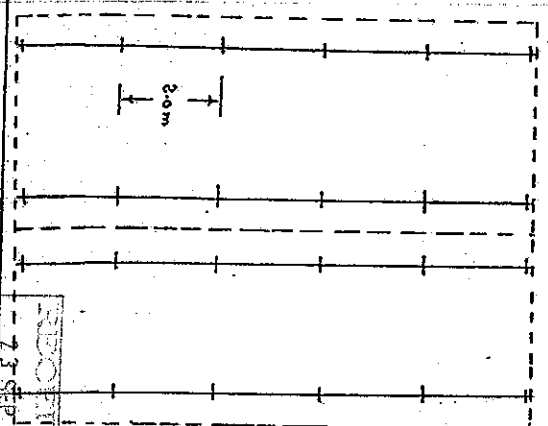
Cladding

Weatherex

FOUNDATION BLACK BATHMANA. (Scale 1:100)



FOUNDATION PLAN
- FG2 REQ -



APPROVED
23 SEP 2018

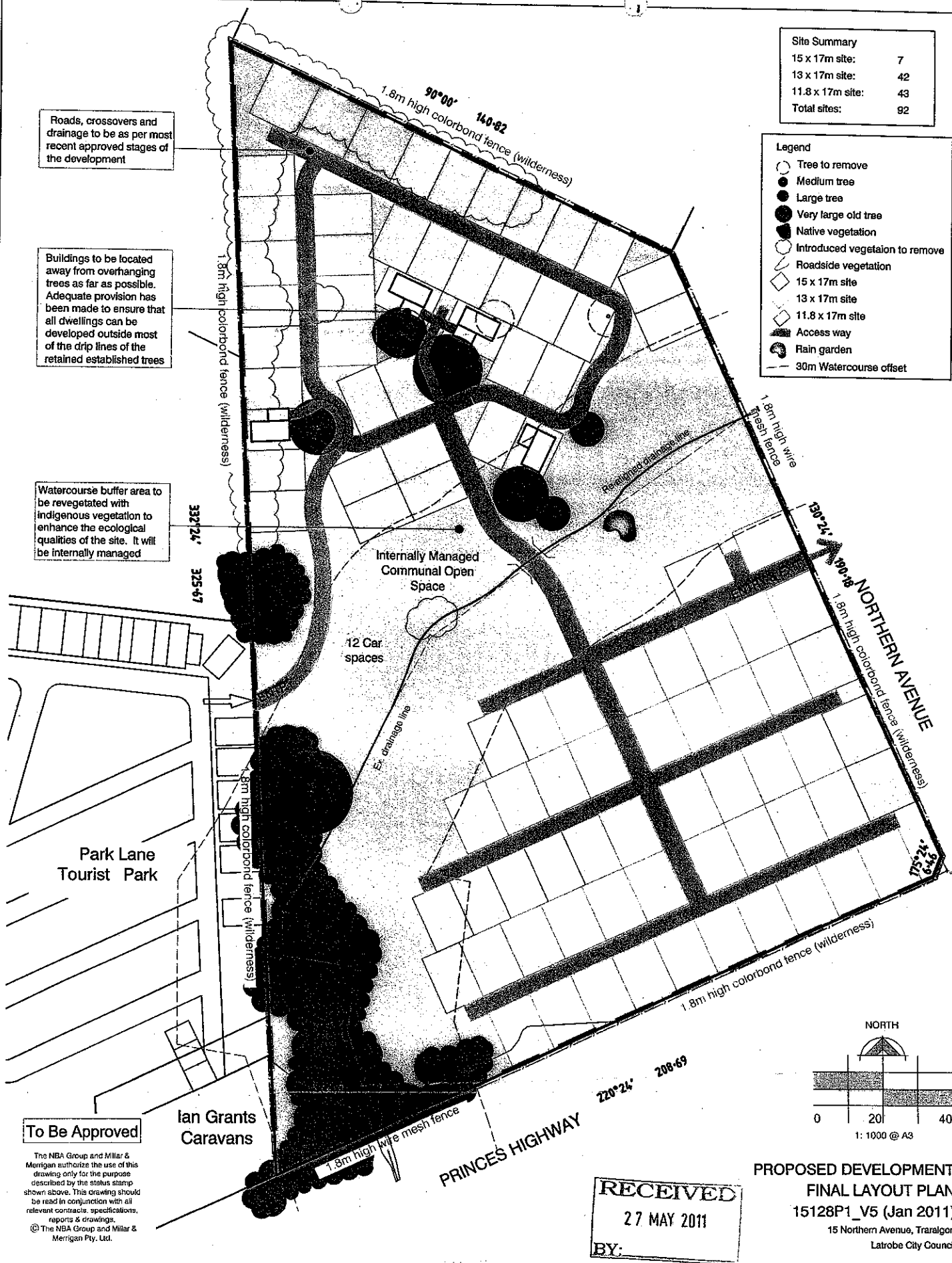
Site Summary	
15 x 17m site:	7
13 x 17m site:	42
11.8 x 17m site:	43
Total sites:	92

Legend	
	Tree to remove
	Medium tree
	Large tree
	Very large old tree
	Native vegetation
	Introduced vegetation to remove
	Roadside vegetation
	15 x 17m site
	13 x 17m site
	11.8 x 17m site
	Access way
	Rain garden
	30m Watercourse offset

Roads, crossovers and drainage to be as per most recent approved stages of the development

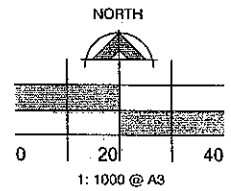
Buildings to be located away from overhanging trees as far as possible. Adequate provision has been made to ensure that all dwellings can be developed outside most of the drip lines of the retained established trees

Watercourse buffer area to be revegetated with indigenous vegetation to enhance the ecological qualities of the site. It will be internally managed



Park Lane Tourist Park

Ian Grants Caravans



To Be Approved

The NBA Group and Millar & Merrigan authorize the use of this drawing only for the purpose described by the status stamp shown above. This drawing should be read in conjunction with all relevant contracts, specifications, reports & drawings.
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RECEIVED
27 MAY 2011
BY:

PROPOSED DEVELOPMENT
FINAL LAYOUT PLAN
15128P1_V5 (Jan 2011)
15 Northern Avenue, Traralgon
Latrobe City Council

NBA Group Pty Ltd
93 Macalister Street
Sale, 3860
M 0418 402 240
O (03) 5143 0340
F (03) 5143 1244
W www.nbagroup.com.au
E nick@nbagroup.com.au

NBA
Planning & Implementing Success

Millar & Merrigan Pty Ltd
ACN 005 541 688
2/126 Menindate Drive Croydon
PO Box 247 Croydon Victoria 3136
T (03) 8720 9500
F (03) 8720 9501
W www.millarmerrigan.com.au
E admin@millarmerrigan.com.au

Millar | Merrigan
LAND DEVELOPMENT CONSULTANTS

Civil Engineering
Land Surveying
Landscape Architecture
Project Management
Town Planning
Urban Design
SAL GLEASON Quality ISO 9001

ATTACHMENT 5
Copy of Submissions

Vince Peluso &
Leeanne Cunningham
[REDACTED]
MORWELL Vic 3840

Tele: [REDACTED] (Home)
[REDACTED] (Business)
[REDACTED] (Mobile)
Email: [REDACTED]

HAND DELIVERED

Monday, 6 December 2010

Latrobe City Council
PO Box 264
MORWELL Vic 3840

Dear Sir/Madam

**RE: Objection – Application for Planning Permit No 2010/307
 Property: 15 Northern Avenue Traralgon**

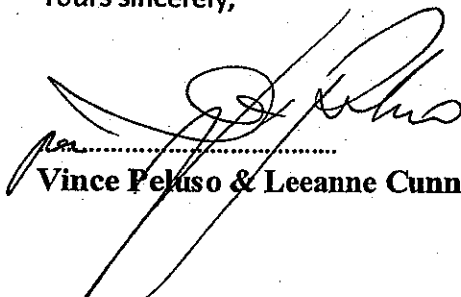
We are residents and property owners of [REDACTED] Traralgon and believe that we and other residents will be adversely affected if the above planning permit application is granted.

Notwithstanding Consultants reports, this area is flat and prone to excessive water runoff during periods of heavy rain. Although we note the proposed upgrading of existing open drain together with installation of water tanks and introduction of "rain gardens", we still hold grave concerns as to whether this will be sufficient to cope with additional run-off.

Our second and main area of concern relates to traffic issues. Northern Avenue is a relatively narrow street coming off the Princess Highway. This application proposes to establish an additional 116 residents with access solely via Northern Avenue. Already, any car wishing to turn left from Northern Ave into Princess Hwy needs to exercise extreme care, as speed limit on the highway at this intersection is 100kmph (as is the speed limit along Northern Ave itself). With the proposed additional 116 residents, it stands to reason that traffic flow will be substantially increased and intersection become highly dangerous for cars entering and exiting Northern Ave. As this permit application is silent in relation to traffic management, we believe a full traffic impact study be commissioned prior to Council making any decision.

We request that our objections be noted on the basis outlined above.

Yours sincerely,


Vince Peluso & Leeanne Cunningham

LATROBE CITY COUNCIL INFORMATION MANAGEMENT	
RECEIVED	
07 DEC 2010	
R/O:	Doc No: 591366
Commitments/Copies Circulated to:	
<input type="checkbox"/> Copy registered in DataWorks	<input type="checkbox"/> Invoice forwarded to accounts

December 6, 2010

Mr Paul Buckley,
CEO,
Latrobe City Council,
PO Box 264,
Morwell, Vic, 3840

Dear Sir:

We are writing to you to inform you of our objections to Planning Permit Application 2010/307, at 15 Northern Avenue Traralgon.

The proposed development is to extend the existing Park Lane Caravan Park, with the construction of 116 cabins on the 10 acre site.

Firstly, while acknowledging that the cabins will be of a demountable, portable type, we feel that the number of people living within that 10 acre area, whether transient or permanent, in effect constitutes a high density housing development, very much at odds with the current zoning ("Rural Living"). While the block will not have been subdivided, the effect will be the same as it having been rezoned "High Density Accommodation", within a "Rural Living" Zone.

Secondly, we are concerned about the road infrastructure and its ability to cope with the greatly increased traffic. With even only one vehicle per cabin feeding onto Northern Avenue, both in and out, the traffic will be increased by possibly three times that which it currently carries. There are currently only two exits from Northern Avenue, onto the Princess Highway and into Airfield Road via Easterly Drive. Even with current traffic loads, it can be quite difficult to exit onto either of these roads at peak times. Such increased volumes of traffic will also adversely affect the safety of the residents, including children and animals, living along Northern Avenue.

Thirdly, and following on from point two, if the proposed development was to go ahead and it was found that the road infrastructure needed to be upgraded, who would bear the cost? Northern Avenue is a private road, as all residents were informed when we were required to pay for the sealing of the road. We are not prepared to pay for such an upgrade which would be primarily for the benefit of the owners of 15 Northern Avenue. We seek assurance that if such an upgrade is required, the costs will solely be borne by the owners of 15 Northern Avenue since the necessity will have come about by those owners seeking to increase their own business profits.

Fourthly, the proposed fencing (1.8 meter Colourbond) will have a detrimental effect on the rural environment of Northern Avenue. Such a fence will be completely out of place in an area currently fenced by wire fences, trees and hedges. The appearance of such a fence is more industrial than rural. We also have concerns that the height and opacity of such a fence will cause reduced visibility and increased danger to those turning onto the Princess Highway from Northern Avenue.

LATROBE CITY COUNCIL
INFORMATION MANAGEMENT

RECEIVED

07 DEC 2010

R/O:	Doc No: 591368
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December 6, 2010

Fifthly, while we acknowledge that the land in question can be drained effectively into the current drain, as per the detailed drainage report, we note that no investigation was performed into the effect such increased Net flows will have on the properties through which this drain runs, ours being one of them. We already experience minor flooding of our paddocks at times and have experienced flooding to such an extent that the water reached our house yard fence, as the attached photographs show. We are extremely concerned that the increased flows will cause more and greater flood events, even to the stage where our house is threatened. We believe that this development should not be allowed to go ahead until a far wider reaching and detailed drainage report is carried out. Perhaps in a suburban environment it is enough to ensure proper drainage into council assets, but this is a rural area without the infrastructure available within the town borders. Increased flows from one property can have devastating effects to properties downstream.

Sixthly, we feel that the reduced aesthetics of the area, increased traffic and possibility of increased flooding will definitely have a detrimental effect on the property values along Northern Avenue. Also, whether deserved or not, caravan parks have a poor reputation as neighbors. The common perception is that people living in caravan parks on a permanent or semi-permanent basis are of a lower socio-economic level and that crime is more prevalent around such establishments. While we have no doubt that the Park Lane caravan park is well run and orderly, the effect on prospective buyers in our area is more than likely to be detrimental, influenced by more poorly run establishments.

We respectfully request that you consider our objections before issuing a permit for this development to go ahead.

Sincerely,

Kenneth John Martin *Julie-Anne Martin*

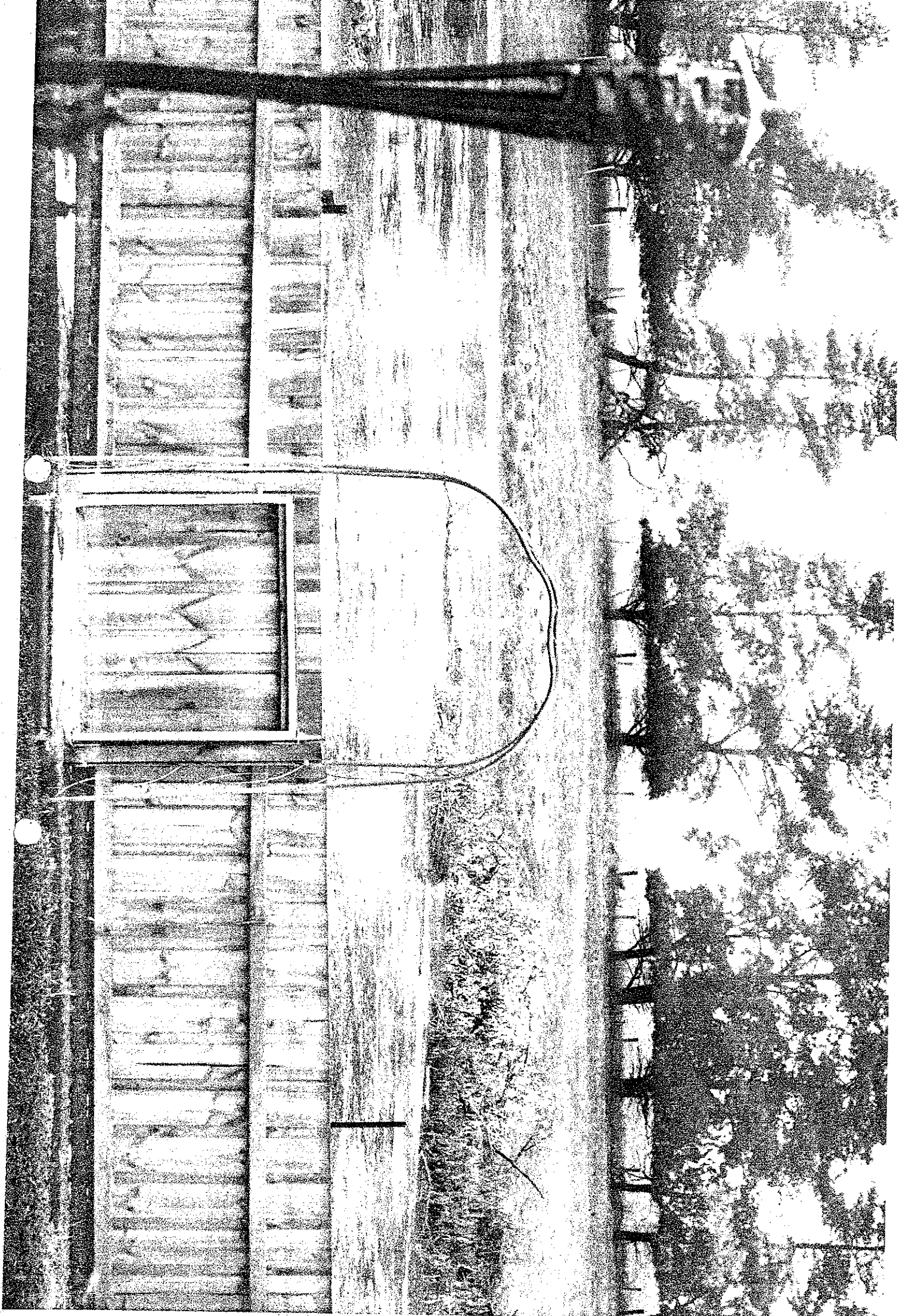
Kenneth John Martin and Julie-Anne Martin,

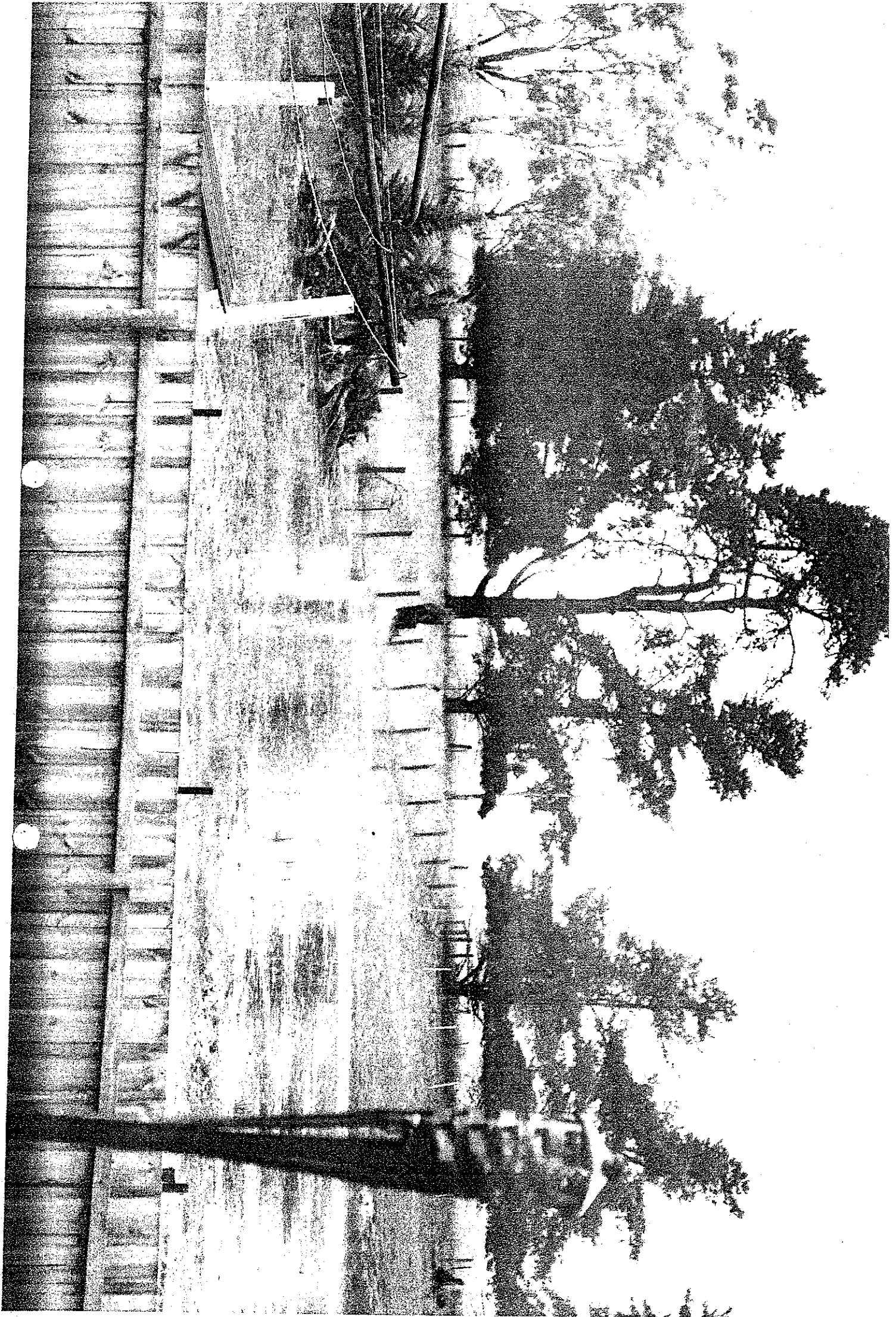
████████████████████
Traralgon, Vic, 3844.

Ph. ██████████











Traralgon West Nursery

25 Northern Avenue Traralgon 3844
Ph (03) 51741666 Fax (03) 51743593
Email – traralgonnursery@speedweb.com.au

6th December 2010

Attention: The Responsible Officer
Planning Department
Latrobe City Council
PO Box 264
MORWELL 3840

LATROBE CITY COUNCIL INFORMATION MANAGEMENT	
RECEIVED	
07 DEC 2010	
R/O:	Doc No. 591369
Comments/Copies Circulated to	
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Dear Sir/Madam

PLANNING APPLICATIONS REFERENCE NO: 2010/307
PTY: 15 NORTHERN AVE TRARALGON

We the owners of No. 25 & 55 Northern Ave Traralgon West wish to object to Planning Application No. 2010/307, relating to the proposed development of land for accommodation (camping and caravan park).

Firstly, we believe this development is not in accordance with the provisions or intent of the Latrobe Planning Scheme Amendment C23, in particular clause 21.04 which requires certain objectives and strategies with a view to retaining the rural character of the area.

This proposal does not in any way fall within the ambit of clause 21.04 in that the proposal is to hard surface most of the property and to locate 116 dwellings on site in anyone's terms this could not be considered camping or caravanning, but rather constitute a highly concentrated mini housing estate.

The creation of such will concentrate considerable storm water run off which has nowhere to go but onto three 2.5 hectare privately owned properties situated on the eastern side of Northern Ave.

On the point of improving tourism we suggest that these units are not tourist orientated but cater for low socio economic long term tenants and have no relationship with tourism and seriously detract from the rural objective that Amendment C23 is supposed to encourage.

We believe the placement of 116 dwellings all painted bright and different colours not only detracts from the amenity of the area but presents somewhat of an eyesore which will only deteriorate over time.

Amendment C23 clearly states the following

TOURISM:

"tourism activities are encouraged in the area identified around Airfield Road and Northern Ave. Activities showcasing the region for example Art/Crafts, Market and recreational uses are supported. Commercial activities are to have a tourism focus. Car, Boat, Caravan Sales and standard commercial uses, for example free standing restaurants are discouraged.

Commercial and residential activities that should be located in the main urban settlements are discouraged. Activities however that have a direct link with the tourist function of the locality may be acceptable."

COMMENT:

This proposal does nothing to enhance tourism to any greater degree than currently exists there are no additional provisions for caravans, motorhomes, tents, or the like, the applicant clearly states that this type of accommodation is widely sought after and attracts 100% occupancy. We doubt that, however, it is true to say that the reason it is sought after is that it is cheap and given the passing of time also becomes nasty, and not the sort of development Council should be seeking as it will inevitably add to its welfare support problems.

It is difficult to imagine how such a development could meet a 5 star rating considering it's density.

ACCOMMODATION C23

"Short term accommodation meeting the needs of travellers and key land uses in the corridor is supported"

COMMENT

This development does not provide for short term accommodation these dwellings will be occupied by long term occupants on a permanent or semi permanent basis.

The planning amendment clearly states that in this area "standard residential development is discouraged", and that refers to one dwelling only, whilst this development requests 116 dwellings, if each average 3 occupants per unit there would with full occupancy be 348 people in residence.

Is this good planning, we don't consider this to be the case.

ROAD FUNCTIONS

This development will place an extra loading on Northern Avenue with at least 232 new car movements per day.


Also the height of the proposed fence at 2.1 metres creates a line of site barrier at the corner of Princes Hwy and Northern Ave to traffic turning left into Northern Ave. Recently there was a serious accident at this intersection.

There is no mention in the proposal of the availability of sewage services, gas and electricity, no mention of nighttime lighting of the facility and its effect, if any, on adjoining properties, no mention of noise likely to be created by the activities on the site, no mention of fire services to be provided and the added water consumption which will occur to the reticulated system.

It might be advantageous to add at this point that the site in question has been seen in the past to flood, we have actually seen it to a depth of approximately 300mm in years gone by, also the drain across the block has no legal standing as it was dug with the permission of the current owner of the property, by the then owner of the original Glenlee Caravan Park back in the late 1970's.

To conclude we thank Council for considering the foregoing and reiterate as long term residents and ratepayers of this area we do not wish to see this type of development in our area as it detracts from the rural character and devalues existing property values.

Yours sincerely



Traralgon West Nursery
GD & SM Potter

Responsible Authority
Latrobe City Council,
P.O. Box 264,
Morwell 3840

LATROBE CITY COUNCIL INFORMATION MANAGEMENT	
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6th December, 2010

Dear Sir/ Madam,

OBJECTION TO:- PLANNING APPLICATION NO.2010/307

15 Northern Avenue, Traralgon : NBA Group Pty Ltd

We wish to advise of our strong objection to the above application for the following reasons-

1. The proposal of an extension to the Caravan Park, with 116 Units for the site, gives us grave concern towards the extra runoff to be created by these residencies. The drains (which are only spoon drains along the full length of Northern Ave & Easterly Drive) do not cope with any heavy rain. They flood and block regularly on both sides of the road. The drain crosses directly in front of our home and under the road to the other side, which crosses thru the opposite residents property via a manmade drain. This is not a natural waterway. In winter our driveway is often covered in water, we are regularly clearing the pipe ends as they do not have official maintenance (i.e. Vic Roads or Council). All water, excess runoff etc will end up in the drains creating an extra hazard for ourselves.
2. Sewerage storage is of great concern as sewerage is not connected to this area. The volume of sewerage to be disposed of from 116 cabins would surely create an unhealthy environment.
3. We approached Vic Roads in 2004. (Letter from Vic Roads attached) requesting for an access road from the Princes Highway into Northern Avenue and was advised this would add "an additional conflict point" for the Highway traffic. This proposal will surely increase traffic coming out of Northern Avenue and increase the risk of collisions. As I use the highway entry from Northern Avenue to take my children to school, I have noticed the highway traffic has increased, which concerns me having a potential 116 (minimum) vehicles coming out of the proposed caravan park.

4. The vision of multicoloured cabins with a 2.1 metre high colorbond fence running along the property boundary on Northern Avenue will destroy the aesthetic appearance of our neighbourhood, creating the appearance of a carnival within a commercial property, and destroy the environment created by the Traralgon West Nursery. This fencing should be off the boundary with landscaping created within its own property and not the nature strip. Fencing on the property boundary will also impede the vision of Highway and Northern Avenue traffic entering and exiting.
5. This application for 116 unit sites, will more likely accommodate permanent or semi permanent residents. There appears to be no sites for caravans or tents which are used in tourism business's, giving more of the impression of high density living. This will change the socio-economic environment of our neighbourhood, with the probability of increased home security issues.
6. Street lighting for night traffic is also an issue on Northern Avenue as there is currently no street lighting.

Please take into account our objection as the value of our home and our quality of life is at an extremely high risk of damage if approval is given to this application.

Yours Truly



P. & E. Panayiotou

~~XXXXXXXXXXXX~~
Traralgon, Vic 3844

COPY

vic roads

ABN 61 760 960 480
Eastern Victoria Headquarters
PO Box 158 Traralgon Victoria 3844

Tel: (03) 5172 2666
Fax: (03) 5176 1016

www.vicroads.vic.gov.au

Mrs E Panayiotou
RMB 6010 Northern Avenue
TRARALGON VIC 3844

Date: 17 December, 2004

Contact: Harvey Dinelli
Telephone: 5172 2627
Our Ref:
File No: MU 000 LAT

Dear Mrs Panayiotou

NORTHERN AVENUE & PRINCE HWY, TRARALGON

Thank you for your letter dated 26 October 2004, addressed to Ms Julie Cahir, regarding the intersection of Airfield Road and the Princes Highway and access to Northern Avenue. Julie has asked me to investigate your concerns.

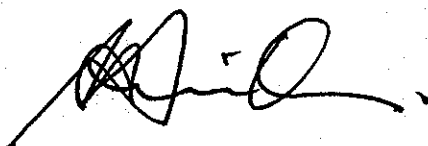
Since receiving your letter VicRoads has inspected the intersection of Airfield Road and the Princes Highway and considers that the design of the intersection is appropriate for vehicles wishing to do a U-Turn. The sight distance at the intersection for vehicles doing a U-Turn is good with adequate opportunity to see vehicles approaching from Morwell and departing from Airfield Road.

VicRoads endeavours to minimise the amount of median openings on divided highways to provide a safer driving environment for through traffic. The provision of a median opening at Northern Avenue would provide an additional conflict point for traffic.

The access to Northern Avenue for Traralgon traffic, via a U-Turn at Airfield Road, is considered the safer option in the interest of all road users at this location.

If you require any further information please contact me on telephone 5172 2627 and I would be pleased to discuss your concerns.

Yours sincerely



HARVEY DINELLI
MANAGER PROGRAM DEVELOPMENT

Cosimo Prestipino
[REDACTED]
TRARALGON 3844

6th December 2010

Attention: The Responsible Officer
Planning Department
Latrobe City Council
PO Box 264
MORWELL 3840

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Dear Sir/Madam

PLANNING APPLICATIONS REFERENCE NO: 2010/307
PTY: 15 NORTHERN AVE TRARALGON

I am the owner of No. [REDACTED] Traralgon West. I wish to object to Planning Application No. 2010/307, relating to the proposed development of land for accommodation (camping and caravan park).

I am concerned as to the construction of 116 Units and the Princes Hwy end of Northern Ave Traralgon.

The creation of such a community residential facility will concentrate a considerable amount of storm water run off onto Northern Ave which has nowhere to go but onto three 5 acre properties situated on the eastern side of Northern Ave immediately before my property. My property sits directly behind these properties and this storm water poses a significant issue to my property.

I have been advised and understand that this development is not in accordance with the provisions or intent of the Latrobe Planning Scheme Amendment C23 (clause 21.04) which requires objectives and strategies with a view to retaining the rural character of the area.

It is also my understanding that this application has been made on the basis that it is a tourist destination. How can this be the case when it has only allowed for permanent units, not passing caravans and campers.

The construction of 116 dwellings all painted bright and different colours will be ~~an~~ an eyesore. These properties will only look worse over time, not better. I believe that this development will devalue my property.

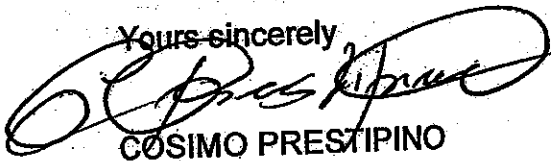
This development will place extra traffic on Northern Avenue with at least 200 new car movements per day.

Also the height of the proposed fence at 2.1 metres creates a line of site barrier at the corner of Princes Hwy and Northern Ave to traffic turning left into Northern Ave. This fence is apparently going to be made of colourbond material which is likewise an eyesore, and will not do anything to add value to my property and will reduce the rural outlook to our street.

In the planning permit application that has been no mention of the availability of sewage services, gas and electricity, nor any mention of nighttime lighting of the facility and its effect. There also has not been any mention of noise likely to be created by the activities on the site. What will be the extra strain on our water supply, with such a concentration of people at the end of our street?

I look forward to your response.

Yours sincerely


COSIMO PRESTIPINO

RECEIVED
07 DEC 2010

ROPAN Financial Planning Group
ABN 50 096 682 049

P.O. BOX 139
Traralgon 3844
Ph: 0351 74 6755
Fax: 0351 74 6799

Fax

To: Latrobe City Council	From: Antonio & Livia Panozzo-Tilé
Fax: 5128 56 72	Date: 7/12/2010
Attn: The Responsible Officer - Planning Department	Pages: 4
Re: 2010/307	CC: [REDACTED]

Dear Responsible Manager,

Re: PLANNING APPLICATIONS REFERENCE NO: 2010/307
PTY: 15 NORTHERN AVE TRARALGON

Please find enclosed Letter of objection relating to reference no: 2010/307.

If you have any further questions, please contact me on (03) 5174 6755.

Yours sincerely,


Jason Panozzo-Tilé

COPY ISSUE

Mr Antonio & Livia Panozzo-Tile
 [REDACTED]
 Traralgon, Vic, 3844

6th December 2010

Attention: The Responsible Officer
 Planning Department
 Latrobe City Council
 P O Box 264
 Morwell, Vic, 3840

LATROBE CITY COUNCIL INFORMATION MANAGEMENT	
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Re: PLANNING APPLICATIONS REFERENCE No: 2010/307
 PTY: 15 NORTHERN AVE TRARALGON

We the owners of [REDACTED] Traralgon West wish to object to Planning Application No. 2010/307 relating to the proposed development of land for accommodation (camping and caravan park).

Firstly, we believe this development is not in accordance with the provisions or intent of the Latrobe Planning Scheme Amendment C23, in particular clause 21.04 which requires certain objectives and strategies with a view to retaining the rural character of the area.

This proposal does not in any way fall within the ambit of clause 21.04 in that the proposal is to hard surface most of the property and to locate 116 dwellings on site in anyone's terms this could not be considered camping or caravanning but rather constitute a highly concentrated mini housing estate.

The creation of such will concentrate considerable storm water run off which has nowhere to go but onto three 2.5 hectare privately owned properties situated on the eastern side of Northern Ave.

On the point of improving tourism we suggest that these units are not tourist orientated but cater for low socio economic long term tenants which has no relationship with tourism and seriously detracts from the rural objective that Amendment C23 is supposed to encourage.

We believe the placement of 116 dwellings all painted bright and different colours not only detracts from the amenity of the area but presents somewhat of an eyesore which will only deteriorate over time.

Amendment C23 clearly states the following

TOURISM:

"tourism activities are encouraged in the area identified around Airfield Road and Northern Ave. Activities show casing the region for example Art/Crafts, Market and recreational uses are supported. Commercial activities are to have a tourism focus. Car, Boat, Caravan Sales and standard commercial uses, for example free standing restaurants are discouraged.

Commercial and residential activities that should be located in the main urban settlements

are discouraged. Activities however that have a direct link with the tourist function of the locality may be acceptable."

COMMENT:

This proposal does nothing to enhance tourism to any greater degree than currently exists. There are no additional provisions for caravans, motorhomes, tents, or the like, the applicant clearly states that this type of accommodation is widely sought after and attracts 100% occupancy. In our view this is speculative and not objective, however, it is true to say that the reason it is sought after is that it is low cost and given the passing of time also becomes nasty, and not the sort of development Latrobe Council should seek as it will inevitably add to its ongoing maintenance budget, which based on historical discussions is insufficient for current infrastructure support.

It is difficult to imagine how ~~such a development~~ could meet a 5 star rating, ~~considering the~~ Density and location.

ACCOMMODATION C23:

"Short term accommodation meeting the needs of travellers and key uses in the corridor is supported"

COMMENT:

This development does not provide for short term accommodation, these dwellings have been and will continue to be occupied by long term occupants on a permanent or semi permanent basis.

The planning amendment clearly states that in this area "standard residential development is discouraged", and that refers to one dwelling only, whilst this development requests 116 dwellings, if each averages 3 occupants per unit there would in effect be occupancy of 348 people in residence.

Is this good planning, we don't consider this to be the case.

ROAD FUNCTIONS:

This development will place an extra loading on Northern Avenue with at least 232 new car movements per day.

Also the height of the proposed fence at 2.1 metres creates a line of site barrier at the corner of Princes Hwy and Northern Ave to traffic turning left into Northern Ave. Recently there was a serious accident at this intersection due to current road structure.

There is no mention in the proposal of the availability of sewage services, gas and electricity, no mention of nighttime lighting of the facility and its effect, if any, on adjoining properties, no mention of noise likely to be created by the activities on the site, no mention of fire services to be provided and the added water consumption which will occur to the reticulated system.

It might be advantageous add at this point that the site in question has been seen in the past to flood, we have actually seen it to a depth of approximately 200-300mm in years gone by, also the drain across the block has no legal standing as it was dug with the permission of the

current owner of the property, by the then owner of the original Glenlee Caravan Park back in the late 1970's.

To conclude we thank Council for considering the foregoing and reiterate as long term Residents and ratepayers of this area we do not wish to see this type of development in our area as it detracts from the rural character and as such devalues existing property values based on current trends which have emerged in other areas.

Yours sincerely,

A. Panozzo Tile
Mr Antonio Panozzo-Tile
[Redacted]
Traralgon, Vic, 3844

Nivia Panozzo Tile
Mrs Nivia Panozzo-Tile
[Redacted]
Traralgon, Vic, 3844

p.s. We also authorise Latrobe City Council to discuss this letter of objection, and other matters regarding Planning application reference number 2010/307 with our son Mr Jason Panozzo-Tile on [Redacted], or direct on [Redacted].

7th December 2010

Attention: Planning Dept
Latrobe City Council
P.O. Box 264
MORWELL 3840

Dear Sir/Madam,

PLANNING APPLICATION No 2010/307
Property 15 Northern Ave Traralgon

We are the current owners of [REDACTED]. We have recently purchased this property.

We have recently become aware of the above application for a planning permit on the property at 15 Northern Ave Traralgon. We advise that we wish to lodge an objection to this development taking place. We are opposed to the development of 116 units to be placed at the end of our street and do not believe that this comes within the parameters of the Latrobe Planning Scheme Amendment C23. This application does not, in our opinion, fall within the guidelines of caravan and camping grounds, given that these units are permanent. We find it very hard to believe that they will be housing 116 tourists at any one time, that do not have caravans or tents. This is not intended as a tourist facility. Further we are concerned about the increased traffic flow on our street, given that the entry/exit point faces Northern Ave.

We also wish to express our dismay at the visual impact this will have on our street and the potential to reduce the value of our property. As we mentioned above we purchased our property recently with the intent of living in a rural environment, not close to a high density facility.

We thank you for your time to consider our objection and look forward to your response.

Yours Sincerely,



Clay & Kristy Leslie

C & Leslie

[REDACTED]

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Attention:
Planning Department
Latrobe City Council
P.O. Box 264
MORWELL 3840

15th March 2011

Dear Sir/Madam

**Re: OBJECTION TO PLANNING APPLICATION NO: 2010/307
FOR CARAVAN PARK EXTENSION AT 15 NORTHERN AVENUE
TRARALGON 3844**

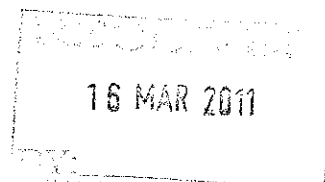
The land holder of eighty Northern Avenue, Traralgon objects to the Planning Application No.2010/307 for the proposed caravan park extension and raises these objections below.

OBJECTION ONE: No communication to the above land holder. In the absence of any communication from Latrobe City Council on a matter that adversely impacts on the land holder's interests, amenity and property, the only conclusion that can be drawn is that there is a vested interest above that of the rights of the property owner. I strongly object to the council's lack of consultation as it is apparent that it places me at a distinct disadvantage to the interests of the party that proposes the caravan park extension. The lack of consultation or communication (no letters received, no telephone calls, nothing from the council at all) is further compounded by a lack of time to fully prepare or to register my attendance at the meeting on the 16th of March.

OBJECTION TWO: No communication to the above land holder on the implications to changes of current land use and requirements under current legislation on Rural Residential Subdivision.

OBJECTION THREE: No communication to the above land holder on the implications of traffic use, noise and abatement in terms of changing the current status of a privately funded road to that of public access. The lack of communication on this important issue underpins the objection as there will be direct impact caused by increased traffic noise and pollution. Increased traffic use is likely to cause deterioration to the road surface. The land holder requests that the Latrobe City Council states to take full responsibility and pay remedial works resulting from road damage as well as for future maintenance caused by increased traffic from the caravan park extension.

OBJECTION FOUR: No communication to the above land holder on the number of dwellings proposed or the number of people expected to inhabit these properties. The lack of communication underpins the objection as there will be direct impact on the amenity and consideration of the zone described as Rural Residential.



OBJECTION FIVE: No communication to the above land holder on the council's proposition to increase rates and charges as a result of the above caravan park extension. The lack of communication underpins the objection as it will eventuate that there will be an increase in rates and charges as a consequence of the caravan park extension.

OBJECTION SIX: No communication to the above land holder on the direct impact of environmental degradation to the land holder's property. The lack of consultation on this critical matter as storm water and septic tank discharge from the caravan park extension will flow into the creek running through the land holder's property. The lack of consultation on the matter of water discharge underpins the objection that the land holder's property is likely to be subjected to flooding and environmental degradation. The land holder requests that the Latrobe City Council underwrites the land holder's insurance to include an indemnity clause that exonerates the land holder and states to take full responsibility for compensation or remedial works resulting from environmental damage caused by the caravan park extension development.

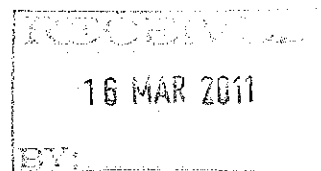
OBJECTION SEVEN: No communication to the above land holder on the health and safety risk of polluted water discharge, including petrol, solvents, diesel and other pollutants (human, animal and manufactured). With the proposed extension of the caravan park, the storm water from the development is to flow into the Northern Avenue storm water drain. The Northern Avenue storm water drain runs along the front of Lots twelve, thirteen and fourteen Northern Avenue, before crossing under the Northern Avenue road. The drain then runs through land on Northern Avenue properties, Lots six, seven and eight.

OBJECTION EIGHT: The council is silent on the above matters as they have not been communicated to the above land holder. Further, owing to work commitments, and the fact that Monday the 14th of March was a public holiday, the land holder is further disadvantaged by the lack of communication. Other Northern Avenue residents received letters while I and others did not. The lack of consultation to the above land holder underpins the objection to what appears to be an engineered strategy to bulldoze the amendments to the detriment of *all* residents in Northern Avenue.

Please note: I wish my objections to be heard at the meeting on the 16th of March seeing that you have been silent in consulting me.

Dr. Mary A. Burston

Traralgon, Vic 3844.



Planning Department
Latrobe City
P.O. Box 264
MORWELL 3840

24th August 2011

To the Planner,

Re: Reference no. 2010-307

We object to the development of more units/sites being built at the Airfield Rd Caravan Parks, especially at 15 Northern Ave, Traralgon.

We are the owners of [REDACTED] and write on behalf of ourselves and our elderly mother over whom we have Enduring Power of Attorney.

The reason for our objection is the lack of proper drainage. In most winters, large areas of our block, surrounding blocks and the road at Northern Avenue flood. On several occasions water has come within feet to the front door of our house. This also causes other problems, for instance the septic tanks become full of water causing the pumps to work continuously to empty it which puts enormous strain on the pumps and also uses more electricity. If the sewage seeps out of the tank than it is reaches the surface and is hazardous. Much of the garden has large areas of standing water drowning plants. The paddock with goats is also affected and it is not good for the animals to stand in water for such periods. The road is also used by private landowners and the public entering the Traralgon West Nursery, which is inconvenient and unsafe when flooded.

Increasing development would exacerbate the problem, due to increased runoff from the developed area and particularly with the La Nina high rainfall events, which would also cause water to enter the house. If any developments go ahead than I would ask Latrobe City to write to inform us that proper drainage has been conducted at the caravan park so surrounding areas are not adversely affected.

The gutter/channel along Northern Avenue, particularly near the highway end, has not been dug out for about 30 years and has not been maintained. During this time the road was unsealed and much sediment washed into the channel and now needs to be dug out to an appropriate depth, to allow runoff to drain quickly to prevent flooding. As ratepayers we expect Latrobe City to clean out and maintain gutters at Northern Ave, particularly as they flood.

Please reply to Sylvia Leibrecht, [REDACTED] Traralgon rather than my elderly mother or call me on [REDACTED] Please find enclosed photo of a flooded channel and paddock at Northern Ave.

Yours faithfully,

S. Leibrecht

Sylvia Leibrecht on behalf of Maria Bela(Leibrecht) and Michael Leibrecht.

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ATTACHMENT 6
Traffic Management Report

Our Ref: JM16030

11 May 2011

G & C Hellings
c/- Millar & Merrigan Pty Ltd
PO Box 247
CROYDON VIC 3136

Attention: Ms. Brooke Nanscawen

Dear Brooke

RE: 15 NORTHERN AVENUE TRARALGON
PROPOSED CAMPING AND CARAVAN PARK

1. Background

A planning permit application (Latrobe planning permit application No.2010/307) has been submitted to develop vacant land at 15 Northern Avenue, Traralgon, into a camping and caravan ground land use providing accommodation units. The proposal includes:

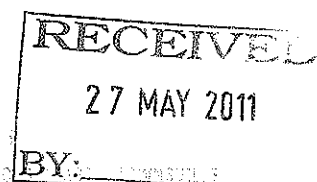
- 92 self contained accommodation units
- 1600m² communal open space
- internal roads, driveways and pedestrian paths
- 12 visitor car parking spaces
- fencing, security gates and landscaping.

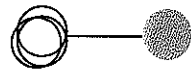
In response to this application, VicRoads issued a letter dated 9 December 2010, which indicated that it objects to the issuing of the planning permit, however it would re-assess its objection subject to a number of conditions, including submission of a traffic impact assessment report which assessed the impact of the proposed development on the adjoining intersections.

GTA Consultants has been engaged by Millar Merrigan on behalf of G & C Hellings to prepare the traffic impact assessment report.

In preparing this report, reference has been made to the following:

- NBA Group report dated 21/09/10
- letter from Alison Leeson of VicRoads to Tom Vercoe of Latrobe City dated 09/12/10
- plans for the proposed development prepared by Millar Merrigan
- traffic surveys undertaken by GTA Consultants as referenced in this report
- an inspection of the site and its surrounds.





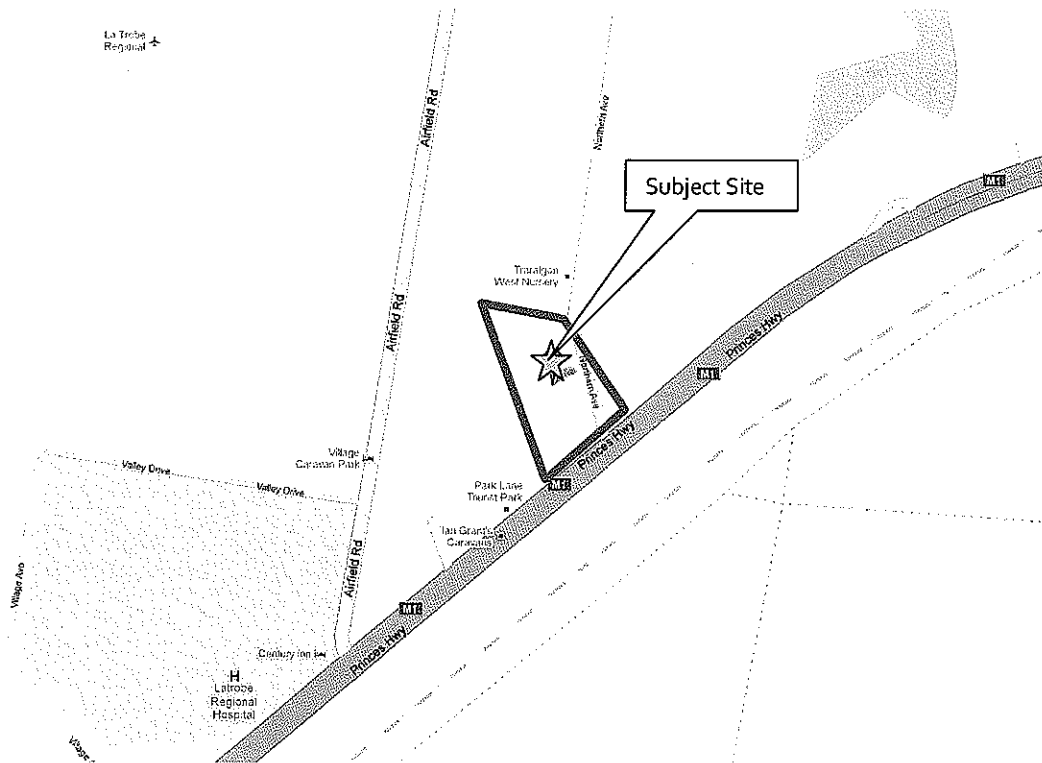
2. Existing Conditions

2.1 Subject Site

The subject site is located at 15 Northern Avenue in Traralgon. The site has frontages to Princes Highway and Northern Avenue. It is located within a Rural Living Zone and is currently undeveloped. The Park Lane Tourist Park is located immediately to the west of the site, there is a nursery immediately to the north of the site, and the land to the east and south of the site has rural uses.

The location of the subject site and the surrounding environs is shown in Figure 1, and the land zoning is shown in Figure 2.

Figure 1. Subject Site and its Environs



(Reproduced from Google Maps)

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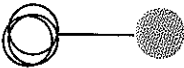
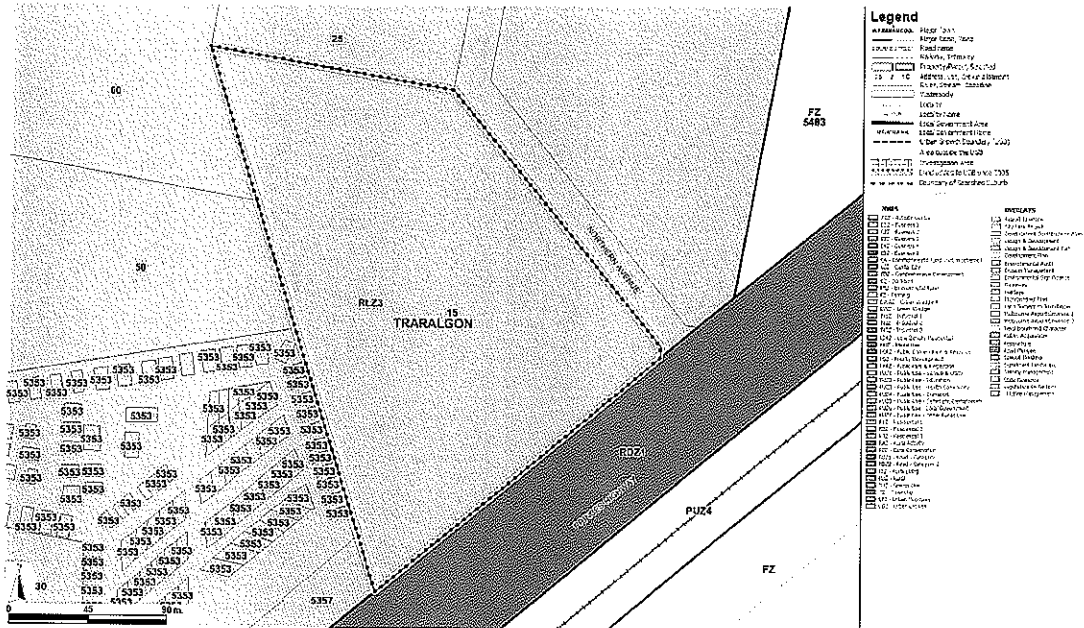


Figure 2: Land zoning Map



Princes Highway

Princes Highway

Princes Highway functions as a primary arterial road. In the vicinity of the site it is a two-way road aligned in a southwest-northeast direction and is configured with a divided carriageway with two lanes in each direction set within a 60 metre wide road reserve (approx). Princes Highway has a posted speed limit of 100km/h within the vicinity of the site. Princes Highway is shown in Figure 3.

Northern Avenue

Northern Avenue functions as a local street. It is a two-way road aligned in a north-south direction and has an undivided two-lane carriageway. The carriageway is set within a 19 metre wide road reserve (approx). Northern Avenue is shown in Figure 4.

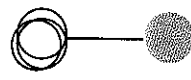
Figure 3: Princes Highway looking northeast towards Northern Avenue



Figure 4: Northern Avenue looking southeast to the Princes Highway intersection



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2.3 Intersections

The intersection of Northern Avenue and Princes Highway is located adjacent to the site. It allows left in and left out movements to/from Northern Avenue only. The signalised intersection of Princes Highway and Village Ave is located 1.1km southwest of Northern Avenue and allows full turning movements. Both intersections have auxiliary left turn lanes. The existing access point to the Park Lane Tourist Park is located between these intersections and allows left in and left out movements only.

2.4 Traffic Volumes

Traffic volume counts were conducted at the intersection of Northern Avenue and Princes Highway and the existing caravan park access intersection with Princes Highway during the PM peak period on Tuesday 12 April 2011 and AM peak period on Wednesday 13 April 2011. These surveys were undertaken during the school holiday period when the use of a caravan park is likely to peak. The peak results are shown in Table 1 below with full results in Appendix A.

Table 1: Peak Hour Traffic Volumes

Princes Highway Intersection	Peak Hour	Volume Left In	Volume Thru	Volume Left Out
Caravan Park entrance	4:00pm – 5:00pm	17	1104	12
Northern Avenue	4:15pm – 5:15pm	6	1112	8

It should be noted that the caravan park access intersection serves both the caravan park and a caravan sales business.

2.5 Accident Statistics

A review of the reported casualty accident history along Princes Highway and Northern Avenue near the subject site has been sourced from VicRoads accident database. The 'CrashStats' database includes all reported casualty accidents since 1987.

A summary of the accidents for the last available five year period (1 June 2005 to 31 May 2010) is presented in Table 2.

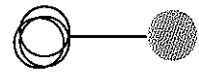
Table 2: Casualty Accident History

Location	Accident No		
	Fatality	Serious Injury	Other Injury
Princes Hwy b/w Airfield Road & Northern Avenue	-	1	-
Princes Hwy / Northern Avenue intersection	-	-	-
Princes Hwy / Caravan Park Entrance intersection	-	-	-
Northern Avenue north of Princes Highway	-	-	-

Source: VicRoads

Table 2 indicates that there was a minimal history of accidents in the vicinity of the site in the last five years, including no reported accidents causing injury at the intersection of Princes Highway with Northern Avenue or at the existing caravan park access intersection.

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3. Proposal

The proposal involves extending the existing Park Lane Tourist Park with 92 additional sites which will contain self-contained accommodation units. Primary access is proposed via a new driveway from Northern Avenue, with an internal connection to the exiting caravan park also provided.

It is proposed that each site will have sufficient space to park at least one vehicle. In addition to the sites there will be a total of 12 visitor car parking spaces provided next to the communal open space area along the internal driveway.

4. Car Parking

The provision of space for at least one vehicle to park at each site is consistent with the existing caravan park, and with typical provisions for small accommodation units, and is therefore considered appropriate. The provision of 12 visitor parking spaces, at a rate of 0.13 spaces per unit, is expected to be sufficient to cater for visitor parking demands.

5. Traffic Impact

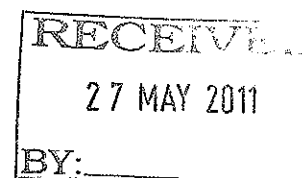
During the surveys of the access intersection to the existing caravan park it was noted that approximately half the vehicles entering or exiting the site were accessing / egressing the caravan park whilst the other half were accessing / egressing the caravan sales business. Therefore, as there are currently 78 sites within the caravan park, this equates to a total of 0.19 movements per site in a peak hour. This is generally consistent with observed rates at other caravan parks with self-contained accommodation units of 0.13 to 0.23 movements per site in a peak hour.

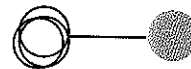
While these rates may appear relatively low compared to standard residential traffic generation rates, they are considered representative of these types of developments as the self-contained accommodation units are usually occupied by retirees and typically do not generate a high proportion of vehicle trips during typical working / schooling peak hours (i.e. typical road network peak).

Therefore, assuming a generation rate of 0.23 vehicles per site in the peak hour, it can be expected that the proposed development will generate in the order of 21 vehicle movements in a peak hour. If this traffic all used Northern Avenue then the peak hour traffic volume on Northern Avenue near Princes Highway could increase from 14 vehicle movements an hour to 35 vehicle movements an hour, representing an additional vehicle approximately every three minutes. Local roads such as Northern Avenue typically have a capacity of over 100 vehicle movements per hour. Therefore there is more than adequate capacity in Northern Avenue to accommodate the expected site-generated traffic.

Further, this moderate volume of additional traffic could not be expected to affect the function or safety of the intersection of Princes Highway and Northern Avenue, noting that the intersection only allows left-in and left-out movements.

Whilst it is anticipated that a significant majority of the additional traffic will use the proposed Northern Avenue access point to access / egress the site, there is the potential that some additional traffic could use the existing caravan park site access intersection instead. However, this minor increase in traffic (probably less than 10 vehicle movements in a peak hour) could not be expected to affect the function or safety of the existing caravan park access intersection on Princes Highway, noting that the intersection only allows left-in and left-out movements.





Traffic wishing to access the site from the east will be able to undertake a U-turn at Airfield Road, whilst traffic wishing to exit the site to the west will be able to undertake a U-turn using the U-turn lane to the east of Northern Avenue.

6. Conclusion

Based on the analysis and discussions presented within this report, the following conclusions are made:

- i The provision for at least one vehicle to park at each site, plus 12 visitor vehicles, is considered to be appropriate.
- ii The development is expected to generate up to 21 vehicle movements in a peak hour.
- iii Northern Avenue has ample capacity to accommodate the additional traffic.
- iv The additional traffic is not expected to affect the function or safety of the intersection of Princes Highway and Northern Avenue or the existing caravan park access intersection with Princes Highway.

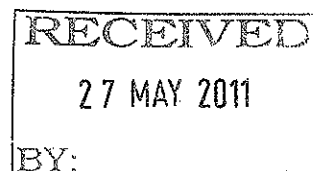
Naturally, should you have any questions or require any further information, please do not hesitate to contact me in our Melbourne office on (03) 9851 9600.

Yours sincerely

GTA CONSULTANTS

David Graham
Associate Director

encl.
Traffic Survey Results



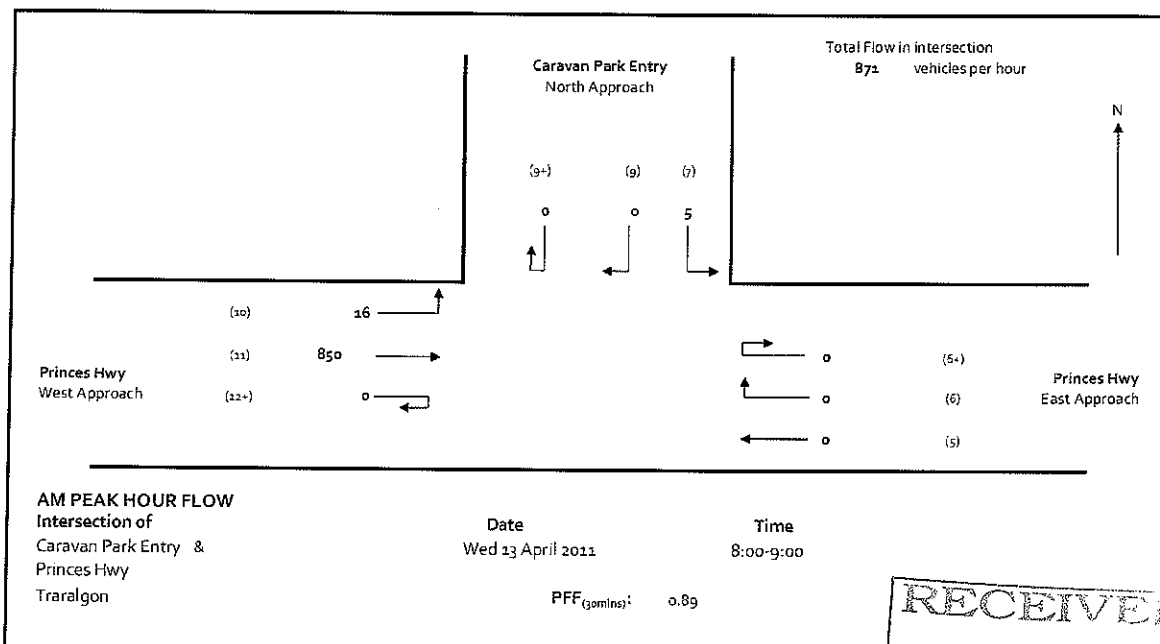
TURNING MOVEMENT SURVEY

Intersection of Caravan Park Entry & Princes Hwy, Traralgon

Date: Wed 13 April 2011

15 minute Data										
Time	Movement									Total
	Princes Hwy East Approach			Caravan Park Entry North Approach			Princes Hwy West Approach			
	Through 5	Right 6	U Turn 6+	Left 7	Right 9	U Turn 9+	Left 10	Through 11	U Turn 12+	
6:00-6:15										
6:15-6:30										
6:30-6:45										
6:45-7:00										
7:00-7:15	0	0	0	2	0	0	0	118	0	120
7:15-7:30	0	0	0	2	0	0	0	139	0	141
7:30-7:45	0	0	0	3	0	0	0	146	0	149
7:45-8:00	0	0	0	0	0	0	0	196	0	196
8:00-8:15	0	0	0	1	0	0	2	168	0	171
8:15-8:30	0	0	0	0	0	0	2	223	0	225
8:30-8:45	0	0	0	2	0	0	3	261	0	266
8:45-9:00	0	0	0	2	0	0	9	198	0	209
9:00-9:15										
9:15-9:30										
9:30-9:45										
9:45-10:00										
Total	0	0	0	12	0	0	16	1449	0	1477

Hourly flows										
Time	Movement									Total
	Princes Hwy South Approach			Caravan Park Entry East Approach			Princes Hwy West Approach			
	Through 5	Right 6	U Turn 6+	Left 7	Right 9	U Turn 9+	Left 10	Through 11	U Turn 12+	
6:00-7:00										
6:15-7:15										
6:30-7:30										
6:45-7:45										
7:00-8:00	0	0	0	7	0	0	0	599	0	606
7:15-8:15	0	0	0	6	0	0	2	649	0	657
7:30-8:30	0	0	0	4	0	0	4	733	0	741
7:45-8:45	0	0	0	3	0	0	7	848	0	858
8:00-9:00	0	0	0	5	0	0	16	850	0	871
8:15-9:15										
8:30-9:30										
8:45-9:45										
9:00-10:00										
Peak Hour	0	0	0	5	0	0	16	850	0	871



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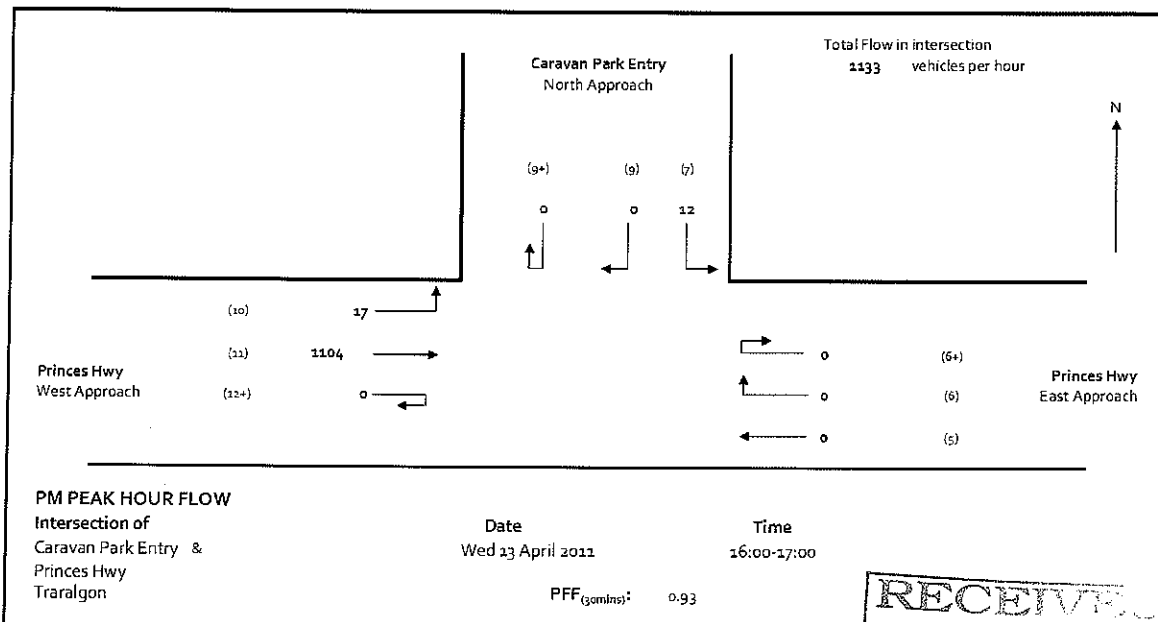
TURNING MOVEMENT SURVEY

Intersection of Caravan Park Entry & Princes Hwy, Traralgon

Date: Wed 13 April 2011

Time	15 minute Data									Total
	Movement									
	Princes Hwy East Approach			Caravan Park Entry North Approach			Princes Hwy West Approach			
	Through	Right	U Turn	Left	Right	U Turn	Left	Through	U Turn	
	5	6	6+	7	9	9+	10	11	12+	
15:00-15:15										
15:15-15:30										
15:30-15:45										
15:45-16:00										
16:00-16:15	0	0	0	1	0	0	9	303	0	313
16:15-16:30	0	0	0	4	0	0	4	286	0	294
16:30-16:45	0	0	0	5	0	0	3	270	0	278
16:45-17:00	0	0	0	2	0	0	1	245	0	248
17:00-17:15	0	0	0	5	0	0	1	301	0	307
17:15-17:30	0	0	0	1	0	0	2	259	0	262
17:30-17:45	0	0	0	2	0	0	2	262	0	266
17:45-18:00	0	0	0	1	0	0	1	181	0	183
18:00-18:15										
18:15-18:30										
18:30-18:45										
18:45-19:00										
Total	0	0	0	21	0	0	23	2107	0	2151

Time	Hourly flows									Total
	Movement									
	Princes Hwy South Approach			Caravan Park Entry East Approach			Princes Hwy West Approach			
	Through	Right	U Turn	Left	Right	U Turn	Left	Through	U Turn	
	5	6	6+	7	9	9+	10	11	12+	
15:00-16:00										
15:15-16:15										
15:30-16:30										
15:45-16:45										
Peak 16:00-17:00	0	0	0	12	0	0	17	1104	0	1133
16:15-17:15	0	0	0	16	0	0	9	1102	0	1127
16:30-17:30	0	0	0	13	0	0	7	1075	0	1095
16:45-17:45	0	0	0	10	0	0	6	1067	0	1083
17:00-18:00	0	0	0	9	0	0	6	1003	0	1018
17:15-18:15										
17:30-18:30										
17:45-18:45										
18:00-19:00										
Peak Hour	0	0	0	12	0	0	17	1104	0	1133



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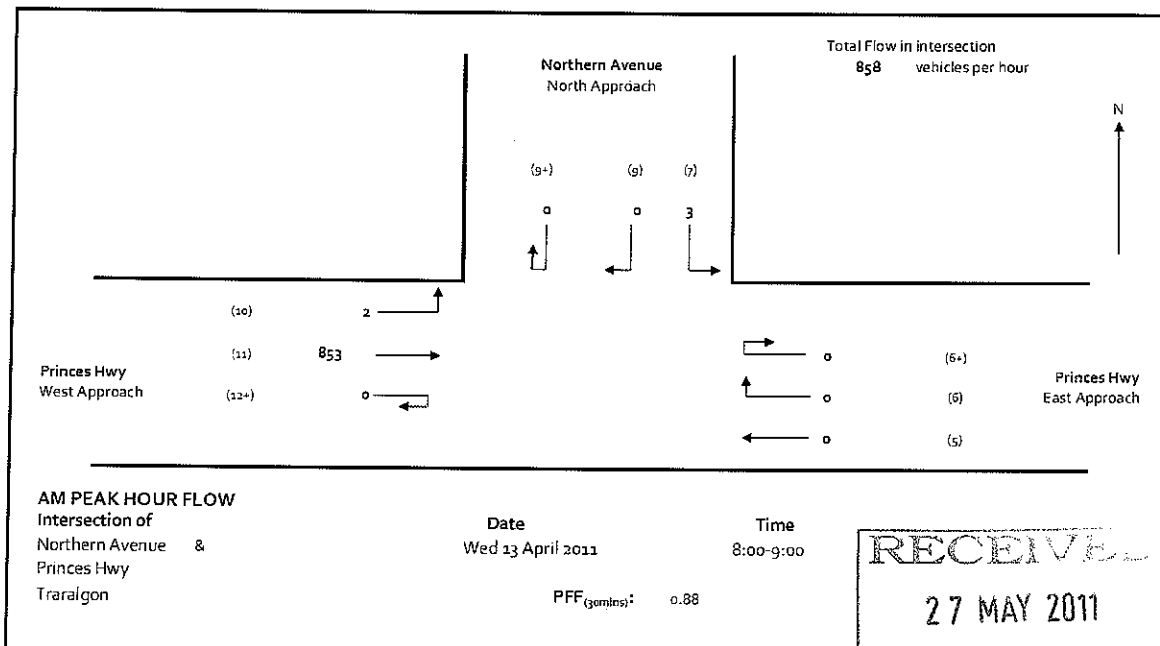
TURNING MOVEMENT SURVEY

Intersection of Northern Avenue & Princes Hwy, Traralgon

Date: Wed 13 April 2011

15 minute Data										
Time	Movement									Total
	Princes Hwy East Approach			Northern Avenue North Approach			Princes Hwy West Approach			
	Through 5	Right 6	U Turn 6+	Left 7	Right 9	U Turn 9+	Left 10	Through 11	U Turn 12+	
6:00-6:15										
6:15-6:30										
6:30-6:45										
6:45-7:00										
7:00-7:15	0	0	0	0	0	0	2	118	0	120
7:15-7:30	0	0	0	1	0	0	0	141	0	142
7:30-7:45	0	0	0	0	0	0	0	149	0	149
7:45-8:00	0	0	0	0	0	0	0	196	0	196
8:00-8:15	0	0	0	0	0	0	0	169	0	169
8:15-8:30	0	0	0	1	0	0	1	222	0	224
8:30-8:45	0	0	0	1	0	0	0	263	0	264
8:45-9:00	0	0	0	1	0	0	1	199	0	201
9:00-9:15										
9:15-9:30										
9:30-9:45										
9:45-10:00										
Total	0	0	0	4	0	0	4	1457	0	1465

Hourly flows										
Time	Movement									Total
	Princes Hwy South Approach			Northern Avenue East Approach			Princes Hwy West Approach			
	Through 5	Right 6	U Turn 6+	Left 7	Right 9	U Turn 9+	Left 10	Through 11	U Turn 12+	
6:00-7:00										
6:15-7:15										
6:30-7:30										
6:45-7:45										
7:00-8:00	0	0	0	1	0	0	2	604	0	607
7:15-8:15	0	0	0	1	0	0	0	655	0	656
7:30-8:30	0	0	0	1	0	0	1	736	0	738
7:45-8:45	0	0	0	2	0	0	1	850	0	853
8:00-9:00	0	0	0	3	0	0	2	853	0	858
8:15-9:15										
8:30-9:30										
8:45-9:45										
9:00-10:00										
Peak Hour	0	0	0	3	0	0	2	853	0	858



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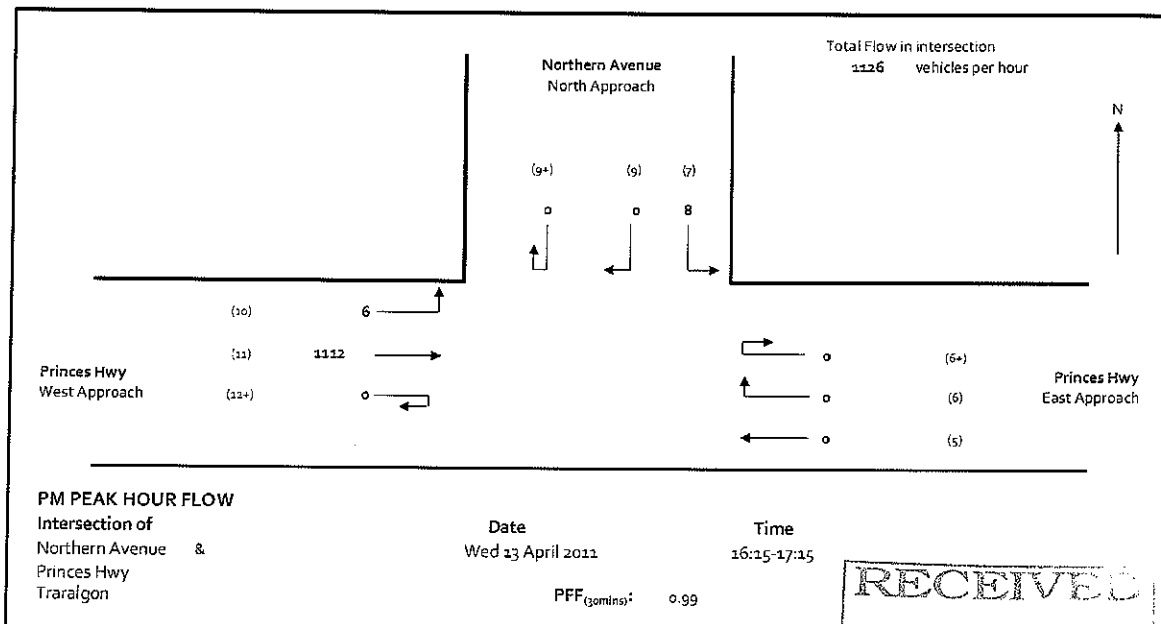
TURNING MOVEMENT SURVEY

Intersection of Northern Avenue & Princes Hwy, Traelgon

Date: Wed 13 April 2011

15 minute Data										
Time	Movement									Total
	Princes Hwy East Approach			Northern Avenue North Approach			Princes Hwy West Approach			
	Through 5	Right 6	U Turn 6+	Left 7	Right 9	U Turn 9+	Left 10	Through 11	U Turn 12+	
15:00-15:15										
15:15-15:30										
15:30-15:45										
15:45-16:00										
16:00-16:15	0	0	0	3	0	0	2	302	0	307
16:15-16:30	0	0	0	4	0	0	1	289	0	294
16:30-16:45	0	0	0	1	0	0	1	274	0	276
16:45-17:00	0	0	0	1	0	0	0	242	0	243
17:00-17:15	0	0	0	2	0	0	4	307	0	313
17:15-17:30	0	0	0	3	0	0	0	260	0	263
17:30-17:45	0	0	0	0	0	0	2	262	0	264
17:45-18:00	0	0	0	2	0	0	0	182	0	184
18:00-18:15										
18:15-18:30										
18:30-18:45										
18:45-19:00										
Total	0	0	0	16	0	0	10	2118	0	2144

Hourly flows										
Time	Movement									Total
	Princes Hwy South Approach			Northern Avenue East Approach			Princes Hwy West Approach			
	Through 5	Right 6	U Turn 6+	Left 7	Right 9	U Turn 9+	Left 10	Through 11	U Turn 12+	
15:00-16:00										
15:15-16:15										
15:30-16:30										
15:45-16:45										
16:00-17:00	0	0	0	9	0	0	4	1107	0	1120
16:15-17:15	0	0	0	8	0	0	6	1112	0	1126
16:30-17:30	0	0	0	7	0	0	5	1083	0	1095
16:45-17:45	0	0	0	6	0	0	6	1071	0	1083
17:00-18:00	0	0	0	7	0	0	6	1011	0	1024
17:15-18:15										
17:30-18:30										
17:45-18:45										
18:00-19:00										
Peak Hour	0	0	0	8	0	0	6	1112	0	1126



11.3.3 PLANNING PERMIT APPLICATION 2011/187 - USE AND DEVELOPMENT OF THE LAND FOR A SINGLE DWELLING AND ANCILLARY OUTBUILDING, JUMBUK ROAD, YINNAR SOUTH

AUTHOR: General Manager Built and Natural Environment
(ATTACHMENT - YES)

1. PURPOSE

The purpose of this report is to determine Planning Permit Application 2011/187 for the use and development of land for a single dwelling and ancillary outbuilding at Jumbuk Road, Yinnar South (Lot 3 on Plan of Subdivision 062251).

2. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act* 1989 in the preparation of this report.

3. STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2011-2015.

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 2010 - 2014

Strategic Direction – Built Environment

Promote and support high quality urban design within the built environment; and

Ensure proposed developments enhance the liveability of Latrobe City, and provide for a more sustainable community.

Legal

The discussions and recommendations of this report are consistent with the provisions of the *Planning and Environment Act* 1987 (the Act) and the Latrobe Planning Scheme (the Scheme), which apply to this application.

4. BACKGROUND

4.1 SUMMARY

Land: Jumbuk Road, Yinnar South, known as Lot 3
on Plan of Subdivision 062251
Proponent: G Manson
Zoning: Farming Zone
Overlay State Resource Overlay, Schedule 1

A Planning Permit is required:

- to use an allotment in the Farming Zone that is under 40 hectares for a dwelling pursuant to Clause 35.07-1 of the Scheme;
- to construct or carry out a building or works in the Farming Zone associated with a use in Section 2 of Clause 35.07-1 pursuant to Clause 35.07-4 of the Scheme;
- to construct or carry out a building in the Farming Zone which is setback less than 100 metres from a dwelling not in the same ownership pursuant to Clause 35.07-4 of the Scheme; and
- to construct or carry out a building which is within 100 metres of a waterway in the Farming Zone pursuant to Clause 35.07-4 of the Scheme.

4.2 PROPOSAL

The application is for the use and development of the land for a single dwelling and an ancillary outbuilding, each of which are to be located in the north-eastern portion of the site.

The proposal outlines that subject lot is presently used for grazing and it is stated on a letter from the applicant dated 17 July 2011 that currently the grazing activity “*is undertaken only for a few months of the year*”. The subject allotment is currently for sale and the applicant proposes to utilise the “*allotment for commercial farming for both cattle and goats over the full year*”. As such the applicant is proposing that the application will result in an increase in activity of an existing use. No specific details are given regarding the specific increase of agricultural capacity as a result of this application.

The proposed dwelling is of single storey construction, will contain 5 bedrooms (including the study) and have a total floor area of 300 square metres. The dwelling is proposed to be constructed of colourbond materials and will have a pitched roof with an apex height of 5.6 metres. Three 20,000 litre water tanks are proposed to service the dwelling.

The proposed outbuilding will have a total floor area of 96 square metres, be constructed of colourbond and have an apex height of 3.6 metres.

A new driveway and crossover is proposed to provide access to both the dwelling and the outbuilding.

Subject Land:

The subject site is irregular in shape with a total site area of 21.5 hectares. The land has a fall of approximately 35 metres from the north-east to the south-west. Minimal scattered native vegetation is located on site, none of which is proposed to be impacted upon as part of this application.

The site is currently vacant with the exception of two dams and only informal access is provided to the site. It is detailed by the applicant that the subject site is currently used for grazing activities.

No easements are located on site and no restrictive covenants, caveats or Section 173 Agreements are registered on certificate of title.

Surrounding Land Use:

North: Road, sealed with open spoon drains (Jumbuk Road) and single dwellings on lots between 2 and 6 hectares in the Farming Zone.

These dwellings were constructed in the late 1970's and early 1980's.

South: Constructed road with open spoon drains (Pages Road) and single dwellings on lots in the Farming Zone and the Rural Living Zone, Schedule 3.

East: Single dwellings on allotments in the Rural Living Zone, Schedule 3.

West: Single dwelling on an allotment of 7.82 hectares in the Farming Zone. This dwelling was constructed in late 1980s.

A live planning permit exists for one of the vacant allotments to the west for a proposed dwelling on Lot 2 LP111352.

4.3 PLANNING CONTEXT

No previous Planning Permits have been issued for the subject site.

The history of assessment of this application is set out in Attachment 1.

The provisions of the Scheme that are relevant to the subject application have been included in Attachment 2.

5. ISSUES

5.1. STATE PLANNING POLICY FRAMEWORK

There are several clauses under the State Planning Policy Framework that relate to the use and development of Farming Zone and/or agricultural land.

The objective of Clause 11.05-3 'Rural Productivity' is to manage land use change and development in rural areas to promote agricultural and rural production. The strategies to achieve this include preventing inappropriately dispersed urban activities in rural areas; and limiting new housing development in rural areas. This includes directing housing growth into existing settlements and discouraging the development of isolated small lots in rural zoned areas from use for single dwellings.

The objective of Clause 14.01-1 'Protection of Agricultural Land' is to protect productive farmland which is of strategic significance in the local or regional context. The strategies to achieve this include:

- *'Ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use.'*
- *'Take into consideration regional, state and local, issues and characteristics in the assessment of agricultural quality and productivity.'*

- *Permanent removal of productive agricultural land from the State's agricultural base must not be undertaken without consideration of its economic importance for the agricultural production and processing sectors'.*

Similar policies exist at Clause 16.02-1 'Rural Residential Development'. Its objective is to identify suitable land for rural living and rural residential development. Strategies to achieve this include:

- *'Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development.*
- *Reduce the proportion of new housing development provided in rural areas and encourage the consolidation in existing settlements where investment in physical and community infrastructure and services has already been made'.*

It is considered that the proposed development fails to comply with the directions of Clause 11.05-3, Clause 14.01-1 and Clause 16.02-1 of the Latrobe Planning Scheme. The application fails to protect agricultural and rural production and fails to limit new housing development in rural areas. The Latrobe Planning Scheme discourages the development of isolated lots in farming zone for the use of single dwellings.

5.2. MUNICIPAL STRATEGIC STATEMENT

Clause 21.04-3 'Rural Living Overview' acknowledges pressure for rural residential development and it states that high value rural land and natural resources need to be protected from encroachment rural living development pressures.

The agricultural quality of the land is identified as Class 3 in the document *Assessment of agricultural quality of land in Gippsland* by the Department of Agriculture, 1984.

Class 3 land is generally of limited versatility but is very good dairying and grazing land. It is sometimes suitable for orchards and extensive area cropping but not suitable for intensive uses such as vegetable growing.

In the context of Latrobe City, Class 3 agricultural land is of a high quality. It is considered that the proposal fails to protect this high value rural land and seeks to create a rural living situation at an inappropriate site.

5.3. CLAUSE 35.07 - THE FARMING ZONE

There are two key issues that require consideration under the Farming Zone. The first is whether a dwelling is appropriate having regard to the zoning and the character of the area. The second issue is whether a dwelling is reasonably required as part of the proposed cattle and goat grazing to occur on the land.

The character of the area may be argued as being somewhat Rural Residential in nature considering the neighbouring Rural Living Zone and a number of small Farming Zone allotments. However, as discussed in *Strachan v Latrobe CC [2011] VCAT 764*, the character of the area (including the small existing lots) should not be determinative. The land is in fact zoned for farming and not for rural living purposes. Much of the surrounding land is also zoned Farming and is utilised for agricultural purposes.

The subject lot is 21.5ha and is relatively larger and more suited to commercial agricultural activity than the surrounding lots. The lots south east of the property are zoned for rural living purposes and not for agriculture. Therefore the strategic use for these lots is different to the subject lot.

450 Jumbuk Road which is north of the subject property has an existing dwelling which was built in 1989 and has a lot size of 5.39ha. The lot to the west of the subject lot has an existing dwelling which was also constructed in the 1980s and has an approximate lot size of 7.82ha. In the case of the vacant allotments to the west, one has a live planning permit for a dwelling, Lot 2 111352.

For the reasons discussed above, it is considered that a dwelling is not appropriate having regard to the zoning despite the existing character of smaller allotments with existing dwellings in the surrounding area. The subject lot is more suitable for productive commercial agricultural activity due to its larger lot size and existing agricultural activity.

The Planning Scheme and Farming Zone requirements state that a planning permit application must justify why a dwelling is needed to undertake or further develop a farming enterprise. One must emphasise a relationship between a dwelling and bona fide agricultural activity conducted on the land. The lot size, physical characteristics of the land and its context, and nature of existing and proposed agricultural activity on site are critical in considering this relationship. The dwelling must contribute to achieving the purposes of the Farming Zone and applicable policies.

It is considered that a dwelling on this land is not required to assist the management of an existing grazing business in a meaningful and practical way. A dwelling may impact upon the future use of this site for agriculture by placing a sensitive use in a large lot that could be used for commercial farming activities. It also may impact for the same reasons on the operation and expansion of adjoining and nearby agricultural uses. To justify the use of dwelling there needs to be an overall greater benefit to the existing agricultural production. In this case the existing use is grazing of animals, the proposed use is exactly the same albeit on a continuous all year round basis rather than periodically as is currently occurring according to the applicant. There is no valid justification from the applicant that intensifying the existing use and a related increase in production capacity requires a dwelling on site for this to occur.

It is also pointed out in *Living Street Designs Pty Ltd v Alpine SC [2010] VCAT 2639* that a dwelling is not required to maintain an existing agriculture enterprise. In this case similar to the subject proposal, the grazing activity already exists on the site. As a result there is no necessity for a new dwelling to continue the existing agricultural activity on the land.

The proposal is considered to be inconsistent with the following 'Purposes' detailed under the Farming Zone:

- *'To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.'*

The use of the dwelling is not required to support an existing use in the farming zone and as a result the proposal runs contrary to all relevant planning policies both at a state and local level.

As outlined in the previously mentioned VCAT cases, a dwelling is not required for the management of an existing grazing enterprise.

- *To provide for the use of land for agriculture.*

The land is zoned for the purposes of agricultural. The planning justification to warrant using the land for any purpose other than this use is not of sufficient strength. The use is existing and the proposed dwelling is not required to manage this use.

- *To encourage the retention of productive agricultural land.*

The proposal will reduce the amount of productive agricultural land available in the property.

- *To ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture’.*

It is considered that the use of the dwelling will negatively affect the use of the land for agriculture.

5.4. Clause 65 - ‘DECISION GUIDELINES’

Before deciding on an application or approval of a plan, the Responsible Authority must also consider the ‘Decision Guidelines’ at Clause 65.01, as appropriate.

As discussed previously this report, the proposal is considered to be inconsistent with the decision guideline at Clause 65.01. The following are the most appropriate decision guidelines that the planning permit application has been assessed under that have not been addressed previously in the report.

- *The purpose of the zone, overlay or other provision*

The purpose of the Farming Zone is to protect productive agricultural land. The proposed dwelling is not required and will reduce amount of productive land on the lot and is therefore considered to run contrary to the purpose of the zone.

The proposal is also considered to be inconsistent with decision guidelines four and five at Clause 65.01. These 'Decision Guidelines' require the consideration of:

- *Any matter required to be considered in the zone, overlay or other provision.*

The use of the dwelling on the land is not required either to establish or maintain an agricultural use on the land. Therefore it runs contrary to all relevant matters and provisions of the Farming Zone that have been considered in the assessment of this application.

- *The orderly planning of the area.*

It is considered the application will have a negative impact on the orderly planning of the area given matters discussed previously in this report.

5.5. Clause 44.07 State Resources Overlay

The subject lot is covered by the State Resources Overlay. However this proposal is exempt from referral requirements as outlined in Schedule 1 to Clause 44.07. The application is for a single dwelling and any proposal related to accommodation where the total number of people to be accommodated does not exceed 100, is exempt from referral requirements under this Clause. In this case the application is for a dwelling only and there is no proposal to provide accommodation for a large number of people.

6. FINANCIAL AND RESOURCES 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).

7. INTERNAL / EXTERNAL CONSULTATION

Notification:

The application has been advertised under Section 52(1)(a) and Section 52(1)(d) of the Act by sending notices to all adjoining and adjacent landowners and occupiers and by displaying an A3 sign on the Jumbuk Road and Pages Road frontages of the subject site for a minimum of 14 days.

External:

Notice of the application was given to the West Gippsland Catchment Management Authority (WGCMA) under Section 52(1)(d) of the Act. The WGCMA gave consent to the granting of a Planning Permit when considering any impacts the proposed development will have on the nearby designated waterway.

Internal:

Internal officer comments were sought from Infrastructure Planning team in relation to drainage and traffic management and Health Services team in relation to septic requirements.

Each team gave consent to the granting of a Planning Permit in relation to their area of expertise, subject to appropriate conditions.

It is noted that their comments only relate to part of the assessment process and do not necessarily direct the final recommendation of Council.

Details of Community Consultation following Notification:

Following referral and notification of the application no submissions in the form of objections were received. Therefore, undertaking the planning mediation process was unnecessary.

8. OPTIONS

Council has the following options in regard to this application:

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

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

9. CONCLUSION

Having evaluated the proposal against the relevant provisions of the Scheme, it is considered that the application does not meet the requirements of the Scheme. It is therefore recommended that a Refusal to Grant a Permit be issued for the reasons set out in this report.

10. RECOMMENDATION

- A. That Council issues a notice of Refusal to Grant a Planning Permit, for the use and development of the land for a single dwelling at Lot 3 on Plan of Subdivision 062251, more commonly known as Jumbuk Road, Yinnar South on the following grounds:**
- 1. The proposal is not consistent with Clause 11.05-3 'Rural Productivity'.**
 - 2. The proposal is not consistent with Clause 14.01-1 'Protection of Agricultural Land'.**
 - 3. The proposal is not consistent with Clause 16.02-1 'Rural Residential Development'.**
 - 4. The proposal is not consistent with Clause 21.04-3 'Rural Living Overview'.**
 - 5. The proposal is not consistent with the 'Purpose' of Clause 35.07-1, the Farming Zone.**
 - 6. The proposal is not consistent with the 'Decision Guidelines' of Clause 35.07-6, the Farming Zone.**
 - 7. The proposal is not consistent with Clause 65 'Decision Guidelines'.**

Moved: Cr Kam

Seconded: Cr Harriman

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENTS

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ATTACHMENT 1
HISTORY OF APPLICATION

History of Application

9 June 2011	Planning Permit application received by Council.
22 June 2011	Further information requested from applicant. The purpose of this request was to obtain some justification from the applicant for the proposed dwelling in the Farming Zone and to obtain appropriate plans.
1 July 2011	Council officer met with applicant to discuss the further information requested.
18 July 2011	Additional information submitted by the applicant.
20 July 2011	Applicant requested to advertise the application under Section 52(1)(a) and Section 52(1)(d) of the Act by sending notices to adjoining and adjacent landowners and occupiers and by placing two A3 signs on site for a minimum of 14 days.
21 July 2011	Application referred internally to Council's Health Services and Infrastructure Planning teams.
21 July 2011	Notice of the application given to the West Gippsland Catchment Management Authority (WGCMA) under Section 52(1)(d) of the Act.
21 July 2011	Council's Health Services team provided consent to the application, subject to appropriate permit conditions and notes.
29 July 2011	The WGCMA gave consent to the granting of a Planning Permit.

ATTACHMENT 2
RELEVANT CLAUSES OF THE LATROBE
PLANNING SCHEME

Latrobe Planning Scheme

State Planning Policy Framework:

- Clause 11.05 – Regional Development.
- Clause 14.01 – Agriculture.
- Clause 16.02 – Housing Form.

Municipal Strategic Statement:

- Clause 21.01 – Municipal Profile.
- Clause 21.03 – Natural Environment Sustainability.
- Clause 21.04 – Built Environment Sustainability.

Zoning:

The subject site is located in the Farming Zone.

Overlays:

The subject site is located in the State Resource Overlay, Schedule 1.

Particular Provisions:

- No Particular Provisions are considered to be relevant to this application.

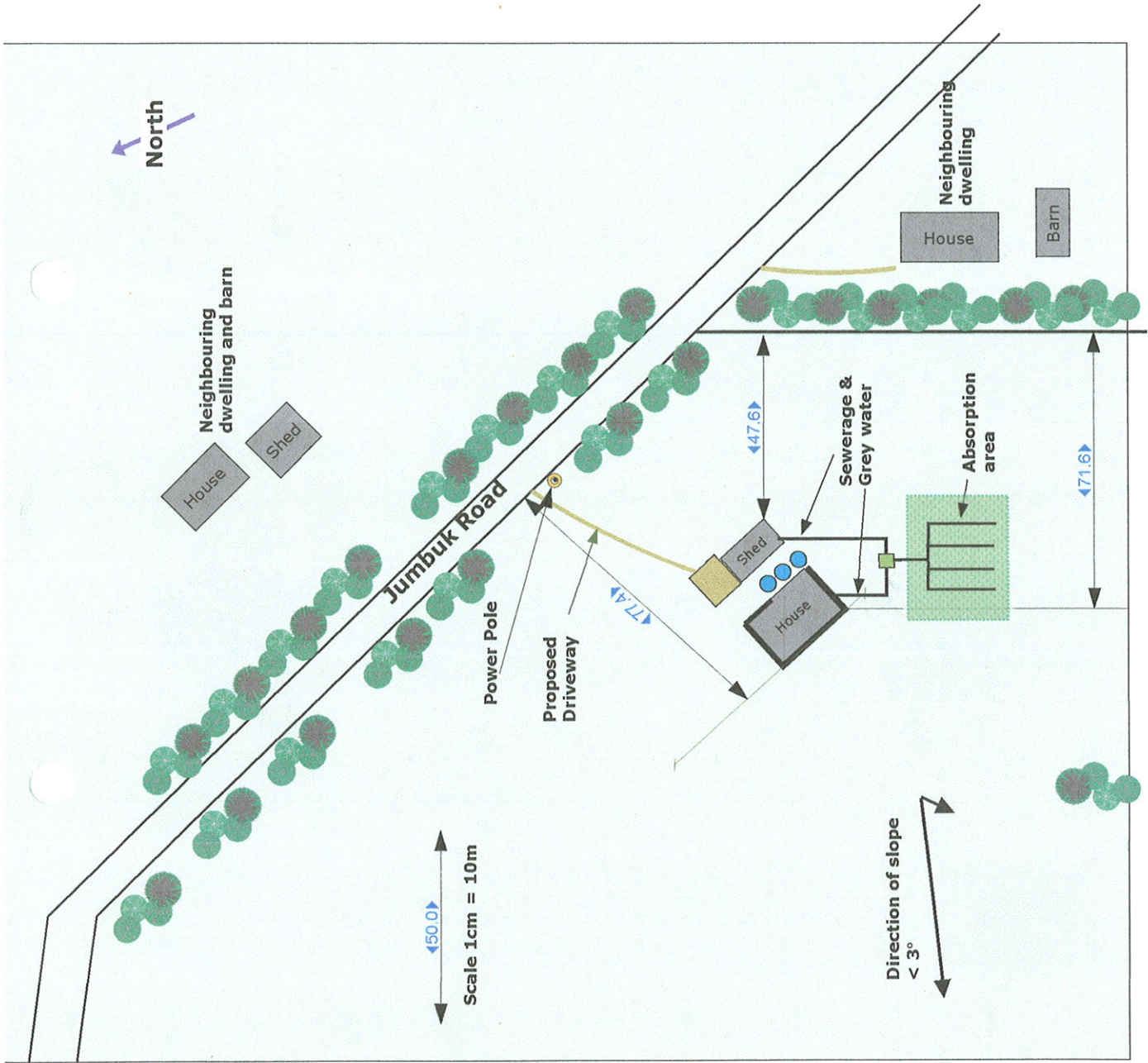
General Provisions:

Before deciding on an application, the Responsible Authority must also consider the 'Decision Guidelines' of Clause 65 as appropriate.

Incorporated Documents:

No Incorporated Documents are considered to be relevant to this application.

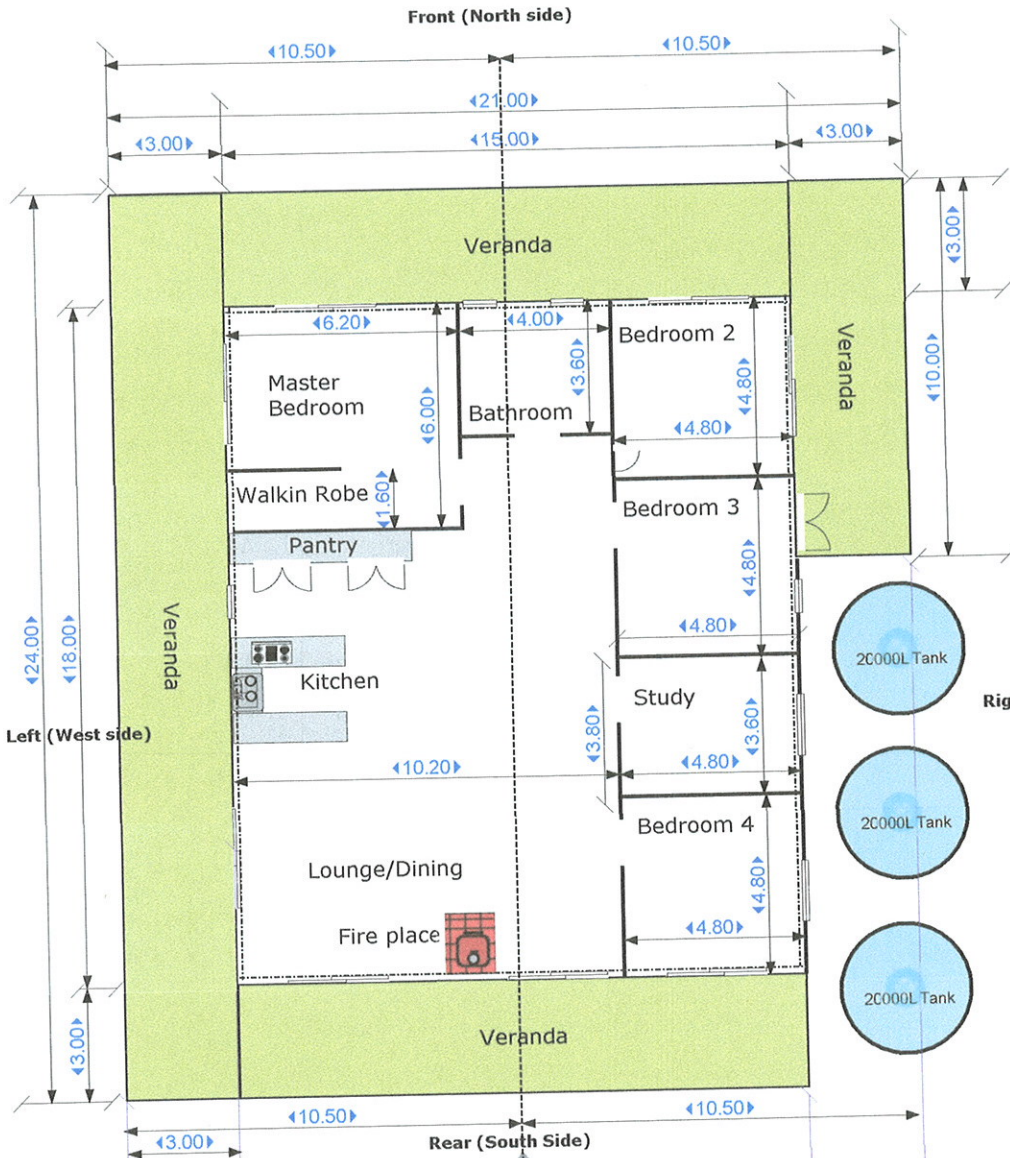
ATTACHMENT 3
PROPOSED PLANS



Site plan
 Lot 3 Jumbuk Road
 Yinnar South
 Planning Permit Application
 No. 2011/187

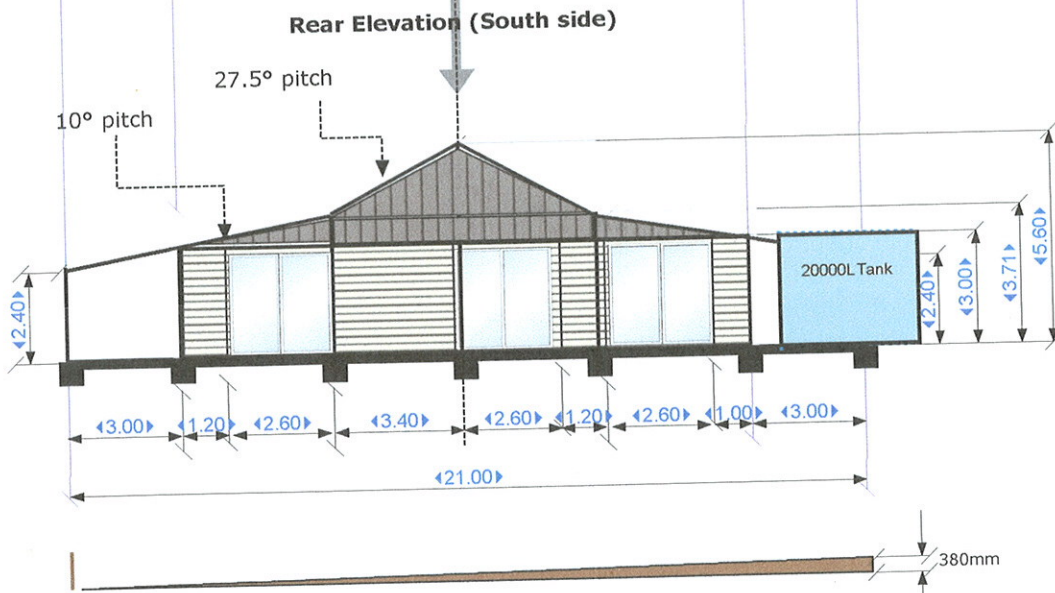
PROCESSED
 18 JUL 2011
 BY:

Scale: 1cm : 2.0m



- Colourbond
Colour - Paperbark
- Gutters -
- Colourbond
Colour - Classic
Cream
- Walls -
- Colourbond
Colour - Jasper
- Roof -

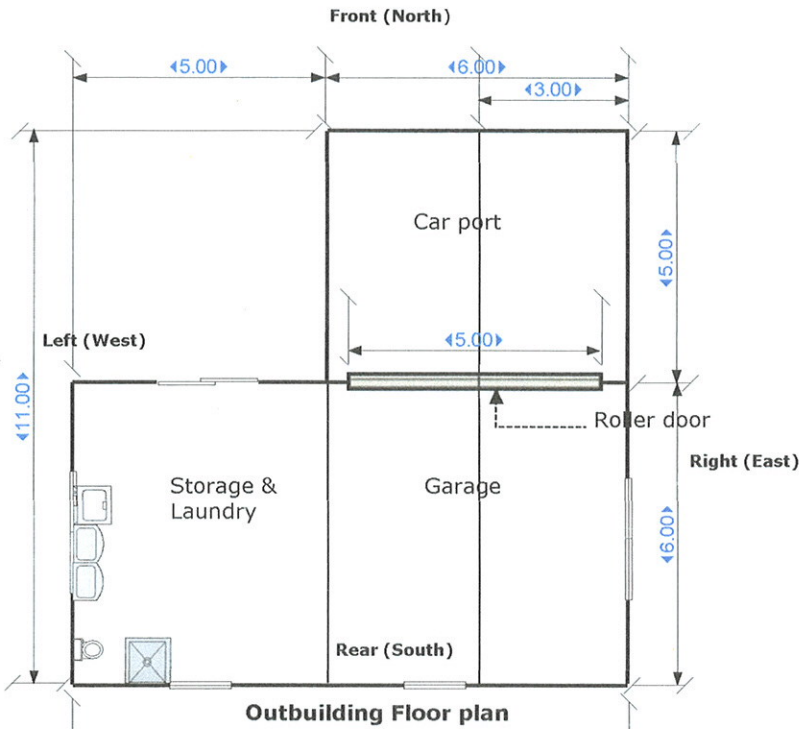
**Floor plan & Rear Elevation
(South Side)**
 Lot 3 Jumbuk Road
 Yinnar South
 Planning Permit Application
 No. 2011/187



Site Excavation

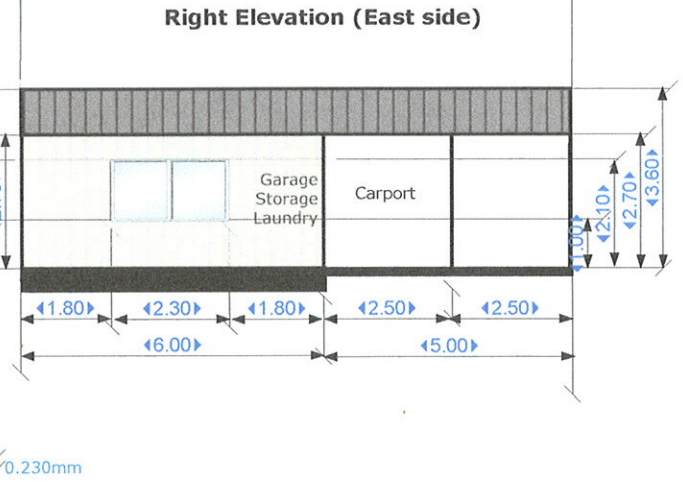
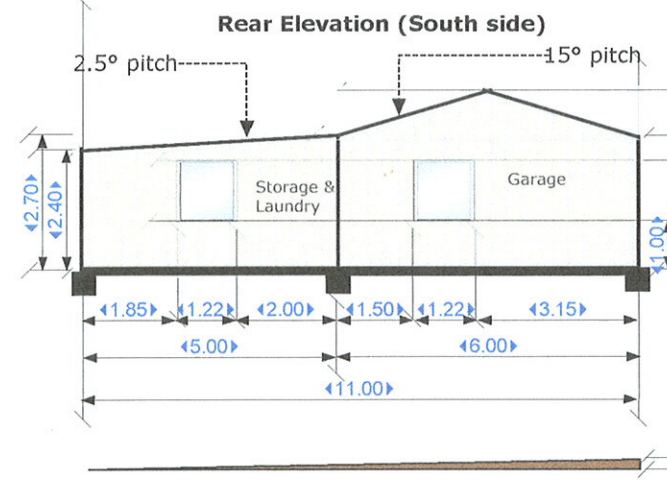
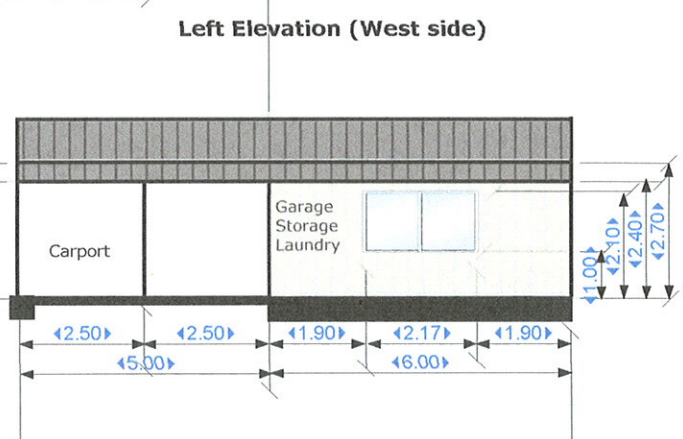
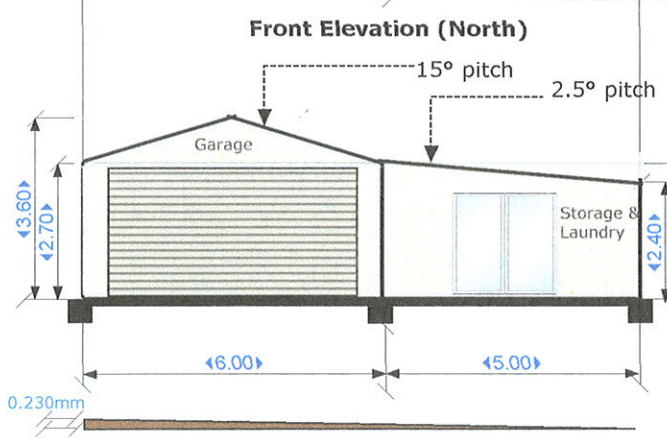
Land Slope < 3°
east west gradient

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 BY: _____



- Scale: 1cm : 1.5m
- North** ↑
- Colourbond Colour - Paperbark - Gutters -
 - Colourbond Colour - Classic Cream - Walls -
 - Colourbond Colour - Jasper - Roof -

Outbuilding Elevations
 Lot 3 Jumbuk Road
 Yinnar South
 Planning Permit Application
 No. 2011/187

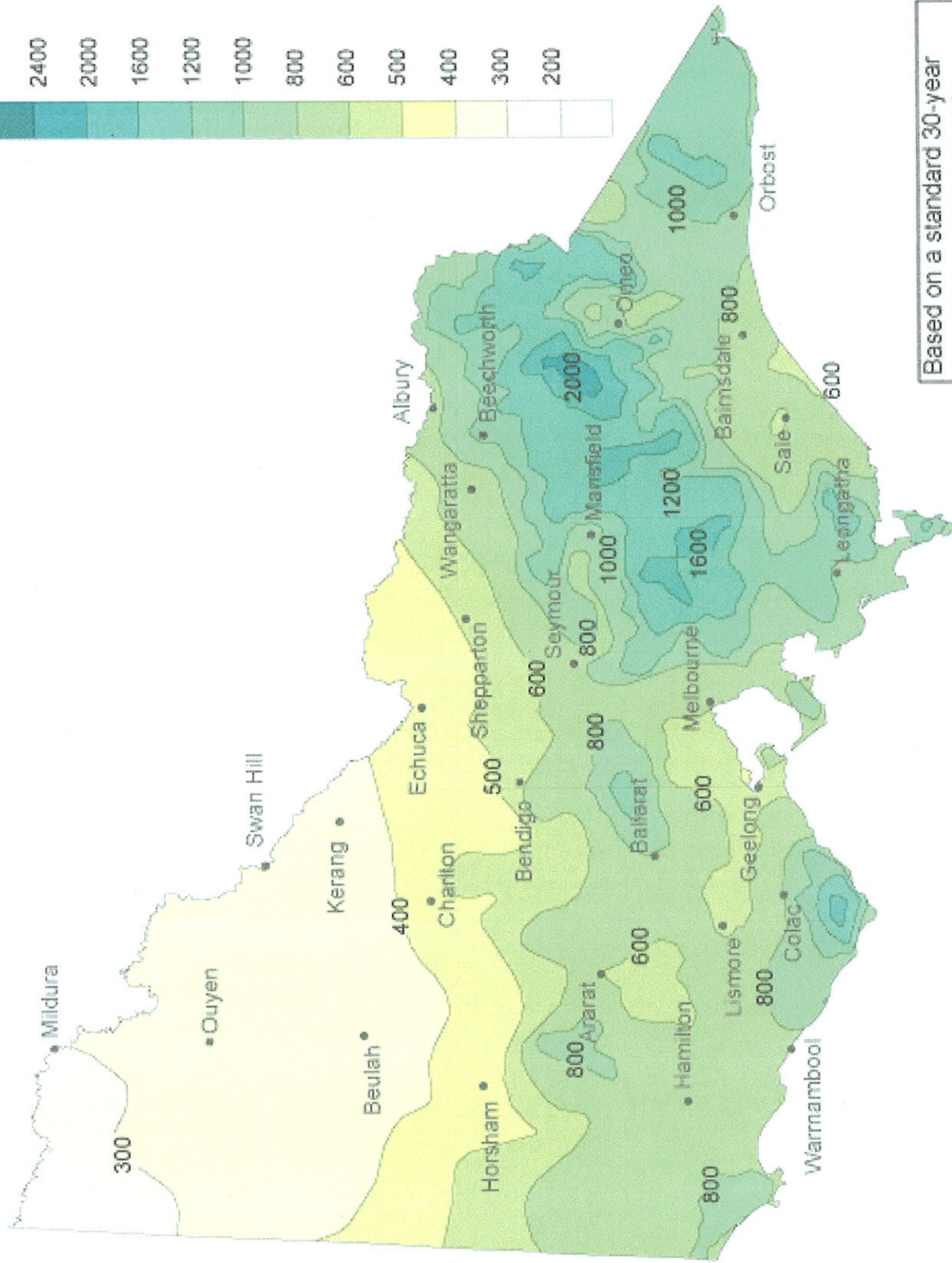
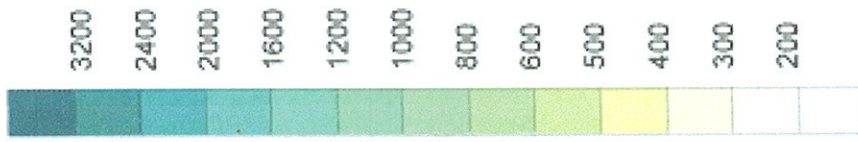


Site Excavation Fill Level
 Land Slope Approx 3 degrees
 east west gradient



Average Rainfall - Annual

Millimetres

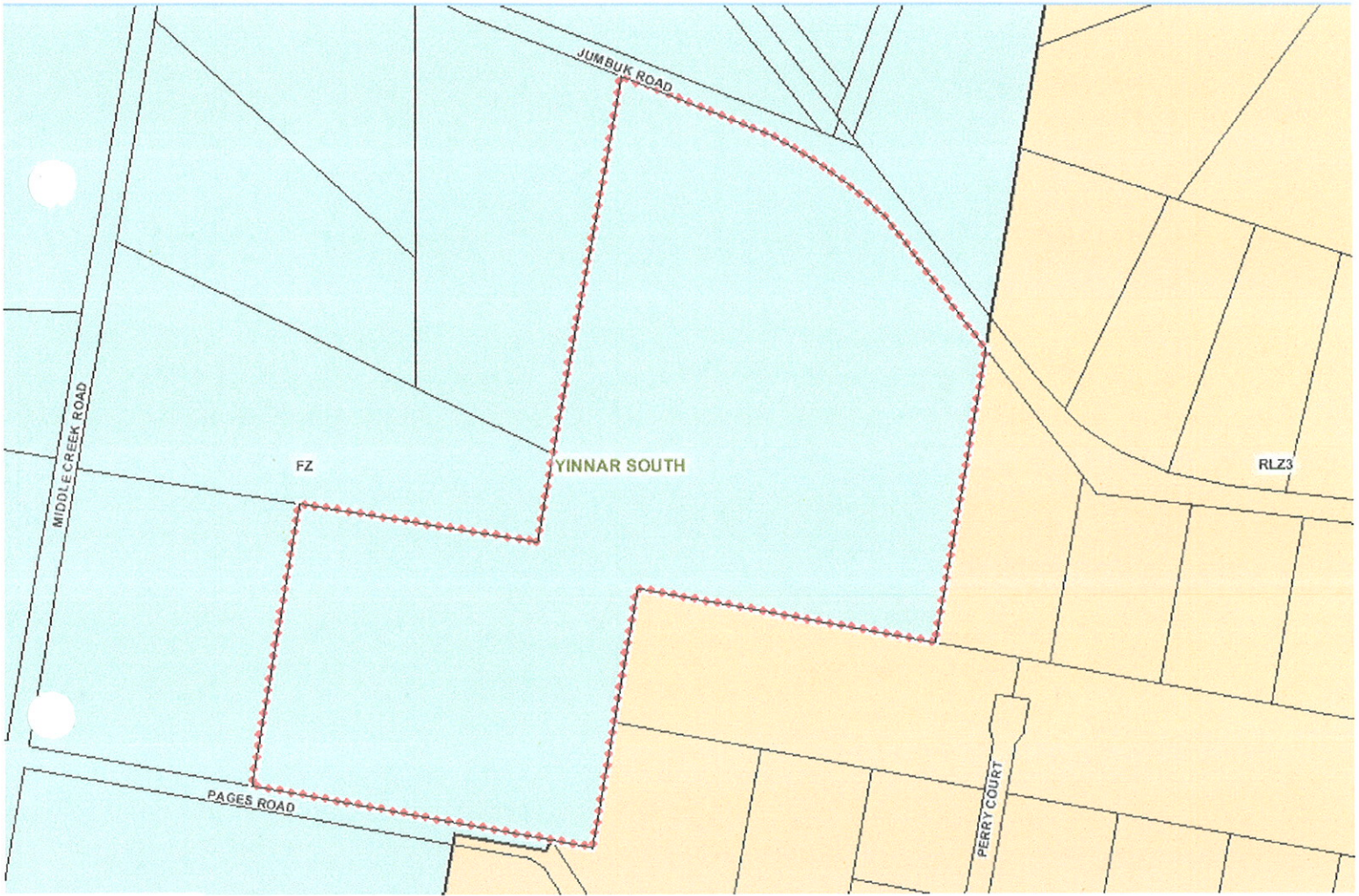


Based on a standard 30-year climatology (1961 to 1990).
Copyright Commonwealth of Australia, Bureau of Meteorology.

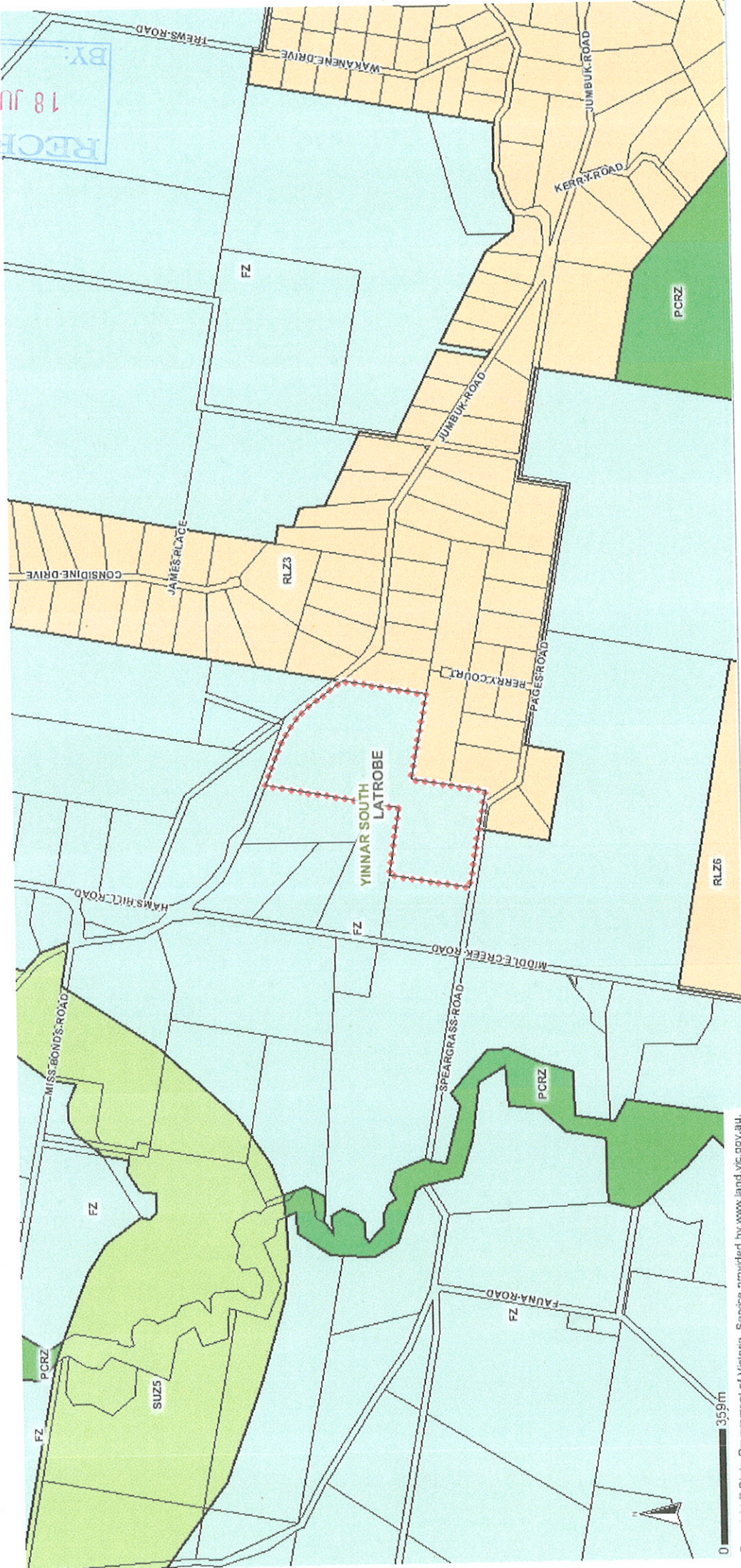
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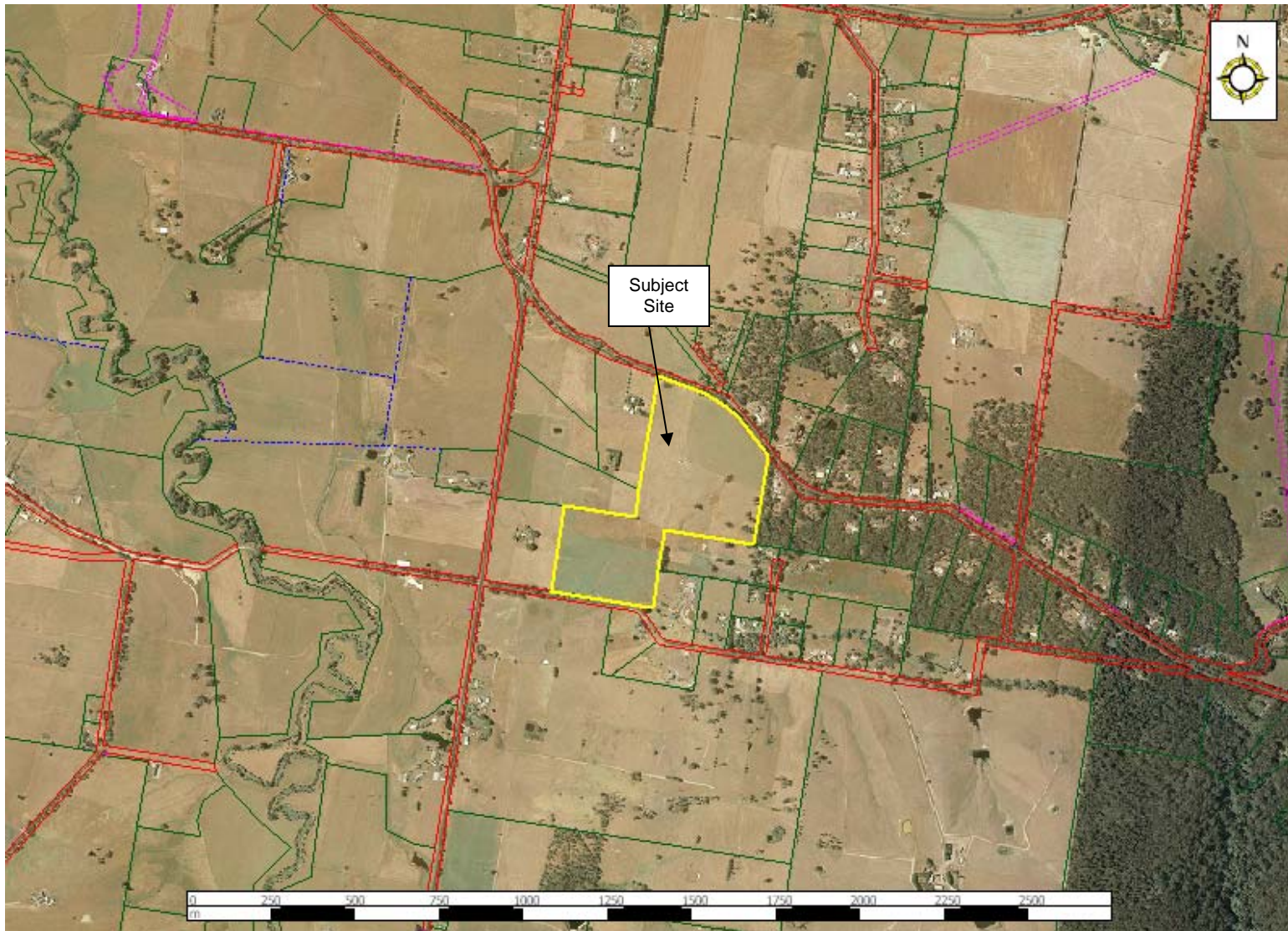


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ATTACHMENT 4
LOCALITY PLAN



**11.3.4 TRARALGON ACTIVITY CENTRE PLAN KEY DIRECTIONS
REPORT**

AUTHOR: General Manager Built and Natural Environment
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present to Council the:

1. Traralgon Activity Centre Plan Stage 2 Key Directions Report, September 2011 for consideration following the community consultation period;
2. Communication Strategy for the Traralgon Activity Centre Plan Stage 2 Final Report(s), for consideration by Council.

2. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

3. STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2011-2015.

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 complementary to its surroundings and which provides for a connected and inclusive community.

Strategic Objectives – Economy

In 2026, Latrobe Valley has a strong and diverse economy built on innovation and sustainable enterprise. The vibrant business centre of Gippsland contributes to the regional and broader communities, whilst providing opportunities and prosperity for our local community.

Latrobe City Council Plan 2011 - 2015

Strategic Direction – Built Environment

Utilise place management principles in planning, developing and promoting localities within the Latrobe City.

Promote and support high quality urban design within the built environment.

Promote the integration of roads, cycling paths and footpaths with public transport options and public open space networks to facilitate passive recreation and enhance the liveability and connection of Latrobe City.

Ensure proposed developments enhance the liveability of Latrobe City, and provide for a more sustainable community.

Integrate transit cities principles in the development of Moe, Morwell and Traralgon activity centres.

Ensure proposed developments and open space areas are complimentary to their surrounds.

Strategic Direction – Economy

Promote and support the development of existing and new infrastructure to enhance the social and economic well-being of the municipality.

Service Provision – Built Environment City Planning

Provide Statutory and Strategic Planning advice and services in accordance with the Latrobe Planning Scheme and Planning and Environment Act.

Major Initiatives – Built Environment

Finalise Stage 2 of the Traralgon Activity Centre Plan to guide future land use via a structure plan, urban design framework and parking precinct plan.

Strategy – Built Environment

Traralgon Activity Centre Plan

Legislation

Local Government Act 1989
Planning & Environment Act 1987
Transport Integration Act 2010

Key Strategic Actions

Finalise Stage 2 of the Traralgon Activity Centre Plan to guide future land use via a structure plan, urban design framework and parking precinct plan.

Policy

The report is consistent with the State Planning Policy Framework and the current Municipal Strategic Statement (MSS).

4. BACKGROUND

The Traralgon Activity Centre Plan (TACP) will deliver a set of final documents for the Traralgon town centre that include a Structure Plan, Parking Precinct Plan, Urban Design Framework, and Implementation Plan (Stage 2 Final Reports), which will guide projected population growth and associated service demand in the Traralgon Activity Centre (TAC) for the next 20 years.

The TACP Scoping Diagram (Attachment 1) provides an overview of the project stages. Stage 1 of the project is now complete and the consultants are currently undertaking Stage 2.

The Stage 2 Key Directions Report, September 2011 (the Key Directions Report) provided in Attachment 2, was developed through a process of community and stakeholder workshops in March and August 2010. These workshops involved a series of themed sessions. Stakeholder groups and individuals were invited to attend either 'one on one' sessions or public meetings with the project consultant and council officers to discuss issues and ideas around the future of the Traralgon town centre. In total, 270 people attended these workshops over a 4 day period. A summary of the community and stakeholder engagement methods used for the project to date is provided at Attachment 4.

The Key Directions Report delivers a set of principles that will underpin the development of the more detailed Stage 2 Final Reports for the project. The Key Directions Report has provided Council, the community and stakeholders the opportunity for input of ideas and direction to the project before work on these final more detailed documents commences.

At its Ordinary Council Meeting of 6 December 2010, Council resolved to place a draft of the Key Directions Report on public exhibition for a period of ten weeks. Requests were subsequently received from the Traralgon Community Development Association, the Traralgon Chamber of Commerce and Industry and two community members for an extension of time to make a submission.

At its Ordinary Council Meeting of 21 February 2011, Council considered a Notice of Motion to extend the public exhibition period for the draft Stage 2 Key Directions Report and resolved the following:

- 1. That Council extends the community consultation period for the Traralgon Activity Centre Plan Stage 2 Draft Key Directions Report until 22nd March 2011 and that Council conducts community information sessions on Wednesday 2nd March 2011 and Wednesday 9th March 2011 to be held in the evening at the Traralgon Service Centre.*
- 2. That the community information session be advertised in the media through public notices, via media releases and council's website.*

The draft Key Directions Report remained on public exhibition until 22 March 2011, a period of 15 weeks. Additional community information sessions were undertaken on 2 and 9 March 2011 with 72 people attending across the two sessions.

A total of 53 letter submissions were received in response to the public exhibition period as well as one petition including 1375 signatures and 565 'Save Osborne Park' cards.

5. ISSUES

Of the 53 letter submissions received, 27 identified some form of support for various aspects of the key directions. Nine of these submissions documented general support for the Key Directions Report overall. Table 1 below indicates the number of support comments for each of the specific key directions.

Table 1: Summary of Support Comments from Submissions

Key Direction	Total No. of Support Comments
1. Identify and define a street hierarchy within the town centre	1
2. Emphasise the key retail axes of Franklin and Seymour Streets	1
3. Create a Princes Highway boulevard	2
4. Develop a Parking Precinct Plan	4
5. Provide integrated car parking solutions in appropriate locations	8
6. Protect and promote the role of Traralgon Activity Centre as the pre-eminent commercial centre for the region	6
7. Encourage the development of housing within the activity centre	3
8. Consolidate the town centre by infilling blocks and repairing street edges	3
9. Encourage a strong urban form that responds to the public realm and regional character	3
10. Improve the provision of facilities associated with public transport	9
11. Create a network of public spaces	11
12. Incorporate art and place making to enhance identity and character	6
13. Provide safe cycle links through the town centre	7
14. Allow for pedestrian and visual links from Kay Street to Victory Park	5
15. Encourage the integration and activation of the Traralgon Creek corridor	4
16. Resolve laneway ownership and encourage activation	6
17. Ensure the provision of appropriate youth spaces within the town centre	4
18. Investigate future options for Hubert Osborne Park and the Civic Precinct	0
General Support for Key Directions Report	9
Support for Concept Plan for Post Office Place	8

There were 6 key themes that emerged as concerns raised in the submissions from the community. These themes are discussed below.

Car Parking

Issues raised:

- Concerns that the number of car parking spaces within the town centre may be reduced, in particular that the introduction of cycle lanes would result in a reduction in car parking spaces.
- Concerns over the reconfiguration of parking spaces in Hotham and Church Streets, specifically any proposal to introduce parallel parking in those streets rather than retaining angled parking.
- That car parking needs to be better managed in a more integrated way. For example, long term multi deck parking to cater for employees and on-street parking retained for customers.

Project response:

The Stage 2 Key Directions Report includes the following key directions:

- 4. Develop a Parking Precinct Plan*
- 5. Provide Integrated Car Parking solutions in appropriate locations*

As a result of submissions received these key directions have now been assigned the highest priority of all of the key directions in the report, to ensure an increase of parking spaces in the town centre. This has been annotated in the Stage 2 Key Directions Report (Attachment 2).

The Parking Precinct Plan that is to be undertaken as part of the Stage 2 Final Documents will ensure car parking issues are addressed in a holistic manner across the whole of the centre. It will establish a parking strategy which will address current and future parking requirements for the Traralgon town centre, including (but not limited to) identification of:

- appropriate time allocation of car parking spaces;
- possible on street car parking design, that allows integration of new streetscapes including cycle lanes while providing increased parking spaces for some streets;
- sites suitable for integrated multi deck car parking (long and short stay);
- sites for long bay car parking.

The Parking Precinct Plan will plan for an increased number of car parking spaces in the town centre. The identification of sites for multi deck car parking will result in an increase in car parking spaces off street, in the long term. Such projects will be subject to future Council budget processes and reconciliation of issues such as land tenure.

Preliminary investigations indicate that reconfiguration of car parking design in Hotham and Church Streets will not reduce the number of car parking spaces and may result in a small increase in car spaces on street. While offering some increase in car parking spaces on street, reconfiguration of car parking design in these streets offers an opportunity to significantly upgrade streetscapes while introducing bike lanes at the same time. Reconfiguration of car parking in these streets can allow for a combination of parallel and centre median parking.

The Parking Precinct Plan will also provide clarity for developers in the town centre regarding parking requirements and associated costs with provision of car parking spaces.

The Stage 2 Final Reports will include an Implementation Plan which identifies the priority, budget and timeframes for implementation of future projects.

Hubert Osborne Park

Issue raised:

- Concerns that part of Hubert Osborne Park would be sold to assist in funding an aquatic centre at another location.

Project response:

The Stage 2 Key Directions Report includes the following key directions:

18. Investigate future options for Hubert Osborne Park and the civic precinct.

Subsequent to the exhibition of the draft Key Directions Report, Council resolved on 23 May 2011 to not pursue the sale of any land on the Hubert Osborne Park site for the purpose of funding an indoor aquatic facility and to explore further, the possible options for an aquatic facility on the site (indoor or outdoor).

Specifically Council resolved recommendations part 1 and 3 at the 23 May 2011 Ordinary Council meeting relevant to the draft Key Directions report, these are listed below:

That having considered all submissions received in respect to the Traralgon Indoor Aquatic and Leisure Centre Feasibility Study 15 July 2010, Council resolves the following:

- 1. To not pursue the sale of any land on the Hubert Osborne Park site for the purpose of funding an indoor aquatic facility.*
- 3. To authorise the Chief Executive Officer to prepare a further report for consideration of Council in respect to the future use of the current Traralgon Outdoor Pool site and Traralgon Croquet Club site which considers the following options:*

- a. *Developing an indoor aquatic and leisure centre on the site currently occupied by the Traralgon Outdoor Pool (outlined in Development Scenario 1 in the Traralgon Indoor Aquatic and Leisure Centre Feasibility Study 15 July 2010);*
- b. *Identifying opportunities for modifications to the current Traralgon Outdoor Pool to facilitate increase patronage/usage, including costs associated with any potential works; and*
- c. *Maintaining the status quo in respect to the current outdoor pool and associated infrastructure on the site.*

The Key Directions Report has now been updated to reflect Council's decision.

The Stage 2 Final Reports will include a Structure Plan for the Traralgon town centre, this will reflect the use of Hubert Osborne Park for public recreational purposes.

Civic Precinct

Issue raised:

- Concern that the draft Key Directions Report seeks to change the use of the Civic Precinct from its current civic uses.

Project response:

The Stage 2 Key Directions Report includes the following key directions:

18. *Investigate future options for Hubert Osborne Park and the civic precinct.*

Community feedback has made it clear that the Civic Precinct must remain for civic uses. The Key Directions Report has been strengthened at Key Direction 18 to specifically include the protection of the Kay Street Civic Precinct.

The Stage 2 Final Reports will include a Structure Plan for the Traralgon town centre, this will reflect the use of the Civic Precinct for civic uses.

Defining a Street Hierarchy

Issue raised:

- Concern that the terms 'primary' and 'secondary' used to describe a hierarchy of streets will promote one street at the expense of another.

Project Response:

The draft Stage 2 Key Directions Report includes the following key direction:

1. Identify and define a street hierarchy within the town centre

As a result of submissions received, Key Direction 1 has now been changed to remove the term 'street hierarchy'. The terms primary and secondary used to describe initiatives of this key direction have also been removed from the report.

This key direction was not intended to promote one street at the expense of another but rather to provide the opportunity for different streets to have their own identity based on role and function and therefore have an urban design response that reinforced that identity. For example, where land use is predominantly retail, pedestrians need to be given a high priority with respect to urban design. Where streets are predominantly for traffic access traffic flows must be given priority and so on.

Housing within the Activity Centre

Issue raised:

- Some concerns with introducing housing into the activity centre around building height, crowding, car parking etc.

Project response:

The draft Stage 2 Key Directions Report includes the following key direction:

7. Encourage the development of housing to ensure a vibrant town centre.

It is not proposed to amend the Key Directions Report as a result of submissions received and it is noted that there were also positive submissions around this theme.

Increased residential densities within activity centres is a key element of both state and local planning policy and has been supported through the response to the draft Stage 2 Key Directions Report by the Department of Planning and Community Development.

The Stage 2 Final Reports will have the capacity to address the concerns raised in submissions. An Urban Design Framework will provide guidelines to address issues around building height and visual bulk. A Parking Precinct Plan will address appropriate levels of parking provisions and/or establish a framework for financial contributions for car parking if required. Such guidelines and provisions will be applied when assessing development applications.

Youth Space in Traralgon Courthouse:

Issue raised:

- Concerns with the option of using the Traralgon Courthouse as a location for youth activities.

Project response:

The draft Stage 2 Key Directions Report includes the following key direction:

17 Ensure the provision of appropriate youth spaces within the town centre

It is not proposed to amend the Key Directions Report as a result of submissions received. *The Community Infrastructure and Social Needs Analysis July 2010* undertaken as part of the background reports for the Traralgon Activity Centre Plan project identified the provision of youth spaces as a gap in the existing social and community infrastructure for Traralgon.

Use of the Traralgon Courthouse for the purpose of youth activities integrated with other community uses was one suggested option. It is acknowledged that there may be other spaces that are suited for youth activities or other uses that are better suited to the Traralgon Courthouse. Key Direction 17 identifies the requirement to provide youth spaces and suggests that further investigation be undertaken.

The Stage 2 Final Reports will have the capacity to further explore potential uses for Traralgon Courthouse through the preparation of a concept plan for the Post Office Place area.

Specific issues raised in the written submissions received are summarised in Table 2 following. A description of how the TACP project will address these issues, through changes to the Key Directions Report and the Stage 2 Final Reports is also provided in this table.

Table 2: Response to submissions

Feedback	Response	Changes Required to the Key Directions
<p>1. Mr Ian McGown (submission 1) Believes the report needs prioritized recommendations.</p>	<p>As a result of submissions received a higher priority has been placed on some key directions relevant to increasing car parking spaces and parking configurations.</p> <p>The Implementation Plan which will be developed as part of the final TACP report will also provide prioritised timeframes and actions.</p>	<p>Yes</p>
<p>Does not support any development of Hubert Osborne Park.</p>	<p>As a result of submissions received and further work undertaken on the indoor aquatic centre project, Council has resolved to maintain Hubert Osborne Park as public space for recreation purposes.</p> <p>Further investigation into the pool facility on the site will be undertaken in accordance with the direction of Council.</p>	<p>Yes</p>
<p>Need for attractive looking buildings, ones that will be remembered</p>	<p>Comment noted</p>	<p>No</p>
<p>Has an expectation of car parking close to shopping destination.</p>	<p>As a result of submissions received a high priority has been placed on the key directions relevant to increasing car parking spaces and the best car parking configurations for streets in the town centre. These include;</p> <p><i>Key Directions 4: Develop a Parking Precinct Plan.</i></p> <p><i>Key Direction 5: Provide integrated car parking solutions in appropriate locations.</i></p> <p>A Parking Precinct Plan undertaken as part of the final TACP report will consider specific submitter comments and identify appropriate time allocation of car parking spaces, possible parking configurations that result in no loss of on street parking spaces and options to increase parking spaces off street. Analysis of the most appropriate parking configurations will also take into consideration possible new streetscapes for some streets and possible cycle lane routes.</p>	<p>Yes</p>
<p>St Michaels PS should be relocated to allow for parking and retail.</p>	<p>Feedback from St Michaels has indicated that the school is unlikely to relocate within the timeframe of the TACP and the final TACP report will therefore reflect this position.</p>	<p>No</p>
<p>Supports the Plaza being extended up, or Queens Parade housing would need to make way for retail.</p>	<p>The final TACP report will support the expansion of Stockland Plaza, in an appropriate form.</p>	<p>No</p>
<p>Ensure priority roads are maintained.</p>	<p>Comment noted however maintenance of assets is outside the scope of this project.</p>	<p>No</p>

Feedback	Response	Changes Required to the Key Directions
Supports value of public art discussed in Plan.	This comment supports Key Direction 12: <i>Incorporate art and place making to enhance identity and character.</i>	No
Does not support housing along the creek.	Comment noted. The final TACP report will seek to ensure that any development in proximity to the creek has regard for the environmental values of the area.	No
2. VicRoads Head Office Vic Roads has no objections to the report.	Noted	N/A
3. Department of Planning and Community Development DPCD supports the identified key directions.	General support noted.	N/A
Suggestions to improve the mapping by noting already active business precincts on the plan and areas suitable for medium density housing.	These mapping suggestions are noted and will be included in the final TACP report.	No
4. Recreation & Rail Trail Development Manager Bicycle Victoria The inclusion of bicycle facilities in the town centre to connect to a potential inter city link between Traralgon & Morwell is supported.	Support noted	N/A
Reference to Ausroad 5 Guidelines for design of bicycle facilities.	Comments noted	N/A
5. Mr Tony Richards Most impressed with the Plan, pleased that parking has been considered and walking and cycling is considered.	General support noted	N/A
Good design required for multi-story development to reduce energy consumption.	The final TACP report will seek to ensure a high quality of design and sustainability in future development through the development of an Urban Design Framework.	No
6. Ms Patricia Templeton Objection to selling Osborne Park	See response for Hubert Osborne Park at submission 1.	Yes
Believes we need parks in central locations for all to enjoy.	This comment supports Key Direction 11: <i>Create a network of public spaces.</i> The final TACP report will seek to maintain the amount of parkland and connections between existing parkland in and around the activity centre.	No
7. Ms Jenifer Whitwam Objection to cycle tracks through the CBD. Comments on the issues of car parking and	See response for 'car parking' at submission 1.	Yes

Feedback	Response	Changes Required to the Key Directions
<p>doesn't think parallel parking will help the situation.</p> <p>Believes people who ride bikes should walk to their shop destinations</p> <p>Concerned about safety with cyclists and parallel parking.</p>		
<p>8. Mr M & Mrs J Hall</p> <p>Object to the sale of Hubert Osborne Park.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>
<p>9. Ms Jennie Wood</p> <p>Objection to selling Hubert Osborne Park and closing outdoor pool.</p> <p>Believes the park adds to the liveability of Traralgon.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>
<p>10. Ms Shirley Hill</p> <p>Should reserve a rural ambience not sell Hubert Osborne Park.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>
<p>Civic Precinct must remain for civic uses</p>	<p>Community feedback has made it clear that the Civic Precinct must remain for Civic uses.</p> <p>The Key Directions Report has been amended at Key Direction 18 to specifically include the protection of the Kay Street Civic Precinct and this will be reflected in the final TACP report.</p>	<p>Yes</p>
<p>Doesn't agree with housing in the CBD not healthy due to noise and pollution.</p>	<p>Comment noted, however increased residential densities within activity centres is a key element of both state and local planning policy. Increased housing opportunities within the TAC will increase the economic and environmental sustainability of Traralgon as a whole and will increase vibrancy and range of services and facilities available in the centre.</p>	<p>No</p>
<p>Doesn't agree with need for traffic lights in Breed / Hotham St.</p> <p>Believes pedestrian crossings in Franklin and Seymour St are suitable</p>	<p>Comment noted however it is not proposed to amend the key directions report. It is noted that there were also submissions that agreed with Key Direction 1 relevant to these comments.</p>	<p>No</p>
<p>Believes Council should wait until Highway is diverted before undertaking works on the Highway Boulevard.</p>	<p>Comment noted however it is not proposed to amend the key directions report as there were also positive submissions supporting Key Direction 3: <i>Create a Princes Highway Boulevard.</i></p>	<p>No</p>
<p>Acknowledges the need for multi level car parks at a number of locations.</p>	<p>This comment supports Key Direction 5:</p> <p><i>Provide integrated car parking solutions in appropriate locations.</i></p>	<p>No</p>
<p>Objects to angle parking changing to parallel.</p>	<p>See response to 'car parking' at submission 1</p>	<p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
Objects to public art “cluttering up” avenues of trees.	Comment noted. The location of public art will need to be carefully considered when it is commissioned, in light of the particular characteristics of each piece of art.	No
Believes Courthouse not suitable for youth who prefer something more open and modern.	The final TACP report will not mandate the use of the courthouse for youth spaces, but will recommend that Council explore the implications for this option further.	No
Believes Council should refurbish existing pool and heat with geothermal energy underneath and encase in suitable building, indoor/outdoor arrangement.	See response for Hubert Osborne Park at submission 1.	Yes
<p>11. Vic Roads Regional Office</p> <p>Vic Roads supports the key directions and state they provide a very sound integrated approach to both transport planning and land use that should cater for safe and efficient movement of all vehicles and pedestrians.</p>	Noted	N/A
<p>12. Mr Keith Chenhall</p> <p>Plan makes no definite recommendations and fails to deal with immediate and pressing problems of traffic congestion.</p>	<p>As a result of submissions received a higher priority has been placed on some key directions relevant to increasing car parking spaces and parking configurations.</p> <p>The Implementation Plan which will be developed as part of the final TACP report will also provide prioritised timeframes and actions.</p>	Yes
Plan does not seek to disperse traffic away from centre of town by providing for a creek crossing across Traralgon Creek near eastern end of Bradman Drive and overpass or underpass at Bank St.	Comment noted. The issue of the creek crossing is acknowledged but is beyond the scope of this project.	No
Housing within the Activity centre combined with the requirement for car parking attempts to cram too much into a small area.	See response for ‘housing in the CBD’ at submission 10.	No
Traffic lights at Breed St and Hotham St will not mitigate issues at this intersection	The existing issue of safe crossings on Breed Street must be addressed. Traffic experts will provide guidance as to the most suitable location for this intersection.	No
Lanes are to service shops	<p>Noted however it is not proposed to change the Key Directions. It is noted that there were positive submissions supporting Key Direction 16:</p> <p><i>Resolve Laneway Ownership and encourage activation</i></p>	No
<p>Customer car parking should be primary focus above staff and office car parking.</p> <p>Removal of angle parking in Hotham & Church St not desirable.</p>	See response for ‘car parking’ at submission 1.	Yes
Congestion in Post Office place is compounded by darkened glass outside	This comment supports the need for a concept plan for Post Office Place as discussed in the Key Directions	No

Feedback	Response	Changes Required to the Key Directions
Cargo Lounge.	Report.	
Mentions tiled mosaics in Cooma as a good example of public Art	Noted this comment supports Key Direction 12: <i>Incorporate art and placemaking to enhance identity and character.</i>	No
Creation of water facility/lake on flood plain.	Noted however this is outside the scope of this project.	No
13. Ms Tracey Townsend Issues with safety of the school crossing on Breed St. and suggests several measures to improve safety at this crossing and for pedestrians in general crossing Breed St.	As a result of submissions received issues of traffic congestion and pedestrian safety in Breed St will be further investigated in the final TACP reports with a set of recommendations outlined in the Implementation Plan.	Yes
14. Mr Alan Witchell Parking and Bike Lanes: Object to replacement of angled parking with parallel parking. Plan does not address long term car parking for all day shoppers/staff. More storeys are required at the Seymour St car park. Encourages Council to undertake public /private venture to build a multi deck car park on Ryans hotel site.	See response for 'car parking' at submission 1. Comments around multi deck car parks support Key directions 5 <i>Provide integrated car parking solutions in appropriate locations.</i> The provision of a multi-deck car park at the Ryan's Hotel site will need to be considered in light of important heritage values of that site and the Kay Street boulevard.	Yes
Why does Council require a further statutory tool to implement policies relating to cash in lieu payments?	Question noted. In the Latrobe Planning Scheme there is currently no statutory tool to require cash in lieu payments.	N/A
Objects to the sale of Hubert Osborne Park.	See response for Hubert Osborne Park at submission 1.	Yes
Post office Place needs immediate attention.	This comment supports the need for a concept plan for Post Office Place as discussed in the Key Directions Report at page 25.	No
Objects to selling of Civic Centre Site.	See response for 'Civic Precinct' at submission 10.	Yes
Suggests a panel should be appointed by the Minister for Planning to implement a 5, 10, 25, 50 year plan.	Comment noted. The TACP is being prepared in line with state government regulations. Feedback from the Department of Planning and Community Development has been and will continue to be sought.	N/A
Believes the parameters of the Plan should have been set more widely and look for potential sites to relocate educational centres. Provision should be made for moving the TAFE college and 2 schools out of the CBD to free up valuable CBD real estate.	Comment noted. Feedback from the two schools currently located in the TAC has indicated they have made recent investments in infrastructure and are unlikely to relocate within the timeframe of the TACP similarly with the TAFE. The final TACP reports will reflect this position.	No
15. Ms Ann Cogan	See response for Hubert Osborne Park at submission 1.	Yes

Feedback	Response	Changes Required to the Key Directions
<p>Objects to the sale of Hubert Osborne Park and does not want the pool decommissioned.</p> <p>Believes the pool should remain in current location and be heated and covered.</p>		
<p>16. Ms Judi McLaughlin</p> <p>Endorses most of the proposals in the report especially residential accommodation to be encouraged above shops and offices in the CBD, believes that this will make the CBD more alive and attractive.</p>	<p>Support for most of the proposals noted in particular support for Key Direction 7:</p> <p><i>Encourage the development of housing within the activity centre.</i></p>	No
<p>Not opposed to redevelopment of the existing pool site to accommodate an indoor aquatic centre.</p> <p>Objects to the sale and development of any existing public space close to the CBD in particular Hubert Osborne Park.</p> <p>Believes Hubert Osborne Park should be enhanced.</p>	See response for Hubert Osborne Park at submission 1.	Yes
<p>17. Collie Pty Ltd (Stockland Traralgon)</p> <p>No objection to the content of the report at the higher strategic level.</p>	Noted	No
<p>Keen to continue liaison with Council and to consider more detailed recommendations in future stages of the study.</p>	Noted	N/A
<p>18. Mr Neil Griffiths</p> <p>Supports the majority of key directions described but objects to part of Key Direction 3.7 – ‘potential redevelopment of the outdoor swimming pool’ and Key Direction 3.18 ‘the sale and development of the eastern portion of this site is supported.’</p> <p>Believes that the parkland and pool is highly valued by the residents and should not be sold or redeveloped.</p> <p>Believes that there are other opportunities for commercial / residential development at other sites within the CBD and the Hubert Osborne Park site should not be sacrificed for such development.</p>	See response for Hubert Osborne Park at submission 1.	Yes
<p>19. Traralgon Croquet Club Inc</p> <p>Refers to submission made to the Traralgon Indoor Aquatics and Leisure Centre Feasibility Study.</p>	Noted	N/A

Feedback	Response	Changes Required to the Key Directions
Identifies the need for Council to consider the future of the existing facilities and the green space that this represents in any future Plan rather than assume it is no longer needed.	See response for Hubert Osborne Park at submission 1.	Yes
The Club would like to work with Council on any proposal.	Noted. The Club have been invited to be a member of the Traralgon Aquatic Centre Working Party.	N/A
<p>20. Latrobe Community Health Service</p> <p>Pleased that the draft report has considered the physical and mental well being of community within the town centre.</p>	Noted	N/A
References the healthy by design policy as a good resource.	Comments Noted	N/A
Identifies Key Directions 11, 13 and 14 as having a real focus on providing places for increased physical activity.	<p>Noted comments support Key Directions 11, 13, 14.</p> <p><i>11. Create a network of public spaces</i></p> <p><i>13. Provide safe cycle links through the town centre</i></p> <p><i>14. Allow for pedestrian and visual links from Kay St to Victory Park.</i></p>	No
Identifies the need for a cycle connection between Traralgon and Morwell and identifies the benefit of connecting cycle links through the CBD, with the Train station and creek.	<p>Noted comments support Key Directions 13:</p> <p><i>Provide safe cycle links through the town centre</i></p>	No
Identifies the aims of Key Directions 12 and 17 to increase social connections within the town and encourages the involvement of the local indigenous community regarding the 'place making' process.	<p>Noted comments support Key Direction 12:</p> <p><i>Incorporate art and place making to enhance identity and character</i></p>	No
Believes that public transport should be considered as an important aspect of the plan.	Noted this comment supports Key Direction 10: <i>Improve the provision of facilities associated with public transport.</i>	No
Believes the eastern end of Seymour St should be the focus of a wellness corridor due to the location of the LCHS and the short listing of this site for a GP Super Clinic, as well as the proximity of site to public transport, parking other facilities e.g. chemists and for opportunities for further development of health services along Princes Boulevard.	Comments noted, there are a number of areas within the TAC which have a concentration of health services, including along Breed Street and the block between Kay and Grey Streets, as well as the eastern end of Seymour Street.	No
Believes the Activity Centre planning should be integrated across all of Latrobe's main towns.	Noted. The scope of this project was defined within the project brief and focuses on the centre of Traralgon.	N/A
Supports the construction of an additional floor on to Seymour St car park and development of a space for dedicated youth facilities.	<p>Supports Key Direction 5 and 17.</p> <p><i>5. Provide integrated car parking solutions in appropriate locations.</i></p>	No

Feedback	Response	Changes Required to the Key Directions
	<i>17. Ensure the provision of appropriate youth spaces within the town centre.</i>	
Keen to be involved in any further consultation process.	Noted	N/A
<p>21. Save Osborne Park Community Group</p> <p>Commends initiatives in the report which encourages low car use, improved amenity, linkages between public spaces and support of businesses within the town and those that address safety and traffic congestion.</p>	Support for these initiatives is noted.	N/A
The group is opposed to the proposal to sell off any part of Hubert Osborne Park including the outdoor swimming pool for commercial or residential development as outlined in Key Direction 7 and 18.	See response for Hubert Osborne Park at submission 1.	Yes
The submission identifies a series of 53 questions which the group have requested specific responses to.	Responses to the 53 questions were provided in an Attachment to the Council Report for the Traralgon Indoor Aquatic Facility Feasibility Report considered at the Ordinary Council meeting of 23 May 2011. These responses are provided as Attachment 5 in this Council Report.	N/A
<p>22. The White Family</p> <p>Objects to selling off the outdoor pool site, has experienced many enjoyable family memories at the outdoor pool.</p> <p>Doesn't object to building an indoor pool but not at the expense of the outdoor pool.</p>	See response for Hubert Osborne Park at submission 1.	Yes
<p>23. Ms Maureen McIntosh</p> <p>Concern that there is no clear information about the area immediately south of the railway station. Would like to know the plans for this area.</p>	The area immediately to the south of the railway line is addressed by a separate project (the Traralgon Station Precinct Master Plan). This can be viewed at Council's website at www.latrobe.vic.gov.au . The area to the south of Queens Parade is primarily covered by a Heritage Overlay under the Latrobe Planning Scheme, and any development in this area needs to consider these heritage values.	N/A
<p>24. Mr Glyn Baker) Advised that second submission superseded the first).</p> <p>Believes the draft plan doesn't significantly recognise the importance of connecting the Traralgon Activity Centre with existing bicycle lanes /paths and in particular future inter-town bicycle lanes /paths between Morwell and Traralgon. Suggests some word changes to text within Key Direction 3.1 and 3.13 to better reflect this.</p>	<p>Comment supports Key Direction 13</p> <p><i>Provide safe cycle links through the town centre.</i></p> <p>Word changes to Key Direction 13 have now been incorporated to identify these links.</p>	Yes
Acknowledges the secure bicycle facilities planned for the Traralgon Train Station and	Comment supports Key Direction 13	Yes

Feedback	Response	Changes Required to the Key Directions
<p>suggests similar facilities may be necessary at another location in the Activity Centre, most likely Stockland Plaza.</p>	<p><i>Provide safe cycle links through the town centre.</i></p> <p>This key direction includes the initiative to identify appropriate locations for secure bicycle parking in the town centre.</p>	
<p>Objects to any proposal to sell off any portion of Hubert Osborne Park until such time that Council can ensure how major projects will not place the budget surplus at risk as there is a concern regarding Council's debt liability. Believes the land should be retained for a public facility not for a private enterprise.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>
<p>25. Mr/Mrs AJ Gumpold</p> <p>Objects to the sale of any portion of Hubert Osborne Park.</p> <p>Believes green spaces should be valued and not sold off for financial gain.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>
<p>26. Mr Philip Carter (Pro-Tek Computers, accompanied by a petition with 1,375 signatures)</p> <p>Oppose any proposal to remove angled parking in Church St or Hotham St. Believe it will reduce parking in those streets and result in the following;</p> <ol style="list-style-type: none"> 1. Reduction of parks will reduce customer direct access to businesses. 2. Place an increased burden on Traralgon's already over stretched parking problem. 3. Reduce our customers desire to do business in our street, causing loss of business and loss of jobs. 4. Believe the proposal has been put up without direct consultation with the traders in Church St and Hotham St. 	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>27. Ms Elizabeth Jeffery (submission 1)</p> <p>Doesn't believe the Plan was sufficiently publicised in Traralgon.</p>	<p>Comment noted</p>	<p>N/A</p>
<p>Believes the Plan has several severe defects and that Traralgon would not be able to survive such a radical restructure.</p>	<p>Comment noted</p>	<p>N/A</p>
<p>Acknowledges that parking is a problem in Traralgon but believes a Parking Precinct Plan will make it worse and that people will not be able to access the strip shopping.</p>	<p>See response for 'car parking' at submission 1.</p> <p>See response for 'creek crossings' at submission 12.</p>	<p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
<p>Believes long term parking for business owners and staff is needed and more bridges over the creek to allow easier access from the north of town.</p> <p>Believes plans to install bike lanes in Church St and Hotham St are not practical.</p>		
<p>Believes the Highway Boulevard is impractical does not want any more trees planted there and believes the town approaches would not benefit from anymore trees.</p>	<p>Comment noted, see response to 'highway boulevard' at submission 10.</p>	<p>No</p>
<p>Doesn't agree that the town presents a rear end to the Highway.</p>	<p>Comment noted.</p>	<p>N/A</p>
<p>Believes that providing youth space, extra seating and shade is good but providing a space for youth in the Court House would be disastrous as young people don't see preserving historic buildings as important.</p>	<p>See the response for 'youth spaces' at submission 10.</p>	<p>No</p>
<p>Doesn't support housing in the CBD.</p>	<p>See the response for 'housing in the CBD' at submission 10.</p>	<p>No</p>
<p>Doesn't support the sale of Hubert Osborne Park as people value the open green space.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>
<p>Doesn't support the proposed city square.</p>	<p>Comment noted however it is not proposed to amend the key directions report as there were also positive submissions supporting Key Direction 11.</p>	<p>No</p>
<p>Doesn't support Key Direction 3.14 'Pedestrian and visual links to Victory Park' believes this will result in people being shunted into Stockland Plaza.</p>	<p>Comment noted however it is not proposed to amend the key directions report as there were also positive submissions supporting Key Direction 14</p>	<p>No</p>
<p>Supports improved lighting in laneways and any improvements to security and safety.</p>	<p>Comment supports Key Direction 16: <i>Resolve laneway ownership and encourage activation.</i></p>	<p>No</p>
<p>28. Mr BJ & Mrs RB Ferguson</p> <p>Believes the Traralgon community has not been given enough time to consider and comment on all the issues in the report.</p> <p>Requested an extension of time for submissions.</p>	<p>Comment noted.</p>	<p>N/A</p>
<p>Strongly objects to the sale of Hubert Osborne Park, believe it enhances the liveability aspects vital to a growing population.</p> <p>Believes the sale of Hubert Osborne Park should have been researched more and has been hidden away at the end of the report with little or no consultation to the residents</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
and ratepayers of Traralgon.		
Doesn't support the Traralgon Courthouse as being utilised as an area for youth. Believes this building should be available for all residents of Traralgon and made into an information and tourist hub for Gippsland.	See the response for 'youth spaces' at submission 10.	No
Asks what the word youth means.	Youth refers to those under the age of 18.	N/A
Supports angle parking to remain.	See response for 'car parking' at submission 1.	Yes
<p>29. Ms Rhonda O'Dea</p> <p>Objects to the removal of any angle parking in the CBD to make way for bicycle lanes.</p> <p>Believes angle parking is safer, more easily accessible and provides minimal disruption to traffic.</p> <p>Believes bicycle commuters would benefit from CBD perimeter parking and storage and perimeter bicycle tracks.</p>	See response for 'car parking' at submission 1.	Yes
Objects to any public land and in particular any portion of Hubert Osborne Park being sold as the parkland offers public space and public amenities that Traralgon residents young and ageing have a right to access close to the CBD.	See response for Hubert Osborne Park at submission 1.	Yes
Would like the draft plan reassessed to consider the 'village' aspect of community life.	Comment noted	No
<p>30. Mr A and Mrs B Kanavan</p> <p>Oppose the reduction of angled parking in Seymour and Hotham St.</p> <p>Recommend the retention of the current format of parking.</p> <p>Do not believe that bike riders would be safer when cars are parked parallel and believe that parallel parking would contribute to congestion. Need to address the longer term and all day parking in the CBD.</p>	See response for 'car parking' at submission 1.	Yes
<p>31. Mr P and Mrs G Perks</p> <p>Believe changing the format of parking in Church and Hotham St from angled to parallel would cause a lot of inconvenience to the public and traders in respect to pick up and delivery of goods to those traders.</p>	See response for 'car parking' at submission 1.	Yes

Feedback	Response	Changes Required to the Key Directions
<p>Believe more needs to be done to have a safer night time environment.</p>	<p>Issues of safety within the activity centre are acknowledged and are being addressed through a number of Council and community projects. Where appropriate, land use planning can assist in addressing this issue this will be included within the final TACP reports.</p>	<p>No</p>
<p>Believe one of the biggest issues in Traralgon is the general untidiness of the town centre.</p> <p>Believe a Tidy Towns campaign is needed, more butt out facilities and policing of littering offences.</p>	<p>Comments noted, however on going maintenance of infrastructure is outside the scope of this project.</p>	<p>No</p>
<p>32. Mr Ken Skinner</p> <p>Does not support removing half of the parking from the streets in the shopping precinct to provide a bike path.</p> <p>Believes that car parks on the edges of the CBD are not appropriate.</p> <p>Believes that the majority of key directions will result in removal of car parking spaces and traffic congestion.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>Believes the Plan will advantage some retailers over others.</p>		
<p>Does not support the idea of housing in the town centre.</p>	<p>See the response for 'housing in the CBD' at submission 10.</p>	<p>No</p>
<p>33. Ms Wilma Livingston</p> <p>Does not support changing the angle parking in Traralgon to parallel parking with a bike path. Believes this will cut parking areas in half and destroy shopping in the area.</p> <p>Believes a bike path should be put in Breed St where there is already parallel parking, if one is to go in the CBD.</p> <p>Believes that putting a bike path down Hotham St will channel cyclists into Livingston St which is already a dangerous street.</p> <p>Believes bike paths give cyclists a false sense of security.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>Would prefer improvements to Traralgon to be in the form of cleaner footpaths</p>	<p>Comments noted, however on going maintenance of infrastructure is outside the scope of this project.</p>	<p>No</p>
<p>34. Ms Vikki Holder</p> <p>Doesn't support changing the parking from angled parking to parallel parking.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
<p>Believes it will minimise the amount of parking spaces available and this demand will increase with the opening of the GippsTafe.</p> <p>Believes the traffic flow will be held up while waiting for people to reverse into parks, whereas with angled parking there is no hold up with people entering parking spaces.</p> <p>Believes that both Hotham and Church St have ample space for cyclists and motorists as they are at present.</p> <p>Believes the proposal is not cyclist friendly.</p> <p>Believes that ratepayer's money would be better used to make the roads safer for cyclists by filling in pot holes and smoothing out bumps.</p>		
<p>35. Mr D and R Smith</p> <p>Object to any proposal to change from angle parking to parallel parking.</p> <p>Believes that this change would result in the removal of 40 to 50% of car parks in the affected area.</p> <p>Believes that angle parking is much easier and more efficient than parallel parking due to the hold up in traffic caused by manoeuvring into a parallel park.</p> <p>Believes that changing to the proposed parallel style will not yield any more street surface for traffic without other substantial street format changes.</p> <p>States those other large regional towns have maintained their angle parking with wide enough streets to support this far more efficient form of parking</p> <p>Acknowledges the Seymour St car park as an improvement but argues that it is not in a central location and is therefore underutilised.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>36. Mr Ian McGown (second submission)</p> <p>Would like to see Traralgon renowned for splendid examples of modern architecture and a continuing effort to create attractive low cost housing close to the CBD to provide for an ageing population.</p>	<p>Comments noted. The final TACP report will seek to promote the development of high quality architectural outcomes through the development of an Urban Design Framework</p>	<p>No</p>
<p>Believes we must preserve parkland at all costs.</p>	<p>Comments support Key Direction 11:</p>	<p>No</p>

Feedback	Response	Changes Required to the Key Directions
	<i>Create a network of public spaces</i>	
<p>Believes to attract visitors we need a signature construction, memorable arcades and street furniture.</p>	<p>Comments support Key Direction 11:</p> <p><i>Create a network of public spaces,</i></p> <p>And Key Direction 16:</p> <p><i>Resolve laneway ownership and encourage activation.</i></p> <p>A concept plan will be prepared by Jackson Architecture for the key public space of Post Office Place.</p>	No
<p>Believes the present CBD is dominated by the motor car and commercial imperative.</p> <p>Believes access to the hub by cycle or foot is non-existent because we have a culture in which driving to individual shops is accepted in order to limit the time taken to satisfy our needs.</p>	<p>Comments support the following Key Directions: 10, 13, 14..</p> <p><i>10. Improve the facilities associated with public transport.</i></p> <p><i>13. Provide safe cycle links through the town centre.</i></p> <p><i>14. Allow for pedestrian and visual links from Kay Street to Victory Park.</i></p>	No
<p>Makes suggestions for improvement around beautifying the CBD, public realm improvements, creating more parking zones, encouraging a supermarket on the south side of the rail line, removing the schools from the CBD, removing all buildings from Hubert Osborne Park.</p>	<p>Comments support the following Key Directions: 4, 5, 10, 11, 14.</p> <p><i>4. Develop a Parking Precinct Plan.</i></p> <p><i>5. Provide integrated car parking solutions in appropriate locations.</i></p> <p><i>10. Improve the facilities associated with public transport</i></p> <p><i>11. Create a network of public spaces,</i></p> <p><i>14. Allow for pedestrian and visual links from Kay Street to Victory Park.</i></p>	No
<p>37. Mr Don Tylee</p> <p>Likes most of the content and recommendations of the Draft Key Directions Report, but has comments on 2 specific aspects of the plan:</p> <p>1. Key Directions 4 'Develop a Parking Precinct Plan' says we should develop a plan, I would expect to see recommended solutions not state we need a plan. Gives the example of adding a third floor of all day car parking to the Seymour St car park as a possible solution to assist with car parking.</p> <p>2. Key Direction 13 'Provide Safe Cycle Links Through the Town Centre'. As a cyclist Mr Tylee would prefer angle parking to parallel parking and believes angle parking creates</p>	<p>Support for the majority of Key Directions is noted.</p> <p>See response for 'car parking' at submission 1.</p>	Yes

Feedback	Response	Changes Required to the Key Directions
<p>less traffic blockages.</p> <p>Believes we need more parking not less.</p> <p>The plan fails to connect to the plaza but starts at the dead end of Hotham St.</p> <p>Believes the proposed solution does not assist cyclists and are therefore wasteful.</p>		
<p>Would prefer submissions to be able to be made by email.</p>	<p>Submissions need to be made in writing. Latrobe City accepts submissions made via email provided that they are clearly labelled as a submission to a particular matter.</p>	<p>N/A</p>
<p>Thanks Council for taking a long term planning view as this is essential for our future.</p>	<p>Comment noted.</p>	<p>N/A</p>
<p>38. Mr David McPhee</p> <p>Doesn't support removal of angled parking as he believes this will result in the loss of a number of car parking spaces and is unsafe for cyclists due to car doors opening into cyclists.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>39. Mr Brian Morrell</p> <p>Does not support the sale of the outdoor swimming pool in Hubert Osborne Park or the Civic Centre.</p>	<p>See response for Hubert Osborne Park at submission 1.</p> <p>See response for 'Civic Precinct' at submission 10.</p>	<p>Yes</p>
<p>Agrees that there is a need for more parking in the CBD.</p> <p>Doesn't agree with the introduction of cycle paths in the proposed locations.</p> <p>Does not support a change from angled parking to parallel parking, believes the businesses that operate both day and night will suffer.</p> <p>Believes that parallel parking will be unsafe for those that ride motorised scooters due to door opening.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>Suggests that a multi level car park on the corner of Deakin and Hotham Street would be a better idea or a multi level car park over Aldi's and Manny's market as well as other suitable developments at Stockland Plaza to incorporate a youth activity centre and movie theatre complex.</p>	<p>Comments support Key Direction 5: <i>Provide integrated car parking solutions in appropriate locations.</i></p> <p>The TACP will provide suggestions for the locations of multi-deck car parks but their development will rely on market conditions.</p> <p>See the response for 'youth spaces' at submission 10.</p>	<p>No</p>
<p>Doesn't agree with the idea of a 'Hierarchy of</p>	<p>As a result of submissions received this Key Direction has now been changed to remove the term 'Street</p>	<p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
streets'.	Hierarchy'. The Key Directions report did not intend to promote one street above another, but to enable each street to have its own identity, and to have an urban design response that reinforces the identity of each street. The terms used to describe different streets have been changed to remove any suggestion of a hierarchy of streets.	
Suggests a need for traffic lights at the Franklin St Post Office Place intersection.	This comment supports the need for a concept plan for Post Office Place as discussed in the Key Directions Report. The final TACP report will consider the installation of traffic lights at the intersection of Franklin Street and Post Office Place.	No
Suggests there is merit in building over the top of the train station.	While long term development over the train lines would be supported, it is considered that there is enough development potential within the TAC to accommodate growth should increased densities be pursued within the timeframe of this project.	Yes
<p>40. Ms Cheryl Walmsley</p> <p>Objects to the sale of the current pool site.</p> <p>Advocated for keeping the outdoor pool in Traralgon.</p> <p>The land for the outdoor pool was purchased by the residents of Traralgon and the pool constructed through resident donations and fund raising.</p> <p>Council rates were not used to purchase the pool site.</p> <p>Present site is central to all and it would be detrimental to residents from the eastern end of town if the pool site was moved.</p> <p>We have the only outdoor pool in the Valley and if it was promoted in the correct manner I feel residents from other towns would utilise it.</p> <p>Believes that one pool on the site could be built which incorporates one outdoor/heated pool.</p>	See response for Hubert Osborne Park at submission 1.	Yes
<p>Objects to the removal of angle parking.</p> <p>Does not support the replacement of angled parking in Church and Hotham St with parallel parking, believes this will increase an already desperate parking situation in the CBD.</p> <p>Believes these streets are wide enough for cyclists and motorbikes to safely negotiate these streets and parallel parking would be unsafe due to the opening of doors.</p>	See response for 'car parking' at submission 1.	Yes

Feedback	Response	Changes Required to the Key Directions
<p>41. Mr Barry Stuckey</p> <p>Doesn't support building height of 7-8 storey, believes this can be wrong for future generations if they are unattractive and for what a regional /rural city should look like.</p>	<p>Comments noted however the building height of 7/8 storeys is a maximum height and is identified only for key areas. These areas will then need to be modelled to ensure that the height does not impact on the public spaces adjacent, including through overshadowing and also by what is known as 'visual bulk' where the building overwhelms the space around it. Careful consideration of the design of individual building will be strongly supported in the final TACP reports, particularly the Urban design Framework.</p> <p>The additional height will allow for an expansion of the important economic activity and land uses within the TAC without expanding into the residential areas around the centre. This was a key theme that emanated from the community workshops.</p>	<p>No</p>
<p>42. Ms Val Marcus</p> <p>Concerns regarding car parking in Hotham and Church St. Concerned that Council are going to halve the car parking in these streets.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>43. Traralgon Chamber Commerce & Industry</p> <p>The Traralgon Rail Precinct Master Plan needs to be included in the TACP.</p>	<p>The boundary for the study area was determined in the project brief as the Station Precinct was the subject of a separate project. However, the final TACP report will take into account this area and will ensure a consistency of planning across the whole area.</p>	<p>No</p>
<p>Concerned that some aspects have not been included in the 20 year plan</p>	<p>Comments noted.</p>	<p>No</p>
<p>Concerned about how the Outdoor Pool decision will affect this report</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>
<p>Comments regarding 'minibus circuit' idea, support this idea but believe it requires further work.</p>	<p>Comments noted. The 'minibus circuit' idea was generated at the community workshops and while noted in the Key Directions report has not been carried forward into the Key directions.</p>	<p>No</p>
<p>Unsure of the practicality of closing the southern end of Franklin Street.</p>	<p>Comments noted. This idea was generated at the community workshops and while noted in the Key Directions report has not been carried forward into the Key directions.</p>	<p>No</p>
<p>Support creating/enhancing pocket parks if the correct trees are selected.</p>	<p>Comments support Key Direction 11:</p> <p><i>Create a network of public spaces.</i></p> <p>Comments regarding appropriate tree selection have been noted.</p>	<p>No</p>
<p>Key Direction 2: Emphasis the key retail axes of Franklin and Seymour Streets.</p> <p>With regard to the benefits of providing a</p>	<p>Support for major retail development in the western end of the TAC is most likely to occur on existing large retail sites. See also response for Hubert Osborne Park at submission 1.</p>	<p>No</p>

Feedback	Response	Changes Required to the Key Directions
<p>major retail development at the western end of Seymour St the TCCI wondered if Latrobe City had had discussions with any particular company or whether the location would be the Outdoor Pool site. Would there be an expectation that businesses move into precincts?</p> <p>Appropriate trees for the CBD must be selected.</p>	<p>Comments regarding appropriate tree selection have been noted.</p>	
<p>Key Direction 3 Create a Princes Highway Boulevard</p> <p>Support 'in principal' for this idea but question the priority and the cost.</p>	<p>Comments support Key Direction 3: <i>Create a Princes Highway boulevard</i> .</p> <p>Support is dependant on cost.</p>	No
<p>Key Direction 4 Develop a Parking Precinct Plan</p> <p>Car Parking is a top priority. Concern regarding cash-in lieu payments, these need to be retained by the town they were made for. Support the identification of a need for long bay car parking in the town.</p>	<p>Comments support Key Direction 4: <i>Develop a Parking Precinct Plan</i>.</p> <p>Cash in lieu comments noted.</p>	Yes
<p>Key Direction 5 Integrated Car Parking Solutions in Appropriate Locations</p> <p>Support multi level car parking as long as it is in the CBD associated with this is better parking signage.</p> <p>Support encouraging the construction of an additional floor on the Seymour St car park. This needs to be done straight away. Support a review of allocated timing of car parking spaces. This needs to be done straight away. Suggested time changes have been described.</p>	<p>Comments support for Key Direction 5: <i>Provide integrated car parking solutions in appropriate locations</i>.</p>	Yes
<p>Key Direction 6 Protect and promote the role of Traralgon activity centre as the pre-eminent commercial centre for the region</p> <p>Strongly agree that a major department store would bring more people to Traralgon and be good for the town. Should be a high priority.</p>	<p>Strong support for Key Direction 6: <i>Protect and promote the role of Traralgon activity centre as the pre-eminent commercial centre for the region</i>, particularly in relation to the department store.</p>	No
<p>Key Direction 7 Encourage the development of housing within the activity centre</p> <p>Not fully supported.</p>	<p>See the response for 'housing in the CBD' at submission 10.</p>	No
<p>Key Direction 8 Consolidate the town centre by infilling blocks and repairing street edges</p> <p>Not supportive of this idea believe that the current parking at the back of businesses</p>	<p>Car parking across the whole of the precinct will be considered as part of the Parking Precinct Plan. In addition, infilling of blocks can also accommodate car parking at the ground level.</p>	No

Feedback	Response	Changes Required to the Key Directions
would be lost.		
<p>Key Direction 9 Encourage a strong urban form that responds to the public realm and regional character.</p> <p>Strongly agree with this</p>	<p>Comments support Key Direction 9:</p> <p><i>Encourage a strong urban form that responds to the public realm and regional character.</i></p>	No
<p>Key Direction 10 Improve the provision of facilities associated with public transport.</p> <p>Agree in principle but are concerned with the practicalities particularly at the Station where car parking may be impacted.</p>	<p>Comments support in principle Key Direction 10: <i>Improve the provision of facilities associated with public transport.</i></p> <p>Master Planning to improve the provision of public transport facilities at the Traralgon Station Precinct has resulted in a planned increase of parking spaces available.</p>	No
<p>Key Direction 11 Create a network of public spaces.</p> <p>Agree in principle but are concerned about the practicalities of a shared space around Post Office place and the ownership of laneways and potential security risk.</p> <p>Additional toilets are needed and should be a high priority</p> <p>Need to consider ageing population as well as youth.</p>	<p>Comments support in principle Key Direction 11: <i>Create a network of public spaces.</i></p> <p>The aging population will also be carefully considered in the TACP final report and the provision of a network of public spaces through the activity centre will increase opportunities for older people to both rest and to socialise within the centre.</p>	No
<p>Key Direction 12 Incorporate art and place making to enhance identity and character.</p> <p>Support this concept particularly heritage display – suggestions made for Oldsmobile display.</p>	<p>Comments support Key Direction 12: <i>Incorporate art and place making to enhance identity and character.</i></p>	No
<p>Key Direction 13 Provide safe cycle links through the town centre.</p> <p>Agree it is good to encourage people to ride bikes however the fear is that car parking spaces will be lost, need to find another way to replace car parking spaces.</p> <p>Support secure bicycle parking.</p>	<p>Comments support Key Direction 13: <i>Provide safe cycle links through the town centre</i>; provided it is not at the expense of losing car parking spaces, see also response for 'car parking' at submission 1.</p>	Yes
<p>Key Direction 14 Allow for pedestrian and visual links from Kay Street to Victory Park.</p> <p>Support the idea but are concerned about the practicalities of signalling the intersection at PO Place and Franklin St.</p>	<p>This comment supports the need for a concept plan for Post Office Place as discussed in the Key Directions Report at page 25.</p> <p>The final TACP report will give careful consideration to the installation of traffic lights at the intersection of Franklin Street and Post Office Place.</p>	No
<p>Key Direction 15 Encourage the integration and activation of the Traralgon Creek corridor.</p>	<p>Comment support Key Direction 15: <i>Encourage the integration and activation of the Traralgon Creek corridor,</i></p>	No

Feedback	Response	Changes Required to the Key Directions
Support the idea but don't believe this is a high priority, dollars better spent elsewhere.	however the lower priority is noted.	
<p>Key Direction 16 Resolve laneway ownership and encourage activation</p> <p>Support improved lighting in laneways but are concerned with practicalities and ownership issues regarding activation of laneways.</p>	<p>Comments partially support Key Direction 16: <i>Resolve laneway ownership and encourage activation.</i></p> <p>The practical issues associated with the increased use of laneways by pedestrians are acknowledged but are considered to be manageable. It is not anticipated that the increased use of laneways by pedestrians will mean that lanes become unavailable for use as service and access points to businesses.</p>	No
<p>Key Direction 17 Ensure the provision of appropriate youth spaces within the town centre</p> <p>Agree the youth need space but don't believe the Courthouse should be specifically for youth.</p>	See the response for 'youth spaces' at submission 10.	No
<p>Key Direction 18 Investigate future options for Hubert Osborne Park and Civic Precinct</p> <p>Support the retention of the Outdoor Pool in its current location. A retail precinct should not be included in this area.</p>	See response for Hubert Osborne Park at submission 1.	Yes
<p>44. Mr Ian Leversha</p> <p>Pedestrian traffic at the corner of Franklin St & Post Office consider putting in traffic lights for easier access.</p> <p>Consider turning the western half of Post Office Place to a pedestrian mall.</p>	<p>These comments support the need for a concept plan for Post Office Place as discussed in the Key Directions Report, at page 25.</p> <p>The final TACP report will give careful consideration to the installation of traffic lights at the intersection of Franklin Street and Post Office Place.</p>	No
<p>Current bus and taxi rank needs modification/extending possibly eastern side of Franklin St from Grey St to Kay St be reserved as a main bus station and a portion allocated to taxis.</p> <p>Public Transport needs into the future need to be considered.</p>	<p>Comments support Key Direction 10: <i>Improve the provision of facilities associated with public transport.</i></p> <p>Suggested location is noted.</p>	No
More Multi Storey car parking is required around Franklin, Hotham, Church & Kay Streets.	See response for 'car parking' at submission 1.	Yes
Retain all open space and Hubert Osborne Park.	See response for Hubert Osborne Park at submission 1.	Yes
Support of the Old Manny's Market site but still a need for a balance of activity across the town centre and retainment of character.	Comments noted	No

Feedback	Response	Changes Required to the Key Directions
Supports the use of lanes and encourages additional 'arcades'.	Comments support Key Direction 16: <i>Resolve laneway ownership and encourage activation.</i>	No
<p>45. Mr Jill S Beck</p> <p>Supports the mini bus circuit around parking nodes.</p>	Comments noted. The 'minibus circuit' idea was generated at the community workshops and while noted in the Key Directions report has not been carried forward into the Key directions.	No
<p>Supports the development of a parking precinct plan.</p> <p>Does not support parallel parking – less spaces and flow of traffic while parking.</p> <p>Suggests one hour parking be removed from the café precinct to encourage patronage.</p> <p>Suggest increasing the existing Multi Storey car parking facility.</p>	Comments of support noted. See also response for 'car parking' at submission 1.	Yes
Supports the safe cycle paths. Need more bike parking racks.	<p>Comments support Key Direction 13: <i>Provide safe cycle links through the town centre.</i></p> <p>Secure bicycle parking is an element of Key Directions 13.</p>	No
Supports the improvement of public transport access.	Comments support Key Direction 10: <i>Improve the provision of facilities associated with public transport.</i>	No
Supports the installation of traffic lights at the Hotham/Breed St intersection.	Comments of support noted.	No
Does not support the creation of a princes Highway Boulevard-roadway does not have enough height. Consider low well tended gardens and attractive signage.	Comment noted however it is not proposed to amend the key directions report. It is noted that there were also positive submissions supporting Key Direction 3: <i>Create a Princes Highway Boulevard.</i>	No
Does not support the redevelopment of Hubert Osborne Park – needed for recreation.	See response for Hubert Osborne Park at submission 1.	Yes
If Seymour St is encouraged as a walking/cycling area then where will the unloading bays go?	Loading and unloading facilities can be accommodated within an area that prioritises pedestrian movement.	N/A
Does not support additional housing in CBD as this restricts commercial development.	See the response for 'housing in the CBD' at submission 10.	No
Open space areas need to be better looked after to encourage use.	On-going maintenance issues are acknowledged however programs are outside the scope of the project.	N/A
Suggest change in road conditions/traffic lights to assist with the bottle neck at Post Office Place & Franklin St intersection.	<p>These comments support the need for a concept plan for Post Office Place as discussed in the Key Directions Report, at page 25.</p> <p>The final TACP report will give careful consideration to the installation of traffic lights at the intersection of Franklin Street and Post Office Place.</p>	No

Feedback	Response	Changes Required to the Key Directions
<p>46. Traralgon Community Development Association Inc</p> <p>Traralgon Community Development Association (TCDA) value the opportunity to comment on future stages of the project</p>	<p>Comments noted.</p>	<p>N/A</p>
<p>The TDCA believe that pre-emptive priority be given to car parking issues immediately, do not believe it is necessary to await a final TACP.</p> <p>Believe we should not lose site of the primary purpose of a business centre. While cycle access may be a way of the future, it should not be at the expense of vehicle access.</p>	<p>Comments noted, see also response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>Want the plan to focus on the here and now rather than future possibilities as these may not eventuate.</p>	<p>Comments noted however the final TACP report is planning for the future growth of the Traralgon town centre over the next 20 years.</p>	<p>No</p>
<p>Support the idea of building over railway corridors.</p> <p>Do not support closing the southern end of Franklin St to make a plaza to connect with rail precinct.</p> <p>Support the idea of a mini bus circuit to service car parking nodes on the fringe, however this requires community education. Suggest other suitable sites exist.</p>	<p>Comments noted. These ideas were generated at the community workshops and while noted in the Key Directions report have not been carried forward into the key directions.</p>	<p>No</p>
<p>Do not support an expansion of the allied medical health services along Breed St.</p>	<p>Comments noted, there are a number of areas within the TAC which have a concentration of health services, including along Breed Street and the block between Kay and Grey Streets, as well as the eastern end of Seymour Street.</p>	<p>No</p>
<p>Key Direction 1 Identify and define a street hierarchy within the town centre</p> <p>Do not support street hierarchy, believe it artificially regulates where business's can locate.</p> <p>Does not support the notion of primary and secondary streets.</p> <p>Acknowledge traffic congestion issues in Breed St but don't support changes to Breed St that would reduce the lanes of traffic.</p>	<p>See response to 'Street Hierarchy' at submission 39.</p> <p>The Key Directions report does not identify a change to the number of lanes of traffic on Breed Street which is identified as a key access road for the activity centre.</p>	<p>Yes</p>
<p>Key Direction 2 Emphasise the key retail axes of Franklin and Seymour Streets</p> <p>Do not support this, businesses should be</p>	<p>The Key Directions report did not intend to promote one street above another, but to enable each street to have its own identity, and to have an urban design response</p>	<p>No</p>

Feedback	Response	Changes Required to the Key Directions
free to choose their own locations.	that reinforces the identity of each street.	
<p>Key Direction 3 Create a Princes Highway Boulevard</p> <p>Believe Highway Boulevard concept requires more discussion.</p>	<p>Comment noted however it is not proposed to amend the key directions report as there were also positive submissions supporting Key Direction 3: <i>Create a Princes Highway Boulevard.</i></p>	No
<p>Key Direction 4 Develop a Parking Precinct Plan</p> <p>Mostly agree with this proposal, except for special provisions for cyclists and the need for medium density housing within the CBD.</p>	<p>Partial support for Key Direction 4 noted, see also response for 'car parking' at submission 1 and response for 'housing in the CBD' at submission 10.</p>	Yes
<p>Key Direction 5 Integrated Car Parking Solutions in Appropriate Locations</p> <p>Generally willing to support this direction.</p>	<p>Comment of support noted see also response for 'car parking' at submission 1.</p>	Yes
<p>Key Direction 6 Protect and promote the role of Traralgon activity centre as the pre-eminent commercial centre for the region</p> <p>Accept the concept of attracting a department store but question the difference it would make to the business fortunes of the town. Do not believe identification of a suitable site should be restricted to Hubert Osborne Park.</p> <p>Suggest other suitable sites exist.</p>	<p>Support for major retail development in the western end of the TAC is most likely to occur on existing large retail sites. See also response for Hubert Osborne Park at submission 1.</p>	No
<p>Key Direction 7 Encourage the development of housing within the activity centre</p> <p>The TCDA has reservations about this concept but takes no formal stance on this.</p>	<p>Comments noted, see response for 'housing in the CBD' at submission 10.</p>	No
<p>Key Direction 8 Consolidate the town centre by infilling blocks and repairing street edges</p> <p>This concept seems worthwhile.</p>	<p>Comments support Key Direction 8: <i>Consolidate the town centre by infilling blocks and repairing street edges.</i></p>	No
<p>Key Direction 9 Encourage a strong urban form that responds to the public realm and regional character</p> <p>Support these principles.</p>	<p>Comments support Key Direction 9: <i>Encourage a strong urban form that responds to the public realm and regional character</i></p>	No
<p>Key Direction 10 Improve the provision of facilities associated with public transport</p> <p>No disagreement with this, however question whether public transport will ever be an attractive option for serious shopping.</p>	<p>Comments support Key Direction 10: <i>Improve the provision of facilities associated with public transport.</i></p> <p>Comments around public transport are noted.</p>	No
<p>Key Direction 11 Create a network of public spaces</p>	<p>Comments of general support for Key Direction 11 noted, see also the response for 'youth spaces' at submission</p>	No

Feedback	Response	Changes Required to the Key Directions
Generally support these concepts however don't support the Courthouse being used for youth activities	10.	
Key Direction 12 Incorporate art and place making to enhance identity and character Supports the general direction of this item.	Comments support Key Direction 12: <i>Incorporate art and place making to enhance identity and character.</i>	No
Key Direction 13 Provide safe cycle links through the town centre Believe more research needs to be done with regard to how this can successfully be achieved without losing car spaces and to maximise safety. Other possible options are suggested.	See response for 'car parking' at submission 1.	Yes
Key Direction 14 Allow for pedestrian and visual links from Kay Street to Victory Park Generally support this idea and acknowledge something needs to be done with the Post Office Place/Franklin St intersection with regard to traffic management.	Comments support Key Direction 14: <i>Allow for pedestrian and visual links from Kay Street to Victory Park.</i> These comments support the need for a concept plan for Post Office Place as discussed in the Key Directions Report, at page 25.	No
Key Direction 15 Encourage the integration and activation of the Traralgon Creek corridor Support this concept but a low priority.	Comments support Key Direction 15: <i>Encourage the integration and activation of the Traralgon Creek corridor, low priority is noted.</i>	No
Key Direction 16 Resolve laneway ownership and encourage activation Generally support but requires more research.	General support Key Direction 16: <i>Resolve laneway ownership and encourage activation</i> Further investigations will be required as part of the final TACP report.	No
Direction 17 Ensure the provision of appropriate youth spaces within the town centre Generally accept the idea but believes this needs to be balanced with other community group needs.	See the response for 'youth spaces' at submission 10.	No
Key Direction 3.18 Investigate future options for Hubert Osborne Park and Civic Precinct Support the local community who want the outdoor pool to remain at its current site. Support a multi storey development on the civic centre site that included a performing arts centre, library and other council operated services.	See response for Hubert Osborne Park at submission 1. See response for 'Civic Precinct' at submission 10.	Yes
47. Mr Paul Odgers	Comments support Key Direction 13:	No

Feedback	Response	Changes Required to the Key Directions
Support safer cycling options with the CBD.	<i>Provide safe cycle links through the town centre.</i>	
Possibly look at reverse angle parking.	See response for 'car parking' at submission 1.	Yes
Support youth space in CBD – Council should encourage further use of the pool facility (longer opening hours, heating, free entry to school children, redevelopment with additional activities) and not to move it from its current site.	See response for Hubert Osborne Park at submission 1. See the response for 'youth spaces' at submission 10.	Yes
48. Mrs Dianne Reid Does not support the closure of outdoor pool. Suggests it should have longer opening hours, be heated and leave at existing site.	See response for Hubert Osborne Park at submission 1.	Yes
49. Ms Elizabeth Jeffery (submission 2) Does not support business development to the north or east as it will stretch the 'key retail axis', shops need to be accessible.	Comments noted	No
Does not support bike paths in Church/Hotham St think they would be better in Grey/Breed Streets.	See response for 'car parking' at submission 1 which incorporates the need to find appropriate cycle paths.	Yes
Supports the 'greening' of the CBD but thinks efforts should be focused on retaining and enhancing park lands.	Comments noted.	No
Does not support the commercial redevelopment of Hubert Osborne Park. The park should be improved with play equipment and more gardens.	See response for Hubert Osborne Park at submission 1.	Yes
Traffic design does not funnel traffic into the soon to be developed Manny's Market/Methodist Church area.	Comments noted	No
Suggestion that Council should focus on redeveloping Morwell Town centre instead of Traralgon.	The scope of this project is to look at the development of Traralgon.	No
50. Ms Johanna Sykes General support of report 'very comprehensive document enhancing, promoting and appreciating Traralgon'.	General support noted.	N/A
Oppose the sale of Hubert Osborne park	See response for Hubert Osborne Park at submission 1.	Yes
Retain retail and open spaces.	Comments support the following key directions; <i>6: Protect and promote the role of Traralgon Activity Centre as the pre-eminent commercial centre for the region.</i>	No

Feedback	Response	Changes Required to the Key Directions
	<i>11: Create a network of public spaces.</i>	
Concerns regarding wording around street hierarchy.	See response to 'Street Hierarchy' at submission 39.	Yes
Concerns with the Princes Boulevard – thinks it could reduce potential development opportunities.	Comment noted however it is not proposed to amend the key directions report as there were also positive submissions supporting Key Direction 3: <i>Create a Princes Highway Boulevard.</i>	No
Need more areas for elderly citizens	Comments support Key Direction 11: <i>Create a network of public spaces.</i> The aging population will be carefully considered as part of this key direction and the provision of a network of public spaces through the activity centre will increase opportunities for older people to both rest and to socialise within the centre.	No
Need more areas for youth, such as Skate Parks	Comments support Key Direction 17: Ensure the provision of appropriate youth spaces within the town centre.	No
Open up Post Office Place – great entrance for tourists. Concerns bus interchange will be too large at the plaza. Support Art within the town in particular at Post Office Place.	These comments support the need for a concept plan for Post Office Place as discussed in the Key Directions Report, at page 25.	No
Public Spaces need to be close to the CBD so not far for people to walk.	Comments support Key Direction 11: <i>Create a network of public spaces.</i> This key direction is aimed at the town centre.	No
Does not support bike path at this stage	See response for 'car parking' at submission 1 which incorporates the need to find appropriate cycle paths.	Yes
Does not support youth space at Post Office Place.	See the response for 'youth spaces' at submission 10.	No
51. Ms Enid Kay Concerns regarding street hierarchy – feels all streets should be developed similarly	See response to 'Street Hierarchy' at submission 39.	Yes
Suggestion of traffic light at the Breed/Hotham St intersection rather than the Breed/Seymour St intersection.	Comments noted, the location of a signalised intersection in Breed Street if appropriate would need to be determined by experts in traffic engineering.	No
Supports improved pavements and plantings Supports more street furniture	Support for a variety of key directions and proposed initiatives is noted. On 23 May 2011 Council adopted the Review of the Latrobe Visitor Information Centre Services report. This	No

Feedback	Response	Changes Required to the Key Directions
<p>Supports safe pedestrian access to all streets.</p> <p>Suggest relocation of Tourist Information Centre to align with the bypass (so it can be easily accessed).</p>	<p>report has identified the gradual transition from a Visitor Information Centre delivered service to a web-based visitor information service.</p>	
<p>Agrees that parking is a problem and need more parking for travelling vehicles (caravans etc).</p> <p>Suggested safe places to park bikes if the bike path is to go ahead.</p> <p>Supports basement/multi storey car parking developments.</p> <p>Need more long term parking in the CBD.</p> <p>Agrees that cyclists need to be encouraged.</p> <p>Feels that parallel parking would be more dangerous to cyclists.</p>	<p>See response for 'car parking' at submission 1 which incorporates the need to find appropriate cycle paths.</p>	<p>Yes</p>
<p>Does not support any residential/commercial redevelopment of Hubert Osborne Park.</p> <p>Swimming Pool should remain at current site</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>
<p>Does not support more housing close to the creek</p>	<p>Comments noted.</p>	<p>No</p>
<p>Supports better use of laneways and vacant areas behind shops.</p>	<p>Comments support Key Direction 8 & 16:</p> <p><i>8: Consolidate the town centre by infilling blocks and repairing street edges.</i></p> <p><i>16: Resolve laneway ownership and encourage activation.</i></p>	<p>No</p>
<p>Does not support 7- 8 storey high buildings – overshadowing.</p>	<p>See response for building height at submission 41.</p>	<p>No</p>
<p>Supports the improvement and provision of facilities associated with public transport.</p>	<p>Comments support Key Direction 10:</p> <p><i>Improve the provision of facilities associated with public transport.</i></p>	<p>No</p>
<p>Support the creating of public spaces.</p>	<p>Comments support Key Direction 11:</p> <p><i>Create a network of public spaces.</i></p>	<p>No</p>
<p>Does not support major development north west of the CBD.</p>	<p>Comments noted.</p>	<p>No</p>
<p>Supports art work but concerns re vandalism</p>	<p>Comments support Key Direction 12:</p> <p><i>Incorporate art and place making to enhance identity and</i></p>	<p>No</p>

Feedback	Response	Changes Required to the Key Directions
	<i>character.</i>	
Supports traffic lights at Franklin St & Post Office Place for safer pedestrian access.	These comments support the need for a concept plan for Post Office Place as discussed in the Key Directions Report, at page 25.	No
Does not overly support the youth space at the court house, possibly if the activities were planned well and supervised it would work	See the response for 'youth spaces' at submission 10.	No
Does not support the redevelopment of the civic precinct.	See response for Civic Precinct at submission 10.	Yes
<p>52. Ms Christine Sindt & Mr Henry Sindt</p> <p>Offering of land at 41 Queens Parade Traralgon for the relocation of the Traralgon Swimming Pool Complex. Believes that this proposal will add value to the Traralgon Activity Centre Plan as Council will not have to sell public land.</p>	This is not a matter for consideration as part of this project.	No
<p>53. Mr James Grubb</p> <p>Does not support the removal of angle parking.</p>	See response for 'car parking' at submission 1	Yes
<p>54. 564 Save Osborne Park card submissions</p> <p>These card submissions opposed any sale of any part of Hubert Osborne Park for a variety of reasons.</p>	See response for Hubert Osborne Park at submission 1.	Yes
<p>55. Juilliard Group of Companies (Mid Valley Shopping Centre)</p> <p>Concerned over recommendations regarding the protection of Traralgon as the "pre-eminent commercial centre for the region"</p>	<p>Clause 21.04 of the Latrobe Planning Scheme currently identifies Traralgon as the 'commercial centre' within the 'networked city'. Clause 21.07-6 'Retailing Overview' suggests that additional floorspace should be: <i>"provided with a focus on increasing the vibrancy of town centres of Morwell and Traralgon, to continue their role to complement each other in the retail hierarchy."</i> Further to this the Planning Scheme identifies that Traralgon should <i>"service a market with some higher levels of disposable income, with a higher percentage of white collar workers"</i>.</p> <p>Economic analysis which was provided in the Background stage of this project and which has been adopted by Latrobe City Council (Traralgon Activity Centre Plan: Economic Assessment) identifies that the development of a department store outside of the Traralgon centre would significantly compromise the current vibrant retail and commercial role played by Traralgon, not only within the 'networked city' but also the broader region.</p> <p>As such the Key Direction Report has provided recommendations for actions which may assist in the establishment of a department store within the activity</p>	No

Feedback	Response	Changes Required to the Key Directions
	centre.	
Particular concern expressed over proposed identification and protection of sites and recommendation to ensure that a department store is not accommodated elsewhere in the region.	The recommendation to identify and protect sites is intended to ensure that potential sites are not compromised through future development of the TAC within the study area, rather than the application of new planning controls elsewhere in the municipality.	No
Submission claims that the construction of a department store elsewhere in the region would not impact on the growth of Traralgon.	It is not intended that the TACP will "prohibit" the establishment of a department store elsewhere. Rather the TACP will identify a strong preference for this type of use to be accommodated within the Traralgon town centre, as consistent with both existing policy and the economic assessment which underpins this project.	No
Claims that other sites outside of the Traralgon Centre may be appropriate.	As identified, the TACP will express a clear preference for any future department store to be established with the TAC, given a number of factors which are outlined in the Economic Assessment and within broad State and Local Planning Policy directions. The ability for customers from a broader regional catchment to access the TAC by rail, as well as buses, and the larger residential catchment with the ability to access the centre in a sustainable manner, must also be considered.	No
Strongly oppose any controls which prohibit the construction of a department store outside of Traralgon.	Any application to establish a department store within Latrobe City will continue to be assessed on its merits, in the context of the long term sustainable development of the wider municipality.	No

Any changes to key directions as a result of the written submissions received have been documented in the Key Directions Report in red text (Attachment 2). This will allow the community to clearly see what has changed as a result of their submissions. These changes to the key directions will be carried forward to underpin the Stage 2 Final Reports.

A Communication Strategy for the Traralgon Activity Centre Plan Stage 2 Final Report(s), has also been developed to ensure stakeholders and the community are informed of and engaged in the preparation of the Stage 2 Final Reports and in particular the Parking Precinct Plan and Implementation Plan. This strategy is provided at Attachment 3 for consideration of Council.

6. FINANCIAL AND RESOURCES IMPLICATIONS

For the project to progress to the next step (the TACP Stage 2 Final Reports), there will be no financial or resource implications for Council.

The project is a partnership between Council and the State Government. Funding has been received from Regional Development Victoria through their *Planning for Growth Program* and the Department of Planning and Community Development through their *Creating Better Places Program*. The total project budget for Stages 1 and 2 is \$300,000 with each funding partner contributing \$100,000 to the project.

This total project budget includes the cost of developing the Traralgon Activity Centre Plan Stage 2 Final Reports.

7. INTERNAL / EXTERNAL CONSULTATION

Engagement Method Used:

Community and stakeholder consultation has taken place during both Stages 1 and 2 of the project.

The Stage 2 Key Directions Report was developed through a process of community and stakeholder workshops in March and August 2010. These workshops involved a series of themed sessions. Stakeholder groups and community individuals were invited to attend either 'one on one' sessions or public meetings with the project consultant and council officers to discuss issues and ideas around the future of the Traralgon town centre.

A range of tools were used to communicate these sessions and gain feedback, these included Council's website, a media release, public notices, an on-line community survey and a mail-out to landowners and occupiers within and adjacent to the study area as well as to stakeholder groups. Community Bulletins were prepared and included in this mail out to inform the community about the project and advertise the community workshops.

In total 270 people attended the workshops over a 4 day period.

The draft Stage 2 Key Directions Report was then placed on public exhibition for a period of 15 weeks until 22 March 2011. This was communicated to the community and stakeholders via Council's website, a media release, public notices, and a mail out to landowners and occupiers within and adjacent to the study area as well as to stakeholder groups. A Community Bulletin detailing that the draft Key Directions Report was on public exhibition and how to make a submission was included in this mail out.

Additional community information sessions were undertaken on 2 and 9 March 2011 at the Traralgon Services Centre with 72 people attending across the two sessions.

A complete summary of the community and stakeholder engagement methods used for the project to date is provided at Attachment 4. The community engagement methods used are consistent with Latrobe's Community Engagement Plan 2010-2014 which is underpinned by the International Association for Public Participation (IAP2) Spectrum. The level of engagement undertaken on the IAP2 Spectrum is included in Attachment 4.

Details of Community Consultation / Results of Engagement:

A total of 53 letter submissions were received in response to the public exhibition period as well as 1 petition including 1375 signatures and 565 'Save Osborne Park' cards. A detailed summary of all of the issues highlighted in the submissions received and how the Key Directions report and Stage 2 Final Reports will respond to these submissions is provided in Table 1 and in the Appendix to the Key Directions Report at Attachment 2.

A full copy of each submission received is provided at Attachment 6.

8. OPTIONS

Council has the following options:

1. To endorse the *Stage 2 Key Directions Report September 2011* (Attachment 2), incorporating the response to submissions, endorse the *Communication Strategy for the Traralgon Activity Centre Plan Stage 2 Final Report(s)* and authorise the Chief Executive Officer to prepare the Traralgon Activity Centre Plan Stage 2 Final Reports which will respond to the issues raised as part of the community consultation.
2. To not endorse the *Stage 2 Key Directions Report September 2011* (Attachment 3), and specify further work required prior to further consideration.

9. CONCLUSION

The Key Directions Report was developed through a process of community and stakeholder workshops in March and August 2010. It delivers a set of principles that will underpin the development of the more detailed Stage 2 Final Reports for the project.

Placing the Key Directions Report on public exhibition has provided Council, the community and stakeholders the opportunity for input of ideas and direction to the project before work on the final more detailed documents commences.

Of the 53 letter submissions received, 27 identified some form of support for various aspects of the key directions. Nine of these submissions documented general support for the Key Directions Report overall.

Issues raised in the written submissions received have been summarised in Table 2 of this report and are also included as Appendix 1 of the Key Directions Report. The Key Directions Report has been changed where appropriate to address the main concerns raised as a result of the written submissions received. These changes have been documented in the Key Directions Report in red text (Attachment 2).

Management of car parking remains the single most significant issue expressed in the submissions and the petition. The Parking Precinct Plan and Implementation Plan that is to be undertaken as part of the Stage 2 Final Reports will address this issue. The Key Directions report has been changed to assign the highest priority to the key directions relevant to providing car parking solutions for the town centre.

A targeted communication strategy to inform and engage stakeholders and the community in the development of the Stage 2 Final Reports in particular the Parking Precinct Plan and Implementation Plan will ensure comprehensive plans are developed.

10. RECOMMENDATION

That having considered all submissions received in respect to the Stage 2 Key Directions Report September 2011, Council resolves the following:

1. To endorse the Stage 2 Key Directions Report September 2011, (Attachment 2) incorporating the response to submissions and authorise the Chief Executive Officer to prepare the Traralgon Activity Centre Plan Stage 2 Final Reports, including the Parking Precinct Plan, Structure Plan, Urban Design Framework and Implementation Plan which will respond to the issues raised as part of the community consultation.
2. To endorse the Communication Strategy for the Traralgon Activity Centre Plan Stage 2 Final Reports (Attachment 3) which will inform and engage the community in the development of the Parking Precinct Plan, Structure Plan, Urban Design Framework and Implementation Plan consistent with Latrobe City Council's Community Engagement Strategy 2010-2014.
3. That in recognition of community concern regarding car parking in Traralgon the Chief Executive Officer establish a Traralgon Parking Precinct Plan Working Party comprising key stakeholders and to be chaired by the Dunbar Ward Councillor. Activities of the Traralgon Parking Precinct Plan Working Party to be informed by the Communication Strategy for the Traralgon Activity Centre Plan Stage 2 Final Reports (Attachment 3).

ALTERNATE MOTION

Moved: Cr Kam

Seconded: Cr Harriman

That having considered all submissions received in respect to the Stage 2 Key Directions Report September 2011, Council resolves the following:

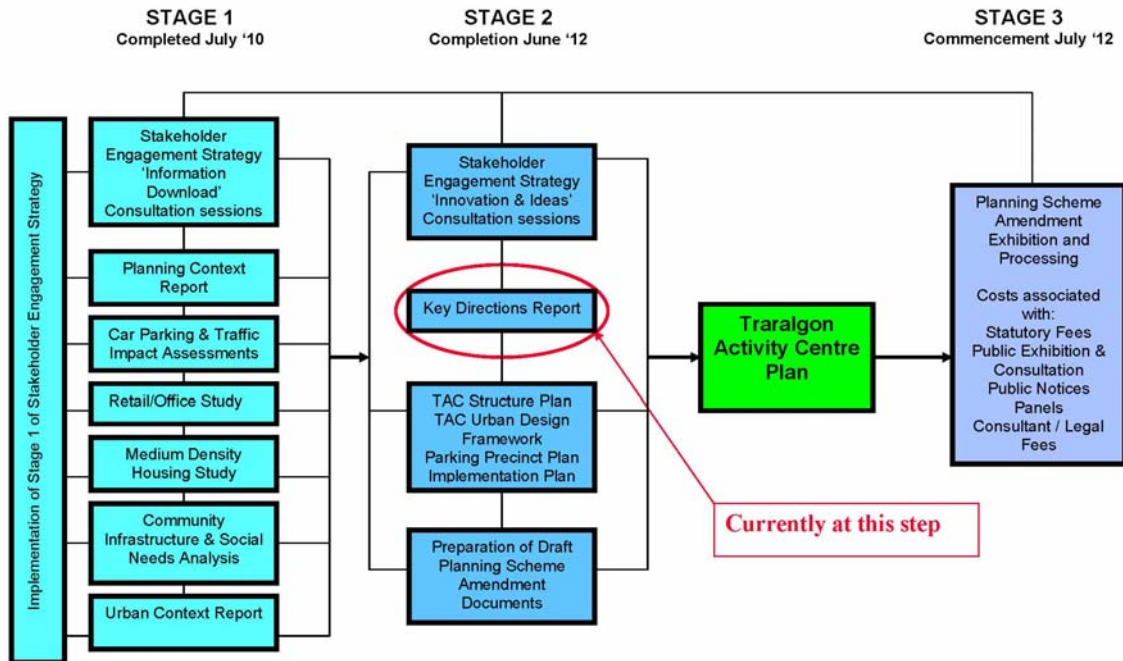
1. **To defer the endorsement of the Stage 2 Key Directions Report September 2011 until:**
 - (a) **Council has been presented with the Traralgon Growth Area Review**
 - (b) **Council has received information on the results of the Latrobe Valley Bus Review**

2. That Council writes to the State Government asking them what their commitment to Latrobe City in respect to providing an efficient public transport system and that the response be tabled at a Council Meeting.
3. That Council proceeds with the Parking Precinct Plan and investigate integrated public parking solutions.
4. That the Communication Strategy be amended to take into consideration that the November/December timelines are inappropriate to concerned stakeholders and that the revised Communication Strategy be presented to Council for approval.
5. That in recognition of community concern regarding car parking in Traralgon the Chief Executive Officer establish a Traralgon Parking Precinct Plan Working Party comprising key stakeholders and to be chaired by the Dunbar Ward Councillor. Activities of the Traralgon Parking Precinct Plan Working Party to be informed by the Communication Strategy for the Traralgon Activity Centre Plan Stage 2 Final Reports (Attachment 3).

That the Motion be adopted.

CARRIED UNANIMOUSLY

Attachment 1: TACP Project Scoping Diagram



**Attachment 2:
Traralgon Activity Centre Plan
Stage 2 Key Directions Report, September 2011**



traralgon activity centre plan

key directions report

prepared by hansen partnership in association with tim nott economics,
cardno grogan richards and jackson architecture

September 2011

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appendix 1: response to submissions

All images sourced from hansen partnership image library of 'commercial reuse' creative commons databases.

1 introduction

hansen partnership has been engaged by Latrobe City Council to undertake a structure plan and urban design framework for the Traralgon Activity Centre. This document is intended to provide an overview of the 'key directions' for these documents.

The ideas expressed in this document were generated primarily at a design workshop held in the town centre of Traralgon on the 17th and 18th of August 2010, which was run by hansen, in collaboration with Jackson Architecture. Those ideas were then further refined and considered by the whole project team and input sought in relation to economic and access issues before the 'key directions' identified within this report were determined.

The purpose of this document is to allow both key stakeholders and the wider Traralgon community to express their thoughts in relation to the key ideas that are likely to underpin the structure plan and urban design framework before work on those documents commences. It is also intended to inform them of the likely initiatives that could be implemented to achieve these 'key directions'. Receiving feedback at this stage of the process allows the project team to identify key concerns within the community or obtain confirmation of particular initiatives.

This document includes a 'key directions' diagram which provides a graphic representation of eighteen directions which have been developed. Each of these 'directions' is then outlined individually and each section contains some possible initiatives. The initiatives listed under each direction are not intended to be either comprehensive or fixed, but rather to provide the community with an indication of what the possible options for achieving each direction may be. In addition to this, each direction is linked back to issues which were identified in the first stage of this project and outlined within the suite of Background Reports.

It is important to acknowledge that this Key Directions Report should be considered in light of a number of other current strategic studies being undertaken by Latrobe City Council, including

the Traralgon Indoor Aquatic and Leisure Centre Feasibility Study, the Latrobe Performing Arts and Convention Centre Feasibility Study, the Review of Latrobe Visitor Information Centre Services, the Traralgon Courthouse Conservation Management Plan and the Draft Traralgon Station Precinct Masterplan.

This Key Directions Report will be presented to Latrobe City Council and submissions will be sought from the public in relation to the initiatives and directions contained within. All submissions received will be considered fully and any changes to the directions deemed necessary as a result of these will be made before the project proceeds to the next phase.

It is important to note that these principles cover a range of issues relating to the town centre but should not be interpreted as the only principles which will guide the project. This project will also be underpinned by principles which are derived from 'Transit City' ideals, as well as 'Healthy by Design' guidelines as outlined within the Latrobe Planning Scheme. In addition, the plans will respond to the need for increasing the integration of ecologically sustainable design above and beyond those directions outlined within this document. What follows are a series of directions which are intended to provide the community with the framework within which change in the Traralgon Activity Centre is proposed to occur over the next 20 or so years.

The draft Key Direction Report was placed on public exhibition for a total of 15 weeks (7 December 2010 to 22 March 2011). A total of 53 letter submissions were received as well as 1 petition including 1375 signatures and 565 'Save Osborne Park' cards. Changes to the Key Direction Report that have been made by Council as a result of the submissions are highlighted in red text on the following pages. It is important to note that other matters will be addressed further through the Activity Centre Plan itself. A summary of the written submission and how this report and the final TACP report will respond to submissions is provided at Appendix 1.

2 ideas and options

The 'visioning' consultation workshop that led to this document was structured around a series of key themes, as follows:

- Role and function
- Unlocking development space
- Streets and public spaces
- Revealing the story of Traralgon

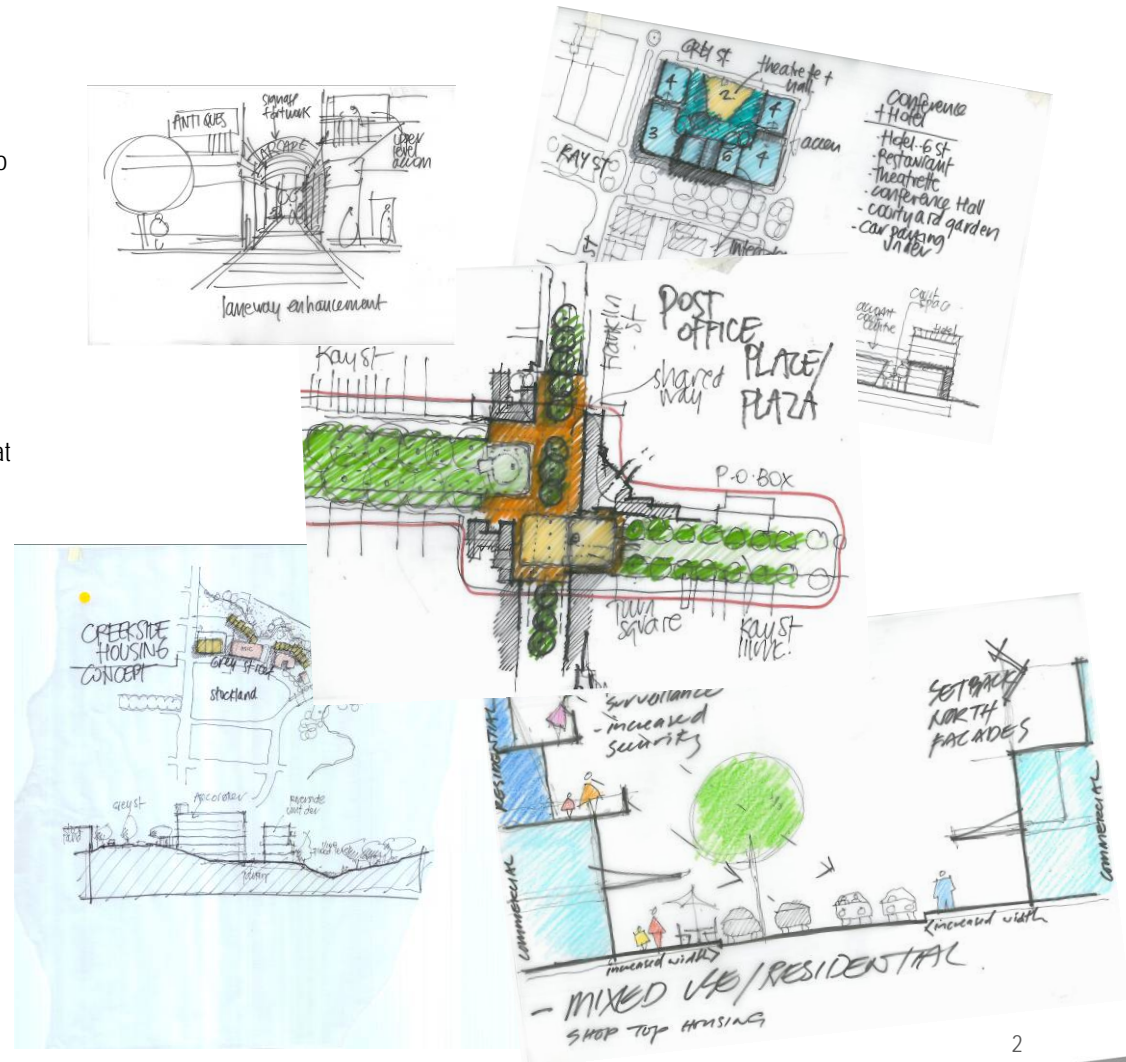
Within each of these sessions stakeholders were invited to generate ideas which responded to the issues that were identified in the suite of Background Reports, however, ideas across all spectrums were welcomed and drawn up at each table. At each session the ideas were then presented back to the group as a whole to determine the popularity of the diverse range of ideas generated. An open, un-themed session for the wider community was also held in the evening of one of the days.

The project team then produced a series of consolidated diagrams and indicative sketches that illustrated some of the ideas which had appeared to have the most resonance across the stakeholder groups or which represented interesting and innovative responses to particular issues. These sketches and diagrams were then exhibited 'gallery style', along with written descriptions of the ideas generated to give the community a chance to identify their favourite options.

Many of the interesting and innovative ideas discussed at these sessions, while they may not be identified as 'key directions', might find their way into the final structure plan or urban design framework. The following represent a selection of the many interesting ideas, which were generated at the workshop which do not constitute 'key directions' within this report but which may be investigated further:

- Provide future additional retail requirements by building over the railway lines;

- Close the southern end of Franklin Street to create a plaza to match the station plaza linked by an architectural bridge;
- Create a 'wellness corridor' along Breed Street;
- Run a minibus circuit around car parking nodes at the periphery of the town centre;
- Create mid block 'pocket parks' to add green space to the town centre.



3 key directions

The diagram on the follow page represents the key planning and design principles which will underpin the Traralgon Activity Centre Plan. These are as follows:

1. Identify and define the role and identity of streets within the town centre
2. Emphasise the key retail axes of Franklin and Seymour Streets
3. Create a Princes Highway boulevard
4. Develop a Parking Precinct Plan (highest priority)
5. Provide integrated car parking solutions in appropriate locations (highest priority)
6. Protect and promote the role of Traralgon Activity Centre as the pre-eminent commercial centre for the region
7. Encourage the development of housing within the activity centre
8. Consolidate the town centre by infilling blocks and repairing street edges
9. Encourage a strong urban form that responds to the public realm and regional character
10. Improve the provision of facilities associated with public transport
11. Create a network of public spaces
12. Incorporate art and placemaking to enhance identity and character
13. Provide safe cycle links through the town centre
14. Allow for pedestrian and visual links from Kay Street to Victory Park
15. Encourage the integration and activation of the Traralgon Creek corridor
16. Resolve laneway ownership and encourage activation
17. Ensure the provision of appropriate youth spaces within the town centre
18. Investigate future options for Hubert Osborne Park and the Civic Precinct



- ### legend
1. identify and define a street hierarchy within the town centre.
 2. emphasise the key retail axes of franklin and seymour streets.
 3. create a princes highway boulevard.
 4. develop a parking precinct plan.
 5. provide integrated car parking solutions in appropriate locations.
 6. protect and promote the role of the traralgon activity centre as the preeminent commercial centre for the region.
 7. encourage the development of housing within the activity centre.
 8. consolidate the town centre by infilling blocks and repairing street edges.
 9. encourage a strong urban form that responds to the public realm and regional character.
 10. improve the provision of facilities associated with public transport.
 11. create a network of public spaces.
 12. incorporate art and placemaking to enhance identity and character.
 13. allow for pedestrian and visual links from kay street to victory park.
 14. encourage the integration and activation of the traralgon creek corridor.
 15. provide safe cycle links through the town centre.
 16. resolve laneway ownership and encourage activation.
 17. ensure the provision of appropriate youth spaces within the town centre.
 18. investigate future options for hubert osborne park and the civic precinct (subject to council decision).

note:
locations indicative only

traralgon activity centre plan

planning and design principles

DRAFT

Project Ref: 09.436
 Dwg No.: UDD-001
 Scale: 1:2500@A1
 Date: 12.10.10
 Revision: B

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3.1 identify and define the role and identity for streets within the town centre

This direction seeks to differentiate individual streets within the town centre of Traralgon in a way which reflects the **primary** anticipated uses of each street. Currently, all streets within the town centre are treated in a similar fashion, making distinctions between the streets possible only through the businesses which line them rather than the public realm. As such the principle seeks to develop four distinct treatments which will not only respond **primarily** to the anticipated functions of the street, but also give each street a more defined character.

Initiatives which underpin the principle include:

- Define Princes Highway as a 'boulevard' between Breed Street and Traralgon Creek and retain Kay Street as a northern 'boulevard' (refer section 3.3).
- Define Breed and Grey Streets as **primary** access roads. This will involve placing a priority on vehicle movements and investigating ways to improve the flow of traffic along these streets, for instance, installing traffic lights at the intersection of Hotham and Breed Streets to improve safety and pedestrian access across Breed Street.
- Define Franklin and Seymour Street as **primary** 'retail streets' which therefore need to accommodate improved pedestrian movement and amenity and ensure the retention of adequate on-street car parking to provide access to shops for those with less mobility (refer section 3.2).

- Define Church and Hotham Street as '**secondary** streets' which will accommodate **secondary** retail and more office and service functions. While there will still be an emphasis on pedestrian movement it will not be as strong as along Franklin and Seymour Streets and there may be some rearrangement of car parking to accommodate cycle links along these streets (refer section 3.13).
- Activate smaller streets and laneways to provide additional connections between streets in the town centre. These will need to be prioritised to ensure there is an appropriate balance which acknowledges the service functions many of these laneways serve (refer section 3.16).

Responds to the following identified issues:

- Lack of defined character within the town centre
- Need for safe cycles paths though the town centre and the need to improve pedestrian connectivity and amenity
- Issues with safety and congestion in relation to traffic movement
- Disconnection caused by the Princes Highway

RESPONSE TO COMMUNITY CONSULTATION

As a result of submissions received this key direction has been changed to remove the term 'street hierarchy'. The terms 'primary' and 'secondary' have also been removed and will not be carried forward into the Traralgon Activity Centre Plan.

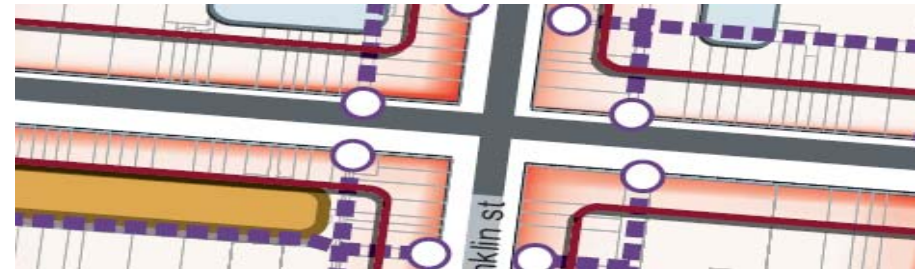


3.2 emphasise the key retail axes of franklin and seymour streets

It is important in enhancing the character of the town centre that there are areas which are perceived as focal points for activity. Within Traralgon currently, the main focus is clearly on the Franklin Street spine, but additional retail uses also exist in other areas, primarily along Seymour Street. As this plan is intended to guide the future of the town for the next 20 years it is considered appropriate to also acknowledge the retailing role that Seymour Street may play into the future. These two streets will thus become the focal points for the town centre and will be established as such through paving treatments and other measures, such as appropriate landscaping designed to improve the pedestrian environment and encourage browsing in the many speciality shops. Additional uses such as cafés will also be encouraged to provide an enhanced level of activity on these streets. Initiatives which underpin the principle include:

- Promote a focus on these two streets to provide improved pedestrian amenity.
- Improve paving treatments, tree selection and other street furniture.
- Ensure that the retail functions of these streets are not compromised by any other actions or directions.
- Highlight the benefits of providing a major retail development at the western end of Seymour Street to provide a retail anchor.

- Improve safety of pedestrian crossings on these streets which will accommodate higher levels of foot traffic, this may be at intersections or mid-block locations.



Responds to the following identified issues:

- Lack of defined character and need for **hierarchical assessment identification** of street functions
- Need for easier and safer pedestrian connections
- Desire to provide consolidated retail offerings



3.3 create a princes highway boulevard

The Princes Highway plays a key role in the town of Traralgon. Unlike many regional centres, the highway does not bisect the town centre, with the majority of business uses located to the north. However, it does effectively separate the railway station and the important green assets of Victory Park and Traralgon Creek from the centre. As this highway is a relatively recent construct, many of the buildings in the town centre also effectively ‘turn their back’ on the highway, presenting an unsightly view from the highway. Long terms plans seek to build a bypass around Traralgon which would reduce the amount of through traffic. This direction seeks to facilitate an outcome whereby the highway is transformed into an attractive, tree lined boulevard, which both defines the town centre and also offers the possibility of a staged transition to a more valued asset. This boulevard will become an attractive address for both offices and, in some areas, residences, particularly as heavy traffic decreases over time. Initiatives which underpin the principle include:

- Redefine the Princes Highway as a ‘Princes Boulevard’ through changes to road treatments, removal of infrastructure such as overhead powerlines and extensive tree planting from Breed Street to the Traralgon Creek.
- Work with VicRoads to develop measures which will assist in slowing traffic somewhat to reflect the town centre location and transition in role over time.

- Encourage taller, hard edged built forms to be developed along the highway edges as it passes through the town centre which can facilitate the transition in roles expected over time.
- Encourage upper level residential to be developed overlooking Victory Park.



Responds to the following identified issues:

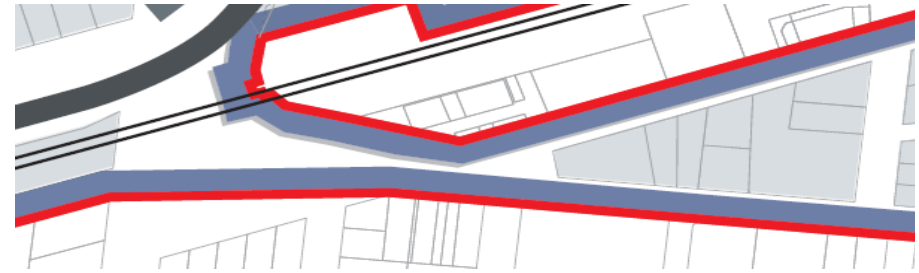
- CBD does not ‘connect’ to adjoining parkland, either physically or visually
- Current presentation to highway is ‘rear end’ of Traralgon which reflects badly on the town
- Current presentation does not assist tourism potential and could be improved
- Need to improve the visual amenity of the town to attract residents to the CBD
- Need to define the extent of the CBD when travelling along the highway



3.4 develop a parking precinct plan (highest priority)

The management of car parking within high use areas such as activity centres can pose numerous challenges for decision makers. Excessive car parking requirements can also be a significant hinderance to investment within activity centres when there is a disconnect between the statutory requirements and the intensity of development proposed. Without area specific plans, generic statewide rates for car parking apply, which respond on a site-by-site basis rather than to the needs of the precinct as a whole. As such, it is proposed as a key direction to develop a Parking Precinct Plan for the Traralgon Activity Centre to determine both the appropriate rates of parking provision within the centre, and to provide Council with a statutory tool to implement policies relating to car parking, including the provision of cash-in-leiu payments and integrated parking solutions. Initiatives which underpin the principle include:

- Establish a Parking Strategy on the basis of the parking assessment carried out as part of the background stage of this project and the overall aims and directions of the Traralgon Activity Centre Plan.
- Prepare a Parking Precinct Plan on the basis of that strategy to allow incorporation into the Latrobe Planning Scheme.
- Identify sites within the town for long bay car parking.



Responds to the following identified issues:

- Need to ensure precinct wide consideration of parking matters
- Need to ensure appropriate levels of parking are provided given the particular characteristics of the Traralgon Activity Centre
- Resolution of constraints to more intensive development of the activity centre including the establishment of medium density housing
- The need to ensure Council is able to provide for alternate, consolidated parking provision
- Need to provide a more considered approach to car parking that allows for other forms of transport to be considered on an equal footing
- The lack of designated long bay car parking in the town

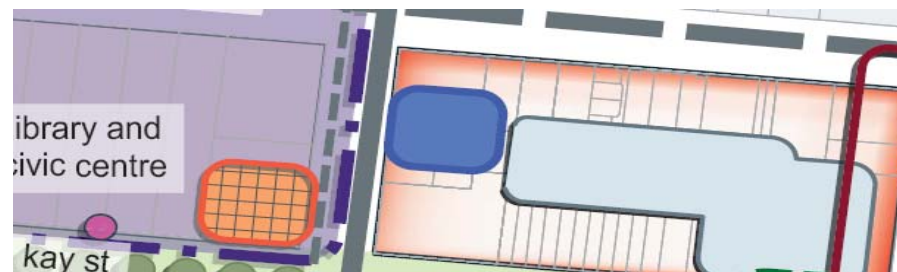


3.5 provide integrated car parking solutions in appropriate locations (highest priority)

Car parking within town centres is always a topic which inspires heated debate. While recent data has begun to show the economic benefits of pedestrian friendly spaces, the importance of appropriate availability of car parking will continue to be crucial to the health of any activity centre. This is particularly the case in relation to those with accessibility difficulties and within regional centres where users of the centre may travel long distances to utilise the services. This direction seeks to identify new ways of providing car parking within the town centre which provide more integrated outcomes, ensuring more efficient use of land within the town centre and improving the pedestrian environment. It also seeks to make distinctions between the types of car parking that are needed within the town centre (employee vs shopper for instance) and also between the functions of different streets which may play a role in the amount and type of car parking to be provided in the immediate vicinity. Initiatives which underpin the principle include:

- Establish a street hierarchy to determine where on-street car parking should be retained as a priority (see section 3.1).
- Identify a series of sites which could be suitable for integrated multi deck car parking in line with the successful Seymour Street example.
- Encourage the construction of an additional floor on the Seymour Street car park.

- Reconsider the allocated timing of car parking spaces throughout the centre as part of any car parking plan.
- Encourage the construction of car parks on the edges of town to assist in the walkability of the town centre.
- Ensure any redevelopment of major sites includes integrated car parking, either by incorporating basement car parking or providing a 'skin' of active uses.
- Develop and implement a Parking Precinct Plan (see section 3.4).



Responds to the following identified issues:

- Need to efficiently use land in the town centre due to limited opportunities to expand the town centre
- Importance of providing a strong street edge and active frontage
- Need to provide a more considered approach to car parking that allows for other forms of transport to be considered on an equal footing



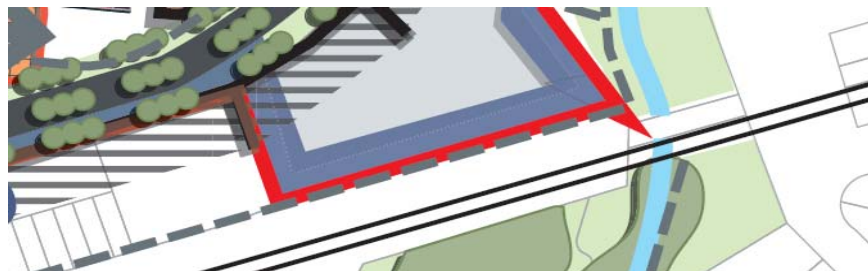
3.6 protect and promote the role of traralgon activity centre as the pre-eminent commercial centre for the region

The Latrobe Planning Scheme identifies Traralgon as the commercial centre of the Major Regional City of Latrobe. This principle seeks to protect and continue to promote this role for Traralgon in the context of both Latrobe and the wide Gippsland region by continuing to facilitate business retention and growth. In addition, the economic assessment that formed part of the suite of background documents that underpin this Key Direction Report identified that to become a regional commercial centre Traralgon needs to both attract and accommodate a full line department store. The report also identified that, should a full line department store be developed elsewhere in the region, this would have a significant adverse impact on both the long term growth and the commercial position of the activity centre.

As such, this principle seeks to ensure that Traralgon is able to accommodate a full line department store within the town centre and takes a proactive approach to attracting such a use. The identification and protection of a site of appropriate size and the involvement of Council in facilitating such a development will be crucial to Traralgon's future. This in turn will encourage the on-going commercial vitality of the centre, in line with Council objectives. Initiatives which underpin this principle include:

- Continue to facilitate business retention and growth in Traralgon as outlined in Latrobe's Economic Assistance Policy 2009 and Strategy 2010.

- Take a pro-active approach to attracting a full line department store to the town centre (eg Myer or David Jones)
- Identify and protect appropriate sites to accommodate a full line department store, through the application of appropriate planning controls



Respond to the following identified issues:

- Need to ensure a department store is not accommodated elsewhere in the region to protect Traralgon's role
- Provision of a greater range of retail offerings in the town centre to support the commercial and office functions.



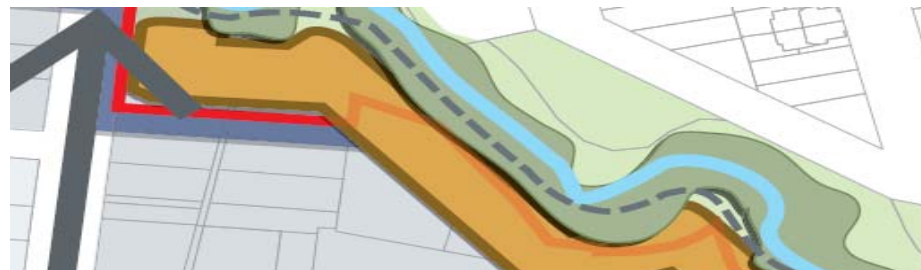
3.7 encourage the development of housing within the activity centre

There is a clear imperative for the provision of housing within the Traralgon Activity Centre, to increase the sustainability of the town, improve housing choice and increase the vibrancy of the centre. This direction seeks to encourage these outcomes through outlining areas suitable for increased residential development. It proposes measures designed to ensure that residential development within the town centre is of a high quality, as befits Traralgon's position as part of a 'Major Regional City', but also economically viable from a development perspective. Initiatives which underpin the principle:

- Encourage shop top housing and implement a Parking Precinct Plan to set appropriate levels of parking provision and/or establish a framework for financial contributions for waiving of car parking (see section 3.4).
- Investigate possibilities for the development of medium density housing within the town centre in partnership with private operators to demonstrate feasibility.
- Encourage residential development in areas of high amenity within the town centre, such as adjoining the creek and overlooking green spaces (the potential redevelopment of the outdoor swimming pool site is one such opportunity) and as part of multi level development on infill sites.
- Activate laneways to provide additional access points to mid block development (see

section.3.16).

- Ensure that housing is universally accessible to the required standard to allow for use by the elderly and others who would benefit from close proximity to services and facilitates
- Develop a vibrant town centre through a range of other actions to ensure the centre is a lively place which is attractive to both new and existing residents.
- Encourage partnerships for affordable housing projects.



Responds to the following identified issues:

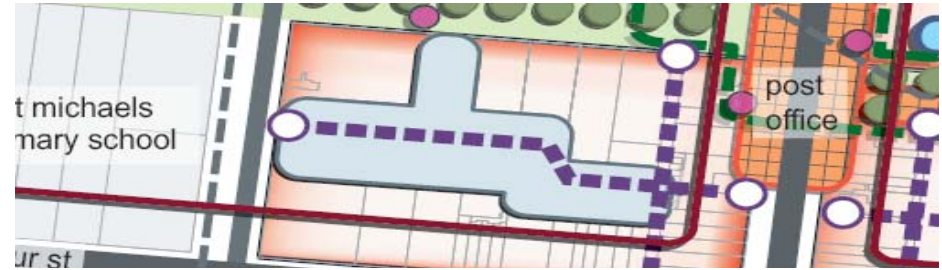
- The need to provide additional housing within the town centre
- A desire to increase activation and safety through passive surveillance in the town centre
- The need to explore solutions to ensure developments within the centre are assessed differently to suburban development



3.8 consolidate the town centre by infilling blocks and repairing street edges

Urban design analysis revealed large tracts of underutilised land within the Traralgon Activity Centre. This includes substantial areas of at-grade car parking, located not only within the centre of blocks, but also at key corner sites along the street edge. Given the imperative which exists to find additional land to accommodate future development, this principle seeks to encourage the development of these interior blocks with multilevel development which could incorporate existing car parking within an integrated development. More importantly, the principle encourages the development of buildings along the key street edges to create a continuous street edge. Initiatives which underpin the principle include:

- Encourage development to build to site boundaries within the CBD blocks.
- Promote the use of the back of blocks as development sites.
- Encourage the development of multi level building which incorporate car parking within their form, rather than at-grade parking.
- Utilise laneways to provide access to mid block development sites (see section 3.16).
- Build on successful public/ private partnerships such as the Seymour Street car park.
- Implement an urban design framework as part of this project to assist in ensuring these outcomes.



Responds to the following identified issues:

- Increasing demand for floorspace within the town centre
- Strong community sentiment to consolidate rather than expand commercial uses within the town
- Make more efficient use of large areas of underutilised space
- The need to improve the pedestrian experience in the town centre, currently affected by large 'gaps' in the activity centre street frontages
- The desire to activate laneways and 'back of house' areas and increase safety around the town centre



3.9 encourage a strong urban form that responds to the public realm and regional character

It is clear that Traralgon is and will continue to be, the preferred place within the Latrobe Valley for commercial uses. This in turn provides a strong incentive for housing within the town. It is clear therefore, that if Traralgon is to continue its current role, as sought at section 3.6 of this report, then there is a need for additional development space within the town centre. It is also acknowledged that there are significant constraints to Traralgon's overall long term residential growth should additional medium density housing not be developed in established areas. The strong community sentiment that the town centre should 'grow up, not out' is also acknowledged by this direction. The direction seeks to not only infill the gaps but to encourage vertical growth that reflects the 'CBD' type function that the centre plays within the wider region. However, such development needs to respond to not only the regional character of the activity centre by ensuring additional height is directed to suitable locations but also responds to valued characteristics in the activity centre. Two elements which are particularly highlighted are the need to protect sunlight to north facing pedestrian and dining spaces and the retention of longer range views to key landmarks within the town centre, in particular the churches and post office tower. Initiatives which underpin the principle include:

- Identify a range of preferred building heights around the town centre, propose up to 7/8 storeys in specific areas.

- Encourage these higher built forms in areas which can accommodate additional height and may involve specific upper level setbacks.
- Require buildings on northern street sides to be set back at upper levels to protect sunlight to the public realm.
- Encourage more intensity of development by proposing reduced car parking provisions (though the implementation of a Parking Precinct Plan) (see section 3.4).
- Identify key views for protection within the planning scheme.
- Encourage built form within the CBD grid to build to street frontages to provide a 'hard edge.'



Responds to the following identified issues:

- Desire to protect pedestrian amenity, regional character and outdoor dining areas
- Need to encourage consolidation within the town centre

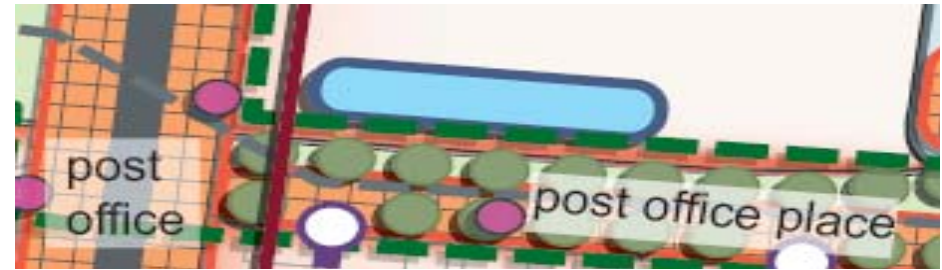


3.10 improve the provision of facilities associated with public transport

This direction seeks to ensure that, in the future, the availability and the amenity and safety of public transport usage within Traralgon will be improved. While timetabling issues currently facing Traralgon are not able to be resolved within the scope of this project, the plan will advocate for the creation of two key transport hubs within Traralgon which will provide appropriate shelter, information and other amenities to ensure that utilising public transport, rather than private vehicles becomes a valid and attractive option. Initiatives which underpin the principle include:

- Encourage the development and relocation of an improved and integrated transport stop at Post Office Place (to cater for buses and taxis).
- Support an appropriately located bus interchange within the Station Precinct.
- Ensure good pedestrian access between the two key public transport sites, in Post Office Place and the Station Precinct.
- Encourage the provision of appropriate shelter, seating, information, lighting etc in association with any stops or interchanges.
- Support a more prominent role for public transport within public spaces to raise

awareness of available opportunities.



Responds to the following identified issues:

- The need to retain a large bus stop and taxi rank at Stockland plaza
- Lack of suitable facilities currently provided
- Very low profile of public transport within the town leading to high rates of vehicle usage



3.11 create a network of public spaces

This principle seeks to develop a series of spaces within the town centre where people can stop, gather and socialise within a public, rather than private, context to bring life onto the streets of the town centre. These spaces will be created in a number of areas throughout the town centre, and will reflect different roles and functions. The primary space will be located around Post Office Place and the old courthouse, while others will be created adjoining the station and within any major redevelopment to the north west of the town centre. These areas will reflect a range of spaces, but will all provide shelter, seating and points of interest for users of the activity centre. Initiatives which underpin the principle include:

- Create a shared space around Post Office Place and the old courthouse to link with Kay Street in providing a 'town square' that can be utilised for civic occasions. This may involve slowed traffic, one way traffic or raised pavement treatments.
- Activate laneways to create additional pedestrian links between spaces (see section 3.17).
- Support the inclusion of a public plaza fronting the Princes Highway as outlined in the Draft Traralgon Station Precinct Masterplan.
- Protect existing open space to the west of the outdoor swimming pool site.
- Identify, develop or protect a range of smaller spaces, within the town centre and use public art and street furniture to create identities for each space.



Responds to the following identified issues:

- Kay Street is currently the site for activities and events but there are concerns regarding tree management and an alternative 'town square' would be beneficial
- The need for easier/ safer pedestrian, cycle connections and amenity spaces
- There is limited 'green' space within the town centre
- Public space within the activity centre offers opportunities for innovative public domain design
- The need for informal, yet safe, spaces for young people to gather



3.12 incorporate art and placemaking to enhance identity and character

This direction seeks to promote the incorporation within the town centre of Traralgon of a series of pieces of art which both reflect the identity of the town and assist in 'marking' the activity centre. These pieces of art should assist in defining an identity for the town centre while generating discussion and providing a visual link to assist visitors with identifying and remembering the town. The inclusion of art should be bold and interactive and be positioned in key areas in the town centre. In addition, other placemaking measures such as themed walking trails should also be considered. Initiatives which underpin the principle include:

- Identify key sites within the town centre to incorporate public art.
- Ensure that art is of a scale and character that reflects the proposed positioning.
- Outline and designate a series of walking trails through and around the town centre. Suggested routes could address Sir Macfarlane Burnett and Traralgon's important railway heritage.
- Ensure that in identifying a street hierarchy the concept of 'placemaking' is considered.
- Identify a site for the display of heritage materials related to Traralgon.
- Encourage the involvement of younger people in the 'placemaking' process.



Responds to the following identified issues:

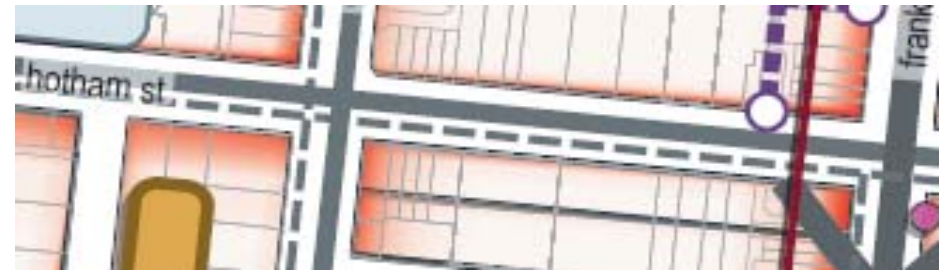
- Desire to take Traralgon into the future, while acknowledging the past
- Lack of defined identity for the activity centre
- Need to attract attention along the highway
- To add interest and amenity to the town centre as a whole



3.13 provide safe cycle links through the town centre

There are a number of documented benefits to cycling as a mode of transportation. While it must be acknowledged that, as a regional centre, vehicular travel will continue to play a large role in Traralgon, this direction seeks to ensure that alternatives are provided to the community in a safe and pleasant manner. Currently there are few cycle tracks and fewer associated facilities within the town centre, despite strong planning policy frameworks for such infrastructure. This direction seeks to establish the provision of safe links as part of a holistic solution whereby residents and users of the town centre are afforded a choice of transport options, rather than the continuation of a 'one vs the other' scenario. It is anticipated that this direction will lead to increased number of cyclists within the community. Initiatives which underpin the principle include:

- Designate Church and Hotham Street as 'cycle streets' and reassess the layouts of the streets accordingly, including advocating the removal of angled parking.
- Ensure there are appropriate links provided from the town centre to the existing cycle path along the creek.
- Ensure that these paths connect key destinations such as schools, the Stockland Plaza and the station.
- Identify appropriate locations for secure bicycle parking in the town centre.



Responds to the following identified issues:

- The need for easier and safer cycle connections
- Issues with the current designated bike path down Franklin Street conflicting with the desire to retain angled parking in key retail streets

RESPONSE TO CONSULTATION

Ensure that cycle paths with the TAC connect with other cycle path projects (Morwell Traralgon shared path and Gippsland Rail Trail).



3.14 allow for pedestrian and visual links from kay street to victory park

This direction seeks to incorporate links between two of the primary green spaces within the Traralgon Activity Centre, being the Kay Street boulevard and Victory Gardens. The direction aims to ensure there are not only strong pedestrian links established between these two spaces to enable greater access to the park by activity centre users but also to establish a visual link between the two areas. This direction will inevitably involve a reorganisation of Post Office Place which is effectively the 'missing link' between the gardens and Kay Street, and will seek to establish improved pedestrian access across the Princes Highway. This principle will be integrally linked to the creation of a town square; outlined in section 3.11. Initiatives which underpin the principle include:

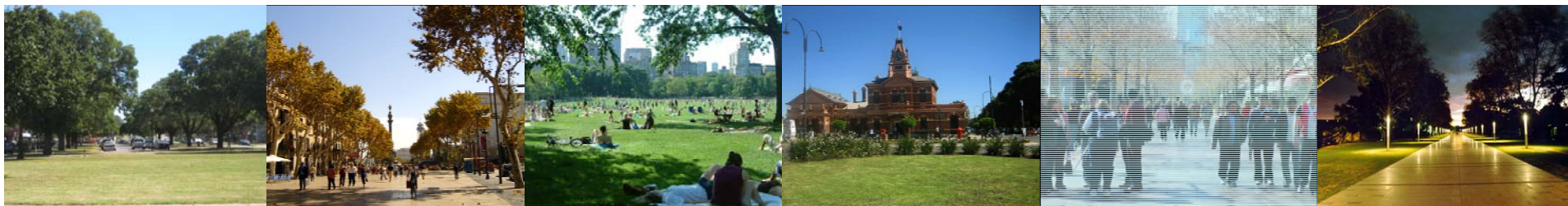
- Establish substantial tree planting in Post Office Place to create a visual link with Kay Street.
- Redesign Post Office Place as a primarily pedestrian space, while allowing vehicular access with distinctive paving treatments and the incorporation of public artworks.
- Resolve pedestrian access at the junction of Post Office Place and the Princes Highway. There is potential to signalise the intersection of Post Office Place and Franklin Street.
- Promote Post Office Place as the 'tourism' gateway to the town centre.

- Encourage the addition of a 'skin' of retail uses along the southern façade of Stockland Plaza and additional outdoor dining areas along Post Office Place.
- Encourage the development and relocation of an improved and integrated transport stop at Post Office Place (to cater for buses and taxis) (see section 3.10).



Responds to the following identified issues:

- The centre does not 'connect' to adjoining parkland, either physically or visually
- Need for easier and safer pedestrian and cycle connections
- Lack of identity visible to those travelling through the town



3.15 encourage the integration and activation of the traralgon creek corridor

The presence of the Traralgon Creek corridor in close proximity to the towns centre is an asset that does not appear to have yet been appropriately utilised. This direction seeks to establish a meaningful connection between the centre and the creek corridor which adjoins it. This will happen partly through increased usage and improved facilities alongside the creek but also through better utilisation of the advantages proximity to the creek affords. This may be through increased height along the highway offering views across the creek and therefore increasing passive surveillance, or through the incorporation of a different style of medium density housing immediately adjoining the creek in the quieter areas to the north. Initiatives which underpin the principle include:

- Encourage the provision of medium density housing which responds to the flood constraints adjoining the creek to the north of the town centre (see section 3.7).
- Provide improved connections to and facilities for walking and cycling tracks along the creek.
- Encourage integrated revegetation and public art projects along the creek in proximity to the town centre.
- Improve the amenity and safety of the connection under the highway overpass.

- Create visual links from the town centre to the creek.



Responds to the following identified issues:

- CBD does not 'connect' to adjoining parkland, either physically or visually
- Safety concerns regarding surveillance of creek
- Need to capitalise on elements which add 'character' to the town centre



3.16 resolve laneway ownership and encourage activation

Traralgon is blessed with a strong grid structure underpinned by a series of associated laneways, much like central Melbourne. While the context within Traralgon is quite different, it is considered that there are numerous possibilities for utilising these important attributes more productively than they are currently. This direction seeks to establish who owns which laneways and identify those which are best suited for additional activity. As with the majority of Melbourne's laneways, a balance between the servicing needs of associated businesses and the amenity of pedestrians and laneways users needs to be struck. However, it is hoped that by identifying some key laneways initially, and improving their amenity, the flow-on effects of improved public safety and movement, and the opening up of additional areas for commercial floorspace, will be maximised. Initiatives which underpin the principle include:

- Identify ownership of laneways and encourage acquisition of lanes as necessary.
- Identify key laneways for improvement.
- Establish a set of guiding principles to ensure appropriate development along these key laneway edges.
- Encourage the use of laneways to display art.
- Integrate improved lighting into laneways and ensure public safety.

- Encourage, over time, the development of the rear and side of blocks fronting onto laneways to develop the 'hard edge' seen in some laneways.



Responds to the following identified issues:

- Need to increase walkability of the town centre
- Issues with safety of laneways due to lack of surveillance
- Need to activate the back of the blocks to allow for additional development



3.17 ensure the provision of appropriate youth spaces within the town centre

One of the key issues which came out of the background report was the lack of things for younger people to do. This was not a 'service' related issue, but rather a 'space' related issue. There is currently no area where young people in Traralgon can gather. As such, meeting generally occurs at the local shopping mall or fast food outlets. This direction seeks to establish as a priority the inclusion within the town centre of a series of places and spaces where young people in Traralgon can enjoy themselves. These will include both formal 'youth spaces' and informal plaza areas where kids feel free to gather without the need to utilise a commercial space where there may be pressure to purchase items or to leave. Initiatives which underpin the principle include:

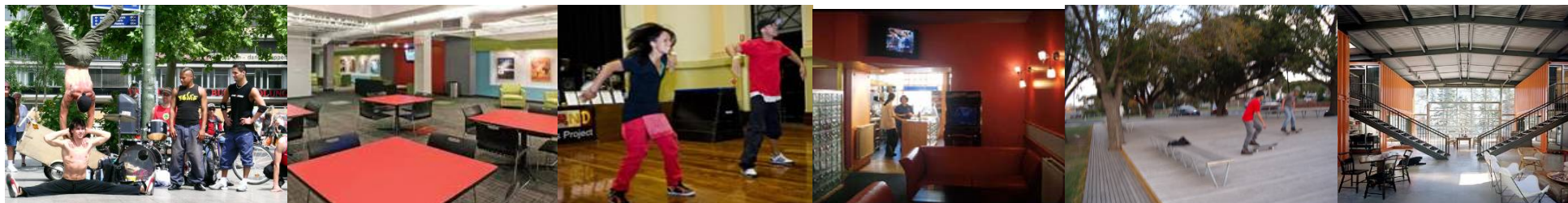
- Identify a space for dedicated youth facilities. A more in-depth analysis will be needed of the facilities that should be provided but it could include meeting spaces, computer rooms, mixing decks, couches and a youth run juice bar or café. Consider the Traralgon Courthouse as one possible location, integrated with other community uses.
- Ensure that Post Office Place is developed into a community and youth friendly public area where safety is promoted (see section 3.11).
- Provide a facility in the activity centre which includes lockers to store school bags.

- Provide other safe and amenable public plaza areas with seating and shade that offer alternative spaces to gather off the main retail axes (see section 3.11).
- Allow clear and safe non-vehicular pathways from existing sporting areas outside the town centre into the core.
- Involve younger people in any public art and placemaking projects to ensure a sense of ownership (see section 3.12).



Responds to the following identified issues:

- Lack of spaces for youth within the town centre



3.18 investigate future options for hubert osborne park and the civic precinct.

There are two key areas within the activity centre which are in Council ownership and have potential for change. These areas are the outdoor swimming pool and croquet club and the existing Civic Precinct.

This project has yet to determine what a suitable future for these important sites, nonetheless, it remains a key direction to give serious consideration to what the best outcome from a 'whole of centre' perspective will be. This is particularly the case given the potential sale of the outdoor swimming pool site, which has been suggested to fund the construction of a new Indoor Aquatic Centre in Traralgon. The age and utilisation of some of the buildings within the Civic Precinct also suggests that, given the longer term timeframe of this project, careful consideration should be given to the form of future civic development on that site.

Given the current underutilisation of the outdoor pool and the need to provide the residents of Traralgon with a high quality indoor aquatic facility, the sale and development of the eastern portion of this site is supported. However, given the size, influence and interfaces of this site, it is felt that careful consideration of the outcomes is warranted. Initial discussions at the visioning session suggested that the area could accommodate a mixed use development that included high quality medium density development, such as townhouses, fronting areas of parkland, with commercial development fronting Breed Street. One possibility is the

development of a synergy with the existing cluster of medical uses. The interface with the Civic Precinct diagonally across Kay Street is also important. The Civic Precinct currently includes Council's service centre, library, maternal and child health centre, family services, the performing arts centre and the Traralgon Town Hall.

Further community consultation and investigation of both these areas will be needed to ensure that the future development or retention of these areas provides the best outcome for both the Traralgon Activity Centre and the wider Traralgon community. Initiatives which underpin this principle include:

- Identify options and prepare a concept plan, including economic feasibility, for the outdoor swimming pool and croquet club site as outlined on the following page.
- Investigate the possible future uses for the Civic Precinct and establish appropriate parameters for any future development of the site.

Responds to the following issues:

- Need to provide certainty for any development of key underutilised sites

RESPONSE TO CONSULTATION

As a result of community consultation and further work undertaken on the indoor aquatic project Council has resolved to maintain Hubert Osborne Park as public space for recreational purposes.

Community feedback has also made it clear that the Civic Precinct must remain for civic uses.



4 concept plans

As part of the broader Traralgon Activity Centre Plan, concept plans will be developed for two key sites within the centre. These areas will need to be those which currently play a strong role in the town centre but are also likely to exert a stronger influence under the Traralgon Activity Centre Plan and operate as something of a 'catalyst' for the centre.

This Key Directions Report identifies the two areas that are felt to be the most suitable and useful to address as part of this process. They are shown on the following page and identified as follows:

Post Office Place

This area has been identified as forming the 'heart' of Traralgon and also plays a key role in a number of the principles identified earlier in this document. Previous Council decisions have also identified the role that the Traralgon Activity Centre Plan has in determining the future for the historic old Courthouse. As such it was considered that a concept plan for the area around the courthouse building, as well as the adjoining public spaces and Post Office Place, offer a key opportunity to develop a 'heart' which integrates this key historic building with both Franklin Street, and also with Post Office Place, leading down to Victory Park. Consultation with the heritage consultant who prepared the relevant Conservation Management Plan will be undertaken as part of this process.

Outdoor Swimming Pool and Croquet Club site

This area has been identified by Council as an area which could potentially be transferred from public to private ownership in order to facilitate the development of an indoor aquatic centre more suited to the needs of Traralgon residents, and proposed for a site in Catterick Crescent. As such, it was considered that there may be substantial community benefit in providing a concept for what development may occur on this site. The development of a concept for this

site may also assist developers in providing certainty in the outcomes sought for the site. Any concept plan for this site will need to be underpinned by a sound development feasibility assessment. In relation to the outdoor swimming pool site it should be noted that there is no suggestion that the existing public open space to the west, including the kindergarten should be developed for any purpose, given the important role that this open space plays in the community, both as a recreational space, but also as a buffer between the more intensive uses within the activity centre and the nearby residential areas. This is in accordance with Council's current preferred option in relation to this site.

RESPONSE TO CONSULTATION

As a result of submissions received and further work done on the indoor aquatic centre project Council has now resolved to maintain Hubert Osborne Park as public space for recreation purposes. This will be reflected in the final Traralgon Activity Centre Plan and a concept plan is no longer part of the TACP project.

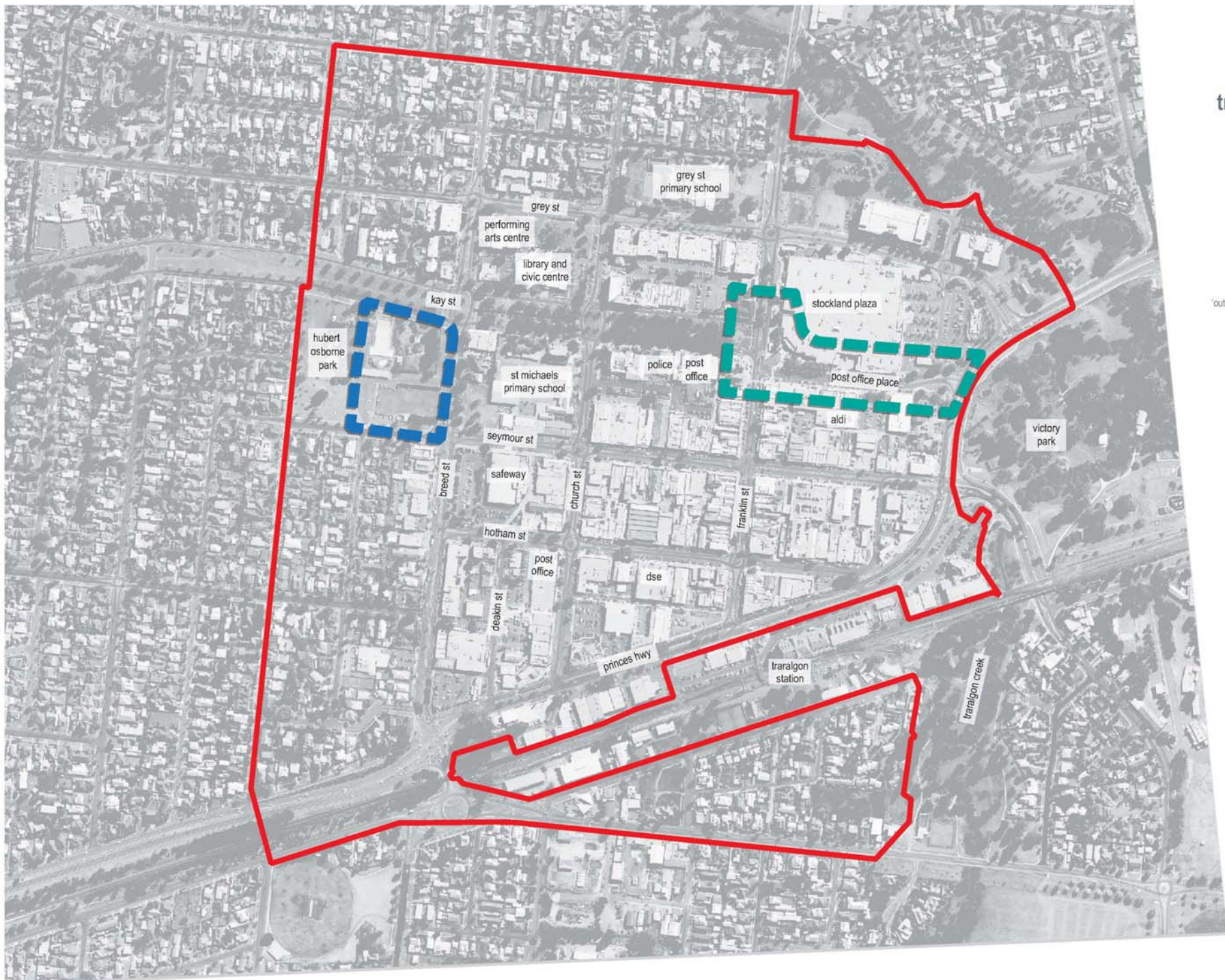


traralgon activity centre plan

concept plan

legend

- study area 
- concept area 1 
- 'outdoor swimming pool site' 
- concept area 2 
- 'post office place' 



DRAFT



Project Ref: 09436
 Dwg No.: UDD-002
 Scale: 1:2500@A1
 1:5000@A3
 Date: 12.10.10
 Revision: B

Appendix 1: Response to Submissions

Table 2: Response to submissions

Feedback received following the public exhibition of the Traralgon Activity Centre Plan:

Draft Key Directions Report

Feedback	Response	Changes Required to the Key Directions
<p>1. Mr Ian McGown (submission 1) Believes the report needs prioritized recommendations.</p>	<p>As a result of submissions received a higher priority has been placed on some key directions relevant to increasing car parking spaces and parking configurations.</p> <p>The Implementation Plan which will be developed as part of the final TACP report will also provide prioritised timeframes and actions.</p>	Yes
<p>Does not support any development of Hubert Osborne Park.</p>	<p>As a result of submissions received and further work undertaken on the indoor aquatic centre project, Council has resolved to maintain Hubert Osborne Park as public space for recreation purposes.</p> <p>Further investigation into the pool facility on the site will be undertaken by the aquatic centre project in accordance with the direction of Council.</p>	Yes
<p>Need for attractive looking buildings, ones that will be remembered</p>	<p>Comment noted</p>	No
<p>Has an expectation of car parking close to shopping destination.</p>	<p>As a result of submissions received a high priority has been placed on the key directions relevant to increasing car parking spaces and the best car parking configurations for streets in the town centre. These include;</p> <p><i>Key Directions 4: Develop a Parking Precinct Plan.</i></p> <p><i>Key Direction 5: Provide integrated car parking solutions in appropriate locations.</i></p> <p>A Parking Precinct Plan undertaken as part of the final TACP report will consider specific submitter comments and identify appropriate time allocation of car parking spaces, possible parking configurations that result in no loss of on street parking spaces and options to increase parking spaces off street. Analysis of the most appropriate parking configurations will also take into consideration possible new streetscapes for some streets and possible cycle lane routes.</p>	Yes
<p>St Michaels PS should be relocated to allow for parking and retail.</p>	<p>Feedback from St Michaels has indicated that the school is unlikely to relocate within the timeframe of the TACP and the final TACP report will therefore reflect this position.</p>	No
<p>Supports the Plaza being extended up, or Queens Parade housing would need to make way for retail.</p>	<p>The final TACP report will support the expansion of Stockland Plaza, in an appropriate form.</p>	No
<p>Ensure priority roads are maintained.</p>	<p>Comment noted however maintenance of assets is outside the scope of this project.</p>	No
<p>Supports value of public art discussed in Plan.</p>	<p>This comment supports Key Direction 12: <i>Incorporate art and place making to enhance identity and character.</i></p>	No
<p>Does not support housing along the creek.</p>	<p>Comment noted. The final TACP report will seek to ensure that any development in proximity to the creek has regard for the environmental values of the area.</p>	No
<p>2. VicRoads Head Office Vic Roads has no objections to the report.</p>	<p>Noted</p>	N/A

Feedback	Response	Changes Required to the Key Directions
<p>3. Department of Planning and Community Development</p> <p>DPCD supports the identified key directions.</p> <p>Suggestions to improve the mapping by noting already active business precincts on the plan and areas suitable for medium density housing.</p>	<p>General support noted.</p> <p>These mapping suggestions are noted and will be included in the final TACP report.</p>	<p>N/A</p> <p>No</p>
<p>4. Recreation & Rail Trail Development Manager Bicycle Victoria</p> <p>The inclusion of bicycle facilities in the town centre to connect to a potential inter city link between Traralgon & Morwell is supported.</p> <p>Reference to Ausroad 5 Guidelines for design of bicycle facilities.</p>	<p>Support noted</p> <p>Comments noted</p>	<p>N/A</p> <p>N/A</p>
<p>5. Mr Tony Richards</p> <p>Most impressed with the Plan, pleased that parking has been considered and walking and cycling is considered.</p> <p>Good design required for multi-story development to reduce energy consumption.</p>	<p>General support noted</p> <p>The final TACP report will seek to ensure a high quality of design and sustainability in future development through the development of an Urban Design Framework.</p>	<p>N/A</p> <p>No</p>
<p>6. Ms Patricia Templeton</p> <p>Objection to selling Osborne Park</p> <p>Believes we need parks in central locations for all to enjoy.</p>	<p>See response for Hubert Osborne Park at submission 1.</p> <p>This comment supports Key Direction 11: <i>Create a network of public spaces.</i></p> <p>The final TACP report will seek to maintain the amount of parkland and connections between existing parkland in and around the activity centre.</p>	<p>Yes</p> <p>No</p>
<p>7. Ms Jenifer Whitwam</p> <p>Objection to cycle tracks through the CBD.</p> <p>Comments on the issues of car parking and doesn't think parallel parking will help the situation.</p> <p>Believes people who ride bikes should walk to their shop destinations</p> <p>Concerned about safety with cyclists and parallel parking.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>8. Mr M & Mrs J Hall</p> <p>Object to the sale of Hubert Osborne Park.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>
<p>9. Ms Jennie Wood</p> <p>Objection to selling Hubert Osborne Park and closing outdoor pool.</p> <p>Believes the park adds to the liveability of Traralgon.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
<p>10. Ms Shirley Hill</p> <p>Should reserve a rural ambience not sell Hubert Osborne Park.</p> <p>Civic Precinct must remain for civic uses</p> <p>Doesn't agree with housing in the CBD not healthy due to noise and pollution.</p> <p>Doesn't agree with need for traffic lights in Breed / Hotham St.</p> <p>Believes pedestrian crossings in Franklin and Seymour St are suitable</p> <p>Believes Council should wait until Highway is diverted before undertaking works on the Highway Boulevard.</p> <p>Acknowledges the need for multi level car parks at a number of locations.</p> <p>Objects to angle parking changing to parallel.</p> <p>Objects to public art "cluttering up" avenues of trees.</p> <p>Believes Courthouse not suitable for youth who prefer something more open and modern.</p> <p>Believes Council should refurbish existing pool and heat with geothermal energy underneath and encase in suitable building, indoor/outdoor arrangement.</p>	<p>See response for Hubert Osborne Park at submission 1.</p> <p>Community feedback has made it clear that the Civic Precinct must remain for Civic uses.</p> <p>The Key Directions Report has been amended at Key Direction 18 to specifically include the protection of the Kay Street Civic Precinct and this will be reflected in the final TACP report.</p> <p>Comment noted, however increased residential densities within activity centres is a key element of both state and local planning policy. Increased housing opportunities within the TAC will increase the economic and environmental sustainability of Traralgon as a whole and will increase vibrancy and range of services and facilities available in the centre.</p> <p>Comment noted however it is not proposed to amend the key directions report. It is noted that there were also submissions that agreed with Key Direction 1 relevant to these comments.</p> <p>Comment noted however it is not proposed to amend the key directions report as there were also positive submissions supporting Key Direction 3: <i>Create a Princes Highway Boulevard.</i></p> <p>This comment supports Key Direction 5: <i>Provide integrated car parking solutions in appropriate locations.</i></p> <p>See response to 'car parking' at submission 1</p> <p>Comment noted. The location of public art will need to be carefully considered when it is commissioned, in light of the particular characteristics of each piece of art.</p> <p>The final TACP report will not mandate the use of the courthouse for youth spaces, but will recommend that Council explore the implications for this option further.</p> <p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p> <p>Yes</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>Yes</p> <p>No</p> <p>No</p> <p>Yes</p>
<p>11. Vic Roads Regional Office</p> <p>Vic Roads supports the key directions and state they provide a very sound integrated approach to both transport planning and land use that should cater for safe and efficient movement of all vehicles and pedestrians.</p>	<p>Noted</p>	<p>N/A</p>
<p>12. Mr Keith Chenhall</p> <p>Plan makes no definite recommendations and fails to deal with immediate and pressing problems of traffic congestion.</p>	<p>As a result of submissions received a higher priority has been placed on some key directions relevant to increasing car parking spaces and parking configurations.</p> <p>The Implementation Plan which will be developed as part of the final TACP report will also provide prioritised timeframes and actions.</p>	<p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
<p>Plan does not seek to disperse traffic away from centre of town by providing for a creek crossing across Traralgon Creek near eastern end of Bradman Drive and overpass or underpass at Bank St.</p> <p>Housing within the Activity centre combined with the requirement for car parking attempts to cram too much into a small area.</p> <p>Traffic lights at Breed St and Hotham St will not mitigate issues at this intersection</p> <p>Lanes are to service shops</p> <p>Customer car parking should be primary focus above staff and office car parking.</p> <p>Removal of angle parking in Hotham & Church St not desirable.</p> <p>Congestion in Post Office place is compounded by darkened glass outside Cargo Lounge.</p> <p>Mentions tiled mosaics in Cooma as a good example of public Art</p> <p>Creation of water facility/lake on flood plain.</p>	<p>Comment noted. The issue of the creek crossing is acknowledged but is beyond the scope of this project.</p> <p>See response for 'housing in the CBD' at submission 10.</p> <p>The existing issue of safe crossings on Breed Street must be addressed. Traffic experts will provide guidance as to the most suitable location for this intersection.</p> <p>Noted however it is not proposed to change the Key Directions. It is noted that there were also positive submissions supporting Key Direction 16: <i>Resolve Laneway Ownership and encourage activation</i></p> <p>See response for 'car parking' at submission 1.</p> <p>This comment supports the need for a concept plan for Post Office Place as discussed in the Key Directions Report.</p> <p>Noted this comment supports Key Direction 12: <i>Incorporate art and placemaking to enhance identity and character.</i></p> <p>Noted however this is outside the scope of this project.</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>Yes</p> <p>No</p> <p>No</p> <p>No</p>
<p>13. Ms Tracey Townsend</p> <p>Issues with safety of the school crossing on Breed St. and suggests several measures to improve safety at this crossing and for pedestrians in general crossing Breed St.</p>	<p>As a result of submissions received issues of traffic congestion and pedestrian safety in Breed St will be further investigated in the final TACP reports with a set of recommendations outlined in the Implementation Plan.</p>	<p>Yes</p>
<p>14. Mr Alan Witchell</p> <p>Parking and Bike Lanes: Object to replacement of angled parking with parallel parking.</p> <p>Plan does not address long term car parking for all day shoppers/staff.</p> <p>More storeys are required at the Seymour St car park.</p> <p>Encourages Council to undertake public /private venture to build a multi deck car park on Ryans hotel site.</p> <p>Why does Council require a further statutory tool to implement policies relating to cash in lieu payments?</p> <p>Objects to the sale of Hubert Osborne Park.</p> <p>Post office Place needs immediate attention.</p>	<p>See response for 'car parking' at submission 1.</p> <p>Comments around multi deck car parks support Key directions 5 <i>Provide integrated car parking solutions in appropriate locations.</i></p> <p>The provision of a multi-deck car park at the Ryan's Hotel site will need to be considered in light of important heritage values of that site and the Kay Street boulevard.</p> <p>Question noted. In the Latrobe Planning Scheme there is currently no statutory tool to require cash in lieu payments.</p> <p>See response for Hubert Osborne Park at submission 1.</p> <p>This comment supports the need for a concept plan for Post Office Place as discussed in the Key Directions Report at page 25.</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p> <p>No</p>

Feedback	Response	Changes Required to the Key Directions
<p>Objects to selling of Civic Centre Site.</p> <p>Suggests a panel should be appointed by the Minister for Planning to implement a 5, 10, 25, 50 year plan.</p> <p>Believes the parameters of the Plan should have been set more widely and look for potential sites to relocate educational centres.</p> <p>Provision should be made for moving the TAFE college and 2 schools out of the CBD to free up valuable CBD real estate.</p>	<p>See response for 'Civic Precinct' at submission 10.</p> <p>Comment noted. The TACP is being prepared in line with state government regulations Feedback from the Department of Planning and Community Development has been and will continue to be sought.</p> <p>Comment noted. Feedback from the two schools currently located in the TAC has indicated they have made recent investments in infrastructure and are unlikely to relocate within the timeframe of the TACP similarly with the TAFE. The final TACP reports will reflect this position.</p>	<p>Yes</p> <p>N/A</p> <p>No</p>
<p>15. Ms Ann Cogan</p> <p>Objects to the sale of Hubert Osborne Park and does not want the pool decommissioned.</p> <p>Believes the pool should remain in current location and be heated and covered.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>
<p>16. Ms Judi McLaughlin</p> <p>Endorses most of the proposals in the report especially residential accommodation to be encouraged above shops and offices in the CBD, believes that this will make the CBD more alive and attractive.</p> <p>Not opposed to redevelopment of the existing pool site to accommodate an indoor aquatic centre.</p> <p>Objects to the sale and development of any existing public space close to the CBD in particular Hubert Osborne Park.</p> <p>Believes Hubert Osborne Park should be enhanced.</p>	<p>Support for most of the proposals noted in particular support for Key Direction 7:</p> <p><i>Encourage the development of housing within the activity centre.</i></p> <p>See response for Hubert Osborne Park at submission 1.</p>	<p>No</p> <p>Yes</p>
<p>17. Collie Pty Ltd (Stockland Traralgon)</p> <p>No objection to the content of the report at the higher strategic level.</p> <p>Keen to continue liaison with Council and to consider more detailed recommendations in future stages of the study.</p>	<p>Noted</p> <p>Noted</p>	<p>No</p> <p>N/A</p>
<p>18. Mr Neil Griffiths</p> <p>Supports the majority of key directions described but objects to part of Key Direction 3.7 – 'potential redevelopment of the outdoor swimming pool' and Key Direction 3.18 'the sale and development of the eastern portion of this site is supported.'</p> <p>Believes that the parkland and pool is highly valued by the residents and should not be sold or redeveloped.</p> <p>Believes that there are other opportunities for commercial / residential development at other sites within the CBD and the Hubert Osborne Park site should not be sacrificed for such development.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
<p>19. Traralgon Croquet Club Inc</p> <p>Refers to submission made to the Traralgon Indoor Aquatics and Leisure Centre Feasibility Study.</p> <p>Identifies the need for Council to consider the future of the existing facilities and the green space that this represents in any future Plan rather than assume it is no longer needed.</p> <p>The Club would like to work with Council on any proposal.</p>	<p>Noted</p> <p>See response for Hubert Osborne Park at submission 1.</p> <p>Noted. The Club have been invited to be a member of the Traralgon Aquatic Centre Working Party.</p>	<p>N/A</p> <p>Yes</p> <p>N/A</p>
<p>20. Latrobe Community Health Service</p> <p>Pleased that the draft report has considered the physical and mental well being of community within the town centre.</p> <p>References the healthy by design policy as a good resource.</p> <p>Identifies Key Directions 11, 13 and 14 as having a real focus on providing places for increased physical activity.</p> <p>Identifies the need for a cycle connection between Traralgon and Morwell and identifies the benefit of connecting cycle links through the CBD, with the Train station and creek.</p> <p>Identifies the aims of Key Directions 12 and 17 to increase social connections within the town and encourages the involvement of the local indigenous community regarding the 'place making' process.</p> <p>Believes that public transport should be considered as an important aspect of the plan.</p> <p>Believes the eastern end of Seymour St should be the focus of a wellness corridor due to the location of the LCHS and the short listing of this site for a GP Super Clinic, as well as the proximity of site to public transport, parking other facilities e.g. chemists and for opportunities for further development of health services along Princes Boulevard.</p> <p>Believes the Activity Centre planning should be integrated across all of Latrobe's main towns.</p> <p>Supports the construction of an additional floor on to Seymour St car park and development of a space for dedicated youth facilities.</p>	<p>Noted</p> <p>Comments Noted</p> <p>Noted comments support Key Directions 11, 13, 14.</p> <p><i>11. Create a network of public spaces</i></p> <p><i>13. Provide safe cycle links through the town centre</i></p> <p><i>14. Allow for pedestrian and visual links from Kay St to Victory Park.</i></p> <p>Noted comments support Key Directions 13:</p> <p><i>Provide safe cycle links through the town centre</i></p> <p>Noted comments support Key Direction 12:</p> <p><i>Incorporate art and place making to enhance identity and character</i></p> <p>Noted this comment supports Key Direction 10: <i>Improve the provision of facilities associated with public transport.</i></p> <p>Comments noted, there are a number of areas within the TAC which have a concentration of health services, including along Breed Street and the block between Kay and Grey Streets, as well as the eastern end of Seymour Street.</p> <p>Noted. The scope of this project was defined within the project brief and focuses on the centre of Traralgon.</p> <p>Supports Key Direction 5 and 17.</p> <p><i>5. Provide integrated car parking solutions in appropriate locations.</i></p> <p><i>17. Ensure the provision of appropriate youth spaces within the town centre.</i></p>	<p>N/A</p> <p>N/A</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>N/A</p> <p>No</p>

Feedback	Response	Changes Required to the Key Directions
Keen to be involved in any further consultation process.	Noted	N/A
<p>21. Save Osborne Park Community Group</p> <p>Commends initiatives in the report which encourages low car use, improved amenity, linkages between public spaces and support of businesses within the town and those that address safety and traffic congestion.</p> <p>The group is opposed to the proposal to sell off any part of Hubert Osborne Park including the outdoor swimming pool for commercial or residential development as outlined in Key Direction 7 and 18.</p> <p>The submission identifies a series of 53 questions which the group have requested specific responses to.</p>	<p>Support for these initiatives is noted.</p> <p>See response for Hubert Osborne Park at submission 1.</p> <p>Responses to the 53 questions were provided in an Attachment to the Council Report for the Traralgon Indoor Aquatic Facility Feasibility Report considered at the Ordinary Council meeting of 23 May 2011. These responses are provided as Attachment 5 in this Council Report.</p>	<p>N/A</p> <p>Yes</p> <p>N/A</p>
<p>22. The White Family</p> <p>Objects to selling off the outdoor pool site, has experienced many enjoyable family memories at the outdoor pool.</p> <p>Doesn't object to building an indoor pool but not at the expense of the outdoor pool.</p>	See response for Hubert Osborne Park at submission 1.	Yes
<p>23. Ms Maureen McIntosh</p> <p>Concern that there is no clear information about the area immediately south of the railway station. Would like to know the plans for this area.</p>	The area immediately to the south of the railway line is addressed by a separate project (the Traralgon Station Precinct Master Plan). This can be viewed at Council's website at www.latrobe.vic.gov.au . The area to the south of Queens Parade is primarily covered by a Heritage Overlay under the Latrobe Planning Scheme, and any development in this area needs to consider these heritage values.	N/A
<p>24. Mr Glyn Baker) Advised that second submission superseded the first).</p> <p>Believes the draft plan doesn't significantly recognise the importance of connecting the Traralgon Activity Centre with existing bicycle lanes /paths and in particular future inter-town bicycle lanes /paths between Morwell and Traralgon. Suggests some word changes to text within Key Direction 3.1 and 3.13 to better reflect this.</p> <p>Acknowledges the secure bicycle facilities planned for the Traralgon Train Station and suggests similar facilities may be necessary at another location in the Activity Centre, most likely Stockland Plaza.</p> <p>Objects to any proposal to sell off any portion of Hubert Osborne Park until such time that Council can ensure how major projects will not place the budget surplus at risk as there is a concern regarding Council's debt liability. Believes the land should be retained for a public facility not for a private enterprise.</p>	<p>Comment supports Key Direction 13</p> <p><i>Provide safe cycle links through the town centre.</i></p> <p>Word changes to Key Direction 13 have now been incorporated to identify these links.</p> <p>Comment supports Key Direction 13</p> <p><i>Provide safe cycle links through the town centre.</i></p> <p>This key direction includes the initiative to identify appropriate locations for secure bicycle parking in the town centre.</p> <p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
<p>25. Mr/Mrs AJ Gumpold</p> <p>Objects to the sale of any portion of Hubert Osborne Park.</p> <p>Believes green spaces should be valued and not sold off for financial gain.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>
<p>26. Mr Philip Carter (Pro-Tek Computers, accompanied by a petition with 1,375 signatures)</p> <p>Oppose any proposal to remove angled parking in Church St or Hotham St. Believe it will reduce parking in those streets and result in the following;</p> <ol style="list-style-type: none"> 1. Reduction of parks will reduce customer direct access to businesses. 2. Place an increased burden on Traralgon's already over stretched parking problem. 3. Reduce our customers desire to do business in our street, causing loss of business and loss of jobs. 4. Believe the proposal has been put up without direct consultation with the traders in Church St and Hotham St. 	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>27. Ms Elizabeth Jeffery (submission 1)</p> <p>Doesn't believe the Plan was sufficiently publicised in Traralgon.</p> <p>Believes the Plan has several severe defects and that Traralgon would not be able to survive such a radical restructure.</p> <p>Acknowledges that parking is a problem in Traralgon but believes a Parking Precinct Plan will make it worse and that people will not be able to access the strip shopping.</p> <p>Believes long term parking for business owners and staff is needed and more bridges over the creek to allow easier access from the north of town.</p> <p>Believes plans to install bike lanes in Church St and Hotham St are not practical.</p> <p>Believes the Highway Boulevard is impractical does not want any more trees planted there and believes the town approaches would not benefit from anymore trees.</p> <p>Doesn't agree that the town presents a rear end to the Highway.</p> <p>Believes that providing youth space, extra seating and shade is good but providing a space for youth in the Court House would be disastrous as young people don't see preserving historic buildings as important.</p> <p>Doesn't support housing in the CBD.</p> <p>Doesn't support the sale of Hubert Osborne Park as people value the open green space.</p>	<p>Comment noted</p> <p>Comment noted</p> <p>See response for 'car parking' at submission 1. See response for 'creek crossings' at submission 12.</p> <p>Comment noted, see response to 'highway boulevard' at submission 10.</p> <p>Comment noted.</p> <p>See the response for 'youth spaces' at submission 10.</p> <p>See the response for 'housing in the CBD' at submission 10.</p> <p>See response for Hubert Osborne Park at submission 1.</p>	<p>N/A</p> <p>N/A</p> <p>Yes</p> <p>No</p> <p>N/A</p> <p>No</p> <p>No</p> <p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
<p>Doesn't support the proposed city square.</p> <p>Doesn't support Key Direction 3.14 'Pedestrian and visual links to Victory Park' believes this will result in people being shunted into Stockland Plaza.</p> <p>Supports improved lighting in laneways and any improvements to security and safety.</p>	<p>Comment noted however it is not proposed to amend the key directions report as there were also positive submissions supporting Key Direction 11.</p> <p>Comment noted however it is not proposed to amend the key directions report as there were also positive submissions supporting Key Direction 14</p> <p>Comment supports Key Direction 16: <i>Resolve laneway ownership and encourage activation.</i></p>	<p>No</p> <p>No</p> <p>No</p>
<p>28. Mr BJ & Mrs RB Ferguson</p> <p>Believes the Traralgon community has not been given enough time to consider and comment on all the issues in the report.</p> <p>Requested an extension of time for submissions.</p> <p>Strongly objects to the sale of Hubert Osborne Park, believe it enhances the liveability aspects vital to a growing population.</p> <p>Believes the sale of Hubert Osborne Park should have been researched more and has been hidden away at the end of the report with little or no consultation to the residents and ratepayers of Traralgon.</p> <p>Doesn't support the Traralgon Courthouse as being utilised as an area for youth. Believes this building should be available for all residents of Traralgon and made into an information and tourist hub for Gippsland.</p> <p>Asks what the word youth means.</p> <p>Supports angle parking to remain.</p>	<p>Comment noted.</p> <p>See response for Hubert Osborne Park at submission 1.</p> <p>See the response for 'youth spaces' at submission 10.</p> <p>Youth refers to those under the age of 18.</p> <p>See response for 'car parking' at submission 1.</p>	<p>N/A</p> <p>Yes</p> <p>No</p> <p>N/A</p> <p>Yes</p>
<p>29. Ms Rhonda O'Dea</p> <p>Objects to the removal of any angle parking in the CBD to make way for bicycle lanes.</p> <p>Believes angle parking is safer, more easily accessible and provides minimal disruption to traffic.</p> <p>Believes bicycle commuters would benefit from CBD perimeter parking and storage and perimeter bicycle tracks.</p> <p>Objects to any public land and in particular any portion of Hubert Osborne Park being sold as the parkland offers public space and public amenities that Traralgon residents young and ageing have a right to access close to the CBD.</p> <p>Would like the draft plan reassessed to consider the 'village' aspect of community life.</p>	<p>See response for 'car parking' at submission 1.</p> <p>See response for Hubert Osborne Park at submission 1.</p> <p>Comment noted</p>	<p>Yes</p> <p>Yes</p> <p>No</p>

Feedback	Response	Changes Required to the Key Directions
<p>30. Mr A and Mrs B Kanavan</p> <p>Oppose the reduction of angled parking in Seymour and Hotham St.</p> <p>Recommend the retention of the current format of parking.</p> <p>Do not believe that bike riders would be safer when cars are parked parallel and believe that parallel parking would contribute to congestion. Need to address the longer term and all day parking in the CBD.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>31. Mr P and Mrs G Perks</p> <p>Believe changing the format of parking in Church and Hotham St from angled to parallel would cause a lot of inconvenience to the public and traders in respect to pick up and delivery of goods to those traders.</p> <p>Believe more needs to be done to have a safer night time environment.</p> <p>Believe one of the biggest issues in Traralgon is the general untidiness of the town centre.</p> <p>Believe a Tidy Towns campaign is needed, more butt out facilities and policing of littering offences.</p>	<p>See response for 'car parking' at submission 1.</p> <p>Issues of safety within the activity centre are acknowledged and are being addressed through a number of Council and community projects. Where appropriate, land use planning can assist in addressing this issue this will be included within the final TACP reports.</p> <p>Comments noted, however on going maintenance of infrastructure is outside the scope of this project.</p>	<p>Yes</p> <p>No</p> <p>No</p>
<p>32. Mr Ken Skinner</p> <p>Does not support removing half of the parking from the streets in the shopping precinct to provide a bike path.</p> <p>Believes that car parks on the edges of the CBD are not appropriate.</p> <p>Believes that the majority of key directions will result in removal of car parking spaces and traffic congestion.</p> <p>Believes the Plan will advantage some retailers over others.</p> <p>Does not support the idea of housing in the town centre.</p>	<p>See response for 'car parking' at submission 1.</p> <p>See the response for 'housing in the CBD' at submission 10.</p>	<p>Yes</p> <p>No</p>
<p>33. Ms Wilma Livingston</p> <p>Does not support changing the angle parking in Traralgon to parallel parking with a bike path. Believes this will cut parking areas in half and destroy shopping in the area.</p> <p>Believes a bike path should be put in Breed St where there is already parallel parking, if one is to go in the CBD.</p> <p>Believes that putting a bike path down Hotham St will channel cyclists into Livingston St which is already a dangerous street.</p> <p>Believes bike paths give cyclists a false sense of security.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
<p>Would prefer improvements to Traralgon to be in the form of cleaner footpaths</p>	<p>Comments noted, however on going maintenance of infrastructure is outside the scope of this project.</p>	<p>No</p>
<p>34. Ms Vikki Holder</p> <p>Doesn't support changing the parking from angled parking to parallel parking.</p> <p>Believes it will minimise the amount of parking spaces available and this demand will increase with the opening of the GippsTafe.</p> <p>Believes the traffic flow will be held up while waiting for people to reverse into parks, whereas with angled parking there is no hold up with people entering parking spaces.</p> <p>Believes that both Hotham and Church St have ample space for cyclists and motorists as they are at present.</p> <p>Believes the proposal is not cyclist friendly.</p> <p>Believes that ratepayer's money would be better used to make the roads safer for cyclists by filling in pot holes and smoothing out bumps.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>35. Mr D and R Smith</p> <p>Object to any proposal to change from angle parking to parallel parking.</p> <p>Believes that this change would result in the removal of 40 to 50% of car parks in the affected area.</p> <p>Believes that angle parking is much easier and more efficient than parallel parking due to the hold up in traffic caused by manoeuvring into a parallel park.</p> <p>Believes that changing to the proposed parallel style will not yield any more street surface for traffic without other substantial street format changes.</p> <p>States those other large regional towns have maintained their angle parking with wide enough streets to support this far more efficient form of parking</p> <p>Acknowledges the Seymour St car park as an improvement but argues that it is not in a central location and is therefore underutilised.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>36. Mr Ian McGown (second submission)</p> <p>Would like to see Traralgon renowned for splendid examples of modern architecture and a continuing effort to create attractive low cost housing close to the CBD to provide for an ageing population.</p> <p>Believes we must preserve parkland at all costs.</p>	<p>Comments noted. The final TACP report will seek to promote the development of high quality architectural outcomes through the development of an Urban Design Framework</p> <p>Comments support Key Direction 11: <i>Create a network of public spaces</i></p>	<p>No</p> <p>No</p>

Feedback	Response	Changes Required to the Key Directions
<p>Believes to attract visitors we need a signature construction, memorable arcades and street furniture.</p> <p>Believes the present CBD is dominated by the motor car and commercial imperative.</p> <p>Believes access to the hub by cycle or foot is non-existent because we have a culture in which driving to individual shops is accepted in order to limit the time taken to satisfy our needs.</p> <p>Makes suggestions for improvement around beautifying the CBD, public realm improvements, creating more parking zones, encouraging a supermarket on the south side of the rail line, removing the schools from the CBD, removing all buildings from Hubert Osborne Park.</p>	<p>Comments support Key Direction 11: <i>Create a network of public spaces,</i></p> <p>And Key Direction 16: <i>Resolve laneway ownership and encourage activation.</i></p> <p>A concept plan will be prepared by Jackson Architecture for the key public space of Post Office Place.</p> <p>Comments support the following Key Directions: 10, 13, 14..</p> <p><i>10. Improve the facilities associated with public transport.</i></p> <p><i>13. Provide safe cycle links through the town centre.</i></p> <p><i>14. Allow for pedestrian and visual links from Kay Street to Victory Park.</i></p> <p>Comments support the following Key Directions: 4, 5, 10, 11, 14.</p> <p><i>4. Develop a Parking Precinct Plan.</i></p> <p><i>5. Provide integrated car parking solutions in appropriate locations.</i></p> <p><i>10. Improve the facilities associated with public transport</i></p> <p><i>11. Create a network of public spaces,</i></p> <p><i>14. Allow for pedestrian and visual links from Kay Street to Victory Park.</i></p>	<p>No</p> <p>No</p> <p>No</p>
<p>37. Mr Don Tylee</p> <p>Likes most of the content and recommendations of the Draft Key Directions Report, but has comments on 2 specific aspects of the plan:</p> <p>1. Key Directions 4 'Develop a Parking Precinct Plan' says we should develop a plan, I would expect to see recommended solutions not state we need a plan. Gives the example of adding a third floor of all day car parking to the Seymour St car park as a possible solution to assist with car parking.</p> <p>2. Key Direction 13 'Provide Safe Cycle Links Through the Town Centre'. As a cyclist Mr Tylee would prefer angle parking to parallel parking and believes angle parking creates less traffic blockages.</p> <p>Believes we need more parking not less.</p> <p>The plan fails to connect to the plaza but starts at the dead end of Hotham St.</p> <p>Believes the proposed solution does not assist cyclists and are therefore wasteful.</p> <p>Would prefer submissions to be able to be made by email.</p> <p>Thanks Council for taking a long term planning view as this is essential for our future.</p>	<p>Support for the majority of Key Directions is noted.</p> <p>See response for 'car parking' at submission 1.</p> <p>Submissions need to be made in writing. Latrobe City accepts submissions made via email provided that they are clearly labelled as a submission to a particular matter.</p> <p>Comment noted.</p>	<p>Yes</p> <p>N/A</p> <p>N/A</p>
<p>38. Mr David McPhee</p> <p>Doesn't support removal of angled parking as he believes this will result in the loss of a number of car parking spaces and is unsafe for cyclists due to car doors opening into cyclists.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
<p>39. Mr Brian Morrell</p> <p>Does not support the sale of the outdoor swimming pool in Hubert Osborne Park or the Civic Centre.</p> <p>Agrees that there is a need for more parking in the CBD.</p> <p>Doesn't agree with the introduction of cycle paths in the proposed locations.</p> <p>Does not support a change from angled parking to parallel parking, believes the businesses that operate both day and night will suffer.</p> <p>Believes that parallel parking will be unsafe for those that ride motorised scooters due to door opening.</p> <p>Suggests that a multi level car park on the corner of Deakin and Hotham Street would be a better idea or a multi level car park over Aldi's and Manny's market as well as other suitable developments at Stockland Plaza to incorporate a youth activity centre and movie theatre complex.</p> <p>Doesn't agree with the idea of a 'Hierarchy of streets'.</p> <p>Suggests a need for traffic lights at the Franklin St Post Office Place intersection.</p> <p>Suggests there is merit in building over the top of the train station.</p>	<p>See response for Hubert Osborne Park at submission 1.</p> <p>See response for 'Civic Precinct' at submission 10.</p> <p>See response for 'car parking' at submission 1.</p> <p>Comments support Key Direction 5: <i>Provide integrated car parking solutions in appropriate locations.</i></p> <p>The TACP will provide suggestions for the locations of multi-deck car parks but their development will rely on market conditions.</p> <p>See the response for 'youth spaces' at submission 10.</p> <p>As a result of submissions received this Key Direction has now been changed to remove the term 'Street Hierarchy'.</p> <p>The Key Directions report did not intend to promote one street above another, but to enable each street to have its own identity, and to have an urban design response that reinforces the identity of each street. The terms used to describe different streets have been changed to remove any suggestion of a hierarchy of streets.</p> <p>This comment supports the need for a concept plan for Post Office Place as discussed in the Key Directions Report. The final TACP report will consider the installation of traffic lights at the intersection of Franklin Street and Post Office Place.</p> <p>While long term development over the train lines would be supported, it is considered that there is enough development potential within the TAC to accommodate growth should increased densities be pursued within the timeframe of this project.</p>	<p>Yes</p> <p>Yes</p> <p>No</p> <p>Yes</p> <p>No</p> <p>Yes</p>
<p>40. Ms Cheryl Walmsley</p> <p>Objects to the sale of the current pool site.</p> <p>Advocated for keeping the outdoor pool in Traralgon.</p> <p>The land for the outdoor pool was purchased by the residents of Traralgon and the pool constructed through resident donations and fund raising.</p> <p>Council rates were not used to purchase the pool site.</p> <p>Present site is central to all and it would be detrimental to residents from the eastern end of town if the pool site was moved.</p> <p>We have the only outdoor pool in the Valley and if it was promoted in the correct manner I feel residents from other towns would utilise it.</p> <p>Believes that one pool on the site could be built which incorporates one outdoor/heated pool.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
<p>Objects to the removal of angle parking.</p> <p>Does not support the replacement of angled parking in Church and Hotham St with parallel parking, believes this will increase an already desperate parking situation in the CBD.</p> <p>Believes these streets are wide enough for cyclists and motorbikes to safely negotiate these streets and parallel parking would be unsafe due to the opening of doors.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>41. Mr Barry Stuckey</p> <p>Doesn't support building height of 7-8 storey, believes this can be wrong for future generations if they are unattractive and for what a regional /rural city should look like.</p>	<p>Comments noted however the building height of 7/8 storeys is a maximum height and is identified only for key areas. These areas will then need to be modelled to ensure that the height does not impact on the public spaces adjacent, including through overshadowing and also by what is known as 'visual bulk' where the building overwhelms the space around it. Careful consideration of the design of individual building will be strongly supported in the final TACP reports particularly the Urban Design Framework.</p> <p>The additional height will allow for an expansion of the important economic activity and land uses within the TAC without expanding into the residential areas around the centre. This was a key theme that emanated from the community workshops.</p>	<p>No</p>
<p>42. Ms Val Marcus</p> <p>Concerns regarding car parking in Hotham and Church St. Concerned that Council are going to halve the car parking in these streets.</p>	<p>See response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>43. Traralgon Chamber Commerce & Industry</p> <p>The Traralgon Rail Precinct Master Plan needs to be included in the TACP.</p> <p>Concerned that some aspects have not been included in the 20 year plan</p> <p>Concerned about how the Outdoor Pool decision will affect this report</p> <p>Comments regarding 'minibus circuit' idea, support this idea but believe it requires further work.</p> <p>Unsure of the practicality of closing the southern end of Franklin Street.</p> <p>Support creating/enhancing pocket parks if the correct trees are selected.</p>	<p>The boundary for the study area was determined in the project brief as the Station Precinct was the subject of a separate project. However, the final TACP report will take into account this area and will ensure a consistency of planning across the whole area.</p> <p>Comments noted.</p> <p>See response for Hubert Osborne Park at submission 1.</p> <p>Comments noted. The 'minibus circuit' idea was generated at the community workshops and while noted in the Key Directions report has not been carried forward into the Key directions.</p> <p>Comments noted. This idea was generated at the community workshops and while noted in the Key Directions report has not been carried forward into the Key directions.</p> <p>Comments support Key Direction 11: <i>Create a network of public spaces.</i></p> <p>Comments regarding appropriate tree selection have been noted.</p>	<p>No</p> <p>No</p> <p>Yes</p> <p>No</p> <p>No</p> <p>No</p>

Feedback	Response	Changes Required to the Key Directions
<p>Key Direction 2: Emphasis the key retail axes of Franklin and Seymour Streets.</p> <p>With regard to the benefits of providing a major retail development at the western end of Seymour St the TCCI wondered if Latrobe City had had discussions with any particular company or whether the location would be the Outdoor Pool site. Would there be an expectation that businesses move into precincts?</p> <p>Appropriate trees for the CBD must be selected.</p>	<p>Support for major retail development in the western end of the TAC is most likely to occur on existing large retail sites. See also response for Hubert Osborne Park at submission 1.</p> <p>Comments regarding appropriate tree selection have been noted.</p>	No
<p>Key Direction 3 Create a Princes Highway Boulevard</p> <p>Support 'in principal' for this idea but question the priority and the cost.</p>	<p>Comments support Key Direction 3: <i>Create a Princes Highway boulevard</i> .</p> <p>Support is dependant on cost.</p>	No
<p>Key Direction 4 Develop a Parking Precinct Plan</p> <p>Car Parking is a top priority. Concern regarding cash-in lieu payments, these need to be retained by the town they were made for. Support the identification of a need for long bay car parking in the town.</p>	<p>Comments support Key Direction 4: <i>Develop a Parking Precinct Plan</i>.</p> <p>Cash in lieu comments noted.</p>	Yes
<p>Key Direction 5 Integrated Car Parking Solutions in Appropriate Locations</p> <p>Support multi level car parking as long as it is in the CBD associated with this is better parking signage.</p> <p>Support encouraging the construction of an additional floor on the Seymour St car park. This needs to be done straight away. Support a review of allocated timing of car parking spaces. This needs to be done straight away. Suggested time changes have been described.</p>	<p>Comments support for Key Direction 5: <i>Provide integrated car parking solutions in appropriate locations</i>.</p>	Yes
<p>Key Direction 6 Protect and promote the role of Traralgon activity centre as the pre-eminent commercial centre for the region</p> <p>Strongly agree that a major department store would bring more people to Traralgon and be good for the town. Should be a high priority.</p>	<p>Strong support for Key Direction 6: <i>Protect and promote the role of Traralgon activity centre as the pre-eminent commercial centre for the region</i>, particularly in relation to the department store.</p>	No
<p>Key Direction 7 Encourage the development of housing within the activity centre</p> <p>Not fully supported.</p>	<p>See the response for 'housing in the CBD' at submission 10.</p>	No
<p>Key Direction 8 Consolidate the town centre by infilling blocks and repairing street edges</p> <p>Not supportive of this idea believe that the current parking at the back of businesses would be lost.</p>	<p>Car parking across the whole of the precinct will be considered as part of the Parking Precinct Plan. In addition, infilling of blocks can also accommodate car parking at the ground level.</p>	No
<p>Key Direction 9 Encourage a strong urban form that responds to the public realm and regional character.</p> <p>Strongly agree with this</p>	<p>Comments support Key Direction 9: <i>Encourage a strong urban form that responds to the public realm and regional character</i>.</p>	No
<p>Key Direction 10 Improve the provision of facilities associated with public transport.</p> <p>Agree in principle but are concerned with the practicalities particularly at the Station where car parking may be impacted.</p>	<p>Comments support in principle Key Direction 10: <i>Improve the provision of facilities associated with public transport</i>.</p> <p>Master Planning to improve the provision of public transport facilities at the Traralgon Station Precinct has resulted in a planned increase of parking spaces available.</p>	No

Feedback	Response	Changes Required to the Key Directions
<p>Key Direction 11 Create a network of public spaces.</p> <p>Agree in principle but are concerned about the practicalities of a shared space around Post Office place and the ownership of laneways and potential security risk.</p> <p>Additional toilets are needed and should be a high priority</p> <p>Need to consider ageing population as well as youth.</p>	<p>Comments support in principle Key Direction 11: <i>Create a network of public spaces.</i></p> <p>The aging population will also be carefully considered in the TACP final report and the provision of a network of public spaces through the activity centre will increase opportunities for older people to both rest and to socialise within the centre.</p>	No
<p>Key Direction 12 Incorporate art and place making to enhance identity and character.</p> <p>Support this concept particularly heritage display – suggestions made for Oldsmobile display.</p>	<p>Comments support Key Direction 12: <i>Incorporate art and place making to enhance identity and character.</i></p>	No
<p>Key Direction 13 Provide safe cycle links through the town centre.</p> <p>Agree it is good to encourage people to ride bikes however the fear is that car parking spaces will be lost, need to find another way to replace car parking spaces.</p> <p>Support secure bicycle parking.</p>	<p>Comments support Key Direction 13: <i>Provide safe cycle links through the town centre;</i> provided it is not at the expense of losing car parking spaces, see also response for 'car parking' at submission 1.</p>	Yes
<p>Key Direction 14 Allow for pedestrian and visual links from Kay Street to Victory Park.</p> <p>Support the idea but are concerned about the practicalities of signalling the intersection at PO Place and Franklin St.</p>	<p>This comment supports the need for a concept plan for Post Office Place as discussed in the Key Directions Report at page 25.</p> <p>The final TACP report will give careful consideration to the installation of traffic lights at the intersection of Franklin Street and Post Office Place.</p>	No
<p>Key Direction 15 Encourage the integration and activation of the Traralgon Creek corridor.</p> <p>Support the idea but don't believe this is a high priority, dollars better spent elsewhere.</p>	<p>Comment support Key Direction 15: <i>Encourage the integration and activation of the Traralgon Creek corridor,</i> however the lower priority is noted.</p>	No
<p>Key Direction 16 Resolve laneway ownership and encourage activation</p> <p>Support improved lighting in laneways but are concerned with practicalities and ownership issues regarding activation of laneways.</p>	<p>Comments partially support Key Direction 16: <i>Resolve laneway ownership and encourage activation.</i></p> <p>The practical issues associated with the increased use of laneways by pedestrians are acknowledged but are considered to be manageable. It is not anticipated that the increased use of laneways by pedestrians will mean that lanes become unavailable for use as service and access points to businesses.</p>	No
<p>Key Direction 17 Ensure the provision of appropriate youth spaces within the town centre</p> <p>Agree the youth need space but don't believe the Courthouse should be specifically for youth.</p>	<p>See the response for 'youth spaces' at submission 10.</p>	No
<p>Key Direction 18 Investigate future options for Hubert Osborne Park and Civic Precinct</p> <p>Support the retention of the Outdoor Pool in its current location. A retail precinct should not be included in this area.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	Yes

Feedback	Response	Changes Required to the Key Directions
<p>44. Mr Ian Leversha</p> <p>Pedestrian traffic at the corner of Franklin St & Post Office consider putting in traffic lights for easier access.</p> <p>Consider turning the western half of Post Office Place to a pedestrian mall.</p> <p>Current bus and taxi rank needs modification/extending possibly eastern side of Franklin St from Grey St to Kay St be reserved as a main bus station and a portion allocated to taxis.</p> <p>Public Transport needs into the future need to be considered.</p> <p>More Multi Storey car parking is required around Franklin, Hotham, Church & Kay Streets.</p> <p>Retain all open space and Hubert Osborne Park.</p> <p>Support of the Old Manny's Market site but still a need for a balance of activity across the town centre and retainment of character.</p> <p>Supports the use of lanes and encourages additional 'arcades'.</p>	<p>These comments support the need for a concept plan for Post Office Place as discussed in the Key Directions Report, at page 25.</p> <p>The final TACP report will give careful consideration to the installation of traffic lights at the intersection of Franklin Street and Post Office Place.</p> <p>Comments support Key Direction 10: <i>Improve the provision of facilities associated with public transport.</i></p> <p>Suggested location is noted.</p> <p>See response for 'car parking' at submission 1.</p> <p>See response for Hubert Osborne Park at submission 1.</p> <p>Comments noted</p> <p>Comments support Key Direction 16: <i>Resolve laneway ownership and encourage activation.</i></p>	<p>No</p> <p>No</p> <p>Yes</p> <p>Yes</p> <p>No</p> <p>No</p>
<p>45. Mr Jill S Beck</p> <p>Supports the mini bus circuit around parking nodes.</p> <p>Supports the development of a parking precinct plan.</p> <p>Does not support parallel parking – less spaces and flow of traffic while parking.</p> <p>Suggests one hour parking be removed from the café precinct to encourage patronage.</p> <p>Suggest increasing the existing Multi Storey car parking facility.</p> <p>Supports the safe cycle paths. Need more bike parking racks.</p> <p>Supports the improvement of public transport access.</p> <p>Supports the installation of traffic lights at the Hotham/Breed St intersection.</p> <p>Does not support the creation of a princes Highway Boulevard-roadway does not have enough height. Consider low well tended gardens and attractive signage.</p> <p>Does not support the redevelopment of Hubert Osborne Park – needed for recreation.</p>	<p>Comments noted. The 'minibus circuit' idea was generated at the community workshops and while noted in the Key Directions report has not been carried forward into the Key directions.</p> <p>Comments of support noted. See also response for 'car parking' at submission 1.</p> <p>Comments support Key Direction 13: <i>Provide safe cycle links through the town centre.</i></p> <p>Secure bicycle parking is an element of Key Directions 13.</p> <p>Comments support Key Direction 10: <i>Improve the provision of facilities associated with public transport.</i></p> <p>Comments of support noted.</p> <p>Comment noted. It is not proposed to amend the key directions report. It is noted that there were also positive submissions supporting Key Direction 3: <i>Create a Princes Highway Boulevard.</i></p> <p>See response for Hubert Osborne Park at submission 1.</p>	<p>No</p> <p>Yes</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
<p>If Seymour St is encouraged as a walking/cycling area then where will the unloading bays go?</p> <p>Does not support additional housing in CBD as this restricts commercial development.</p> <p>Open space areas need to be better looked after to encourage use.</p> <p>Suggest change in road conditions/traffic lights to assist with the bottle neck at Post Office Place & Franklin St intersection.</p>	<p>Loading and unloading facilities can be accommodated within an area that prioritises pedestrian movement.</p> <p>See the response for 'housing in the CBD' at submission 10.</p> <p>On-going maintenance issues are acknowledged however programs are outside the scope of the project.</p> <p>These comments support the need for a concept plan for Post Office Place as discussed in the Key Directions Report, at page 25.</p> <p>The final TACP report will give careful consideration to the installation of traffic lights at the intersection of Franklin Street and Post Office Place.</p>	<p>N/A</p> <p>No</p> <p>N/A</p> <p>No</p>
<p>46. Traralgon Community Development Association Inc</p> <p>Traralgon Community Development Association (TCDA) value the opportunity to comment on future stages of the project</p> <p>The TDCA believe that pre-emptive priority be given to car parking issues immediately, do not believe it is necessary to await a final TACP.</p> <p>Believe we should not lose site of the primary purpose of a business centre. While cycle access may be a way of the future, it should not be at the expense of vehicle access.</p> <p>Want the plan to focus on the here and now rather than future possibilities as these may not eventuate.</p> <p>Support the idea of building over railway corridors.</p> <p>Do not support closing the southern end of Franklin St to make a plaza to connect with rail precinct.</p> <p>Support the idea of a mini bus circuit to service car parking nodes on the fringe, however this requires community education. Suggest other suitable sites exist.</p> <p>Do not support an expansion of the allied medical health services along Breed St.</p> <p>Key Direction 1 Identify and define a street hierarchy within the town centre</p> <p>Do not support street hierarchy, believe it artificially regulates where business's can locate.</p> <p>Does not support the notion of primary and secondary streets.</p> <p>Acknowledge traffic congestion issues in Breed St but don't support changes to Breed St that would reduce the lanes of traffic.</p>	<p>Comments noted.</p> <p>Comments noted, see also response for 'car parking' at submission 1.</p> <p>Comments noted however the final TACP report is planning for the future growth of the Traralgon town centre over the next 20 years.</p> <p>Comments noted. These ideas were generated at the community workshops and while noted in the Key Directions report have not been carried forward into the key directions.</p> <p>Comments noted, there are a number of areas within the TAC which have a concentration of health services, including along Breed Street and the block between Kay and Grey Streets, as well as the eastern end of Seymour Street.</p> <p>See response to 'Street Hierarchy' at submission 39.</p> <p>The Key Directions report does not identify a change to the number of lanes of traffic on Breed Street which is identified as a key access road for the activity centre.</p>	<p>N/A</p> <p>Yes</p> <p>No</p> <p>No</p> <p>No</p> <p>Yes</p>

Feedback	Response	Changes Required to the Key Directions
<p>Key Direction 2 Emphasise the key retail axes of Franklin and Seymour Streets</p> <p>Do not support this, businesses should be free to choose their own locations.</p>	<p>The Key Directions report did not intend to promote one street above another, but to enable each street to have its own identity, and to have an urban design response that reinforces the identity of each street.</p>	<p>No</p>
<p>Key Direction 3 Create a Princes Highway Boulevard</p> <p>Believe Highway Boulevard concept requires more discussion.</p>	<p>Comment noted however it is not proposed to amend the key directions report as there were also positive submissions supporting Key Direction 3: <i>Create a Princes Highway Boulevard</i>.</p>	<p>No</p>
<p>Key Direction 4 Develop a Parking Precinct Plan</p> <p>Mostly agree with this proposal, except for special provisions for cyclists and the need for medium density housing within the CBD.</p>	<p>Partial support for Key Direction 4 noted, see also response for 'car parking' at submission 1 and response for 'housing in the CBD' at submission 10.</p>	<p>Yes</p>
<p>Key Direction 5 Integrated Car Parking Solutions in Appropriate Locations</p> <p>Generally willing to support this direction.</p>	<p>Comment of support noted see also response for 'car parking' at submission 1.</p>	<p>Yes</p>
<p>Key Direction 6 Protect and promote the role of Traralgon activity centre as the pre-eminent commercial centre for the region</p> <p>Accept the concept of attracting a department store but question the difference it would make to the business fortunes of the town. Do not believe identification of a suitable site should be restricted to Hubert Osborne Park.</p> <p>Suggest other suitable sites exist.</p>	<p>Support for major retail development in the western end of the TAC is most likely to occur on existing large retail sites. See also response for Hubert Osborne Park at submission 1.</p>	<p>No</p>
<p>Key Direction 7 Encourage the development of housing within the activity centre</p> <p>The TCDA has reservations about this concept but takes no formal stance on this.</p>	<p>Comments noted, see response for 'housing in the CBD' at submission 10.</p>	<p>No</p>
<p>Key Direction 8 Consolidate the town centre by infilling blocks and repairing street edges</p> <p>This concept seems worthwhile.</p>	<p>Comments support Key Direction 8: <i>Consolidate the town centre by infilling blocks and repairing street edges</i>.</p>	<p>No</p>
<p>Key Direction 9 Encourage a strong urban form that responds to the public realm and regional character</p> <p>Support these principles.</p>	<p>Comments support Key Direction 9: <i>Encourage a strong urban form that responds to the public realm and regional character</i></p>	<p>No</p>
<p>Key Direction 10 Improve the provision of facilities associated with public transport</p> <p>No disagreement with this, however question whether public transport will ever be an attractive option for serious shopping.</p>	<p>Comments support Key Direction 10: <i>Improve the provision of facilities associated with public transport</i>.</p> <p>Comments around public transport are noted.</p>	<p>No</p>
<p>Key Direction 11 Create a network of public spaces</p> <p>Generally support these concepts however don't support the Courthouse being used for youth activities</p>	<p>Comments of general support for Key Direction 11 noted, see also the response for 'youth spaces' at submission 10.</p>	<p>No</p>
<p>Key Direction 12 Incorporate art and place making to enhance identity and character</p> <p>Supports the general direction of this item.</p>	<p>Comments support Key Direction 12: <i>Incorporate art and place making to enhance identity and character</i>.</p>	<p>No</p>

Feedback	Response	Changes Required to the Key Directions
<p>Key Direction 13 Provide safe cycle links through the town centre</p> <p>Believe more research needs to be done with regard to how this can successfully be achieved without losing car spaces and to maximise safety. Other possible options are suggested.</p> <p>Key Direction 14 Allow for pedestrian and visual links from Kay Street to Victory Park</p> <p>Generally support this idea and acknowledge something needs to be done with the Post Office Place/Franklin St intersection with regard to traffic management.</p> <p>Key Direction 15 Encourage the integration and activation of the Traralgon Creek corridor</p> <p>Support this concept but a low priority.</p> <p>Key Direction 16 Resolve laneway ownership and encourage activation</p> <p>Generally support but requires more research.</p> <p>Direction 17 Ensure the provision of appropriate youth spaces within the town centre</p> <p>Generally accept the idea but believes this needs to be balanced with other community group needs.</p> <p>Key Direction 3.18 Investigate future options for Hubert Osborne Park and Civic Precinct</p> <p>Support the local community who want the outdoor pool to remain at its current site.</p> <p>Support a multi storey development on the civic centre site that included a performing arts centre, library and other council operated services.</p>	<p>See response for 'car parking' at submission 1.</p> <p>Comments support Key Direction 14: <i>Allow for pedestrian and visual links from Kay Street to Victory Park.</i></p> <p>These comments support the need for a concept plan for Post Office Place as discussed in the Key Directions Report, at page 25.</p> <p>Comments support Key Direction 15: <i>Encourage the integration and activation of the Traralgon Creek corridor, low priority is noted.</i></p> <p>General support Key Direction 16: <i>Resolve laneway ownership and encourage activation</i></p> <p>Further investigations will be required as part of the final TACP report.</p> <p>See the response for 'youth spaces' at submission 10.</p> <p>See response for Hubert Osborne Park at submission 1.</p> <p>See response for 'Civic Precinct' at submission 10.</p>	<p>Yes</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>Yes</p>
<p>47. Mr Paul Odgers</p> <p>Support safer cycling options with the CBD.</p> <p>Possibly look at reverse angle parking.</p> <p>Support youth space in CBD – Council should encourage further use of the pool facility (longer opening hours, heating, free entry to school children, redevelopment with additional activities) and not to move it from its current site.</p>	<p>Comments support Key Direction 13: <i>Provide safe cycle links through the town centre.</i></p> <p>See response for 'car parking' at submission 1.</p> <p>See response for Hubert Osborne Park at submission 1.</p> <p>See the response for 'youth spaces' at submission 10.</p>	<p>No</p> <p>Yes</p> <p>Yes</p>
<p>48. Mrs Dianne Reid</p> <p>Does not support the closure of outdoor pool. Suggests it should have longer opening hours, be heated and leave at existing site.</p>	<p>See response for Hubert Osborne Park at submission 1.</p>	<p>Yes</p>
<p>49. Ms Elizabeth Jeffery (submission 2)</p> <p>Does not support business development to the north or east as it will stretch the 'key retail axis', shops need to be accessible.</p>	<p>Comments noted</p>	<p>No</p>

Feedback	Response	Changes Required to the Key Directions
<p>Does not support bike paths in Church/Hotham St think they would be better in Grey/Breed Streets.</p> <p>Supports the 'greening' of the CBD but thinks efforts should be focused on retaining and enhancing park lands.</p> <p>Does not support the commercial redevelopment of Hubert Osborne Park. The park should be improved with play equipment and more gardens.</p> <p>Traffic design does not funnel traffic into the soon to be developed Manny's Market/Methodist Church area.</p> <p>Suggestion that Council should focus on redeveloping Morwell Town centre instead of Traralgon.</p>	<p>See response for 'car parking' at submission 1 which incorporates the need to find appropriate cycle paths.</p> <p>Comments noted.</p> <p>See response for Hubert Osborne Park at submission 1.</p> <p>Comments noted</p> <p>The scope of this project is to look at the development of Traralgon.</p>	<p>Yes</p> <p>No</p> <p>Yes</p> <p>No</p> <p>No</p>
<p>50. Ms Johanna Sykes</p> <p>General support of report 'very comprehensive document enhancing, promoting and appreciating Traralgon'.</p> <p>Oppose the sale of Hubert Osborne park</p> <p>Retain retail and open spaces.</p> <p>Concerns regarding wording around street hierarchy.</p> <p>Concerns with the Princes Boulevard – thinks it could reduce potential development opportunities.</p> <p>Need more areas for elderly citizens</p> <p>Need more areas for youth, such as Skate Parks</p> <p>Open up Post Office Place – great entrance for tourists.</p> <p>Concerns bus interchange will be too large at the plaza.</p> <p>Support Art within the town in particular at Post Office Place.</p>	<p>General support noted.</p> <p>See response for Hubert Osborne Park at submission 1.</p> <p>Comments support the following key directions; <i>6: Protect and promote the role of Traralgon Activity Centre as the pre-eminent commercial centre for the region.</i> <i>11: Create a network of public spaces.</i></p> <p>See response to 'Street Hierarchy' at submission 39.</p> <p>Comment noted however it is not proposed to amend the key directions report as there were also positive submissions supporting Key Direction 3: <i>Create a Princes Highway Boulevard.</i></p> <p>Comments support Key Direction <i>11: Create a network of public spaces.</i></p> <p>The aging population will be carefully considered as part of this key direction and the provision of a network of public spaces through the activity centre will increase opportunities for older people to both rest and to socialise within the centre.</p> <p>Comments support Key Direction 17: Ensure the provision of appropriate youth spaces within the town centre.</p> <p>These comments support the need for a concept plan for Post Office Place as discussed in the Key Directions Report, at page 25.</p>	<p>N/A</p> <p>Yes</p> <p>No</p> <p>Yes</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p>

Feedback	Response	Changes Required to the Key Directions
Public Spaces need to be close to the CBD so not far for people to walk.	Comments support Key Direction 11: <i>Create a network of public spaces.</i>	No
Does not support bike path at this stage	This key direction is aimed at the town centre. See response for 'car parking' at submission 1 which incorporates the need to find appropriate cycle paths.	Yes
Does not support youth space at Post Office Place.	See the response for 'youth spaces' at submission 10.	No
51. Ms Enid Kay	See response to 'Street Hierarchy' at submission 39.	Yes
Concerns regarding street hierarchy – feels all streets should be developed similarly		
Suggestion of traffic light at the Breed/Hotham St intersection rather than the Breed/Seymour St intersection.	Comments noted, the location of a signalised intersection in Breed Street, if appropriate would need to be determined by experts in traffic engineering.	No
Supports improved pavements and plantings	Support for a variety of key directions and proposed initiatives is noted.	No
Supports more street furniture		
Supports safe pedestrian access to all streets.	On the 23 May 2011 Council adopted the review of the Latrobe Visitor Information Centre Services report. This report has identified the gradual transition from a Visitor Information Centre delivered service to a web-based visitor information service.	
Suggest relocation of Information Centre to align with the bypass (so it can be easily accessed).		
Agrees that parking is a problem and need more parking for travelling vehicles (caravans etc).	See response for 'car parking' at submission 1 which incorporates the need to find appropriate cycle paths.	Yes
Suggested safe places to park bikes if the bike path is to go ahead.		
Supports basement/multi storey car parking developments.		
Need more long term parking in the CBD.		
Agrees that cyclists need to be encouraged.		
Feels that parallel parking would be more dangerous to cyclists.		
Does not support any residential/commercial redevelopment of Hubert Osborne Park.	See response for Hubert Osborne Park at submission 1.	Yes
Swimming Pool should remain at current site		
Does not support more housing close to the creek	Comments noted.	No
Supports better use of laneways and vacant areas behind shops.	Comments support Key Direction 8 & 16: <i>8: Consolidate the town centre by infilling blocks and repairing street edges.</i> <i>16: Resolve laneway ownership and encourage activation.</i>	No
Does not support 7- 8 storey high buildings – overshadowing.	See response for building height at submission 41.	No
Supports the improvement and provision of facilities associated with public transport.	Comments support Key Direction 10: <i>Improve the provision of facilities associated with public transport.</i>	No
Support the creating of public spaces.	Comments support Key Direction 11: <i>Create a network of public spaces.</i>	No

Feedback	Response	Changes Required to the Key Directions
<p>Submission claims that the construction of a department store elsewhere in the region would not impact on the growth of Traralgon.</p> <p>Claims that other sites outside of the Traralgon Centre may be appropriate.</p> <p>Strongly oppose any controls which prohibit the construction of a department store outside to of Traralgon.</p>	<p>It is not intended that the TACP will “prohibit” the establishment of a department store elsewhere. Rather the TACP will identify a strong preference for this type of use to be accommodated within the Traralgon town centre, as consistent with both existing policy and the economic assessment which underpins this project.</p> <p>As identified, the TACP will express a clear preference for any future department store to be established with the TAC, given a number of factors which are outlined in the Economic Assessment and within broad State and Local Planning Policy directions. The ability for customers from a broader regional catchment to access the TAC by rail, as well as buses, and the larger residential catchment with the ability to access the centre in a sustainable manner, must also be considered.</p> <p>Any application to establish a department store within Latrobe City will continue to be assessed on its merits, in the context of the long term sustainable development of the wider municipality.</p>	<p>No</p> <p>No</p> <p>No</p>

**Attachment 3:
Communication Strategy
Traralgon Activity Centre Plan Stage 2 Final Report(s)**

Strategy Objective

1. To consult and involve stakeholders and the community in the development of the TACP Stage 2 Final Reports including a Parking Precinct Plan, Structure Plan, Urban Design Framework and Implementation Plan.
2. To continue to inform stakeholders and the community of the status of the project.

Strategy Method

The community engagement methods used are consistent with Latrobe's Community Engagement Plan 2010-2014 which is underpinned by the International Association for Public Participation (IAP2) Spectrum.

The IAP2 Spectrum identifies 5 levels of public participation these include: Inform, Consult, Involve, Collaborate and Empower. The goal of each of these levels of participation is defined in Latrobe's Community Engagement Strategy 2010-2014.

Strategy Steps

The steps that will be undertaken to meet the above objective is summarised in the table below.

When (Nominal Timeframe)	Purpose / Why	Activity Planned	Engagement Method	Stakeholders	Level on IAP2 Spectrum
October 2011	To work directly with community members, traders and stakeholders on the Parking Precinct Plan to ensure that public concerns and aspirations are consistently understood and considered.	Establish a Traralgon Parking Precinct Plan Working Party in accordance with <i>Latrobe City Council Community Engagement Plan 2010 – 2014</i> .	Notice in Latrobe Valley Express calling for expressions of interest.	Traralgon Community Development Association, Traralgon Chamber of Commerce & Industry, Traders, community members, other relevant	Involve

<p>October 2011- June 2012</p>	<p>To provide the public with balanced and objective information to assist them in understanding the Parking Precinct Plan.</p> <p>To work directly with community members, traders and stakeholders on developing the Parking Precinct Plan to ensure that public concerns and aspirations are consistently understood and considered.</p>	<p>Meetings with Parking Precinct Plan Working Party up to Council adoption of the Parking Precinct Plan, (minimum of 4 meetings over the period).</p>	<p>Invitations sent via email. Round table discussion to provide information and seek feedback.</p>	<p>stakeholders. Working Party members</p>	<p>Inform and Involve.</p>
<p>October 2011</p>	<p>To provide the public with balanced and objective information to assist them in understanding of the next step in the process including the aim of the Parking Precinct Plan, Structure Plan, Urban Design Framework and Implementation Plan.</p>	<p>Distributions of Community Bulletin #5 which explains the aim of the Parking Precinct Plan, Structure Plan, Urban Design Framework and Implementation Plan.</p>	<ul style="list-style-type: none"> ▪ Latrobe City Council's website, ▪ Latrobe City Service Centres, ▪ Media releases and advertising through media outlets, ▪ Mail-out (approx 2200 letters) to landowners and occupiers within and adjacent to the study area and to stakeholder groups (including residence and traders in the CBD), ▪ distribute to Parking Precinct Plan working party for distribution to their networks including 	<ul style="list-style-type: none"> ▪ Traders, ▪ community members, ▪ agencies, ▪ authorities, ▪ past consultation, participants, ▪ submitters ▪ Working party members. 	<p>Inform</p>

			interested community members and traders.		
November 2011	To provide the public the opportunity to participate in the 'Update and Review Workshops'.	Distribution of invitations to 'Update and Review Workshops'.	<ul style="list-style-type: none"> ▪ Latrobe City Council's website, ▪ Latrobe City Service Centres, ▪ Media releases and advertising through media outlets, ▪ Mail-out (approx 2200 letters) to landowners and occupiers within and adjacent to the study area and to stakeholder groups (including residence and traders in the CBD), ▪ distribute to Parking Precinct Plan working party for distribution to their networks including interested community members and traders. 	<ul style="list-style-type: none"> ▪ Traders, ▪ community members, ▪ agencies, ▪ authorities, ▪ past consultation, participants, ▪ submitters, ▪ Working party members. 	Inform
Early December 2011	To provide the public with balanced and objective information to assist them in understanding the Parking Precinct Plan, Structure Plan, Urban Design Framework and Implementation Plan. To work directly with community	'Update and Review Workshops' for stakeholder groups including traders and community individuals to consider draft Parking Precinct Plan, draft Structure Plan, draft Urban Design Framework and draft Implementation Plan.	<ul style="list-style-type: none"> ▪ Group discussion sessions, utilising powerpoint presentations, displays, maps. 	<ul style="list-style-type: none"> ▪ Traders, ▪ Community members, ▪ agencies, ▪ authorities, ▪ past consultation, participants, ▪ submitters, 	Inform and Involve

	members, traders and stakeholders to ensure that public concerns and aspirations are consistently understood and considered in the development of these documents.			<ul style="list-style-type: none"> ▪ Working party members. 	
February 2012	To provide feedback to the community on how their input has influenced the draft Parking Precinct Plan, draft Structure Plan, Draft Urban Design Framework and draft Implementation Plan.	Report to a Council Meeting to note the draft Parking Precinct Plan, draft Structure Plan, Draft Urban Design Framework and draft Implementation Plan, ready for community consultation period	Latrobe City Councils website, mail out to stakeholders.	<ul style="list-style-type: none"> ▪ Traders, ▪ community members, ▪ agencies, ▪ authorities, ▪ past consultation, participants, ▪ submitters, ▪ Working party members. 	Inform & Consult
March 2012	To obtain public feedback on the draft Parking Precinct Plan, draft Structure Plan, Draft Urban Design Framework and draft Implementation Plan.	Place final draft Parking Precinct Plan, draft Structure Plan, Draft Urban Design Framework and draft Implementation Plan out for community consultation (submissions to be received) for a period of 8 weeks. Including invitation to community information sessions.	<ul style="list-style-type: none"> ▪ Latrobe City Council's website, ▪ Latrobe City Service Centres, ▪ Media releases and advertising through media outlets, ▪ Mail-out (approx 2200 letters) to landowners and occupiers within and adjacent to the study area and to stakeholder groups (including residence and traders in the CBD), 	<ul style="list-style-type: none"> ▪ Traders, ▪ community members, ▪ agencies, ▪ authorities, ▪ past consultation, participants, ▪ submitters, ▪ Working party members. 	Consult

			<ul style="list-style-type: none"> ▪ distribute to Parking Precinct Plan working party for distribution to their networks including interested community members and traders. 		
March 2012	To provide the public with balanced and objective information to assist them in understanding of to obtain public feedback on the draft Parking Precinct Plan, draft Structure Plan, draft Urban Design Framework and draft Implementation Plan.	Facilitate two community information sessions on the draft Parking Precinct Plan, draft Structure Plan, Draft Urban Design Framework and draft Implementation Plan.	<ul style="list-style-type: none"> ▪ Latrobe City Council's website, ▪ Latrobe City Service Centres, ▪ Media releases and advertising through media outlets, ▪ Mail-out (approx 2200 letters) to landowners and occupiers within and adjacent to the study area and to stakeholder groups (including residence and traders in the CBD), ▪ distribute to Parking Precinct Plan working party for distribution to their networks including interested community members and traders. 	<ul style="list-style-type: none"> ▪ Traders, ▪ community members, ▪ agencies, ▪ authorities, ▪ past consultation, participants, ▪ submitters, ▪ Working party members. 	Inform and Consult
May 2012	To provide the public with balanced and objective information to assist them in understanding of the next step in the process for the project.	Distribution of Project Status update via email and or letter.	<ul style="list-style-type: none"> ▪ Latrobe City Council's website, ▪ Latrobe City Service Centres, 	<ul style="list-style-type: none"> ▪ Traders, ▪ community members, ▪ agencies, 	Inform

			<ul style="list-style-type: none"> ▪ Media releases and advertising through media outlets, ▪ Mail-out (approx 2200 letters) to landowners and occupiers within and adjacent to the study area and to stakeholder groups (including residence and traders in the CBD), ▪ distribute to Parking Precinct Plan working party for distribution to their networks including interested community members and traders. 	<ul style="list-style-type: none"> ▪ authorities, ▪ past consultation, participants, ▪ submitters ▪ Working party members. 	
June 2012	To provide feedback to the community on how their input influenced the draft Parking Precinct Plan, draft Structure Plan, Draft Urban Design Framework and draft Implementation Plan.	Report to a Council Meeting for the consideration of submissions received during the consultation period for the draft Parking Precinct Plan, draft Structure Plan, Draft Urban Design Framework and draft Implementation Plan.	Latrobe City Councils website, mail out to submitters.	Submitters, interested community members.	Consult
June 2012	To inform the public on the outcome of the Council Meeting.	Inform submitters and the public of the outcome of the draft Parking Precinct Plan, draft Structure Plan, Draft Urban Design Framework and draft Implementation Plan.	Latrobe City Councils website, mail out to submitters, Media releases and advertising through media outlets.	Submitters, interested community members.	Inform



Traralgon Activity Centre Plan Stage 2 Final Reports Communication Strategy September 2011

Note: Social media is currently being implemented in the organisation and may be used during the project if it becomes available.

**Attachment 4:
Traralgon Activity Centre Plan
Community & Stakeholder Engagement Method Summary**

Attachment 4: Community & Stakeholder Engagement Method Summary

Stage 1 Background Reports

Date	Engagement Methods Used	IAP2 Spectrum
February 2010	A media release announcing commencement of the project was distributed.	Inform
February 2010	A mail out including a letter and Community Bulletin 1 (which introduced the project) was posted to all landowners and occupiers within and adjacent to the study area. Stakeholder groups also receive this mail out. Total letters distributed was approximately 2200.	Inform
February 2010	Community Bulletin 1 was also placed on Latrobe City Council's website.	Inform
March 2010	Community Bulletin 2 outlining details for the 'Information Download' consultation sessions was placed on the Latrobe City Council's website.	Inform
March 2010	An on-line survey providing an opportunity for specific feedback regarding the issues currently facing Traralgon was placed on Latrobe City Council's website.	Consult
March 2010	A mail out including a letter and Community Bulletin 2 was posted to all landowners and occupiers within and adjacent to the study area, inviting them to take part in the 'information download' consultation sessions. Stakeholder groups also received this mail out. Total letters distributed was approximately 2200.	Inform
March 2010	An email invitation to the Stage 1 'Information Download' consultation sessions was sent to stakeholders as a follow up to the mail out. (Approx 100 emails sent)	Inform
March 2010	Public notices were placed in the Council Noticeboard of the Latrobe Valley Express to advertise the consultation sessions. (8 & 15 March 2010)	Inform
March 2010	Posters advertising the 'Information Download' Consultation Sessions were placed at the Traralgon Railway Station, Traralgon Neighbourhood House, Traralgon Maternal and Child Health Centre, Traralgon Service Centre.	Inform
March 2010	Community Radio Interview to promote 'Information Download' consultation sessions.	Inform
9 March 2010	In the week prior to the consultation sessions Strategic Planning officers walked the retail grid of the TAC engaging with many of the shop owners providing copies of community bulletins and hardcopy surveys. This included business's in Franklin, Seymour, Hotham, Church St & Post Office Place.	Inform
16-18 March 2010	'Information Download' consultation sessions consisting of a series of themed workshops were undertaken with 139 people attending.	Involve
April 2010	Phone consultations were undertaken with stakeholders that were not able to attend the consultation sessions. This included some developers and landowners and agencies. (Approx 10 phone calls)	Involve
May 2010	Briefings and opportunities for comment were undertaken to a number of stakeholder groups including the Traralgon CBD Safety Committee, the Latrobe Tourism Board, the Latrobe Disability Advocacy Group and the Latrobe Disability Reference Committee.	Inform

Stage 2 ‘Innovations & Ideas Workshops’

Date	Engagement Methods Used	IAP2 Spectrum
August 2010	Community Bulletin 3 (which acknowledged adoption of the Stage 1 Background Reports and outlined the up coming ‘Innovations and Ideas’ consultation sessions) was developed and placed on Latrobe City Council’s website.	Inform
August 2010	A media release announcing adoption of the Stage 1 TACP Background Reports and an opportunity to participate in the ‘Innovation and Ideas’ consultation sessions was distributed.	Inform
28 August 2010	Community Radio Interview to promote outcomes from ‘Innovation & Ideas’ consultation sessions.	Inform
August 2010	Community Bulletin 3 outlining details for the ‘Innovations & Ideas’ consultation sessions was placed on the Latrobe City Council’s website.	Inform
August 2010	A mail out including a letter and Community Bulletin 3 was posted to all landowners and occupiers within and adjacent to the study area advising them of the adoption of the Stage 1 TACP Background Reports and inviting them to attend the consultation sessions. Stakeholder groups also received this mail out. Total letters distributed was approximately 2200.	Inform
August 2010	An email invitation to the Stage 2 ‘Innovation and Ideas’ consultation sessions was sent to those participants previously involved in the Stage 1 ‘Information Download’ consultation sessions. This was also sent to stakeholders as a follow up to the mail out. (Approx 100 emails sent)	Inform
August 2010	As a follow up to the email notification stakeholders were called by telephone to invite them to the consultations sessions. This was approximately 100 phone calls.	Inform
August 2010	Public notices were placed in the Council Noticeboard of the Latrobe Valley Express to advertise the consultation sessions. (Week of 5 & 10 August, Mon & Thurs)	Inform
17-18 August 2010	‘Innovations and Ideas’ workshops were conducted with 131 people attending. This involved a number of interactive themed sessions, where consultants facilitated discussion around the issues raised during Stage 1 of the project. A range of potential ideas and solutions were considered by the consultants and presented back to the participants through a series of sketches and urban design drawings.	Involve

Stage 2 Key Directions Report

Date	Engagement Methods Used	IAP2 Spectrum
7 December 2010	Draft Key Directions Report & Community Bulletin 4 placed on Latrobe City Council’s Website Homepage and at Council Service Centres.	Inform
7 & 8 December 2010	A mail out including a letter and Community Bulletin 4 was posted to all landowners and occupiers within and adjacent to the study area advising them of the Draft Key Directions Report, the consultation period and how to make submissions. Stakeholder groups also received this mail out. Total letters distributed was approximately 2200.	Inform
7 December 2010	A media release announcing the Draft Key Directions Report, the consultation period and how to make submissions was distributed.	Inform
14 December	Further notification was emailed on 14 December 2010 to stakeholders	Inform

2010	and any individuals and groups who had provided their email details at the Consultation sessions in March & August. – This included such groups as the Chamber of Commerce, Traralgon Development Association, Disability Advocacy Group, Latrobe Business & Tourism Association, Latrobe Valley Bus Lines, several land developers (Approx 110 emails sent)	
11 December 2010	Community Radio Interview to promote Draft Key Directions Report	Inform
December January & February	Public notices were placed in the Council Noticeboard of the Latrobe Valley Express to advertise the public consultation period and contact for submissions. (9 & 13 December, 20 & 24 January, 7 & 10 February 2011. Week of 5 & 10 August, Mon & Thurs)	Inform
February 2011	Media release to advise of extension to public consultation period until 22 March 2011.	Inform
February 2011	Public notices were placed in the Council Noticeboard of the Latrobe Valley Express to advertise the extension to the public consultation period until the 22 March 2011 and contact for submissions.	Inform
February 2011	Email notification of extension to the public consultation period (Approx 100 emails sent).	Inform
February 2011	Updates to the website	Inform
2 & 9 March 2011	Additional community information sessions were undertaken with 72 people attending across the two sessions.	Consult

**Attachment 5:
Response To Submission From The Save Hubert Osborne
Park Group**



2. RESPONSE TO SUBMISSION FROM THE SAVE HUBERT OSBORNE PARK GROUP

No	Question (or comment)	Response Provided By Latrobe City Council
1	Please clarify which particular part of Seymour St. is being considered here.	It is suggested that a retail anchor at the western end of Seymour St would encourage pedestrians to move from Stockland Plaza through the strip retail rather than the emphasis be on one end of the town. The western end of Seymour Street where there is existing retail, is the area being considered. This could include up to the Safeway site at the end of Seymour Street.
2	What duty of trust and good faith does Latrobe City Council intend to uphold in relation to land such as Hubert Osborne Park, traditionally trusted to Council, with an expectation to protect for the community good and future generations?	The registered proprietor of the land, as indicated on the relevant Certificates of Title is "The Mayor, Councillors and Citizens of the City of Traralgon". Following amalgamation and the forming of Latrobe City, these assets automatically revert to Latrobe City Council. There are no significant easements, covenants or encumbrances on the titles in question which would impede further and full development of the site.
3	What is the exact legal status of Hubert Osborne Park in terms of its traditional gift / purchase for the community good as a park and open space?	There are no significant easements, covenants or encumbrances on the titles in question which would impede further and full development of the site if Latrobe City Council were to choose to do so.
4	Is Latrobe City Council already locked into a decision related to the sale of any part of Hubert Osborne Park? If so, can you please provide us with a copy of the minutes from this/these meeting(s) and outline the voting pattern?	<p>Latrobe City is not locked into a decision related to the sale of any part of Hubert Osborne Park. One of the 7 adopted resolutions by Council on 16 August 2010 was as follows:</p> <ol style="list-style-type: none"> <i>That Council approves the release of the Traralgon Indoor Aquatics and Leisure Centre Feasibility Study – 15 July 2010 for the information of the community and to undertake further consultation based on development scenario 2C and report these results to Council in a further report.</i> <p>As such, Council is not locked into a decision.</p>
5	What measures has the Latrobe City Council taken to improve the quality of Hubert Osborne Park and ensure the long term protection of this public open space?	<p>There is no mechanism that has been put in place to ensure the long term protection of Hubert Osborne Park. In respect to improving the quality of open space, some works have been identified through the Latrobe City Playground Strategy 2006-2021. Subject to finalisation of the 2011/12 Latrobe City Council Budget, the works to be undertaken include:</p> <p>Purchase and install mixed aged play unit, double swings, 2 x spring riders or see-saw, sandpit mini excavator.</p> <p>The total cost of these works is estimated to be \$55,500.</p>
6	<p>The above two clauses (12.07: A greener city and 15.10: Open space) highlight the fact that upgrades to Hubert Osborne Park, and its potential to be linked to adjoining open spaces, has been overlooked in the TACP. We request that more work is completed to address these issues.</p> <p><i>Do you agree to this?</i></p>	<p>This issue has not been overlooked in the TACP. The Key Directions Report responds to a Council resolution made on the 16 August 2010 for the Traralgon Indoor Aquatic Feasibility Study (TIAFS) which outlined the preferred option for Council at that time to be Option 2C. Option 2C involved <i>'The staged construction of the Traralgon Indoor Aquatics and Leisure Centre on the current site of the Traralgon Indoor Sports Stadium (Catterick Crescent) combined with the decommissioning of the Traralgon Outdoor Pool.'</i> The resolution also stated that the TIAFS was to be made available to the community and further consultation</p>

		would be undertaken. That consultation is still to be considered by Council. The Traralgon Activity Centre Plan (TACP) will respond to whatever final decision is made on the future of the pool site through the TIAFS. Any further work on Hubert Osbourne Park upgrades and the potential to be linked to adjoining open space will be done as part of a concept plan if required following a decision on the pool site.
7	If this land were to be sold for development, would these trees be retained?	As part of the next stage of the TACP, a concept plan for this area has been identified as being needed. How this concept plan looks is dependent on what decision is made in response to the TIAFS. If the decision was to develop the site vegetation on the site would be assessed as per the provisions in the planning scheme as per all developments.
8	When the Traralgon councillors in the late 1930s set aside this land to create HubertOsbornePark, they were achieving these design objectives. How can Latrobe City Council now justify any consideration of selling this land, and in doing so, contradicting the State Planning Policy Framework?	The sale of the land at Hubert Osbourne Park is for consideration as part of the TIAFS. Any potential development of this land will have to ensure that it does not contradict the State Planning Policy Framework.
9	Please outline how the considered sale of part of Hubert Osborne Park, including the outdoor swimming pool (all currently zoned PPRZ) is consistent with the following stated values which are taken from the "Latrobe 2026" Vision document?	It is acknowledged that Latrobe 2026 does focus on liveability and sustainability aspects and the loss of space at Hubert Osborne Park may have a negative impact on some residents. It could also be argued that an increase in participation from the current 10,000 to a projected number of 170,000 will also deliver significant results in respect to healthy and vibrant lifestyles. It would be reasonable to assume that a new indoor facility will improve the liveability and attractiveness of Latrobe City.
10	If Latrobe City Council were to go ahead with its proposal to sell approximately 2/3 of Hubert Osborne Park, wouldn't it therefore be totally disregarding this recommendation? Wouldn't the land therefore lose its high quality if it were built on?	The high quality open space refers to the open western end of Hubert Osborne Park and the treed corridor along Kay St, not the locked fence area of the outdoor pool, croquet club and bitumen car park. So this statement is suggesting that adjacent to the public area open 24 hours a day is potentially a good space to provide housing and mixed use development because of its amenity.
11	Given the forecast of population growth in Latrobe City, with the greatest percentage growth predicted in Traralgon – Traralgon East, and the prediction that <i>"in 2021 over 20% of Traralgon's population will be under 15 years of age"</i> (see appendix 1: <i>population and demographics</i>) couldn't Latrobe City Council justify retaining the outdoor pool as well as going ahead with the Indoor Aquatics Centre? (as in option 2B of the TIALC feasibility report)	Council could consider adopting development scenario 2C however it would be at a significant cost to Council and unlikely to be able to be delivered in the short-medium term.
12	Has Hubert Osborne Park been considered by Latrobe City Council as a possible site for a department store, a supermarket, additional office space or for any other commercial development?	The TACP is a Master Plan document which will identify future uses for that site following Council's decision for the TIAFS. The Traralgon Activity Centre Plan Draft Key Directions Report, direction 3.18 identifies that a concept plan needs to be prepared including economic feasibility for any potential development which may occur on this site as a result of the TIAFS decision. Latrobe City Council has not

		considered any proposal for a department store, supermarket or any commercial development at the Hubert Osborne Park site.
13	Why did Latrobe City Council appear to exclude a professionally detailed assessment of Hubert Osborne Park in this recent report?	The TACP background reports had to consider all information available at the time. The project brief did not require a detailed assessment of Hubert Osborne Park as this was being considered as part of the Traralgon Indoor Aquatics and Leisure Centre Feasibility Study.
14	Further work therefore needs to be done on the TACP planning process before deciding whether or not to sell off irreplaceable parkland. <i>Do you agree?</i>	The assessment of whether or not to sell Hubert Osborne Park has been completed in the Traralgon Indoor Aquatics and Leisure Centre Feasibility Study. The TACP is responding to the preferred option which was adopted by Council and placed out for community consultation.
15	Please justify the council's resolution (in Sept 2010) to adopt TIALC Option 2C which involves decommissioning one of the few existing popular youth and early years facilities (the outdoor pool).	This development scenario was adopted by Council as the preferred scenario, subject to another phase of community consultation. This was the development scenario recommended by the consultant engaged to undertake these works and justification for this recommendation outlined on page 106 of the feasibility study report.
16	It appears that Latrobe City Council, when proposing to sell off a significant portion of Hubert Osborne Park, may have overlooked this recognised gap in community infrastructure and the need for improvements to cater for the 65 plus age group. <i>What is your response to this?</i>	Whilst the location of the current outdoor pool site provides excellent accessibility for those people over 65, there is very little patronage of this group to the current facility due to the water not being heated. This view is supported by the submission from Latrobe Community Health Service. The over 65 age group would be one of the groups most likely to benefit from the development of an indoor heated facility as is demonstrated by significant attendance of people of this age at Latrobe City's other indoor aquatic facilities. This would be further embedded if a hydrotherapy pool (stage 3) was constructed.
17	We would like to see more work done on this (similar to the background work which resulted in recommendations for connections between the CBD and Victory Park and the Station Precinct). <i>What is your response to this?</i>	The TACP is a Master Plan document which will identify future uses for the Hubert Osborne Park site following Council's decision for the TIAFS. The Traralgon Activity Centre Plan Draft Key Directions Report, direction 3.18 identifies that a concept plan needs to be prepared for any potential development or future use which may occur on this site as a result of the TIAFS decision. This would include a concept plan for use of the site for recreation purposes if that is Council's decision as part of the TIAFS process.
18	We again ask, why therefore was a comprehensive upgrade to Hubert Osborne Park not considered in the TACP, but instead just references made to selling the park for commercial and / or residential development?	The sale of Hubert Osborne Park is one option for consideration as part of the TIAFS. The TACP is responding to the recommendations adopted and put out for community consultation by Council in August 2010. The TACP must consider and be consistent with the recommendations of other reports being prepared by Council.
19	Is there a Master Plan for Hubert Osborne Park? If not, please explain why one does not exist.	There is no master plan for Hubert Osborne Park and any developments of the park are considered in the Latrobe City Playground Strategy 2006-2021.
20	This provides even greater support for the need for an upgrade plan of Osborne Park with cycle and walking connections developed between other key areas. The park lends itself to passive surveillance of paths where path users are visible at all	The TACP is a Master Plan document which will identify future uses for the Hubert Osborne Park site following Council's decision for the TIAFS. The Traralgon Activity Centre Plan Draft Key Directions Report, direction 3.18 identifies that a concept plan needs to be prepared for any potential development or

	times. It is for this reason that people feel safe to walk through Osborne Park at all times, unlike a number of other less safe parks. <i>What is your response to this?</i>	future use which may occur on this site as a result of the TIAFS decision. This would include a concept plan for use of the site for recreation purposes if that is Council's decision as part of the TIAFS process.
21	Clearly an improvement to Osborne Park (including cycling paths) would support these principles. <i>Do you agree?</i>	The Traralgon Activity Centre Plan Draft Key Directions Report identifies a number of initiatives to increase connectivity (both pedestrian and cycle movements) through the Traralgon CBD. A concept plan for the future use of Hubert Osborne Park is proposed as part of the more detailed work in the study, similarly an Implementation Plan will form part of the final TACP. Currently Council is at the Key Directions Stage and this level of detail does not form part of this stage.
22	Have these actions been completed? Were cycle and pedestrian related infrastructure and signage considered for Hubert Osborne Park as part of these actions?	A number of high priority actions from the Latrobe City Council Bicycle Plan 2007-2010 have been undertaken. Cycle and pedestrian infrastructure and signage for Hubert Osborne Park were not considered in this Plan.
23	Why wasn't Hubert Osborne Park given similar emphasis as was provided for Victory Park? (with regard to panoramic views from various places within the CBD).	The TACP Urban Design Context Report was developed prior to any Council recommendation being made as part of the TIALC study. Given the size of Victory Park versus other green space in the town the report attempts to highlight the significance of Victory Park. The report does refer to the views looking east across the town <i>....a gentle slope down to the east which provides the key east-west streets with corridor and panoramic views of the canopy trees of Victory Park. The way in which easterly views terminate in green space is highlighted as a valuable character element within the town centre</i> , this is a factual description of a result of the slope/geography of the town.
24	Have bicycle and / or pedestrian paths been considered for Hubert Osborne Park? What steps will be taken to improve on the connectivity to and from this park?	The Traralgon Activity Centre Plan Draft Key Directions Report identifies a number of initiatives to increase connectivity (both pedestrian and cycle movements) through the Traralgon CBD. A concept plan for the future use of Hubert Osborne Park is proposed as part of the more detailed work in the study, similarly an Implementation Plan will form part of the final TACP. Currently we are at a Key Directions Stage.
25	Did Latrobe City Council fund research trips to these places?	Latrobe City Council has not funded trips to any other locations as part of this project. The consultants who have prepared the Traralgon Activity Centre Plan have had experience in several "like towns" and have drawn on their experience in regional and international situations to inform all reports prepared. The consultant has undertaken similar planning projects in Ballarat, Mildura, Warragul and Hamilton as well as the urban growth areas of Melbourne.
26	How is the level of support measured and what steps will be taken to alter relevant aspects of the TACP in cases where the community does not support the plan?	The Draft Key Directions Report was placed on consultation from 7 December 2010 to 22 March 2011. All written submissions will be considered by Council at a future Ordinary Council Meeting. As the report is in draft form, changes to the Draft Key Directions Report can be made in accordance with Councils resolution following their consideration of submissions.
27	Were the users of Traralgon Outdoor Pool consulted? (not just the swimming club members and office bearers). If not, please explain why not.	The TACP project has responded to Council recommendations made to the TIAFS in August 2010. There have been two community consultation processes undertaken. During the community

		consultation process for the TIAFS users of Latrobe leisure facilities were provided with information about the study. During the TACP project notice of all consultation sessions were placed in Local Newspapers, Councils website, poster were placed around the CBD, letters sent to residents within and surrounding the TACP boundary inviting them to attend all sessions that were held.
28	Why wasn't the "Save Osborne Park" community group consulted? Why wasn't the comprehensive "Osborne Park Redevelopment" submission (2008) prepared by this group read and referenced in this report?	Latrobe City Council's records of current community groups did not identify the Save Osborne Park community group as currently being active when the contact list was compiled for the TACP project. Email correspondence received from a Save Osborne Park representative in January 2011 states that the group ' <i>re-kindled late last year</i> ', which supports this understanding. However while the group may not have been contacted directly a number of representatives of the group who live adjacent to Hubert Osborne Park or within the TACP study area were contacted directly by mail regarding the TACP project. This group has also been engaged by Council during the TIFAS process.
29	Please explain why there hasn't been a proposal in the TACP to improve Hubert Osborne Park to help address these issues?	A concept plan for the future use of Hubert Osborne Park is proposed as part of the more detailed work in the study, similarly an Implementation Plan will form part of the final TACP. Currently we are at a Key Directions Stage.
30	This is perhaps a good reminder that we could be celebrating a 50 th Anniversary of Traralgon Olympic Pool, and perhaps a 75 th Birthday for Hubert Osborne Park....and let's not have to instead attend a wake (as the Warragul community did when they lost their outdoor pool). <i>Are you in support of such celebrations?</i>	The 50 th anniversary of the Traralgon Outdoor Pool was in 2009 as the facility was officially commissioned in 1959.
31	We would like to see more work done on linkages involving Hubert Osborne Park. <i>What is your response to this?</i>	The Traralgon Activity Centre Plan Draft Key Directions Report identifies a number of initiatives to increase connectivity (both pedestrian and cycle movements) through the Traralgon CBD. A concept plan for the future use of Hubert Osborne Park is proposed as part of the more detailed work in the study, similarly an Implementation Plan will form part of the final TACP. Currently we are at a Key Directions Stage.
32	Please outline how Latrobe City Council therefore sees it fit to decommission the outdoor pool (one of the few remaining popular facilities for the youth of Traralgon).	The TIAFS identified that the decommissioning of the outdoor pool site and potential sale of Hubert Osborne Park would assist Council in providing the funds to attract further government funding and therefore potentially allow an indoor aquatic facility to be built in Traralgon. Past feasibility studies that have identified a need for such a facility in Traralgon have not been implemented due to the large amount of funds required for such a project. If an indoor facility were to be built it would provide an improved facility for Traralgon youth that could be accessed all year round in any weather.
33	The four issues identified in this section strongly support the need for retaining Hubert Osborne Park (including the outdoor pool) but working on improving linkages to and from the park. <i>Do you agree?</i>	These four issues identified in the TACP Consultation summary were raised at the TACP consultation sessions by some of the attendees at that session. These consultation sessions were undertaken prior to the TIAFS being presented to Council. When the TIAFS was presented to Council, Council identified its

		preferred option as 2C (see question 6 above) but also resolved that further consultation was required, which Council subsequently undertook to allow the community to be part of the TIAFS process. The area of open space referred to in the consultation summary was the western side of Hubert Osborne Park which has been identified in the Draft Key Directions report as being retained as open space. The concept of improved linkages across the CBD is one that has also been addressed in the Draft Key Directions Report.
34	Why were only two sites identified for the location of the TIALC?	The consultants brief requested that two sites be presented to Council for detailed consideration. Any extension of this would have resulted in significant cost to Council during the feasibility study phase. Upon review of options available in Traralgon, the consultants determined that the two sites investigated presented the best opportunities for development of the project in Traralgon.
35	Was there any consideration given to Traralgon Recreation Reserve as being a possible (and more central) location of the TIALC?	Detailed consideration was not given to locating the facility at the Traralgon recreation Reserve.
36	What recent steps have been taken to improve attendance numbers at Traralgon Outdoor Pool? For example: <ol style="list-style-type: none"> 1. Providing free breakfasts for morning swimmers (as happened previously) 2. Opening earlier and staying open for longer on hot days 3. Poolside barbecue evenings 4. Organising events (eg. family fun days, pool parties, beach volleyball games etc.) 5. Investigating pool heating 6. Greater publicity 	Refer to attachment 5 of this report.
37	Given the limited opening hours of Traralgon Pool, and the comparatively longer opening hours at Latrobe Leisure Morwell, wouldn't it be more sound to compare attendances per number of hours open?	This analysis was not undertaken as part of the feasibility study as a per hour attendance was not considered essential. It was Council's intention to understand better the annual attendance at a venue as this is a true indicator of participation and return on investment for operating these facilities.
38	With regard to TIALC Feasibility meetings, were invitations only sent out to residents in the neighbourhoods of Hubert Osborne Park and of Catterick Cres Stadium?	There were two "neighbourhood" sessions held where residents in the precincts surrounding the two proposed development sites were invited to attend. In respect to the meeting involving Hubert Osborne residents, 28 people attended. In respect to the meeting involving Catterick Crescent residents, 19 people attended. Although invites were sent to residents in these areas, the meetings were advertised and general community were invited to attend also. As well as these sessions, two further general community sessions were held, attended by a total of 110 people.
39	Has there been any consideration to decommission the Moe outdoor pool?	Council has not given any consideration to closing the Moe Outdoor Pool.
40	What steps have been taken to address this flaw in the survey, before making fatal errors in misinterpreting the results?	Officers have assessed this survey and are unable to determine the flaw referred to by the Save Osborne Park Group.
41	In option 2A the current Traralgon Pool is considered to be surplus to the	As outlined in the feasibility study, development scenario 2 looks at constructing the facility at Catterick

	requirements of the community. Please outline the procedure to determine how such a conclusion is drawn.	Crescent whilst decommissioning the outdoor pool (2A) or retaining the outdoor pool (2B). These hypothetical scenarios were developed in order to provide Council with information relating to the impacts of decommissioning the pool or keeping the pool open.
42	It is evident that the Traralgon Swimming Club was consulted, but why weren't the Traralgon Outdoor Pool patrons consulted? What steps have since been taken to address this <u>major oversight</u> ?	<p>Prior to the Feasibility Study being developed and presented to Council, consultation was undertaken with the following groups:</p> <ul style="list-style-type: none"> • 650 Latrobe Leisure users • 290 general community members • 15 schools • 34 sporting clubs • 35 community groups and organisations • 21 health practitioners • Latrobe City Youth Council <p>The consultation methods utilised in this phase included surveys, street stalls, individual and group meetings and phone calls.</p> <p>Following the release of the feasibility study in August 2010, the following consultation activities have taken place:</p> <ul style="list-style-type: none"> • Two general community meetings attended by 110 people • One community meeting specifically for residents of the Hubert Osborne precinct – attended by 28 people • One community meeting specifically for residents of the Catterick Crescent precinct – attended by 19 people • Three information sessions – Traralgon Centre Plaza • Individual stakeholder meetings with members of the following community groups: <ul style="list-style-type: none"> ○ Traralgon Croquet Club ○ Traralgon Sports Stadium User Group ○ Traralgon Swimming Club ○ Imperials Cricket Club ○ Kosciusko Street Primary School ○ St Paul's Grammar School ○ Traralgon Community Development Association / Traralgon City and Rural Community Development Association (joint meeting) ○ Federal and State MP's • 1:1 meetings with residents as requested
43	The Save Osborne Park Group was identified as a stakeholder group, but why wasn't the comprehensive "Osborne Park Redevelopment" submission (2008) prepared by this group read and included in Appendix 2: List of Documents Reviewed?	The consultants were advised of the submission received in 2008 and thus the recommendation not to reduce the accessible open space on the Hubert Osborne Park site.
44	Has there been any research completed regarding the use of Hubert Osborne Park?	There has been no formal research undertaken to assess the use of Hubert Osborne Park.

45	<p>Were consultants requested by Latrobe City Council not to make reference in the TACP reports to any potential improvements to HubertOsbornePark because of the proposal to have part of it sold?</p>	<p>The consultants are asked to have regard to all relevant Council studies and reports. The sale of Hubert Osborne Park is for consideration as part of the TIAFS. The TACP is responding to any current recommendations by Council as it plans for future land use in the CBD. The Draft Key Directions Report is a draft at this stage and will respond to decisions made on land use within the CBD until such time as it is adopted by Council.</p>
46	<p>Why hasn't council held a (or a series of) dedicated public meeting(s) and extraordinary council meetings to discuss future of Hubert Osborne Park?</p>	<p>Community consultation sessions were held as part of the TIAFS consultation process. Additional community meetings were also held as part of the TACP community consultation process on the 2 and 9 March 2011. A Special Council meeting to hear submissions to the TIAFS was conducted on 11 April 2011.</p>
47	<p>We are writing to record our opposition to the recommendation of the consulting team that Council adopt Scenario 2C ... which includes the sale of parkland, public open space or any other land which is used for leisure purposes by the community.</p> <p>(Submission on Traralgon Indoor Aquatic and Leisure Centre Feasibility Study -correspondence 5 Dec 2010)</p> <p><i>Do you acknowledge this</i></p>	<p>This is acknowledged</p>
48	<p>We call on Council to reject option 2C and any variation thereof as described above for the following reasons:</p> <p>A significant proportion of Latrobe City residents has recently expressed their opposition to the removal of parts of Hubert Osborne Park to facilitate the building of the then proposed Traralgon Early Learning Centre (Submission and Petition lodged by Save Osborne Park Community Group).</p> <p><i>Do you agree?</i></p>	<p>To be considered at the 23 May 2011 Ordinary Council meeting.</p>
49	<p>We call on Council to reject option 2C and any variation thereof as described above for the following reasons:</p> <p>The sale of a majority of the current Osborne Park to offset the costs of an Aquatic Centre development flies in the face of community wishes and a range of Council policies relating to Leisure, Open Space, Greening Latrobe to name a few. In fact it makes a mockery of these Policies and appears to show that Council would be prepared to</p>	<p>To be considered at the 23 May 2011 Ordinary Council meeting.</p>

	<p>ignore the strident opposition already expressed by the supporters of Osborne Park should it adopt option 2C.</p> <p><i>Do you agree?</i></p>	
50	<p>We call on Council to reject option 2C and any variation thereof as described above for the following reasons:</p> <p>If Council is to entertain a high budget project like the Traralgon Indoor Aquatic and Leisure Centre which, on the surface, appears an extravagant expense, it should do so where the project is fully funded without the recourse to the sale of land already deployed for leisure facilities.</p> <p><i>Do you agree?</i></p>	To be considered at the 23 May 2011 Ordinary Council meeting.
51	<p>We call on Council to reject option 2C and any variation thereof as described above for the following reasons:</p> <p>We note that the final feasibility report lists the Save the Hubert Osborne Park Group in Appendix 1 amongst the Stakeholders consulted and yet Appendix 2 fails to acknowledge the extensive submission made to Council on OsbornePark despite a copy being supplied to the Aquatic Centre Consultants.</p> <p><i>Were the contents of this submission taken into account by the Consultants and if so we seek the provision of documentation to prove this? If not why not?</i></p>	The consultants were advised of the submission received in 2008 and thus the recommendation not to reduce the accessible open space on the Hubert Osborne Park site. As outlined on page 109 of the feasibility report, the consultants met with members of the Save Hubert Osborne Park Group in the development phase of the study and thus were aware of the issues of concern from this group.
52	<p><i>We believe that there should be no sale of any part of HubertOsbornePark and call on the Council to commission the production of an overall Passive Open Space Plan for the whole of Traralgon to guide decisions such as this.</i></p> <p><i>Do you agree?</i></p>	To be considered at the 23 May 2011 Ordinary Council meeting.
53	<p>A large number of submissions opposed to the sale of any part of the Hubert Osborne Memorial Park have been made within the community consultation process surrounding the production of the Traralgon Activity Centre Plan. Will you please confirm that these submissions will be considered by Council prior to any decision being taken on the sale of any part of the park as an option to fund the proposed Traralgon Indoor Aquatic and Leisure Centre?</p>	Submissions received to the TACP that raise the issues of the future of Hubert Osborne Park have been provided to the TIAFS . These submitters along with those to the TIAFS were invited to present their submissions at the Special Council meeting of the 11 April 2011. Council will consider these submissions prior to making a decision on the TIAFS and the Draft Key Directions Report of the TACP.

**Attachment 6:
Submissions Received
(Provided electronically on CD)**

11.3.5 PLANNING PERMIT APPLICATION 2010/354 - STAGED MULTI-LOT (153 LOTS) SUBDIVISION AND REMOVAL OF NATIVE VEGETATION, 42 MITCHELLS ROAD, MOE

AUTHOR: General Manager Built and Natural Environment
(ATTACHMENT - YES)

1. PURPOSE

The purpose of this report is to determine Planning Permit Application 2010/354 for a staged multi-lot (153 lots) subdivision and the removal of native vegetation at Lot 2 on Plan of Subdivision 341688D, more commonly known as 42 Mitchells Road, Moe.

2. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act* 1989 in the preparation of this report.

3. STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2010-2014.

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 2010 - 2014

Strategic Direction – Built Environment

Promote and support high quality urban design within the built environment.

Ensure proposed developments enhance the liveability of Latrobe City, and provide for a more sustainable community.

Legal –

The discussions and recommendations of this report are consistent with the provisions of the *Planning and Environment Act 1987* (the Act) and the Latrobe Planning Scheme (the Scheme), which apply to this application.

4. **BACKGROUND**

4.1 **SUMMARY**

Land: 42 Mitchells Road, Moe, known as (part) Lot 2 on Plan of Subdivision 341688D

Proponent: CPG Australia

Zoning: Residential 1 Zone

Overlay: No overlays affect the subject site

A Planning Permit is required:

- to subdivide land in the Residential 1 Zone pursuant to Clause 32.01-2 of the Latrobe Planning Scheme (the Scheme); and
- to remove, destroy or lop native vegetation pursuant to Clause 52.17-2 of the Scheme.

4.2 **PROPOSAL**

The application is for a staged multi-lot (153 lots) subdivision and the removal of native vegetation. Key features of the proposal are as follows:

- The proposed subdivision comprises an area of approximately 17.7 hectares.
- 151 residential lots with an average size of 640 square metres.
- One lot of 9500 square metres for medium density development (to create 29 residential lots in the future, subject to a separate planning permit application), with a proposed average lot size of 327 square metres.
- One lot of 3800 square metres for medium density development (to create 12 residential lots in the future, subject to a separate planning permit application), with a proposed average lot size of 316 square metres.
- Subdivision is to occur in six stages, being stages 1a, 1b, 2, 3, 4 and 5.

- Vehicular access is proposed to be off Mitchells Road, at the existing Saviges Road T-intersection. It is proposed to modify the existing intersection to provide a roundabout.
- Road connections to future residential areas located to the west and south of the site are also proposed.
- A private gated access to the retirement village located to the south of the site is proposed.
- A 2.9ha open space is proposed, located to the north of the site along the Moe Contour Drain, which includes wetlands of up to 1.4ha in area for the purpose of drainage management.
- Removal of the following native vegetation is also required for the proposed subdivision:
 - 0.07 Habitat Hectares (HHa) of Lowland Forest (EVC 16), including 3 large old trees (LOTs);
 - 0.08 HHa of Swamp Scrub (EVC53);
 - 1 scattered LOT in Lowland Forest;
 - 2 scattered LOTs in Swamp Scrub.

A subdivision concept plan is included as Attachment 1 of this submission.

A plan of vegetation removal is included as Attachment 2 of this submission.

Subject Land:

The subject site is irregular in shape and has a total area of approximately 17.7 hectares. Easements for the purposes of drainage, sewerage, drainage & sewerage, and transmission of electricity are all located on site.

The land is relatively flat with the exception of an area that has a 6 metre fall toward the Moe Contour Drain which traverses the northern boundary of the subject site.

Scattered native vegetation is located on site, the majority of which is in the northern portion of the allotment near the Moe Contour Drain.

An existing dwelling is located in the north-western portion of the site. This dwelling is proposed to be retained.

Access to the site is provided via Mitchell's Road.

No restrictive covenants, caveats or Section 173 Agreements are registered on certificate of title. However, a notice under Section 9(1)(a) of the *Retirement Villages Act 1986* is registered on title.

This notice does not impact on the proposal and does not have any implications in regards to decisions made under the *Planning and Environment Act 1987*.

Surrounding Land Use:

- North: Moe Contour Drain and an allotment in the Farming Zone containing an agricultural outbuilding on an allotment of approximately 55 hectares. This allotment is located in Baw Baw Shire Council.
- South: Single dwellings and multi-dwelling developments and a retirement village in the Residential 1 Zone.
- East: A retirement village and single dwellings in the Residential 1 Zone, a race course in the Public Park and Recreation Zone and Mitchell's Road.
- West: A vacant allotment of approximately 19.5 hectares in the Residential 1 Zone. This land is also affected by the Development Plan Overlay, Schedule 5.

A site context plan is included as Attachment 3 of this submission.

4.3 PLANNING CONTEXT

The following previous Planning Permits are relevant to the subject site:

- Planning Permit 5264 for the 'Development and use of a 100 unit Retirement Village and 120 bed Aged Care facility' was approved on 7 December 2005.
- Planning Permit 5264/A was an amendment to Planning Permit 5264 that amended the endorsed plans to reflect changes to the roofs of the proposed buildings. This amendment was approved on 12 October 2006.
- Planning Permit 5264/B was an amendment to Planning Permit 5264/A that amended the endorsed plans to show a change from car ports to garages. This amendment was approved on 21 December 2006.

- Planning Permit 5264/C was an amendment to Planning Permit 5264/B. The endorsed plans were amended to make variations to Units 10, 25, 14 and 15. Planning Permit 5364/C was approved on 10 October 2007.
- Planning Permit 5264/D was an amendment to Planning Permit 5264/C. This amendment allowed alterations to the Community Centre, including changes to the elevations. Approval was issued on 24 September 2008. On 24 November 2009 the expiry condition of this permit was extended under Section 69(2) of the Act to allow buildings and works to be completed by 31 December 2013.
- Planning Permit 5264/E was an amendment to Planning Permit 5264/D. This amendment changed what the permit allowed to 'Development and use of a 100 unit Retirement Village, in accordance with the endorsed plan(s)', removing reference to the '120 bed Aged Care facility'. A number of conditions of the permit were altered as part of this amendment. Planning Permit 5264/E was approved on 3 September 2010.

A history of assessment of this application is set out in Attachment 4.

The provisions of the Scheme that are relevant to the subject application have been included in Attachment 5.

5. ISSUES

5.1. Strategic Support for Subdivision of the Land

The State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement (MSS) have been considered as part of the assessment of this application, and it is found that the provisions of the Scheme provide a strategic basis to support residential subdivision of the subject site.

The SPPF encourages (amongst other matters) consolidation within urban areas; strategically locating urban growth (including subdivisions) close to transport corridors and services; provision of efficient and effective infrastructure to create benefits for sustainability while protecting valued environmental areas. One of the strategies to achieve the urban growth objective is to encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare. The SPPF at Clause 11.05 of the Scheme further specifies that direct urban growth into the major regional cities of Moe, Morwell and Traralgon cluster is encouraged.

Similar objectives are re-emphasised and elaborated under the LPPF of the Scheme. The MSS at Clause 21.05-4 identifies Moe as one of the main towns within the municipality, where residential growth will continue and is encouraged. The Structure Plan for Moe identifies the subject site as an 'existing residential opportunity'.

The subject site is located within the existing urban area of Moe, and is within walking distance to the existing Moe Town Centre. The proposal seeks to provide a range of residential lot sizes.

Whilst the average overall residential density of the proposal is only approximately 13 dwellings per net developable hectare, Council Officers are generally satisfied that there are physical constraints which have impacted on the yield for the subdivision. The proposal however still generally sets a higher yield than this regional town of Moe has experienced through recent developments.

In order to increase the overall yield of the site, medium density development sites have been included as part of the proposed subdivision. Detailed designs of the medium density development sites are subject to a separate planning permit application, and it is recommended the restrictions be registered on the Certificate of Title of the relevant medium density development sites, to ensure that a certain minimum overall density is achieved.

On the above basis, it is reasonable to consider that the proposal to subdivide the subject site for residential purposes, with a range of lot sizes, is strategically supported by the Scheme.

The average overall residential density of 13 dwellings per hectare for the proposal is considered acceptable, in context of the site and surrounds.

In addition, the subject site is zoned Residential 1 under the Scheme with no overlays, and the purpose of a Residential 1 Zone, amongst other things, is '*to provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households*'. The zoning of the site provides further strategic basis to support residential subdivision of the land.

The planning requirements for residential subdivision are set out in Clause 56 of the Scheme. An assessment of the proposal has found that the proposal generally meets the objectives and relevant standards of Clause 56 of the Scheme. In particular, the proposed range of residential allotments provided by the subdivision, the provision of open space and road network are compatible with the emerging character of new residential development within Moe.

5.2. Native Vegetation

The proposal seeks approval for the removal of two patches of native vegetation and the removal of three scattered trees in order to facilitate the proposed residential subdivision.

The patches of native vegetation proposed to be removed are the 0.07 Hha of Lowland Forest and 0.08 Hha of Swamp Scrub. It is also proposed to remove one large old tree with 'medium' conservation significance and two large old trees with 'high' conservation significance.

Under the provisions of Clause 52.17, a planning permit is required for the removal of native vegetation.

A Vegetation & Net Gain Assessment report was submitted with the application (and included at Attachment 5). This provides an assessment of the distribution and quality of native vegetation on the land; details the potential ecological impacts resulting from the proposed subdivision; and outlines the Net Gain implications associated with the proposed removal of native vegetation.

Following the assessment of the proposal and consideration of the relevant supporting documentation by both the Department of Sustainability and Environment (DSE) and Council's Environmental Planning team, it is considered that the steps to avoid and minimise native vegetation removal have been adequately addressed subject to the inclusion of appropriate Planning Permit conditions. The submission of a Vegetation Management and Native Vegetation Offset Planting Plan is to be required by way of a condition on permit, should one be issued.

With adequate offsets being provided via permit conditions, it is reasonable to consider that the conservation status of the vegetation and habitat significance will not be significantly undermined by the proposal.

5.3. Road Layout, Traffic & Access

A key feature of the proposed subdivision layout is to provide an east-west collector road through the site, which runs from Mitchells Road to future residential area located to the west of the site. Road connections are also provided to future residential areas located to the west and south of the site.

A road hierarchy plan and road cross-sections have also been submitted with the application to illustrate the proposed street network and typical road design details.

In terms of access, primary vehicular access to the subdivision is proposed to be off Mitchells Road, at the existing Saviges Road T-intersection. It is proposed to modify the existing intersection to a roundabout to cater for the proposed new connection to the site.

As confirmed by Council's Infrastructure Planning team, the proposed road layout is generally satisfactory in terms of allowing easy movement within and between the neighbourhood, as well as accommodating the anticipated traffic as a result of the proposed subdivision and it is reasonable to consider that the proposal is unlikely to have any adverse impact on the operation of the existing road network in the area.

Whilst the subdivision will involve increased traffic volumes in Mitchells Road, it is reasonable to consider that it is inevitable as part of urban expansion.

A Traffic Impact Assessment report has been provided with the application (and included at Attachment 6) and is deemed to be satisfactory by Council's Infrastructure Planning team.

The report recommends that the extension of the footpath along the west side of Mitchells Road to provide a connection to the development, provision of a new footpath along Saviges Road and upgrading of the bicycle network to connect to the development.

It is suggested by the applicant that the footpath extension should be provided by Council. However, it is considered that the footpath is largely required as a result of the proposed subdivision and it is therefore reasonable to require the applicant to provide the relevant footpath along the west side of Mitchells Road to connect to the existing footpath along Waterloo Road. Accordingly, it is recommended that a condition be included on the permit to reflect this requirement.

5.4. Public Open Space & Wetlands

The design of the proposed subdivision makes use of the Moe Contour Drain for the provision of open space and drainage wetlands. A total of 2.9ha passive public open space and wetland reserve is proposed to be located within the northern portion of the site.

A stormwater management plan has been submitted with the application which outlines a drainage strategy for the proposal. The plan has been assessed by the Department of Sustainability and Environment, West Gippsland Catchment Management Authority and Council's Infrastructure Planning team, and is deemed to be satisfactory. Subject to the provision of detailed design of the wetlands and offsets to compensate for the removal of the wetland vegetation, it is considered that the proposed stormwater management / wetland arrangement supports water sensitive urban design principles. The conservation status of the vegetation and habitat significance of the public open space / wetland area will not be significantly undermined by the proposal.

In addition, it is reasonable to consider that the extent and location of the reserve are satisfactory, in terms of meeting the passive recreational needs of future residents of the subdivision and contributing to the sense of place of the whole residential area to the west of Mitchells Road.

Subject to the provision of appropriate pedestrian links to public open space, this area will be easily accessible to residents within the subdivision.

Should a planning permit be issued, it is also recommended to include conditions regarding the detailed design of the public open space and wetland area, to ensure that the Healthy Urban Design principles are supported.

5.5. **OBJECTIONS**

The application received two submissions in the form of objections. The issues raised in the objections were:

1. The proposed subdivision incorporates some land that was originally identified to contain an Aged Care Facility ancillary to the retirement village that is currently under construction. This detail was provided to the residents in lease/loan and disclosure documents when they purchased/leased their units. This should not be able to occur without the residents of the retirement village's approval.

Officer comment:

Whilst Planning Permit 2005/05264 was first approved in 2006 to allow the construction of a retirement village and aged care facility on part of the subject site, the permit was later amended in 2008 to alter the community centre component and further amended in 2010 to delete reference to the development of an aged care facility.

The retirement village approved under Planning Permit 2005/05264 is now partially constructed, and an extension of time was granted to allow the completion of all buildings and works associated with the retirement village by 2013. From a planning perspective, there is no obligation for the land owner to develop an aged care facility on the land. The granting of a planning permit for subdivision on the land will not result in contravention of any planning permits relevant to the subject site.

It should be noted that Planning Permit Application 2005/05264 and its subsequent amendments were made by the relevant owners of the land at the time of applications.

It would have been the responsibility of the land owner to notify the aged care residents of any changes to their development plans.

These applications were approved by Council based on the merits of the proposal.

Council has no jurisdiction in terms of dealing with lease disputes between the retirement village residents and the land owner / management, and tenure obligations and/or responsibilities do not have any bearings in planning decisions.

2. The proposed plans will no longer provide the expected access road to the 'Range Retirement Village' from Mitchell's Road as shown on the master plan. This will deprive residents of expected facilities, including a community centre and jeopardise the potential for the village to be attractive for a buyer/developer for the village which would negate construction of the remaining 73 units.

Officer comment:

Whilst the proposed subdivision does not allow a direct vehicular access from the retirement village to Mitchells Road, provisions have been made to allow access from the retirement village to Mitchells Road, via an access road within the subdivision. As assessed by Council's Infrastructure Planning team, the proposed road layout is considered satisfactory in terms of allowing easy movement within and between neighbourhoods, including to and from the retirement village to Mitchells Road.

3. A portion of the land is protected by the Retirement Village Notice and Charge on title.

Officer comment:

It should be noted that the Retirement Villages Act 1986 requires that:

- A charge is registered over retirement village land as security for the ongoing contributions made by people entering the village;
- The land title has a notice that the land is used for a retirement village.

It is acknowledged that the subject site is affected by the Retirement Village notice and charge, however, they do not have any implications on the granting of a planning permit for the proposed subdivision.

It is the responsibility of the owner of the land to lodge an application with the relevant authorities to extinguish a charge and/or cancel a notice over all or part of the land, if the land is no longer used or required for retirement village purposes.

4. The management company should pursue avenues to secure a buyer/developer for the retirement village prior to the sale of the land.

Officer comment:

The sale or transfer of privately owned land is not a planning matter. Council has no jurisdiction in terms of dealing with the sale or transfer of privately owned land.

6. FINANCIAL AND RESOURCES 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).

7. INTERNAL / EXTERNAL CONSULTATION

Engagement Method Used:

Notification:

The application has been advertised under Section 52(1)(a) and Section 52(1)(d) of the Act by sending notices to all adjoining and adjacent landowners and occupiers; displaying an A3 sign on the subject site for a minimum of 14 days; and by publishing two notices in the Latrobe Valley Express.

External:

The application was referred under Section 55 of the Act to the following authorities:

- Gippsland Water;
- Telstra;
- SP AusNet;

- APT O&M Services;
- The Director of Public Transport;
- Country Fire Authority (CFA);
- West Gippsland Catchment Management Authority (WGCMA)
- Department of Sustainability and Environment (DSE).

All the above authorities gave consent to the granting of a Planning Permit for the proposal, subject to the inclusion of appropriate conditions and notes (where applicable).

Internal:

Internal officer comments were sought from Council's Environmental Planning team in relation to the biodiversity of the site, Infrastructure Planning team in relation to drainage and traffic management and Strategic Land Use Planning team in relation to the long-term vision for the subject site in relation to the abutting land which is in the Residential 1 Zone and affected by the Development Plan Overlay, Schedule 5.

All the relevant Council internal departments gave consent to the granting of a Planning Permit in relation to their area of expertise.

It is noted that their comments only relate to part of the assessment process and do not necessarily direct the final recommendation of Council.

Details of Community Consultation following Notification:

Following the referral and advertising of the application, two submissions in the form of objections were received.

The permit applicant requested that the planning mediation process be bypassed. Therefore, consensus was not reached between the parties, which would have allowed the matter to be determined by officer delegation, therefore requiring a decision by Council.

8. OPTIONS

Council has the following options in regard to this application:

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

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

9. CONCLUSION

Having evaluated the proposal against the relevant provisions of the Scheme, it is considered that the application meets the requirements of the Scheme, subject to appropriate Planning Permit conditions. It is therefore recommended that a Notice of Decision to Grant a Permit be issued for the reasons set out in this report.

10. RECOMMENDATION

A. That Council issues a Notice of Decision to Grant a Permit, for a staged multi-lot (153 lots) subdivision and removal of native vegetation at Lot 2 on Plan of Subdivision 341688D, more commonly known as 42 Mitchells Road, Moe, with the following conditions:
Amended Plans

- 1. Prior to the commencement of any development, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show:**
 - a) Revised staging details of the subdivision, to include the eastern wetland to form part of Stage 1b, and the western wetland to form part of Stage 4**
 - b) The wetland area set aside as a public open space reserve to be vested in Council**
 - c) Road reserve widths complying with Latrobe City Council's Design Guidelines.**
 - d) The provision of footpaths, shared paths and landscaping works. The provision of footpaths will be required to be provided along both sides of all streets except where there are abutments to reserves and paths are provided through those reserves.**

- A shared bicycle and pedestrian path must be shown along the proposed reserve along the Moe Contour Drain for the length of the development and linking to Mitchells Road, with provision for future connection to the west of the site. This path must be shown on the plans extended along the west side of Mitchells Road to the development's proposed access road opposite Saviges Road. Provision of a footpath must be shown along the west side of Mitchells Road to connect to the existing footpath along Waterloo Road.
- e) The provision of a temporary turning area at the end of all roads proposed to continue into adjoining lands, adequate for service vehicles to turn in a forward-only direction. This shall be provided within the land the subject of this permit or may be on adjacent land with that owner's agreement. Turning areas must be a minimum of 20 metres in diameter.
 - f) The carriageway of the access lane proposed to provide access to lots 72, 73 & 74, shall be shown on the plans extended to within one metre of the eastern boundary of lots 72 and 73.
 - g) The provision of widening of Mitchells Road from the new access road opposite Saviges Road to the southern boundary of the development to provide on the west side of the existing road centreline, a sealed pavement 5.5 metres wide and kerb & channel.
 - h) The provision of a roundabout at the intersection of Savages Road, Mitchells Road and the proposed collector road into the development. The roundabout must be designed in accordance with Austroads guidelines.
 - i) The provision of a channelized right turn short intersection treatment at the Waterloo Road / Mitchells Road intersection.

Endorsed Plans

2. The layout of the subdivision as shown on the endorsed plans must not be altered without the permission of the Responsible Authority.

Landscape Master Plan

3. Prior to the commencement of works hereby permitted, a Landscape Master Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Landscape Master Plan must be generally in accordance with the requirements specified by the Department of Sustainability and Environment under conditions 22, 23 and 24 of this permit. The use of indigenous plants of local provenance must be included in the Landscape Master Plan, and street trees must not be of species known to invade or otherwise adversely impact remnant biodiversity values in or around the development area to the satisfaction of the Responsible Authority.
4. With any application for certification under the Subdivision Act, a detailed landscape plan generally in accordance with the endorsed Landscape Master Plan (if the Landscape Master Plan includes landscaping for that stage of the subdivision), to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.

Restrictions

5. Prior to the commencement of the subdivision, the owner must enter an agreement pursuant to Section 173 of the Planning and Environment Act 1987, to the satisfaction of the Responsible Authority. The agreement must provide for the following matters:
 - a) A restriction being placed on any new title being issued for proposed Lots 126, 127, 136, 138, 139-144 (inclusive) requiring the front fencing (if any) facing the public open space and wetland area to be of a height of no more than 1.2m
 - b) A restriction being placed on any new title being issued for proposed Lots 31-34 (inclusive) and 153 requiring any boundary fencing (if any) abutting the public open space and wetland area to be of a type of material with at least 75% permeability to allow passive surveillance of the public walkways.
 - c) That any future development on the medium density sites as nominated on the endorsed plan, be of an average overall residential density of at least 30 dwellings per hectare.

The design of any development on the medium density sites must have regard to the adjoining public open space / wetland area, with the provision of active frontage opportunities, to the satisfaction of the Responsible Authority. Before a Statement of Compliance is issued under the Subdivision Act 1988, application must be made to the Registrar of Titles to register the section 173 agreement on the title to the land under section 181 of the Act.

The owner / operator under this permit must pay the reasonable costs of the preparation, and executive and registration of the section 173 agreement.

Within 3 months of the registration of the section 173 agreement, the applicant / owner must provide Council a copy of the dealing number issued by the Titles Office. Once titles are issued, Council requires the Applicant or its legal representative to provide either:

- a) a current title search; or
- b) a photocopy of the duplicate certificate of Title as evidence of registration of the section agreement on title.

Engineering Conditions

6. Prior to certification of the plan of subdivision under the Subdivision Act 1988, the applicant shall provide documentary evidence for all proposed road names, of compliance with the naming principles and procedures described in the Guidelines for Geographic Names. This shall include the provision of completed checklists.
7. The plan submitted for certification under the Subdivision Act 1988, must show to the satisfaction of the Responsible Authority:
 - a) *Easements for drainage purposes*
 - b) *Any land subject to inundation.*
8. On the plan of subdivision submitted for certification under the Subdivision Act 1988, all existing and proposed easements for existing and required utility services must be set aside in favour of the relevant authority for which the easement is to be created.
9. All roads to be continued in future stages within the development or continued in the development of adjacent lands and required for use by waste collection vehicles, shall be provided in accordance with the endorsed plans.

If provided on adjacent land on a separate title, prior to the issue of a Statement of Compliance for the relevant stage of the development, an appropriate carriageway easement must be created on the adjacent land protecting Latrobe City Council's and the public's future rights to the use of the land.

10. Prior to the commencement of works, a maintenance plan and costings for all proposed wetland areas and vegetated swales is to be submitted to the satisfaction of and approved by the responsible authority.
11. Prior to the commencement of any road, drainage or landscaping works associated with the subdivision hereby permitted, the following management plans shall be submitted to and approved by the Responsible Authority. When approved, these plans will be endorsed and will then form part of the permit.
 - a) A traffic management plan. The traffic management plan must detail measures proposed to protect and maintain vehicle use of the existing road system and pedestrians using existing footpaths adjacent to the development, how site access will be obtained and the management of public access to the site. The plan must include details of all signage on adjacent roads.
 - b) A construction management plan. The plan must outline how issues such as deliveries, mud on roads, litter and waste storage and removal, securing fuel sites to contain spills and dust generation will be managed onsite during the construction phase. Details of a contact person/site manager must also be provided, so that this person can be easily contacted should any issues arise.
 - c) An environmental management plan for the works detailing techniques for erosion prevention and sediment control measures during the construction of the works and post construction in accordance with the Environment Protection Authority publication 960 'doing it right in subdivisions'.
12. Control measures in accordance with the approved traffic, construction and environmental management plans shall be employed throughout the construction of the works to the satisfaction of the Responsible Authority.

- 13. Unless otherwise required in this permit, all works to become the responsibility of Latrobe City Council at the expiry of the maintenance period, shall be maintained by the applicant or owner for a period of three months from the date of practical completion of the works. Maintenance of the works shall include all inspections required in accordance with Latrobe City Council's Road Management Plan. At the end of this maintenance period, a Defects Liability Period of nine months shall then apply to the works at the end of which time Final Completion of the works will be issued.**
- 14. Prior to a Statement of Compliance is issued for Stage 1a of the subdivision, under the Subdivision Act 1988, the applicant or owner must construct the following works to the satisfaction of the Responsible Authority, in accordance with engineering plans and specifications approved by the Responsible Authority and must include:**

 - a) Construction of a 1.5 metre wide footpath along the west side of Mitchells Road between the new access road opposite Saviges Road and Waterloo Road.**
 - b) Construction of a roundabout at the intersection of Saviges Road, Mitchells Road and the proposed east-west collector road.**
 - c) Construction of a channelized right turn lane short intersection treatment in Waterloo Road at the Mitchells Road/Waterloo Road intersection.**
- 15. Before a Statement of Compliance is issued for this subdivision under the Subdivision Act 1988, the applicant or owner must construct road works, drainage and other civil works to the satisfaction of the Responsible Authority, in accordance with engineering plans and specifications approved by the Responsible Authority and must include:**

 - a) Construction of all new roads in accordance with Latrobe City Council's Design Guidelines. Proposed collector roads shall be designed to comply with the road widths specified in the Department of Transport's "Guidelines for Land Use and Development: Public Transport, 2008". All other roads shall be designed to comply with Latrobe City Council's Design Guidelines.**

- Mitchells Road shall be widened on the west side of the existing centreline of the road to provide a traffic lane width of 3.0 metres and an indented parking lane width of 2.5 metres for the full length of the subject land's abuttal from the new access road opposite Saviges Road to the southern boundary of the development.
- b) Concrete footpaths along both sides of all proposed streets and shared pedestrian/bicycle paths through all reserves to be provided in accordance with Latrobe City Council's Design Guidelines and the endorsed plans.**
 - c) Construction of a 2.5 metre wide shared path along the west side of Mitchells Road from the Moe Contour Drain to the new access road opposite Saviges Road.**
 - d) Underground piped drainage to each lot and provision of over-land surcharge routes and cut-off drains. The stormwater drainage system must be designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended and to ensure that flows downstream of the subdivision site are restricted to predevelopment levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts. The stormwater drainage system may include water sensitive urban design features. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.**
 - e) Provisions shall be made for stormwater from all storm events greater than the 1 in 5 year event and up to and including the 1 in 100 year ARI storm event including:
 - i. Provision of over-land stormwater surcharge routes and cut-off drains for the safe and effective passage of stormwater flows arising from both within the development and from areas upstream of the development.****

- ii. Arrangements for the capture of overland stormwater flows from adjacent upstream areas not previously developed. These works shall be provided within the land the subject of this permit or may be on adjacent land with that owner's agreement. If provided on adjacent land on a separate title, prior to the issue of a Statement of Compliance for the relevant stage of the development, an appropriate drainage easement must be created on the adjacent land protecting Latrobe City Council's future rights to the use of the land.
 - iii. All streets, footpaths and cycle paths that are subject to flooding must meet the safety criteria $d_a v_{ave} < 0.35 \text{ m}^2/\text{s}$ (where d_a = average depth in metres and v_{ave} = average velocity in metres per second).
- f) Construction of wetland/stormwater detention areas and vegetated swales generally as proposed in the stormwater management plan submitted with the application. The wetlands and vegetated swales shall be designed to achieve the following objectives for environmental quality as set out in the Urban Stormwater Best Practice Environmental Guidelines (Victorian Stormwater Committee 1999):
- 80% retention of the typical annual load of suspended solids;
 - 45% retention of the typical annual load of total phosphorus;
 - 45% retention of the typical annual load of total nitrogen; and
 - 70% retention of the typical annual load of gross pollutants.

The proposed wetlands/stormwater detention area must be constructed to ensure that the bed of the internal edges of any water body are graded to achieve a maximum water depth of 0.2m for a minimum distance of 3 metres in from the water's normal edge before becoming steeper or achieve the alternatives specified in "WSUD Engineering Procedures: Stormwater (Melbourne Water 2005), Clause 10.3.2.3 Cross sections" or equivalent standards applicable at the time to the satisfaction of the Responsible Authority.

The proposed wetlands/stormwater detention area and reserve and surrounds shall be cleared of all noxious weeds, graded, filled and compacted with approved material free of rock, stone and other contamination, landscaped, shaped and formed as necessary, scarified, top dressed with a minimum 100 mm depth of approved topsoil and sown with approved turf mixture of perennial rye and bents at a rate of 300 kg per hectare to ensure the land is free draining and able to be mown by a rotary mower to the satisfaction of the Responsible Authority.

- g) Appropriate intersection treatments and traffic calming measures in accordance with Latrobe City Council's Design Guidelines and Austroads' Guide to Traffic Management.
- h) Removal of weeds, revegetation and provision of riffles along the open earth stormwater drain along the west side of Mitchells Road from the end of the existing pipe at number 40 Mitchells Road to the existing pipe under Mitchells Road adjacent to the proposed lot 28.
- i) A paved area clear of the road shoulder for the placement of bins for the collection of wastes and recyclables from lots 72, 73 & 74.
- j) Street lighting along all new roads and all new shared paths and upgraded street lighting at the locations of proposed intersection works external to the development, in accordance with Australian Standard AS1158.
- k) All reserves to be graded, topsoiled and landscaped, in accordance with plans approved by the Responsible Authority.
- l) All parks and open space must be provided to the satisfaction of the Responsible Authority:
 - i) With completed bulk earthworks where required - fit for intended purpose;
 - ii) Cleared of all rubbish and environmental weeds, top soiled and grassed;
 - iii) With landscaping including drought resistant trees and other planting;
 - iv) With shared paths and footpaths as appropriate;
 - v) With maintenance access points;
 - vi) With installation of basic play equipment as approved by the Responsible Authority.

- m) If approved, filling on the land must be carried out utilising fill material and compaction in accordance with the relevant Australian Standards and must be certified and supervised by a Level 1 NATA registered geotechnical engineer.
 - n) All traffic signage, street name signage and road pavement line marking.
 - o) Fencing along all allotment boundaries abutting reserves, consistent with the requirements specified under Condition 5 of this permit.
 - p) High stability permanent survey marks at locations in accordance with Latrobe City Council's Design Guidelines.
 - q) Temporary vehicle turnarounds at the ends of streets to be continued in future stages or future developments, including a low maintenance sealed surface. Turning areas must be a minimum of 20 metres in diameter.
16. Before a Statement of Compliance is issued for this subdivision under the Subdivision Act 1988, the applicant or owner must pay to Latrobe City Council:
- a) For all works to become the responsibility of Latrobe City Council at the expiry of the maintenance period, an engineering plan checking fee of an amount equivalent to 0.75% of the estimated cost of constructing the works proposed on the engineering plans,
 - b) For all works to become the responsibility of Latrobe City Council at the expiry of the maintenance period, an amount equivalent to 2.5% of the estimated cost of constructing the works which are subject to supervision, and
 - c) The sum of \$175 per lot for the provision of street trees along all streets where trees are not planted by the applicant or owner.
17. Before a Statement of Compliance is issued under the Subdivision Act 1988, the applicant or owner must provide to the satisfaction of the Responsible Authority:
- a) A certified plan showing the extent and depth of fill in excess of 300 mm placed on all land within or abutting the subdivision.

- b) Final as-built plans for all works to become the responsibility of Latrobe City Council at the expiry of the maintenance period, in an electronic format complying with A-Spec requirements.
 - c) Written records of all inspections undertaken during the maintenance period for the works, in accordance with the requirements of Latrobe City Council's Road Management Plan, any defects identified during those inspections and the date and time of rectification of the defects.
18. The applicant or owner must maintain all wetlands areas and vegetated swale drains to the satisfaction of the responsible authority and in accordance with the approved maintenance plan for a period of 2 years after the construction of the wetlands/stormwater detention area or vegetated swale drain reaches practical completion. Any defects occurring during the maintenance period shall be repaired by the developer to the satisfaction of the responsible authority.
19. Before a Statement of Compliance is issued under the Subdivision Act 1988, where the capture of overland stormwater flows from adjacent upstream areas incorporates the construction of earthworks within the allotments to be protected from such overland flows, the owner of the relevant allotments (including but not limited to Lots 78, 79, 90-96 (inclusive), 99, 100 and 109) must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987, and make application to the Registrar of Titles to have the agreement registered on the title to the land under section 181 of the Act. The Section 173 Agreement must provide for:
- a) That unless otherwise permitted by the written approval of the Responsible Authority, any subsequent development of the allotments shall not interfere nor negate the effectiveness of the earthworks (associated with the capture of overland stormwater flows from adjacent upstream areas), which shall be maintained by the owner to the satisfaction of the Responsible Authority.
- The owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

Prior to the issue of a Statement of Compliance for the subdivision, the Permit Operator must provide the Responsible Authority with a copy of the dealing number issued by the Title Office. Once titles are issued the Responsible Authority requires the Permit Operator or its legal representative to provide as evidence of registration of the Section 173 Agreement on title, either:

- i. A current title search; or
- ii. A photocopy of the duplicate Certificate of Title.

20. The provision of entrance features to the development such as estate signage shall not be located within any road or public open space reserves unless with the written agreement of the Responsible Authority.

21. Prior to approval being given for an extension of time for starting and/or completing the subdivision, the Responsible Authority may require the review and re-submission of Plans, Computations and other relevant information for works required under this permit to accord with current guidelines, Acts and Regulations, Codes of Practice and Australian Standards.

**Department of Sustainability and Environment
Requirements**

22. The native vegetation approved for removal by this permit is:

- 0.07 Habitat Hectares (HHa) of high conservation significance Ecological Vegetation Class (EVC) 16 Lowland Forest including 3 large old trees (LOTs)
- 0.08 HHa of high conservation significance EVC 53 Swamp Scrub
- 1 medium conservation significance LOT from EVC 16 Lowland Forest, and
- 2 high conservation significance LOTS from EVC 53 Swamp Scrub.

In order to offset the approved clearing of native vegetation, the applicant must provide for offsets to achieve the net gain targets identified in the reports Vegetation & Net Gain Assessment – ‘Waterloo’ 42 Mitchell Road, Moe (SMEC, revision No. 2, undated, and Mitchells Grove, Moe Supplementary Vegetation Assessment (CPG Australia Pty Ltd, 25 February 2011).

Before the vegetation removal starts, the applicant must:

- a) Provide to the Responsible Authority, an Allocated Credited Extract issued by the Department of Sustainability and Environment (DSE) Native Vegetation Credit Register which satisfies the required offset, and/or
- b) Commence management of an offset/s in accordance with an offset plan endorsed by the Responsible Authority. The offset plan must include:
 - i. A description of the site/s, including a plan where the offsets will be provided
 - ii. A Schedule of the works required to achieve the offsets over a 10 year period, detailing:
 - 1. The management actions to be performed (e.g. fencing, weed control, pest control, revegetation)
 - 2. The person(s) responsible for implementing the specified management actions
 - 3. The timeline for the implementation of the management actions
 - 4. The method by which the management actions will be undertaken, and
 - 5. The standard to which the management actions will be undertaken.

When endorsed, the plan will form part of this permit.

Before the issue of Statement of Compliance:

- iii. The offset site/s must be permanently protected to the satisfaction of the Responsible Authority such as through an encumbrance on title, and
 - iv. A copy of the endorsed offset plan and protection mechanism (e.g. title showing encumbrance) must be lodged with DSE.
23. Before works start, a construction management plan to identify and mitigate adverse impacts on existing populations of Dwarf Galaxias (*Galaxiella pusilla*) to the satisfaction of the Department of Sustainability and Environment, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and form part of this permit. The plan must include:
- a) Measures to identify the vegetation to be removed

- b) Measures to identify and protect the vegetation to be retained during works**
- c) Erosion and sediment control measures to ensure that no polluted and/or sediment laden run-off is discharged directly or indirectly into drains or watercourses. Straw or hay must not be used for these measures**
- d) Measures to avoid and minimise adverse impacts on existing populations within the Moe contour drain**
- e) Actions to be implemented should Dwarf Galaxias or other threatened fauna species be encountered during the development of the site, including relocation, hygiene & handling strategies**
- f) Vehicle and equipment hygiene measures to prevent the spread of weeds and pathogens to and from the site**
- g) A site plan or plans identifying the above measures, and**
- h) The person/s responsible for implementing the above measures.**

All works must be undertaken in accordance with the endorsed plan.

- 24. The wetlands design and construction must address habitat requirements for Dwarf Galaxias (*Galaxiella pusilla*) and other native fauna by including:**
- a) Basin contours that provide numerous areas where depth of water in between 0.5-1 metre, and occasional areas up to 2 metres in depth to provide refuge in times of drought**
 - b) Planting of indigenous aquatic species, which includes a mix of emergent, submergent and floating species**
 - c) Any revegetation or landscaping of terrestrial wetland areas must use native plant species of local provenance to accord with the relevant EVC, and**
 - d) Enhancement of terrestrial habitat around the wetland through provision of logs and rocks.**
- 25. Before the vegetation removal or drainage works start, all persons undertaking the vegetation removal/works on site must be advised of all relevant conditions of this permit.**

Aboriginal Heritage

26. Works must cease immediately upon the discovery of any Aboriginal cultural material, and Aboriginal Affairs Victoria must be notified immediately of any such discovery.

27. If suspected human remains are discovered in the course of development, work in the area must cease and the Police or State Coroner's Office must be informed of the discovery without delay.

If there are reasonable grounds to suspect that the remains are Aboriginal, the discovery should also be reported to Aboriginal Affairs Victoria.

Department of Transport Requirements

28. Prior to the issue of Statement of Compliance, the Permit Operator must meet the following requirements:

- a) The east west collector road and all associated traffic control devices including the works on the intersection of Mitchells & Savages Road must be constructed to accommodate public transport access for buses in accordance with the Public Transport Guidelines for Land Use and Development to the satisfaction of the Director of Public Transport.**

WGCMA Requirements

29. Prior to the issue of Statement of Compliance, the Permit Operator must meet the following requirements:

- a) A Waterway Management Plan must be developed to the satisfaction of the West Gippsland Catchment Management Authority, which details the existing environmental values within the reserve area, the initial rehabilitation and revegetation works (representative of the appropriate Ecological Vegetation Class), and a maintenance regime for short, medium and long term management of the buffer zone/reserve.**

Telstra Requirements

30. Prior to the issue of Statement of Compliance, the Permit Operator must meet the following requirements:

- a) That the plan of subdivision submitted for certification be referred to Telstra in accordance with Section 8 of the Subdivision Act 1988.**

SPI Requirements

31. Prior to the issue of Statement of Compliance, the Permit Operator must meet the following requirements:

- a) Enter in an agreement with SPI Electricity Pty Ltd for supply of electricity to each lot on the endorsed plan.**
- b) Enter into an agreement with SPI Electricity Pty Ltd for the rearrangement of the existing electricity supply system.**
- c) Enter into an agreement with SPI Electricity Pty Ltd for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by SPI Electricity Pty Ltd.**
- d) Provide easements satisfactory to SPI Electricity Pty Ltd for the purpose of "Power Line" in the favour of "Electricity Corporation" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing SPI Electricity Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.**
- e) Obtain for the use of SPI Electricity Pty Ltd any other easement required to service the lots.**
- f) Adjust the position of any existing SPI Electricity Pty Ltd easement to accord with the position of the electricity line(s) as determined by survey.**
- g) Set aside on the plan of subdivision Reserves for the use of SPI Electricity Pty Ltd for electric substations.**
- h) Provide survey plans for any electric substations required by SPI Electricity Pty Ltd and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. SPI Electricity Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.**
- i) Provide to SPI Electricity Pty Ltd a copy of the plan of subdivision submitted for certification which shows any amendments which have been required.**

- j) Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by SPI Electricity Pty Ltd
- k) Ensure that all necessary auditing is completed to the satisfaction of SPI Electricity Pty Ltd to allow the new network assets to be safely connected to the distribution network.

Gippsland Water Requirements

32. Prior to the issue of Statement of Compliance, the Permit Operator must meet the following requirements:

- a) Pay to the Gippsland Water contributions for Headwork charges and Outfall/Disposal charges for the change in development of the land. These charges are based on Gippsland Water's current rates and reflect the additional loading placed on the water and sewerage reticulation systems by this development.
- b) Ensure that the owner of the land enters into a formal agreement with the Central Gippsland Region Water Corporation, under the Corporation's Land Development system, for the complete construction of works necessary for the provision of water supply and sewerage services to all lots of the subdivision. Pay to Gippsland Water any fees and contributions and satisfy all conditions pertaining to the aforementioned agreement.
- c) Provide water and wastewater services to Gippsland Water's minimum supply standards, unless otherwise agreed with by the Gippsland Water.
- d) Gippsland water requires submission of design plans prior to agreeing to certification to determine whether easements will be required over all proposed sewerage works located within the subdivision, and also to determine if the development can be serviced in accordance with our minimum supply standards.
- e) Install separate water services to the satisfaction of Gippsland Water. As Constructed details showing the location of the installed services are required to be submitted to Gippsland Water.

- f) The existing dwelling as shown on the Subdivision Concept Plan located on proposed Lot 122 Stage 4 must connect to the newly constructed water main with a new 20mm water meter once Practical Completion has been issued on this stage of the water main extension.**
- g) As constructed details showing the location of the installed internal water service for the existing dwelling to the new water service provided, is required to be submitted to Gippsland Water on facsimile 5174 5174.**
- h) Install separate sewage disposal connections to the satisfaction of Gippsland Water. As Constructed details showing the location of the installed services are required to be submitted to Gippsland Water.**
- i) The existing dwelling as shown on the Subdivision Concept Plan located on proposed Lot 122 Stage 4 must connect to the newly constructed sewer main once Practical Completion has been issued on this stage of the sewer main extension.**
- j) As constructed details showing the location of the installed internal sewer service for the existing dwelling to the new sewer connection point provided is required to be submitted to Casey Services via facsimile on 9835 5515 and a copy to Gippsland Water on facsimile 5174 5174.**
- k) The existing septic tank currently servicing the dwelling on the proposed Lot 122 will need to be de-commissioned.**
- l) Create easements for Pipeline or Ancillary Purposes and/or Reserves in favour of the Central Gippsland Region Water Corporation over all existing and proposed water and sewerage works located within the subdivision.**
- m) If the land is developed in stages, the above conditions will apply to any subsequent stage in the subdivision.**
- n) Any plan of subdivision of the subject land lodged for certification shall be referred to Gippsland Water under Section 8(1) of the Subdivision Act 1988.**

Staged Subdivision

33. The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the Responsible Authority.

Time Expiry

34. This permit will expire:

- a) The plan of subdivision is not certified within two years of the date of this permit; or,**
- b) The registration of the subdivision is not completed within five years from the date of starting.**

Where the subdivision is to be developed in stages, the time specified for the commencement of the first stage is two years from the date of this permit. The time specified for the commencement of any subsequent stage is ten years from the date of this permit and the time specified for the completion of each stage is five years from the date of its commencement.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

The commencement of the subdivision is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of the plan, and completion is regarded as the registration of the plan.

Permit Notes: Department of Sustainability and Environment:

- 1. Dwarf Galaxias (*Galaxiella pusilla*) are protected species under the Environment Protection and Biodiversity Conservation Act 1999 and the Flora and Fauna Guarantee Act 1988. Should Dwarf Galaxias to be found during development of the site, the nominated person must notify Biodiversity Services – West Gippsland at the Department of Sustainability and Environment Traralgon office on (03) 5172 2111 at the earliest opportunity during normal business hours.**

Telstra:

- 2. Approval does not cover alterations to existing Telstra Plant or Network. Locations of existing network can be obtained from Dial Before You Dig – Ph: 1100.**

3. For co-ordinated Telstra plant reticulation in this development, please refer to www.telstrasmartcommunity.com to register your Development and Apply for Reticulation.

Gippsland Water:

4. A sewer pump station located in the north western extent of the development will be required with the rising main discharging into the 450mm gravity main.
5. No connections will be allowed off the 450mm gravity main.

SP AusNet

6. It is recommended that, at an early date the Permit Operator commences negotiations with SPI Electricity Pty Ltd for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a Statement of Compliance with the conditions to be issued).
7. Arrangements for the supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.
8. Prospective purchasers of lots on this plan should contact SP AusNet's Traralgon office to determine the availability of a supply of electricity. Financial contributions may be required.

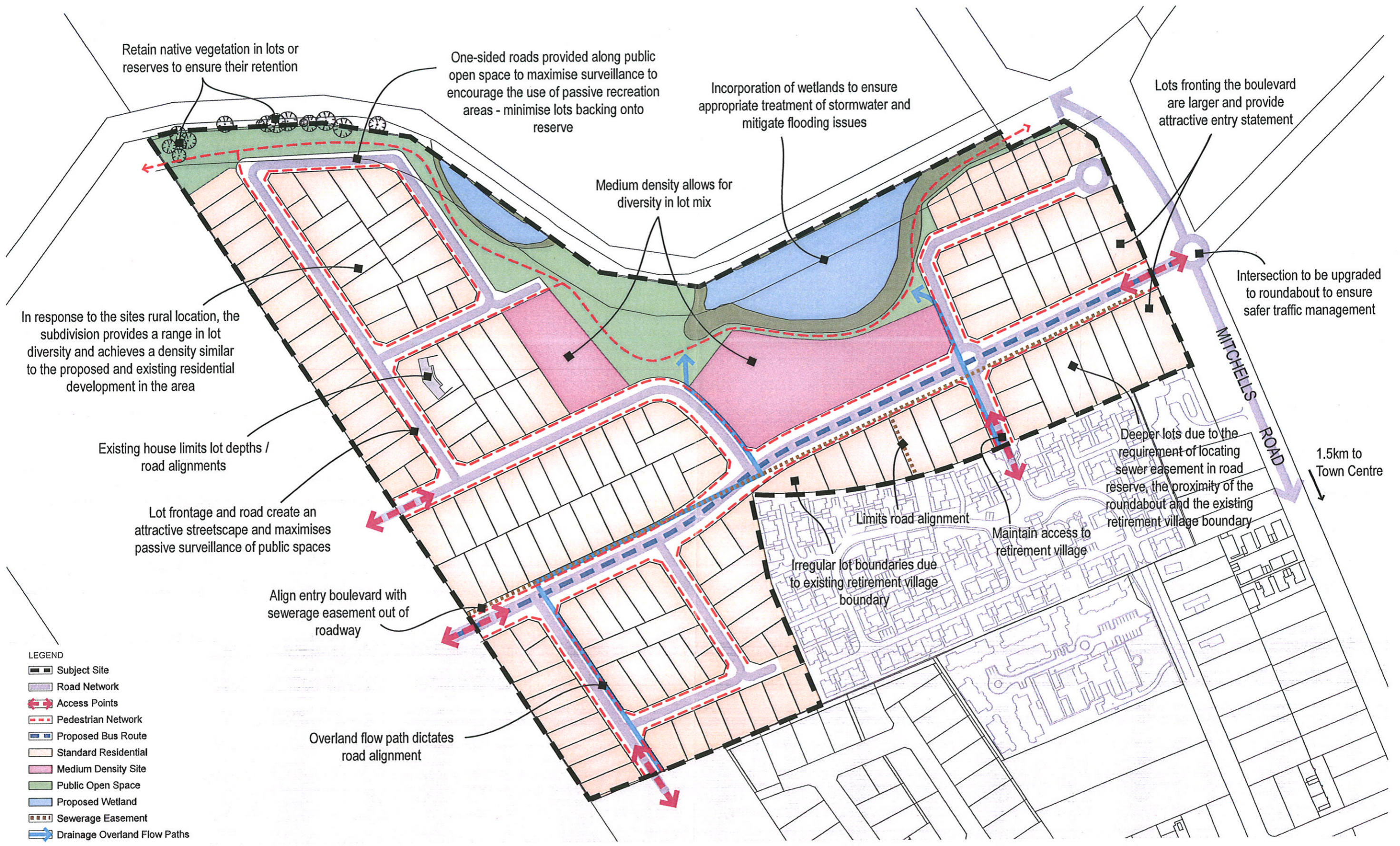
Moved: Cr Lougheed
Seconded: Cr Vermeulen

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

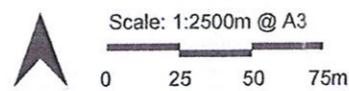
ATTACHMENTS

**ATTACHMENT 1
SUBDIVISION CONCEPT PLAN &
TYPICAL ROAD CROSS SECTIONS**



- LEGEND
- Subject Site
 - ▬ Road Network
 - ➔ Access Points
 - ▬ Pedestrian Network
 - ▬ Proposed Bus Route
 - ▬ Standard Residential
 - ▬ Medium Density Site
 - ▬ Public Open Space
 - ▬ Proposed Wetland
 - ▬ Sewerage Easement
 - ▬ Drainage Overland Flow Paths

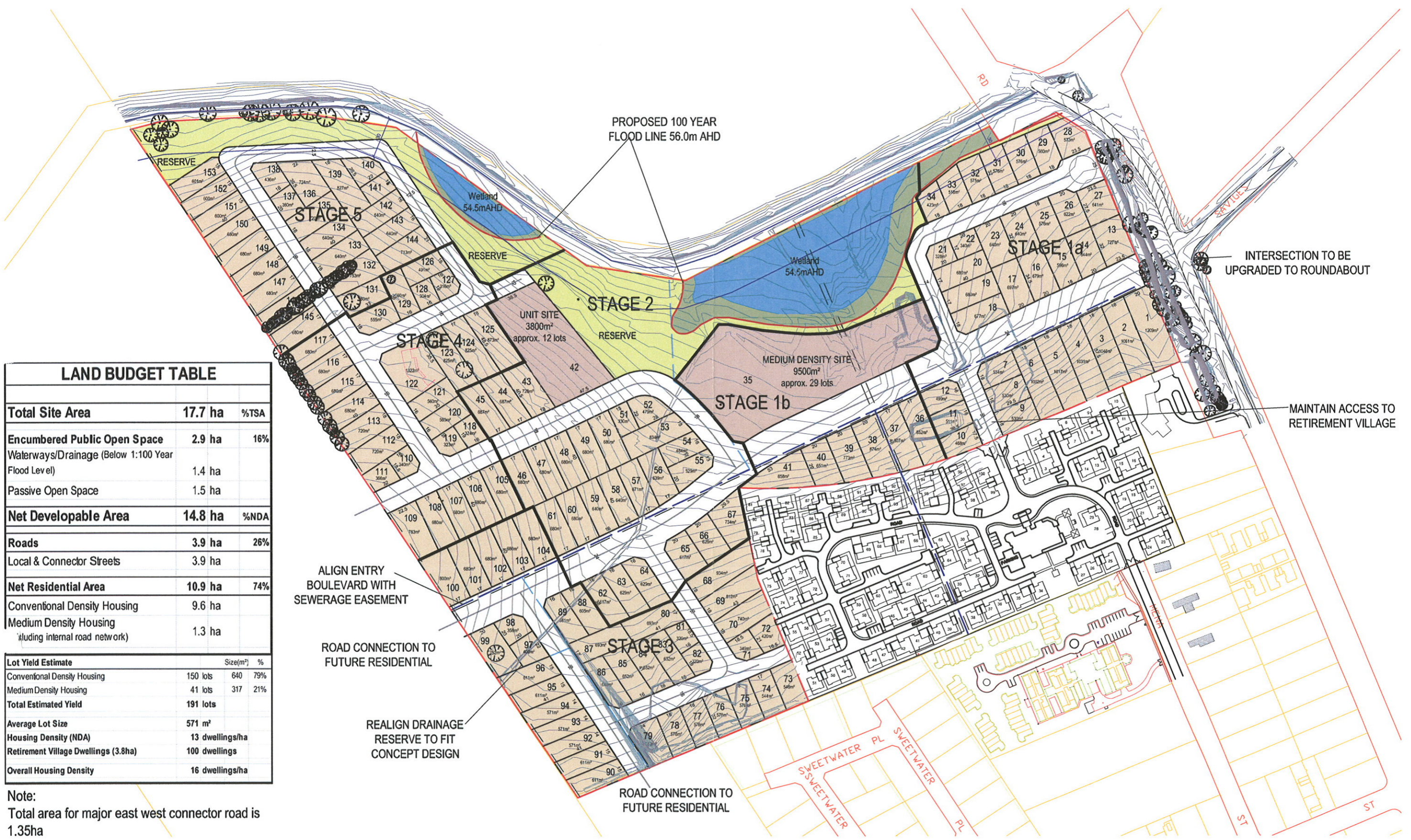
Design Response Plan
42 Mitchells Road - Moe



please note:
This plan is based on preliminary information only and may be subject to change as a result of formal Council/Authority advice, detailed site investigations and confirmation by survey

ref.: 3420854P
date: 10 December 2010
rev.: A
drawn: RL
checked: RG

planning & urban design
melbourne - tel 9869 0800
© smec australia Pty Ltd
abn 47 065 475 149
trading as smec urban



LAND BUDGET TABLE		
Total Site Area	17.7 ha	%TSA
Encumbered Public Open Space	2.9 ha	16%
Waterways/Drainage (Below 1:100 Year Flood Level)	1.4 ha	
Passive Open Space	1.5 ha	
Net Developable Area	14.8 ha	%NDA
Roads	3.9 ha	26%
Local & Connector Streets	3.9 ha	
Net Residential Area	10.9 ha	74%
Conventional Density Housing	9.6 ha	
Medium Density Housing (including internal road network)	1.3 ha	
Lot Yield Estimate	Size(m²)	%
Conventional Density Housing	150 lots 640	79%
Medium Density Housing	41 lots 317	21%
Total Estimated Yield	191 lots	
Average Lot Size	571 m²	
Housing Density (NDA)	13 dwellings/ha	
Retirement Village Dwellings (3.8ha)	100 dwellings	
Overall Housing Density	16 dwellings/ha	

Note:
Total area for major east west connector road is 1.35ha

Subdivision Concept Plan
42 Mitchells Road - Moe

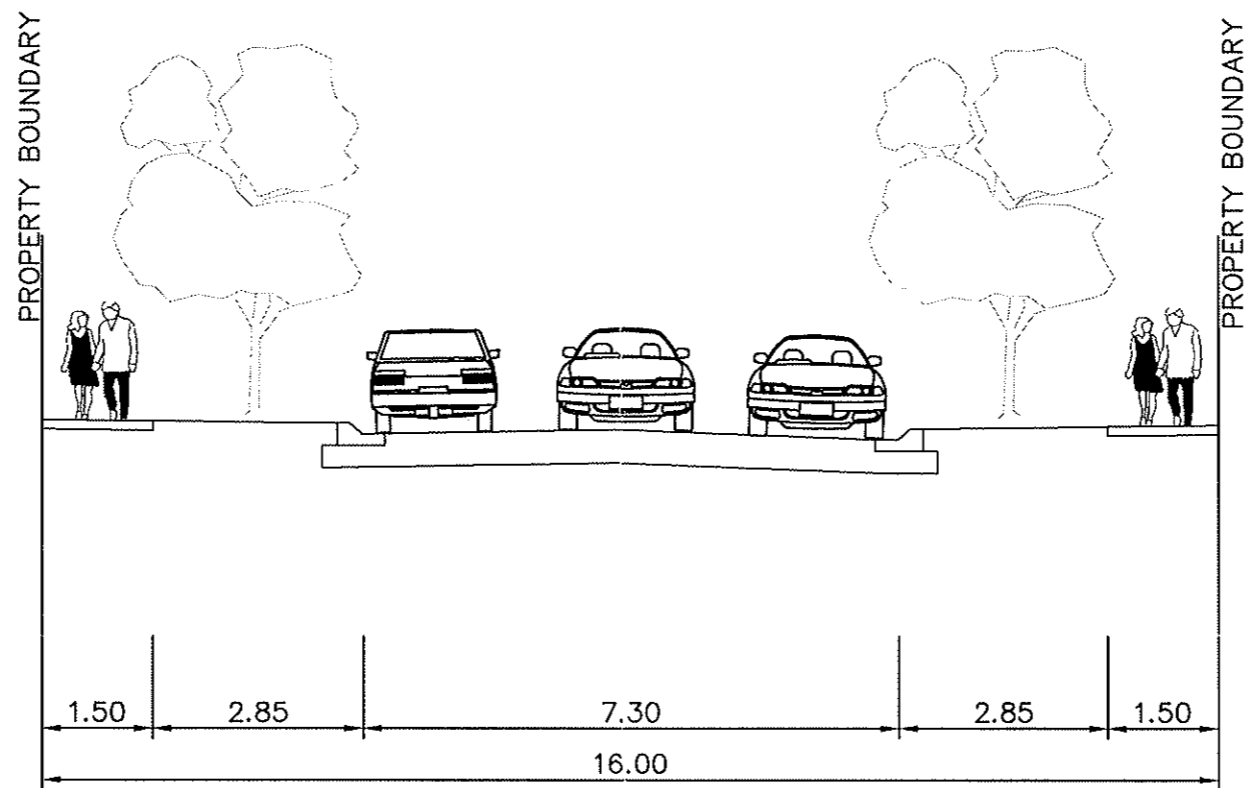


please note:
This plan is based on preliminary information only and may be subject to change as a result of formal Council/Authority advice, detailed site investigations and confirmation by survey


ref.: 3420854P
date: 12 December 2010
rev.: H
drawn: RG
checked: CL/JJ

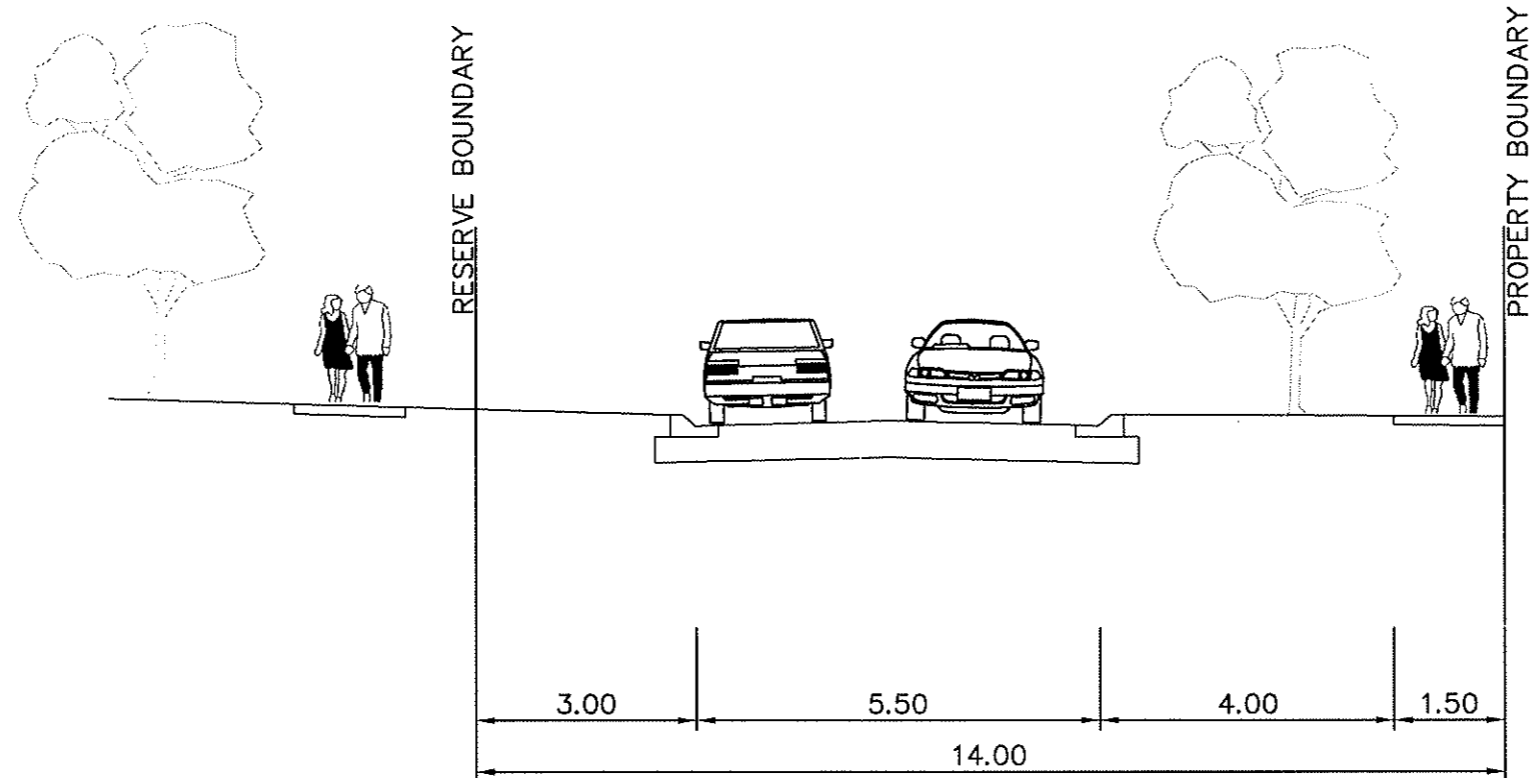
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trading as smec urban

14 DEC 2010




MINOR ACCESS STREET

				LEGEND		DESIGNED GC		 SMEC LEVEL 5, 71 QUEENS ROAD MELBOURNE VIC, 3004 TEL: 03 9514 1500 FAX: 03 9514 1502 SMEC AUSTRALIA PTY. LTD © ACH 065 475 149	MITCHELLS RD						
						CHECKED MM			TYPICAL CROSS SECTIONS MINOR ACCESS STREET						
						CATALOG: PROJECT:		COMPUTER FILE	APPROVED	MM	FILE NO.	CONTRACT NO.	SHEET NO.	DRAWING NO.	ISSUE A
A															
ISSUE	APP'D	DATE	AMENDMENT												

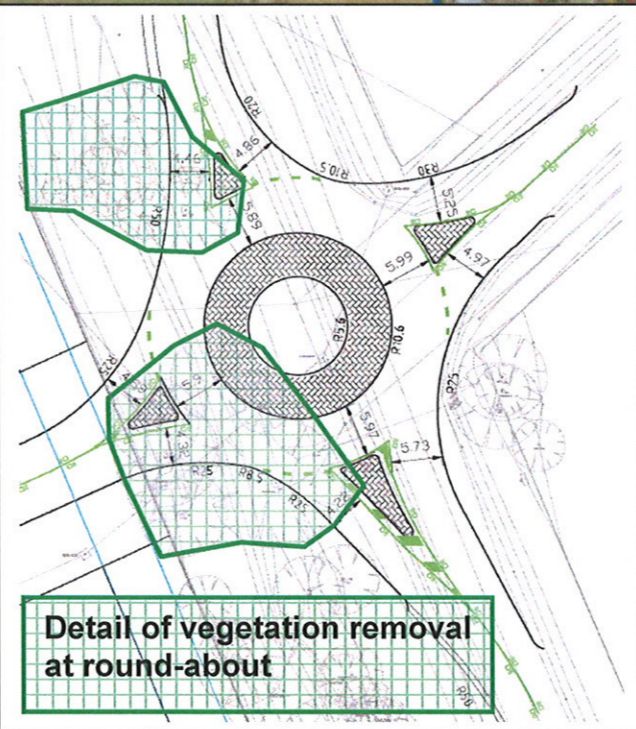
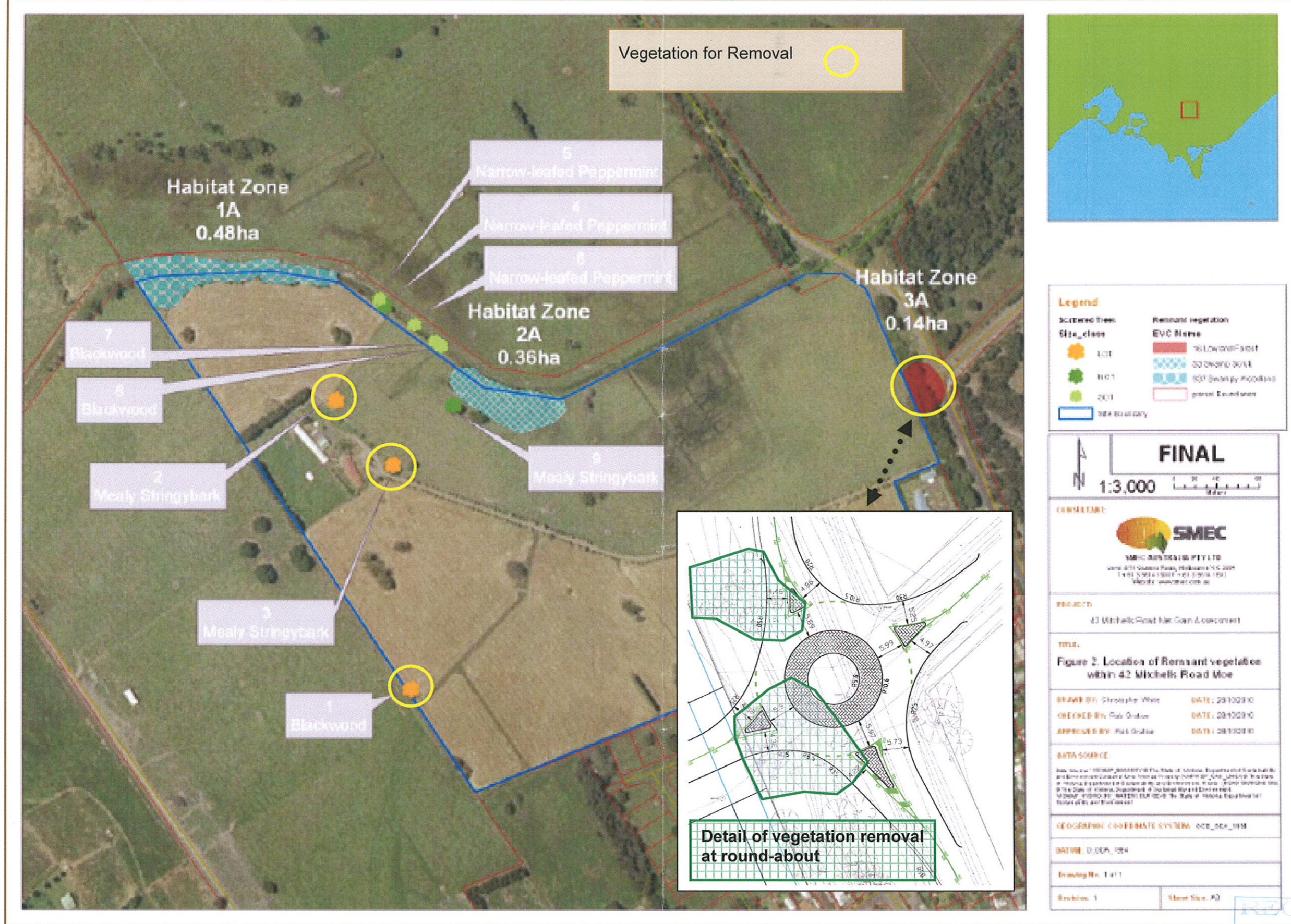


14m ACCESS PLACE ADJACENT PARK

				LEGEND		DESIGNED GC		 SMEC LEVEL 5, 71 QUEENS ROAD MELBOURNE VIC. 3004 TEL: (03)9514 1500 FAX: (03)9514 1502 SMEC AUSTRALIA PTY. LTD © ACN 065 475 149		MITCHELLS RD						
						CHECKED MM				TYPICAL CROSS SECTIONS 14m ACCESS PLACE ADJACENT PARK						
A						CATALOG:		COMPUTER FILE		APPROVED		FILE NO.	CONTRACT NO.	SHEET NO.	DRAWING NO.	ISSUE
ISSUE	APP'D	DATE	AMENDMENT			PROJECT:				MM						A

ATTACHMENT 2
PLAN OF VEGETATION REMOVAL

42 Mitchells Road – Staged Multi-Lot Subdivision - Plan of Vegetation Removal



RECEIVED
9 NOV 2010
BY:

**ATTACHMENT 3
SITE CONTEXT PLAN**

42 Mitchells Road, Moe - 150 Lot Subdivision: Site Context Plan



RECEIVED
9 NOV 2010

**ATTACHMENT 4
HISTORY OF ASSESSMENT**

History of Application

22 October 2010	A pre-application meeting was held between Council Officers and the applicants. A conceptual subdivision plan was presented to Council Officers
9 November 2010	Planning Permit application received by Council.
7 December 2010	A request for further information pursuant to 54(1) of the Planning and Environment Act 1987 was sent to the applicant.
12 December 2010	A meeting between the applicants and Council Officers was held to discuss Council's concerns regarding the proposal
13 December 2010	Information was submitted by the applicant to respond to Council's further information request.
16 December 2010	Letter sent to applicants requesting that they advertise their application by sending letters to adjoining landowners and occupiers, placing a sign on site for 14 days and by publishing a notice in the Latrobe Valley Express under Section 52(1)(a) and Section 52(1)(d) of the <i>Planning and Environment Act 1987</i> (the Act).
21 December 2010	Application referred internally to Council's Infrastructure Planning, Strategic Planning, Environmental Planning Departments
21 December 2010	Application referred externally to West Gippsland Catchment Management Authority, Gippsland Water, Telstra, SP AusNet, APT O&M Services, Country Fire Authority, Department of Transport, Department of Sustainability and Environment
21 December 2010	A response received from Council Strategic Planning Department
24 December 2010	Change of applicant from SMEC Urban to CPG Planning
26 December 2010	An objection to the application received.
December 2010 to April 2011	Responses received from Telstra, West Gippsland Catchment Authority, Country Fire Authority, SP Ausnet, Department of Transport, Gippsland Water, APA Group. All of them do not object to the proposal
6 January 2011	Another objection to the application received
20 January 2011	A response received from the Department of Sustainability and Environment (DSE), requesting the provision of additional information from the applicant
2 March 2011	Applicant submitted statutory declaration to Council confirming that advertising had been completed as requested.
10 March 2011	Additional information was provided by the applicant to address DSE's concerns
10 May 2011	A revised response received from DSE, advising that

	they do not object to the granting of a planning permit for the application
20 May 2011	Meeting with residents of the Range (objectors), Banksia Financial Group and Idad (land owner & management group)
17 August 2011	Responses received from both Council's Infrastructure Planning and Environmental Planning teams, advising that they do not object to the proposal

**ATTACHMENT 5
RELEVANT CLAUSES OF THE
LATROBE PLANNING SCHEME**

Latrobe Planning Scheme

State Planning Policy Framework:

- Clause 11.02-1 Supply of Urban Land
- Clause 11.05-4 Regional Planning Strategies and Principles
- Clause 15.01-1 Urban Design
- Clause 15.01-4 Design for Safety
- Clause 15.01-5 Cultural Identity and Neighbourhood Character
- Clause 15.02-1 Energy and Resource Efficiency
- Clause 16 Housing

Municipal Strategic Statement:

- Clause 21.01 – Municipal Profile
- Clause 21.02 – Municipal Vision
- Clause 21.4 – Built Environment Sustainability
- Clause 21.05 – Main Towns
- Clause 21.08 - Liveability

Zoning:

The subject site is zoned Residential 1.

Overlays:

The subject site is not affected by any overlays.

Particular Provisions:

- Clause 56

General Provisions:

Before deciding on an application, the Responsible Authority must also consider the 'Decision Guidelines' of Clause 65 as appropriate.

Incorporated Documents:

No Incorporated Documents are considered to be relevant to this application.

**11.3.6 PLANNING PERMIT APPLICATION 2010/307 - USE AND
DEVELOPMENT OF LAND FOR ACCOMMODATION AND
REMOVAL OF NATIVE VEGETATION, 15 NORTHERN AVENUE
TRARALGON**

AUTHOR: General Manager Built and Natural Environment

This item was considered earlier in the meeting.

RECREATION, CULTURE & COMMUNITY INFRASTRUCTURE

**11.4.1 LATROBE CITY SYNTHETIC SPORTS FIELD USER GROUP
COMMITTEE – TERMS OF REFERENCE**

AUTHOR: General Manager Recreation, Culture & Community
Infrastructure

(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to seek approval from Council to establish a Terms of Reference for the Latrobe City Synthetic Sports Field User Group.

2. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act* 1989 in the preparation of this report.

3. STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2011-2015

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives – In 2026, Latrobe Valley encourages a healthy and vibrant lifestyle, with diversity in passive and active recreational opportunities and facilities that connect people with their community.

Latrobe City Council Plan 2011 - 2015

Strategic Direction – Recreation

Support and develop partnerships and collaboration with user groups, friends of and committees of management for recreational, aquatic, public open space, parks and gardens.

Service Provision – Recreation

Manage and maintain sporting reserves across Latrobe City.

Recreation and Leisure Strategy 2006

*Provide for emerging sports and activities:
Financially support the proposed Regional Synthetic Hockey Facility Feasibility Study.*

Gippsland Hockey Facilities Strategic Plan

Recommended Monash University Gippsland Campus as the preferred site for the development of a synthetic surface within Latrobe City.

4. **BACKGROUND**

The Latrobe City Synthetic Sports Field, located on the Monash University Gippsland Campus in Churchill is another partnership project between Latrobe City Council and Monash University. The Synthetic Sports Field sits opposite the recently refurbished Churchill Leisure Centre and now creates a Gippsland sporting hub at the entrance to the university and the Gippsland Education Precinct.

Latrobe City Council is the appointed facility manager. The Latrobe Valley Hockey Association is the primary tenant of the facility however it is also utilised by the Monash student population and local soccer, cricket, football clubs.

The Latrobe City Synthetic Sports Field is located on the Monash University Gippsland campus, with Latrobe City Council managing the day to day operations including maintenance.

5. **ISSUES**

As with similar sporting facilities within Latrobe City that have multiple users, it is proposed to develop a user group committee who will discuss and advise on issues including, but not limited to:

- Sharing information with other users and Latrobe City Council regarding the Latrobe City Synthetic Sports Field.
- Providing advice, information and feedback in relation to Latrobe City Synthetic Sports Field operational and maintenance issues.
- Providing advice, information and feedback in relation to the use of the Latrobe City Synthetic Sports Field for recreational purposes.

A draft Terms of Reference has been developed in line with other Latrobe City User Group Committees. The Terms of Reference proposes that the committee will comprise of:

- A representative of the Monash University Gippsland Campus
- A representative of Monash Sport (who are the service delivery agent for physical activity on the Monash Campus)
- A representative of the Latrobe Valley Hockey Association
- A representative of the Churchill United Soccer Club
- A Latrobe City Council Officer

Council's delegate to the Latrobe City Synthetic Sports Field User Group is;

- Firmin Ward Councillor;

It is proposed that a nominated representative from each respective body above will form the committee.

Meetings of the committee will be held bi-monthly with the committee determining the meeting times. The meetings shall be held at Latrobe Leisure Churchill.

6. FINANCIAL AND RESOURCES IMPLICATIONS

There are no significant financial implications as a result of this committee other than minor advertising costs for the expression of interest process. Officer time to attend meetings and provide administration support to the committee will be accommodated within current resource allocations.

7. INTERNAL / EXTERNAL CONSULTATION

Engagement Method Used:

The draft Terms of Reference was presented to and reviewed by the current group of users and no changes to the document were suggested.

A letter will be sent to each user group advising that Latrobe City wish to set up a user group committee and that each group will be advised of in writing if they wish to be part of the committee.

8. **OPTIONS**

Council has the following options:

1. Council adopt the proposed Terms of Reference for the Latrobe City Synthetic Sports Field User Group Committee.
2. Council make changes to the proposed Terms of Reference for the Latrobe City Synthetic Sports Field User Group Committee.
3. Council request further information.

9. **CONCLUSION**

A copy of the Terms of Reference for Latrobe City Synthetic Sports Field User Group Committee is attached for review by Council.

Latrobe City Synthetic Sports Field is a significant asset for the municipality and is a vital recreational and community space. The formation of this committee will allow Council to make informed decisions in consultation with the user group on the current and future operations of the facility.

10. **RECOMMENDATION**

1. **That Council adopt the Terms of Reference for the Latrobe City Synthetic Sports Field User Group Committee.**
2. **That Council write to each user group asking if they wish to participate in the Latrobe City Synthetic Sports Field User Group Committee including;**
 - **A representative of Monash University**
 - **A representative of Monash Sport**
 - **A representative of Latrobe Valley Hockey Association**
 - **A representative of the Churchill United Soccer Club**
3. **That the establishment of the Latrobe City Synthetic Sports Field User Group Committee be reflected in the Latrobe City Council Instrument of Delegation document *2011-2012 Council Delegates and Committees*.**

Moved: Cr Lougheed

Seconded: Cr Gibson

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT



**Latrobe City Synthetic Sports Field User Group
Committee**

TERMS OF REFERENCE
September 2011

Contents:

1.PREAMBLE

2.OBJECTIVES

3.MEMBERSHIP

- Composition of the Committee
- Length of appointment
- Selection of members and filling of vacancies
- Cooption of members
- Attendance at meetings

4.RESIGNATIONS

5.PROCEEDINGS

- Chair
- Meeting Schedule
- Meeting procedures
- Quorum
- Voting
- Minutes
- Reports to Council

6.AUTHORITY AND REPORTING

7.FINANCE & ADMINISTRATION

1. PREAMBLE

- 1.1. The Committee shall be known as the Latrobe City Synthetic Sports Field User Group Committee (hereinafter referred to as “the committee”).
- 1.2. The Committee is an User Group Committee of Latrobe City Council.
- 1.3. The membership of the Committee and these Terms of Reference are adopted by resolution of Latrobe City Council at the Ordinary Council Meeting held on *(to be confirmed via resolution)*.

2. OBJECTIVES

- 2.1. To share information with other users and Latrobe City Council regarding Latrobe City Synthetic Sports Field.
- 2.2. To provide advice, information and feedback in relation to Latrobe City Synthetic Sports Field operational and maintenance issues.
- 2.3. To provide advice, information and feedback in relation to the use of the Latrobe City Synthetic Sports Field for recreational purposes.

3. MEMBERSHIP

Composition of the Committee

- 3.1. The Latrobe City Synthetic Sports Field User Group Committee shall comprise of a maximum of six (6) representatives.
 - A representative of the Monash University
 - A representative of the Monash Sport
 - A representative of the Latrobe Valley Hockey Association
 - A representative of the Churchill Soccer Club
 - A Latrobe City Council Officer
 - Latrobe City Ward Councillor

Length of appointment

- 3.2 The Latrobe City Synthetic Sports Field User Group Committee shall be in place for as long as Latrobe City Council sees fit, the appointment of members is restricted to the organisations list in clause

Selection of members and filling of vacancies

- 3.3 Latrobe City Council shall determine the original membership of the Committee based on the current users of the facility.

Each organisation listed in clause 3.1 may have no more than one representative on the Committee. No approval is required to change the organisation representative.

Co-option of members

3.4 With the approval of the Chair the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis and including in the proceedings of any sub-committees formed.

Attendance at meetings

3.5 An organisation who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City Council have their term of office revoked.

3.6 An organisation who is unable to attend the majority of meetings during the year may at the discretion of Latrobe City Council have their term membership on the committee revoked.

4. RESIGNATIONS

4.1. All resignations from organisations of the Latrobe City Synthetic Sports Field User Group Committee are to be submitted in writing to the General Manager Recreational Cultural and Community Infrastructure, Latrobe City Council, PO Box 264, Morwell VIC 3840.

5. PROCEEDINGS

Chair

5.1. The Ward Councillor will be the chair, if the Chair is unable he/she shall delegate to the Council Officer to chair the meeting.

Meeting schedule

5.2. The Committee will determine its meeting schedule and times and of each of the meetings. The meetings will be held at Latrobe Leisure Churchill. The duration of each Committee meeting should not generally exceed an 1 hour 30 minutes.

5.3. Meetings of the Committee will be held bi-monthly or as may be deemed necessary by Latrobe City Council or the Committee to fulfil the objectives of the Committee. Special meetings may be held on an as-needs basis.

Meeting procedures

5.4. Meetings will follow standard meeting procedures.

5.5. Meetings of the Committee will normally be open to the public but non-members in attendance will have observer rights only.

5.6. With the approval of the Chair the Committee may decide to discuss certain matters in closed session if this is required for reasons of confidentiality and where the Committee considers this best serves the public interest. The Committee shall report to Council any matters that it has considered in closed session and the reasons for this.

Quorum

5.7. A majority of the members constitutes a quorum.

5.8. If at any meeting of the Latrobe City Synthetic Sports Field User Group Committee a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.

Voting

5.9. There will be no official voting process. Majority and minority opinions will be recorded.

Minutes of the Meeting

5.10. A Latrobe City Officer or authorised agent shall take the minutes of each Committee meeting.

5.11. The Minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee.

5.12. The Minutes shall be stored in the Latrobe City Council corporate filing system (currently Dataworks electronic document and records management system).

5.13. A copy of the Minutes shall be distributed to all Committee members.

Reports to Council

5.14. With the approval of the Chair the Committee may provide formal reports or letters to Latrobe City Council. This correspondence will be received by Council through an ordinary Council Meeting in 'Correspondence'.

6. AUTHORITY AND REPORTING

6.1. The Committee is a consultative committee only and has no delegated decision making authority.

6.2. Reports to the Latrobe City Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.

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

6.4. Reports to the Latrobe City Council will be co-ordinated through the General Manager Recreational Cultural and Community Infrastructure.

7. FINANCE & ADMINISTRATION

7.1. Latrobe City Council will arrange meeting venues and prepare and distribute meeting agendas and minutes.

.

**11.4.2 MOE YALLOURN RAIL TRAIL COMMITTEE OF MANAGEMENT –
TERMS OF REFERENCE**

AUTHOR: General Manager Recreation, Culture & Community
Infrastructure

(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to seek approval from Council to establish a Terms of Reference for the Moe Yallourn Rail Trail Committee of Management.

2. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act* 1989 in the preparation of this report.

3. STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2011-2015.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives – In 2026, Latrobe Valley encourages a healthy and vibrant lifestyle, with diversity in passive and active recreational opportunities and facilities that connect people with their community.

Latrobe City Council Plan 2011 - 2015

Strategic Direction – Recreation

Support and develop partnerships and collaboration with user groups, friends of and committees of management for recreational, aquatic, public open space, parks and gardens.

Service Provision – Recreation

Manage and maintain sporting reserves across Latrobe City.

Strategy – Moe Newborough Outdoor Recreation Plan

4. **BACKGROUND**

The Moe Yallourn Rail Trail Committee was previously a Section 86 Special Committee of Council. In a review of all of Council's Section 86 Special Committees Council resolved to revoke the Moe Yallourn Rail Trail's section 86 status on 16 February 2009.

Since this status was revoked the group has operated effectively and continued to undertake a range of duties yet have done so with no recognised status.

5. **ISSUES**

As with similar recreation reserves within Latrobe City that have Committees of Management, it is proposed to develop a Terms of Reference for the Moe Yallourn Rail Trail Committee of Management that will provide direction on managing the reserve including, but not limited to:

- To manage the reserve in accordance with the requirements of the Moe Yallourn Rail Trail Management Plan once adopted by Council.
- To ensure all annual requirements and works with respect to fire prevention works are completed by the due dates prior to the declaration of the fire danger period as required.
- To oversee an annual maintenance program. These works will include measure for the protection of remnant native flora and fauna, revegetation and rehabilitation of selected sites, the control of noxious weeds, pest plants and animal, erosion control, upkeep redeveloped access and walking tracks, fire prevention activities and other projects identified from time to time.
- Where appropriate, organise and facilitate educational programs that will provide for a better understanding of the Reserve for all age groups of the community.

A draft Terms of Reference has been developed in line with other Latrobe City Committees of Management. The terms of reference proposes that the committee will comprise of:

- Up to 8 community representatives
- Latrobe City Tanjil Ward Councillor
- Latrobe City Merton Ward Councillor

Meetings of the committee will be held on a monthly basis with the committee determining the meeting times. The meetings shall be held at Latrobe Leisure Moe Newborough.

The draft Terms of Reference proposes that an Officer is no longer required to attend Committee meetings. This is a similar arrangement to other Rail Trail Committees of Management where Council Officers are able to attend upon request.

6. FINANCIAL AND RESOURCES IMPLICATIONS

The Moe Yallourn Rail Trail currently receives an annual maintenance grant from Latrobe City (2011/12 - \$7,500) for the on-going maintenance of the trail.

There are no significant financial implications as a result of this committee other than minor advertising costs for the expression of interest process.

7. INTERNAL / EXTERNAL CONSULTATION

Engagement Method Used:

Discussions held with the group at the Annual General Meeting 9 August 2011 regarding our intent to develop a Terms of Reference for the group.

8. OPTIONS

Council has the following options:

1. Council may choose to adopt the proposed Terms of Reference for the Moe Yallourn Rail Trail Committee of Management.
2. Council may make changes to the proposed Terms of Reference for the Moe Yallourn Rail Trail Committee of Management.
3. Council may request further information.

9. CONCLUSION

A copy of the draft Terms of Reference for Moe Yallourn Committee of Management is attached for review by Council.

The Moe Yallourn Rail Trail is a significant community asset and is a vital recreational and community space. The formation of this Committee of Management will allow Council to proceed with the creation, development and then implementation of a Management Plan for the Rail Trail.

10. RECOMMENDATION

- 1. That Council adopt the attached Terms of Reference for the Moe Yallourn Rail Trail Committee of Management.**
- 2. That Council write to the current members of the Moe Yallourn Rail Trail advising of the adoption of the Terms of Reference.**
- 3. That the adoption of the Terms of Reference for the Moe Yallourn Rail Trail Committee of Management be reflected in the Latrobe City Council Instrument of Delegation document *2011-2012 Council Delegates and Committees*.**

Moved: Cr Lougheed

Seconded: Cr Gibson

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT



MOE YALLOURN RAIL TRAIL – COMMITTEE OF MANAGEMENT

TERMS OF REFERENCE

1) Role

The Moe Yallourn Rail Trail Committee of Management is a community committee of the Latrobe City Council. The committee oversees maintenance and capital works development program for the Moe Yallourn Rail Trail.

2) Composition

a) The Committee shall consist of the following members:

i) Nominated or substitute representative with full voting rights from each of the following user groups/organisations:

Community representatives	up to 8
Latrobe City Council	Merton Ward Councillor
Latrobe City Council	Tanjil Ward Councillor

ii) Any other person upon invitation of the Committee (no voting rights).

iii) Upon request Coordinator Recreation Liaison can be invited to attend and provide information / advice / guidance as required

b) At a meeting held in August of each year the Committee members shall elect a:

Chairperson
Secretary
Treasurer

c) Latrobe City Councillors are not to hold an elected position

3) Powers

The Committee shall have the power:

- a) To do such lawful acts, deeds and things as are incidental or conducive to the fulfilment of the Committee's function herewith mentioned.
- b) To enforce any Council policies and/or Local Laws as they pertain to the management, function, operation and use of the reserve where authorised to do so by the Council.
- c) To raise funds by lawful means and make any rules for the conduct of its business, so long as none shall be in opposition to the existing policy of the Council.

4) Duties

The Committee shall deal with all matters of management connected with the use of Moe Yallourn Rail Trail, Moe in accordance with the following conditions:

- a) To ensure all annual requirements and works with respect to fire prevention works are completed prior to the declaration of the fire danger period as required.
- b) To oversee an annual maintenance program within the allocated Council funds. These works will include measures for the protection of remnant native flora and fauna, revegetation and rehabilitation of selected sites, the control of noxious weeds, pest plants and animals, erosion control, upkeep of redeveloped access and walking tracks, fire prevention activities and other projects identified from time to time as specified in the management plan.
- c) To be responsible at all times to maintain the reserve within the allocated Council funds, in a natural state and to comply with any necessary direction in this regard from the Council.
- d) To improve and benefit the Rail Trail environmentally as well as being aware of the community needs for passive recreation and education potential within the allocated Council funds.
- e) Where appropriate, facilitate and promote educational programs that will provide for a better understanding of the Rail Trail for all age groups of the community.
- f) Where appropriate, promote the Rail Trail as a possible venue for special events such as Environmental Week, Clean Up Australia Day and Tidy Towns competition.

- g) Where appropriate, seek sponsorship and funding grants by the lodgement of submissions.
- h) Liaise with other interested groups and parties.
- i) To undertake an assessment of potential risks to the public and/or Committee members apparent at the Reserve with Council's Risk Officer at least three times per year and report any risks assessed as unsatisfactory with a recommendation to remove or eliminate the assessed risks to Council.
- j) Provide to Council the Committee's meeting minutes following each meeting of the Committee.
- k) Not without the prior consent of the Council shall the Committee display or permit to be displayed any advertisement notice placard bill or hoarding of any description whatsoever.
- l) The Council reserves to itself the right to restrict the powers of any Committee or to prohibit the exercise thereof and to disband any Committee at any time and to resume control of the facility, should it be deemed necessary from any cause to do so after a period of consultation with the committee.
- m) To ensure financial responsibility including committee approval of all expenditure.

5) Conduct of Meetings

The Committee shall hold and conduct meetings in accordance with the following provisions:

- a) The Committee shall meet on a monthly basis and without a lapse of more than two months between meetings.
- b) A Quorum for the meeting will comprise four members eligible to attend.
- c) Committee meetings must be open to the public.
- d) The Committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following:
 - i) Personnel matters
 - ii) The personal hardship of any user of the facility
 - iii) Industrial matters
 - iv) Contractual matters
 - v) Proposed developments
 - vi) Legal advice
 - vii) Matters affecting the security of the property

- viii) Any other matter which the Council or Committee considers would prejudice the Council or any person
- ix) A resolution to close the meeting to members of the public
- e) If the Committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- f) The Chairperson of the Committee must advise the Committee of the dates of the forthcoming meetings.
- g) The Chairperson of the Committee must arrange for minutes of each meeting of the Committee to be kept.
- h) The Chairperson must ensure the minutes of each meeting are distributed to committee members no later than one week prior to the next meeting of the committee.
- i) The Chairperson must submit the minutes of the Committee meeting to the next meeting of the Committee for confirmation.
- j) If the minutes are confirmed the Chairperson at the meeting must sign the minutes and certify that they have been confirmed.
- k) If a member of the Committee has a direct or indirect pecuniary interest in any matter to be considered or discussed at a meeting of the Committee, the member of the Committee must:
 - i) If he or she intends to be present at the meeting, disclose the nature of the interest immediately before the consideration or discussions; or
 - ii) If he or she does not intend to be present at the meeting, disclose the nature of the interest to the Chairperson of the Committee at any time before the meeting is held.
- l) The member of the Committee may choose to remain in the room in which the meeting is being held during any consideration or discussion of the matter.
- m) The member of the Committee may take part in the consideration or discussion but cannot move or second a motion on any question relating to the matter.
- n) While any vote is taken on the matter the member of the Committee must:
 - i) Leave the room and notify the Chairperson of the Committee that he or she is doing so; and
 - ii) Remain outside the room and any gallery or other area in view or hearing of the room.

- o) After the result on the vote the Chairperson of the Committee must cause the member of the Committee to be notified that he or she may return to the room.
- p) If a member of the Committee discloses an interest the Chairperson of the Committee must record the declaration in the minutes of the meeting at which the consideration took place.

6) Annual General Meeting

Annual General Meetings

The Agenda for the Annual General Meeting

The Chairperson of the outgoing committee chairs the first part of the meeting and this covers Items 1 to 11 below of the sample agenda.

Before the meeting starts, it helps to set out a few chairs at the front of the room for the outgoing Chairperson, secretary and treasurer. An extra chair should be provided for the returning officer who will be conducting the elections for the new committee.

1) Welcome

After making sure that special guests have been attended to, the Chairperson welcomes everyone present.

2) Introduction of any Special Guests

The Chairperson introduces all the special guests attending, including the guest speaker if one has been arranged.

3) Apologies

Apologies are called for by the Chairperson and recorded by the secretary.

4) Minutes of the Previous Year's Annual General Meeting

The Chairperson calls on the secretary to read, or circulate, the minutes taken of the last Annual General Meeting. After they have been read, he/she asks someone who attended the last meeting to move a motion that the minutes be confirmed. The Chairperson asks for someone to second the motion and then checks whether anyone wants to make any corrections to the minutes. The motion is then put by the Chairperson, "the motion is that the minutes (or if necessary, the minutes as corrected) be confirmed". A show of hands for and against follows and the Chairperson states whether the motion has been carried or lost.

5) Business Arising from the Minutes

It is rare for there to be any business coming out of the minutes but it might be that some special business was dealt with at the last meeting. In such cases, the Chairperson or secretary might be asked to report on the outcome of that business.

6) Correspondence

The only correspondence that needs to be detailed is any relating to the Annual General Meeting itself. If there is none, this item does not have to be included in the agenda. If there is correspondence, the Chairperson follows the normal procedure for meetings.

7) Business Arising from the Correspondence

Again, this heading is only needed where correspondence concerning the Annual General Meeting has been received. If not, it doesn't need to be included.

8) Chairperson's Annual Report

This is prepared and read, or summarised, by the Chairperson and should give a brief outline of Guide for Committees SECTION 3: How to Make Meetings Work 36 the highlights of the year, from the committee's point of view. The secretary usually assists the Chairperson in the preparation of the report. The Chairperson presents the report and then asks for someone to move a motion of acceptance. A seconder is called for, then a show of hands for and against. Lastly the Chairperson declares the motion carried or lost.

9) Annual Treasurer's Report

At this stage, the treasurer presents the audited financial report which accounts for the amount which was handed over to the committee at the last Annual General Meeting. Again, the treasurer's report is dealt with in the same way as the other reports, with the exception that the treasurer can move the motion that the report be accepted when the Chairperson calls for it. Note: If at all possible, it is worth having all the reports prepared in writing before the meeting and having copies of the reports to hand out at the meeting. This can make the meeting run more smoothly and avoids the treasurer, in particular, having to read out something that can be complicated and difficult to explain verbally.

10) General Business

As outlined in your group's constitution, written notice has to be given of any general business which members want to deal with at the Annual General Meeting. This would then proceed as a special meeting of the committee. If nothing has been received within a specified number of days before the meeting, this item does not need to be included in the agenda. Only the business for which written notice has been given can be dealt with and the Chairperson follows the normal procedure for General Business. This is set out in an earlier part of this guide.

11) Close of the Meeting

The Chairperson declares this part of the meeting closed and hands over to the returning officer who declares all positions on the committee vacant and then chairs the elections of the new committee's Office Bearers.

This is technically when the second part of the meeting begins and is often when the returning officer takes the opportunity to congratulate the outgoing committee and make a few general comments. After this, the returning officer will call for nominations for all of the office bearers' positions.

The following positions must be filled either on the night or at the next meeting of the committee:

- a) Chairperson
- b) Secretary
- c) Treasurer

All public present at the time of the call for nominations are eligible to be nominated and all present are entitled to vote on nominations.

All nominations should be present at the time of their nominations and proxy votes will not be accepted.

There are also vacancies for general members of the committee and these and any other positions such as those mentioned should also be listed where everyone can see them.

When all the positions have been filled, the returning officer will usually welcome the new committee, wish them well for the next twelve months and unless there is a guest speaker, the returning officer will then close the meeting.

7) Finance

To deal with matters of finance in accordance with the following provision:

- a) The Committee shall maintain a bank account.
- b) All monies received by the Committee shall be paid promptly into the bank account, with amounts only being drawn from the account on the signature of any two of the office bearers.
- c) The Committee shall keep accounts for the same financial year as the Council i.e. 1 July to 30 June.
- d) To incur expenditure in exercise of these powers, duties and functions to an amount not exceeding the total of any grants and other contributions received in any one year without prior consultation of the Council.
- e) To forward a copy of the Treasurer's annual financial report and any other annual general meeting reports to Council no later than 31 August each year.

- f) To administer an annual maintenance grant from Council.

8) Insurance

To deal with matters of insurance in accordance with the following provision:

- (a) The Committee shall provide Latrobe City Council with a completed Volunteer Registration Form prior to a volunteer undertaking any activities in the reserve under the banner of the Committee.
- (b) Latrobe City Council shall insure all members of the Committee and volunteers while acting in their capacity as defined within this document and on behalf of Latrobe City Council, up to the age of 90 years, against injury and/or illness directly arising from the work carried out by the Committee outlined in this document.
- (c) Latrobe City Council shall insure all volunteers and members of the Committee, up to the age of 90 years, against public liability claims while acting in their capacity of volunteers as defined within this document and on behalf of Latrobe City Council while undertaking official activities in relation to the reserve or directly in connection with the provisions of this document.
- (d) Any accident, injury or incident in general which occurs at the reserve while Committee members are carrying out their duties in their capacity as volunteers must be notified to Latrobe City Council within the next working day.

GOVERNANCE

11.6.1 REVIEW COUNCILLOR COMMITTEE APPOINTMENT

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is for Council to review the Committee Delegates and Committees [11 DEL – 6].

2. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act* 1989 in the preparation of this report.

3. STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2011-2015.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives – Advocacy and Partnerships

In 2026, Latrobe Valley is supported by diversity of government, agency, industry and community leaders, committed to working in partnership to advocate for and deliver sustainable local outcomes.

Latrobe City Council Plan 2011 - 2015

Strategic Direction – Advocacy and Partnerships

Provide regional leadership and strengthen partnerships on issues of importance to our community.

4. BACKGROUND

At the Ordinary Meeting held on 21 February 2011, Council appointed the designated Councillor and officer representatives on various Council committees and Community Organisations / Committees detailed in Instrument of Delegation 2011 – 2012 *Council Delegates and Committees* [11 DEL-1] for the period 1 March 2011 – 28 February 2012.

Since those initial appointments, Council has on six occasions resolved to reproduce that Instrument of Delegation in order to capture representation on and/or appointments subsequently made to specific committees, most recently on 22 August 2011.

Accordingly, Instrument of Delegation *2011 – 2012 Council Delegates and Committees* [11 DEL-6] is currently in effect.

5. **ISSUES**

It is important to review Council's commitment to various Council Committees and working groups, community committees and other associations periodically to ensure an appropriate level of representation and participation and to ensure that established committees and groups remain relevant.

On this basis, the attached Instrument of Delegation *2011 – 2012 Council Delegates and Committees* [11 DEL-7] document is presented for Council to update following the recent Dunbar Ward election. Council can also make any other changes to appointments as appropriate.

6. **FINANCIAL AND RESOURCES IMPLICATIONS**

Any potential financial implications are expected to be within budget allocations and relate directly to meeting attendance and travel claim costs.

Potential resource implication for appointed delegates would include a time commitment to attend respective committee meetings.

7. **INTERNAL / EXTERNAL CONSULTATION**

Engagement Method Used:

No Public consultation was undertaken in preparation of this report.

Details of Community Consultation / Results of Engagement:

Following the appointment of the Council Delegate, the respective organisations and committees will be advised and the Instrument of Delegation will be made available to the public via Council's website.

8. OPTIONS

Council can appoint the delegate named in the Instrument of Delegation presented or nominate alternative delegate(s) to any Committee.

9. CONCLUSION

Following the Issues and Discussion Session 12 September 2011 Council resolved to appoint the various Councillor delegates to the appropriate committees as detailed in the draft Instrument of Delegation 2011 – 2012 Council Delegates and Committees [11 DEL-7] shown as attachment one.

10. RECOMMENDATION

- 1. That Council appoints the designated Councillor to the various committees detailed in the draft Instrument of Delegation *2011 – 2012 Council Delegates and Committees* [11 DEL-7] as presented.**
- 2. That the committees, associations and working groups be advised of the Councillor's appointments.**

Moved: Cr Gibson

Seconded: Cr Lougheed

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

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ADOPTED BY COUNCIL ON 21 FEBRUARY 2011
And amended pursuant to Council Resolutions of —
23 May 2011;
6 June 2011;
27 June 2011;
11 July 2011 and
22 August 2011 respectively

LATROBE CITY COUNCIL Instrument of Delegation

2011 - 2012 COUNCIL DELEGATES AND COMMITTEES

[11 DEL-7]

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[2011-2012 Council Delegates and Committees \[11 DEL-7\] DRAFT](#)

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1. COUNCIL (SPECIAL*) COMMITTEES

* pursuant to Section 86 of the Local Government Act 1989

Committee	Councillor delegate for 2011-2012	Officer delegate for 2011-2012	External Committee Members / representation by Council appointment
Churchill & District Community Hub Board ^{1.}	Cr White.	Chief Executive Officer or delegate.	^{2.} Mr Alan Scarlett; Mr Rob Whelan; Ms Wendy Bishoff; Mr Mike Answerth; Ms Mary Willaton.
Latrobe Regional Airport Board ^{3.}	Cr Middlemiss. <i>Alternative:-</i> Cr Kam.	Chief Executive Officer or delegate.	^{4.} Ms May Sennett; Mr Barry Richards; Mr Graham Talmage; Mr Gerard Lappin.
The Yallourn North Community Housing Committee	Cr Lougheed.	<i>By Invitation:-</i> Coordinator Property & Statutory Services	Keith Dyer; Gloria Draper; Steve Lovison; Joyce Bertoli; Patricia McGregor.

1. Name change: formerly *Churchill & District Intergenerational Community Hub Board*, established pursuant to Instrument of Delegation dated 18 February 2008.
3. Established pursuant to Instrument of Delegation [10 DEL-1] dated 7 June 2010.
2. Board members appointed by Council resolution of 20 October 2008 – term expires 2/11/2011.
4. Board members appointed by Council resolution of 21 June 2010 – 4 year term expires 01/07/2014.

2. COMMITTEE PURSUANT TO OTHER LEGISLATION

Committee	Councillor delegate for 2011-2012	Officer delegate for 2011-2012	External Committee Members / representation by Council appointment
Audit Committee ^{5.} (Pursuant to s.139 of the Local Government Act 1989)	Cr Harriman ; Cr Vermeulen. <i>Alternative:-</i> Cr Lougheed. <i>Attendance By Invitation:-</i> All Councillors.	<i>Non-voting Attendance:-</i> Chief Executive Officer. <i>Attendance By Invitation:-</i> General Manager Governance; Manager Finance; Manager Risk and Compliance: General Manager Organisational Excellence.	^{6.} <i>External Independent Members:-</i> Mr Ron Gowland (Chair); Mrs Chris Trotman. <i>Non-voting Attendance:-</i> Internal Auditor. <i>Attendance By Invitation:-</i> External Auditor.
Gippsland Regional Waste Management Group [GRWMG] Board	Cr Middlemiss. <i>Alternative:-</i> Cr Lougheed.	Manager Natural Environment Sustainability.	
Gippsland Reserve Committee of Management Inc. ^{7.}	<i>By Invitation:-</i> Cr Price. <i>Alternative:-</i> Cr Gibson.		
Municipal Emergency Management Planning Committee (Emergency Management Act 1986)	Cr Lougheed; Cr Gibson.	Coordinator Emergency Management; Municipal Recovery Manager (MRM)	
Regional Fire Management Planning Committee (Emergency Management Act 1986)	<i>No Councillor delegate required.</i>	Coordinator Emergency Management	

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^{5.} In accordance with Council's *Audit Policy* 09 POL-3 adopted 18 May 2009 and its *Audit Committee Charter* adopted 3 July 2006.

^{6.} External Audit Committee members & Chair appointed by Council Resolution 27 June 2011 - 3 year term expires 26/06/14.

^{7.} Members of the Gippsland Reserve Committee of Management Inc. are appointed triennially by the Minister under the Crown Land (Reserves) Act 1978; hence the long-standing practice of Councillor representation is at the invitation of the Committee.

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3. COUNCIL ADVISORY / FUNDED COMMITTEES

Committee	Councillor delegate for 2011-2012	Officer delegate for 2011-2012	External Committee Members / representation by Council appointment
Australia Day Advisory Committee ^{8.}	Cr Price; Cr Vermeulen; Cr O'Callaghan.	Coordinator Events & International Relations; Senior Events Officer.	^{9.} Ms Meagan Young; Mrs Barbara Cameron; Mr Allan Vickery; Mr Herb Smith; Mr Kevin Morgan; Mrs Judy Lipman; Mr Bob Lowick; Mrs Carol Roeder - Disability Reference Committee; Mayor - Junior Youth Council.
Crinigan Bushland Reserve Committee of Management	Cr Middlemiss.	Coordinator Recreation Liaison.	
Disability Reference Committee ^{10.}	Cr Lougheed; <i>Alternative (only):-</i> Cr O'Callaghan.	Disability Services Officer.	^{11.} <i>Community Representatives:</i> Heather Hadley-Powell; Donna Anderson; Carol Roeder; Lynn Lancaster; Mario Christou; Robert Clough. <i>Agency Representatives:</i> Carole Burkett; Shirley Bott; Bob Faulkner; Christine Lee; Megan Drinken.
Edward Hunter Heritage Bushland Reserve Committee	Cr Price; Cr Gibson.	Coordinator Recreation Liaison.	
Latrobe City Climate Change Consultative Committee ^{12.}	^{13.} Cr Vermeulen.		^{14.} <i>Community Representatives:-</i> Daniel Jordan; John Lawson; Joanna McCubbin; Jadon Mintern. <i>Business & Industry Representatives:-</i> - Victorian Farmers Federation; - Australian Paper; - Power Industry. <i>Agency Representatives (>3):-</i> - Dept Sustainability & Environment. Gippsland Trades & Labour Council;(1) Monash University Gippsland.(1)

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Alternative:-¶

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Committee	Councillor delegate for 2011-2012	Officer delegate for 2011-2012	External Committee Members / representation by Council appointment
Latrobe City Hyland Highway Municipal Landfill Consultative Committee ^{15.}	Ward Councillor (Cr Vermeulen); Cr Lougheed.	Manager Natural Environment Sustainability; Coordinator Landfill Services.	<i>Agency representatives:-</i> Environment Protection Authority (1); West Gippsland Catchment Management Authority (1); Gippsland Regional Waste Management Group (1); Loy Yang Power (1); Dept Sustainability & Environment (1); <i>16. Community representatives:-</i> Chris Madsen; Ted Addison; Ian Ewart; Lynette Van Vondel. <i>Specialist Skills / industry representatives:-</i> Dilip Nag; Michael Adams.
Latrobe City International Relations Committee ^{17.}	Cr Price; Cr White; Cr Vermeulen.	Manager Cultural Liveability; Manager Economic Development; Coordinator Events & International Relations; International Relations Officer.	<i>18. Community Representatives:</i> Mr Paul Taylor; Mrs Lorraine Bartling; Ms Sarah McConnell; Mr Graham Goulding; Ms Catherine Reid; Mrs Val Friend; Mr Les Hunt; Mr David Wilson. <i>Coopted Members / Key Stakeholders:</i> Ms Nola Kirkpatrick – Traralgon Secondary College; Ms Joanne Matthews – Monash University; Mr Brad Shaw - Gippstafe; Mr Mitsuhiro Sugino.
Latrobe City Venues User Group	Cr Kam; Cr Gibson.	Coordinator Latrobe Performing Arts and Venues.	
Latrobe Leisure Churchill User Group	Cr White; Cr Vermeulen.	Leisure Facilities Leader-Churchill.	Deleted: .
Latrobe Leisure Moe Newborough User Group	Cr Price; Cr Gibson.	Leisure Facilities Leader-Moe/Newborough.	
Latrobe Leisure Morwell User Group	Cr Lougheed; Cr Middlemiss.	Leisure Facilities Leader-Morwell.	
Latrobe Leisure Traralgon Sports Stadium User Group	Cr Kam; Cr Harriman .	Coordinator Leisure Facilities.	Deleted: Fitzgerald
Latrobe Regional Gallery Advisory Committee.	Cr Price; Cr White.	Arts Director.	
Latrobe Regional Motorsport Complex User Group ^{19.}	Cr Middlemiss.	Senior Recreation and Open Space Planner.	

Committee	Councillor delegate for 2011-2012	Officer delegate for 2011-2012	External Committee Members / representation by Council appointment
Latrobe Safety and Wellbeing Network	Cr White; Cr Kam; Cr O'Callaghan.		
Latrobe Tourism Advisory Board ^{20.}	Cr White; Cr <u>Harriman</u> .	^{20.} Manager Economic Development or delegate; Manager Cultural Liveability or delegate; Tourism Coordinator.	^{21.} Ms Janine Hayes; Mr Michael Fozard; Dr Christine Lee; Mr Matthew Addison.
Mathison Park Advisory Committee	Cr Vermeulen; Cr White.	Coordinator Recreation Liaison.	
Moe Yallourn Rail Trail	Cr Gibson; Cr Lougheed.	Coordinator Recreation Liaison.	
Morwell Centenary Rose Garden	Cr Lougheed. <i>Alternative:-</i> Cr White.	Coordinator Recreation Liaison.	
Morwell Town Common Development Plan Steering Committee	Cr Lougheed; Cr White.	Coordinator Recreation Liaison.	
Oldsmobile Management Committee	Mayor.		
Ollerton Avenue Bushland Reserve Committee of Management	Cr Gibson. <i>Alternative:-</i> Cr Price.	Coordinator Recreation Liaison.	
Sale of Goods from Council Properties Committee	Cr Lougheed; Cr Kam.	Manager Cultural Liveability or delegate.	
Victory Park Precinct Advisory Committee ^{22.}	^{23.} Galbraith Ward Councillor (Cr Kam) Dunbar Ward Councillor (Cr <u>Harriman</u>)	Coordinator Recreation Liaison	^{23.} Traralgon Lions Club (1); Traralgon City Band (1); 1 st Traralgon Scouts (1); Gippsland Model Engineering Society (1); Community representatives (>3).
War Memorials Advisory Committee	Mayor.	Coordinator Property & Statutory Services; Coordinator Building Maintenance.	

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8. Amended Australia Day advisory Committee Terms of Reference adopted by Council on 7 December 2009.
9. Appointments to the Australia Day Advisory Committee by Council Resolution 7 December 2009 – 2 year term expires 06/12/2011.
10. *Disability Reference Committee Terms of Reference – February 2011* adopted by Council on 21 February 2011.
11. Appointments to the Disability Reference Committee for 2010-2012 by Council Resolution 8 November 2010.
12. *Latrobe City Climate Change Consultative Committee* established pursuant to Council Resolutions of 21 April 2008 and 17 November 2008 respectively.
13. Councillor representation on *Latrobe City Climate Change Consultative Committee* pursuant to resolution of Council on 22 February 2010 and Terms of Reference dated & adopted 9 March 2010.
14. Community appointments made by Council Resolution on 6 June 2011 – 2 year term commencing 1/8/11 expires 31/07/2013.

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15. Amended *Latrobe City Hyland Highway Municipal Landfill Consultative Committee* Terms of Reference dated 9/03/10 adopted by Council on 9 March 2010.
16. *Latrobe City Hyland Highway Municipal Landfill Consultative Committee* community and specialist representatives appointed by Council resolution on 21 March 2011 - 3 year terms expire 31/03/2014.
17. Committee composition and tenure pursuant to Terms of Reference amended by Council Resolution 17 July 2006.
18. Appointments to the Latrobe City International Relations Committee by Council Resolution 3/08/09 – 3 year term expires 2/08/12.
19. Name & committee status change: formerly *Latrobe Regional Motorsport Complex Committee*.
20. Latrobe Tourism Advisory Board *Terms of Reference-April 2010* adopted and council officer delegates on Board revised by Council Resolution 3 May 2010.
21. Appointments to the Latrobe Tourism Advisory Board by Council Resolution 20 September 2010 – 2 year term expires 19/09/12.
22. *Victory Park Precinct Advisory Committee* established by Council resolution 23 May 2011 (to replace the Loy Yang Power Latrobe Community Soundshell Management and Advisory Committee & Newman Park Development Plan Steering Committee).
23. Councillor and community representation in accordance with *Terms of Reference - April 2011* adopted by Council Resolution 23 May 2011.

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4. COMMUNITY COMMITTEES

Committee	<i>Councillor delegate for 2011-2012</i>	<i>Officer delegate for 2011-2012</i>	External Committee Members / representation by Council appointment
Apprenticeships Group Australia ^{24.}	Cr White.		
Australian Paper Community Environmental Consultative Committee	Cr Lougheed.	Manager Natural Environment Sustainability or delegate.	
Baw Baw Latrobe Local Learning & Employment Network	Cr Gibson.		
Braiakaulung Advisory Committee	Cr O'Callaghan; Cr White.	Koorie Liaison Officer.	
Callignee and Traralgon South Sporting and Facility User Group	Cr Vermeulen.	Coordinator Recreation Liaison.	
Friends of the Traralgon Railway Reservoir Conservation Reserve	Cr Harriman.	Coordinator Recreation Liaison.	
Gippsland Integrated Natural Resources Forum	<i>No Councillor delegate required.</i>	Manager Natural Environment Sustainability.	
Gippsland Sports Academy	Cr White. <i>Alternative:-</i> Cr Gibson.	Manager Recreational Liveability.	
Social Planning for Wellbeing Committee ^{25.}	Cr Kam.	Manager Community Health & Wellbeing	
International Power Hazelwood Environmental Review Committee	Cr White.	Manager Natural Environment Sustainability or delegate.	
Latrobe City Lake Narracan User Group Committee ^{26.}	Ward Councillor ^{26.} (Cr Lougheed); Cr Gibson.	Coordinator Leisure Facilities.	^{27.} <i>Club Representatives:-</i> Mr Roy White (<i>LV Model Aeroplane Club</i>); Mr Tony Moretti (<i>LV Hovercraft Club</i>); Mr Robert Dworzniak (<i>LV TS Naval Cadets</i>); Mr John Buckton (<i>Moe Lions Club</i>). <i>Community Representatives:-</i> Mr Dale Hunter; Mr Allan Casey.
Latrobe Settlement Committee	Cr White.	Manager Community Development; Community Development Officer.	
Loy Yang Power Environmental Review Committee	Cr Vermeulen.	Manager Natural Environment Sustainability or delegate.	
Morwell CBD Safety Group	Cr Lougheed; Cr Kam; Cr Middlemiss.	Manager Community Development or delegate.	
Morwell River Neighbourhood Improvement Plan Steering Committee	Cr White.	Manager Natural Environment Sustainability or delegate.	

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Committee	Councillor delegate for 2011-2012	Officer delegate for 2011-2012	External Committee Members / representation by Council appointment
Regional Aboriginal Justice Advisory Committee (RAJAC)	Cr Gibson.		
Roadsafe Gippsland Community Road Safety Council ^{28.}	Cr Kam; Cr Gibson.	Manager Community Development or delegate.	
Moe Southside Community Precinct User Group ^{29.}	^{29.} Cr White. <i>Alternative:-</i> Cr Gibson; Cr Loughheed (2 nd).	^{29.} Latrobe City Children's Service Team delegate; Latrobe City Recreational Liveability Team delegate.	^{29.} South Street Primary School (1); Moe Football and Netball Club (2); Moe Cricket Club (1); Moe CFA (1); Moe Toy Library (1).
Traralgon CBD Safety Group	Cr <u>Harriman</u> ; Cr Kam.	Manager Community Development or delegate.	
Traralgon Creek Neighbourhood Improvement Plan Steering Committee	Cr Kam; Cr <u>Harriman</u> .	Manager Natural Environment Sustainability or delegate.	
Traralgon Recreation Reserve and Showgrounds User Group Committee	Cr <u>Harriman</u> ; Cr Kam.	Coordinator Recreation Liaison.	
Traralgon West Sporting Complex User Group ^{30.}	Cr Kam; Cr <u>Harriman</u> .	Coordinator Recreation Liaison.	
TRU Energy Yallourn Environmental Review Committee	Cr Loughheed.	Manager Natural Environment Sustainability or delegate.	

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24. Name change: formerly *Gippsland Group Training*.
25. Name change (formerly *Integrated Community Planning and Wellbeing Committee*) and Terms of Reference adopted pursuant to Council Resolution on 6 June 2011.
26. Name change (formerly Lake Narracan User Group) and Councillor representation pursuant to Terms of Reference adopted by Council on 19 April 2010.
27. Appointments to the *Lake Narracan User Group Committee* by Council Resolution on 19 July 2010 – 3 year term expires 18/07/2013.
28. Name change: formerly known as *Roadsafe Latrobe Community Road Safety Council*.
29. Name change (formerly Ted Summerton Reserve User Group) and Councillor & community representation pursuant to *Moe Southside Community User Group Terms of Reference – May 2011* adopted by Council on 23 May 2011.
30. *Traralgon West Sports Complex User Group Terms of Reference – May 2011* adopted by Council on 6 June 2011.

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5. COUNCIL WORKING GROUPS

Committee	Councillor delegate for 2011-2012	Officer delegate for 2011-2012	External Committee Members / representation by Council appointment
Chief Executive Officer Performance Review Committee	Mayor; Cr Gibson; Cr Kam; Cr Vermeulen.		
Coal Land Use Planning Committee ^{31.}	Cr Lougheed; Cr Vermeulen; Cr Gibson; Cr Middlemiss; Cr Kam.	Chief Executive Officer; General Manager Built & Natural Environment; General Manager Economic Sustainability.	
Community Engagement Reference Group	Cr O'Callaghan; Cr Kam; Cr Price.	Manager Community Relations.	
Cultural Diversity Reference Committee ^{32.}	Cr Kam; Cr Price.	Manager Community Development or delegate.	
Early Years Reference Committee ³³	Latrobe City Councillors (2)	Child and Family Services Officer (2)	Early Years Sector professional (2); Community Representatives (4)
Jumbuk and Yinnar South Timber Traffic Reference Group ^{34.}	^{35.} Gonyah Ward Councillor (Cr Vermeulen); Cr White; Cr Kam.	Manager Infrastructure Development; Coordinator Civil Works Projects.	^{35.} Jumbuk Road /Junction Road Safety Action Group (2); Yinnar South Citizens Association (2); HVP Plantations (2).
Link Editorial Committee	Mayor; Cr Lougheed; Cr Gibson.	Chief Executive Officer or nominee.	

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Committee	Councillor delegate for 2011-2012	Officer delegate for 2011-2012	External Committee Members / representation by Council appointment
Low Carbon Emissions Future Transition Committee ^{36.}	^{36.} Mayor (Chair); Cr Harriman ; Cr Price; Cr Vermeulen.		^{36.} <i>Business & Industry Sectors:-</i> <ul style="list-style-type: none"> • Simon Vanderzalm; • David Wakefield; • Owen Trumper; • Jason Price; • Transport & Logistics – Vacant. <i>Agribusiness Gippsland Representative:-</i> <ul style="list-style-type: none"> • Dr Robin Lawson (Deputy Chair). <i>Gippsland Trades and Labour Council Representative:-</i> <ul style="list-style-type: none"> • Valerie Prokopiv (Administrator). <i>Trade Unions Representative:-</i> <ul style="list-style-type: none"> • Steve Dodds - AMWU. <i>Education Sector Representatives:-</i> <ul style="list-style-type: none"> • Prof Mark Sandeman; • Jim Vivan; • RMIT Prof Peter Fairbrother. <i>Small-Medium Enterprise Section:-</i> <ul style="list-style-type: none"> • Mr Richard Berriman – VECCI. <i>Clean Coal Victoria Advisory Committee Chair - Kellie O'Callaghan.</i>
Mayoral Investment Attraction Working Group	Mayor; Deputy Mayor; Cr Middlemiss; Cr Price.	General Manager Economic Sustainability; Manager Economic Development; Coordinator Business Development.	
Positive Ageing Reference Group ^{37.}	Cr O'Callaghan; Cr Kam.	Manager Community Health and Wellbeing	<ul style="list-style-type: none"> • Three relevant agency representatives • Three relevant community group representatives • Three independent community members
Rail Freight Working Group	Cr Middlemiss; Cr Loughheed.	General Manager Economic Sustainability; Manager Economic Development; Coordinator Business Development.	
Traralgon Aquatic Facility Working Party ^{38.}	^{39.} Dunbar Ward Councillor, (Cr Harriman) . <i>Attendance By Invitation:-</i> All Councillors.	^{39.} General Manager Recreation, Culture and Community Infrastructure; Manager Recreational Liveability; Project Officer Fixed Plant and Equipment.	^{39.} Traralgon Swimming Club (1); Traralgon Community Development Association (1); Save Hubert Osborne Park Group (1); Traralgon Croquet Club (1).

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^{31.} Name Change: formerly known as LV2100 Committee.

32. Name Change: formerly known as *Cultural and Linguistic Diversity Policy Reference Group*.
33. Early Years Reference Committee Terms of Reference adopted by Council Resolution on 22 August 2011.
34. *Jumbuk and Yinnar South Timber Traffic Reference Group* established by Council resolution 6 April 2010 (successor to the Jumbuk & Yinnar South Community Timber Traffic Working Party)
35. Councillor and community representation pursuant to Council resolution on 6 April 2010.
36. *Low Carbon Emissions Future Transition Committee* representation in accordance with resolution of Council on 7 February 2011.
37. Representation pursuant to *Positive Ageing Reference Group* Terms of Reference adopted by Council on 22 November 2011.
38. *Traralgon Aquatic Facility Working Party* established pursuant to Council Resolution 23 May 2011.
39. Working Party representation in accordance with Terms of Reference – June 2011 adopted by Council Resolution on 11 July 2011.

DRAFT

6. ASSOCIATIONS

Committee	Councillor delegate for 2011-2012	Officer delegate for 2011-2012	External Committee Members / representation by Council appointment
Alliance of Councils for Rail Freight Development	Cr Lougheed; <i>Alternative:-</i> Cr Middlemiss.	Manager Economic Development.	
Coal Councils of Australia Alliance	Mayor.	Chief Executive Officer; Business Development Officer (Secretariat).	
Gippsland Local Government Network (GLGN)	Mayor.	Chief Executive Officer.	
Municipal Association of Victoria (MAV)	Cr Lougheed. <i>Alternative:-</i> Cr Kam.		
Regional Cities Victoria	Mayor.	Chief Executive Officer.	
South East Australian Transport Strategy (SEATS)	Cr Middlemiss. <i>Alternative:-</i> Cr Lougheed.	General Manager Economic Sustainability or delegate; General Manager Built & Natural Environment or delegate.	
Timber Towns Victoria (Committee)	Cr Lougheed; Cr Kam.	Coordinator Business Development.	
Victorian Local Governance Association (VLGA)	Mayor. <i>Alternative:-</i> Deputy Mayor.		
West Gippsland Catchment Management Authority – Central Catchment Ecosystem Advisory Group [CCEAG] ^{39.}	Cr Kam. <i>Alternative:-</i> Cr Gibson.	Manager Natural Environment Sustainability or delegate.	

^{39.} Effectively replaces WGCMA – Latrobe Baw Baw Community Consultative Committee.

11.6.2 ASSEMBLY OF COUNCILLORS

AUTHOR: General Manager Governance
(ATTACHMENT - YES)

1. INTRODUCTION

The purpose of this report is to present to Council, the Assembly of Councillors forms submitted since the Ordinary Council Meeting held 5 September 2011.

2. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act* 1989 in the preparation of this report.

3. OFFICER COMMENTS

The following Assemblies of Councillors took place between 29 August 2011 and 12 September 2011:

Date:	Assembly Details / Matters Discussed:	In Attendance:	Conflicts of Interest Declared:
29 August 2011	<p>Issues & Discussion Session</p> <p>Presentation: Geothermal Opportunities in Latrobe Valley</p> <p>Outstanding Issues</p> <p>8.1.1 Regional Cities Victoria Meeting Minutes – 4 August 2011</p> <p>8.1.2 Correspondence for Discussion – Letter from Darren Chester</p> <p>8.3.1 Economic Development & Infrastructure Committee Inquiry into Greenfields Mineral Exploration and Project Development in Victoria Submission</p> <p>8.4.1 Traralgon Activity Centre, Project Update</p> <p>8.5.1 Latrobe City Youth Band</p>	<p>Cr Harriman, Cr Gibson, Cr Lougheed, Cr Vermeulen, Cr White</p> <p>Paul Buckley, Michael Edgar, Carol Jeffs, Tom McQualter, Peter Quigley, Zemeel Saba, Grantley Switzer</p>	NIL
8 September 2011	<p>Councillor Workshop Low Carbon Transition Policy Implementation Workshop re: Potential Initiatives/Jobs</p> <p>Transitional asks/opportunities/initiatives in relation to a low carbon transition.</p>	<p>Cr White (Mayor), Cr Vermeulen, Cr Harriman, Cr Kam, Cr Lougheed, Cr Gibson</p> <p>Paul Buckley, Allison Jones, Geoff Hill, Julia Agostino</p>	NIL
12 September 2011	<p>Issues & Discussion Session</p> <p>Presentation: Koorie Liaison Update</p> <p>New Issues, Outstanding Issues</p> <p>8.1.1 Roads to Recovery Program</p> <p>Correspondence for discussion</p> <p>8.1.2 GLGN – CEO and Mayors Meeting Minutes – 19 August 2011</p> <p>8.2.1 MAV – Correspondence – Victorian Councillor Service Awards</p> <p>8.4.1 Council Submission to the Victorian Planning System Ministerial Advisory Committee</p> <p>8.5.1 Correspondence from Arts Victoria: The Office of Premier and Cabinet – Latrobe Performing Arts Centre</p>	<p>Cr Harriman, Cr Gibson, Cr Kam, Cr Lougheed, Cr O'Callaghan, Cr Vermeulen, Cr White</p> <p>Paul Buckley, Michael Edgar, Carol Jeffs, Allison Jones, David Elder, Jayne Emans</p>	NIL

4. **RECOMMENDATION**

That Council note this report.

Moved: Cr Lougheed

Seconded: Cr Harriman

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENTS

.



Assembly of Councillors Record

Assembly details: Issues & Discussion Session

Date: Monday, 29 August 2011..... **Time:** 6.00pm

Assembly Location: Nambur Wariga Meeting Room, Latrobe City Council Offices,
Commercial Road, Morwell.....

In Attendance:

Councillors: Cr Harriman, Cr Gibson, Cr Lougheed, Cr Vermeulen, Cr White....

Officer/s: Paul Buckley, Michael Edgar, Carol Jeffs, Tom McQualter, Peter Quigley,
Zemeel Saba, Grantley Switzer,

Matter/s Discussed:

Presentation: Geothermal Opportunities in Latrobe Valley

Outstanding Issues

8.1.1 Regional Cities Victoria Meeting Minutes – 4 August 2011

8.1.2 Correspondence for Discussion – Letter from Darren Chester

8.3.1 Economic Development & Infrastructure Committee Inquiry into Greenfields

Mineral Exploration and Project Development in Victoria Submission

8.4.1 Traralgon Activity Centre, Project Update

8.5.1 Latrobe City Youth Band

Are the matters considered confidential under the Local Government Act: No

Conflict of Interest Disclosures: (refer 3. over page)

Councillors: NIL

Officer/s: NIL

Times that Officers / Councillors left/returned to the room:

Completed by: Meagan Bennetts

Assembly of Councillors Record Explanation / Guide Notes
Required pursuant to the Local Government Act 1989 as amended.

1. Section 80A requirements (re: *Written Record to be made by Council staff member*):

Amendments to the Local Government Act 1989 (Section 80A), operative from 2 December 2008 now stipulate:

“At an assembly of Councillors, the Chief Executive Officer must ensure that a written record is kept of:

- the names of all Councillors and members of Council staff attending;
- the matters considered;
- any conflict of interest disclosures made by a Councillor attending under subsection (3);
- whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly.”

The above required information is:

- to be reported to an Ordinary meeting of the Council; and
- incorporated in the minutes of that Ordinary meeting.

2. Section 76AA definition:

“**Assembly of Councillors** (however titled, e.g: meeting / inspection / consultation etc) is a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of staff which considers matters that are intended or likely to be;

- The subject of a decision of the Council; or
- Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

Brief Explanation:

Some examples of an *Assembly of Councillors* will include:

- Councillor Briefings;
- on site inspections, generally meetings re: any matters;
- meetings with residents, developers, other clients of Council, consultations;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

*Effectively it is probable, that **any meeting of at least 5 Councillors and 1 Council staff member will come under the new requirements as the assembly will in most cases be considering a matter which will come before Council or be the subject of a delegated officer's decision at some later time. If you require further clarification, please call the Manager Council Operations – Legal Counsel.***

Please note: an Advisory Committee meeting requires only one Councillor to be in attendance. An advisory committee is defined as any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

3. Section 80A and 80B requirements (re: Conflict of Interest):

Councillors and officers attending an Assembly of Councillors must disclose any conflict of interest.

Section 80A(3)

“If a Councillor attending an Assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must disclose either:

- (a) immediately before the matter in relation to the conflict is considered; or
- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly.”

Section 80B

A member of Council staff who has a conflict of interest (direct or indirect) in a matter in which they have a delegated power, duty or function must:

- not exercise the power or discharge the duty or function;
- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.

Assembly of Councillors Record

This form **MUST** be completed by the attending Council officer and returned **IMMEDIATELY** to the Council Operations Team for filing. {see over for *Explanation/Guide Notes*}.

Assembly details: Councillor Workshop Low Carbon Transition Policy Implementation Workshop re: Potential Initiatives/Jobs

Date: 8 September 2011

Time: 5.15pm

Assembly Location: Nambur Wariga, Morwell
(e.g: Town Hall, *TOWN*, No. xx *ADDRESS*, Latrobe City Council Offices).

In Attendance:

Councillors: Cr White (Mayor), Cr Vermeullen, Cr Harriman, Cr Kam, Cr Lougheed, Cr Gibson

Officer/s: Paul Buckley, Allison Jones, Geoff Hill, Julia Agostino

Matter/s Discussed: Transitional asks/opportunities/initiatives in relation to a low carbon transition.

(e.g: Proposed Development in *TOWN* discussion with residents, Planning Permit Application No. xxxx re: proposed xx story development at *ADDRESS*, etc)

Are the matters considered confidential under the Local Government Act: NO

Conflict of Interest Disclosures: (refer 3. over page)

Councillors: NIL

Officer/s: NIL

Times that Officers / Councillors left/returned to the room: Councillors arrived at 5.15pm and departed at 6.45pm. Cr Kam arrived at approximately 5.30pm.

Completed by: Allison Jones, General Manager Economic Sustainability.

Assembly of Councillors Record Explanation / Guide Notes

Required pursuant to the Local Government Act 1989 as amended.

1. Section 80A requirements (re: *Written Record to be made by Council staff member*):

Amendments to the Local Government Act 1989 (Section 80A), operative from 2 December 2008 now stipulate:

"At an assembly of Councillors, the Chief Executive Officer must ensure that a written record is kept of:

- the names of all Councillors and members of Council staff attending;
- the matters considered;
- any conflict of interest disclosures made by a Councillor attending under subsection (3);
- whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly."

The above required information is:

- to be reported to an Ordinary meeting of the Council; and
- incorporated in the minutes of that Ordinary meeting.

2. Section 76AA definition:

"**Assembly of Councillors** (however titled, e.g: meeting / inspection / consultation etc) is a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of staff which considers matters that are intended or likely to be;

- The subject of a decision of the Council; or
- Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

Brief Explanation:

Some examples of an *Assembly of Councillors* will include:

- Councillor Briefings;
- on site inspections, generally meetings re: any matters;
- meetings with residents, developers, other clients of Council, consultations;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

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- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

3. Section 80A and 80B requirements (re: **Conflict of Interest**):

Councillors and officers attending an Assembly of Councillors must disclose any conflict of interest.

Section 80A(3)

"If a Councillor attending an Assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must disclose either:

- (a) immediately before the matter in relation to the conflict is considered; or
- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly."

Section 80B

A member of Council staff who has a conflict of interest (direct or indirect) in a matter in which they have a delegated power, duty or function must:

- not exercise the power or discharge the duty or function;
- disclose the type of interest and nature of interest to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.



Assembly of Councillors Record

Assembly details: Issues & Discussion Session

Date: Monday, 12 September 2011 **Time:** 6.00pm

Assembly Location: Nambur Wariga Meeting Room, Latrobe City Council Offices,
Commercial Road, Morwell.....

In Attendance:

Councillors: Cr Harriman, Cr Gibson, Cr Kam, Cr Lougheed, Cr O'Callaghan,
Cr Vermeulen, Cr White.....

Officer/s: Paul Buckley, Michael Edgar, Carol Jeffs, Allison Jones, David Elder,
Jayne Emans.....

Matter/s Discussed:

Presentation: Koorie Liaison Update

New Issues, Outstanding Issues

8.1.1 Roads to Recovery Program Correspondence for discussion

8.1.2 GLGN – CEO and Mayors Meeting Minutes – 19 August 2011

8.2.1 MAV – Correspondence – Victorian Councillor Service Awards

8.4.1 Council Submission to the Victorian Planning System Ministerial Advisory
Committee

8.5.1 Correspondence from Arts Victoria: The Office of Premier and Cabinet – Latrobe
Performing Arts Centre

Are the matters considered confidential under the Local Government Act: No

Conflict of Interest Disclosures: (refer 3. over page)

Councillors: NIL

Officer/s: NIL

Times that Officers / Councillors left/returned to the room: N/A

Completed by: Meagan Bennetts.....

Assembly of Councillors Record Explanation / Guide Notes
Required pursuant to the Local Government Act 1989 as amended.

1. Section 80A requirements (re: *Written Record to be made by Council staff member*):

Amendments to the Local Government Act 1989 (Section 80A), operative from 2 December 2008 now stipulate:

“At an assembly of Councillors, the Chief Executive Officer must ensure that a written record is kept of:

- the names of all Councillors and members of Council staff attending;
- the matters considered;
- any conflict of interest disclosures made by a Councillor attending under subsection (3);
- whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly.”

The above required information is:

- to be reported to an Ordinary meeting of the Council; and
- incorporated in the minutes of that Ordinary meeting.

2. Section 76AA definition:

“**Assembly of Councillors** (however titled, e.g: meeting / inspection / consultation etc) is a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of staff which considers matters that are intended or likely to be;

- The subject of a decision of the Council; or
- Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

Brief Explanation:

Some examples of an *Assembly of Councillors* will include:

- Councillor Briefings;
- on site inspections, generally meetings re: any matters;
- meetings with residents, developers, other clients of Council, consultations;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

*Effectively it is probable, that **any meeting of at least 5 Councillors and 1 Council staff member will come under the new requirements as the assembly will in most cases be considering a matter which will come before Council or be the subject of a delegated officer's decision at some later time. If you require further clarification, please call the Manager Council Operations – Legal Counsel.***

Please note: an Advisory Committee meeting requires only one Councillor to be in attendance. An advisory committee is defined as any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

3. Section 80A and 80B requirements (re: Conflict of Interest):

Councillors and officers attending an Assembly of Councillors must disclose any conflict of interest.

Section 80A(3)

“If a Councillor attending an Assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must disclose either:

- (a) immediately before the matter in relation to the conflict is considered; or
- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly.”

Section 80B

A member of Council staff who has a conflict of interest (direct or indirect) in a matter in which they have a delegated power, duty or function must:

- not exercise the power or discharge the duty or function;
- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.

11.6.3 VICTORIAN FIRE SERVICES PROPERTY LEVY SUBMISSION

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to seek Council endorsement to a proposed submission to the Department of Treasury and Finance in response to the Victorian Fire Services Property Levy Options Paper.

2. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

3. STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2011-2015.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives - Governance

In 2026, Latrobe Valley has a reputation for conscientious leadership and governance, strengthened by an informed and engaged community committed to enriching local decision making.

Latrobe City Council Plan 2011 - 2015

Strategic Direction – Governance

Provide regular reports on Council's performance including strategic objectives and Council's progress towards Latrobe 2026.

Provide timely, effective and accessible information about Latrobe City Council's activities.

Ensure that Latrobe City continues to meet the highest standards of financial probity and is financially sustainable.

Ensure that all strategic decisions reflect Latrobe City Council's Long Term Financial Plan and Annual Budget.

Service Provision – Governance

Administer financial management, advice and services of Latrobe City Council.

4. BACKGROUND

As a result of the February 2009 bushfires, concerns were raised around the operation of the Fire Services Levy. Consequently the Victorian Bushfires Royal Commission recommended that 'the State replace the Fire Services Levy with a property based levy, including the provision of a concession for low income earners'.

In response to this recommendation, the State Government has released for public comment an options paper as the first stage in delivering this significant reform of the funding of Victoria's fire services. The Government advised that it proposed to conduct a rigorous public consultation process in order to allow all Victorians the opportunity to comment on the options for the design and implementation of the new levy.

The annual budgets of Victoria's fire services are mainly funded by financial contributions from insurance companies, the State Government and metropolitan councils. The State and Commonwealth Governments provide additional funding in the event of major fires. Insurance companies recover the cost of their contributions by imposing a Fire Services Levy on insurance premiums.

The options paper sets out the Government's proposal to replace the current funding model with a new property based fire services levy and invites input regarding key elements of the proposed new property levy.

The proposed design of the new levy will affect Local Government in the following ways;

- The levy is to be imposed on real property, including non-rateable property, property owned by local councils and potentially the State Government.
- The fire services property levy is to comprise of a fixed and variable component assessed on the value of property.
- The fire services property levy is to be collected by local councils, with support for implementation and administration.

- A concession is to be provided to Health Care Card holders, Department of Veterans Affairs gold card holders and Pensioner Concession Card holders.

The government is seeking feedback on the following issues;

- Whether the property levy should be assessed on the site value, improvements value of real property or on the capital improved value.
- The potential for different property levy rates for different property types.
- How the amount of any concession should be determined.

The government is seeking submissions by the 30 September 2011 with plans for legislation to be introduced in early 2012. The proposal is to transition out of the current funding model (insurance funding) over twelve months commencing 1 July 2012, with full implementation of the property based levy from 1 July 2013.

5. ISSUES

On the 22 August 2011 the Municipal Association of Victoria invited councils to attend a workshop to formulate a combined response on behalf of all councils in relation to the FSL Options Paper. The following issues were identified and form the basis for the MAV submission.

- No modelling data has been provided on the consequences of the various options, which makes it difficult to predict the distribution of the burden of fire services funding
- The paper fails to identify the principles that will guide the selection of the tax's characteristics i.e. Is it a tax based on capacity to pay, a risk based system or a mixture
- The paper rejects the option of the State Revenue Office collecting the levy, despite recognising the benefits of a single state-wide collection agency.
- No estimation of establishment or administrative costs is provided to support the conclusion of local government being the most suitable collection agency.
- There is no direction given regarding the risks of non-payment and when councils would be required to pass on the levy.

- The options for the valuation base are problematic and depending on the method will significantly affect the contribution mix.
- The valuation of currently non-rateable properties will be expensive and difficult.
- No estimates have been undertaken as to the financial impacts on council contributions under the proposed property based system.
- Concerns regarding the ability to ensure that the insurance industry passes on the reduction to home insurance policies.

In addition to the points included in the MAV submission, it is suggested that Latrobe City includes the following points in its submission process;

- The Fire Services Levy is a State Government tax and should be collected by a state government agency.
- The collection of the fire services levy by Latrobe City Council would impose additional financial and reputational costs.
- The inclusion of health care card rebates is foreign to local government and will increase the complexity of collections and rates notices.
- The order of collection could potentially leave councils out of pocket.
- There has been a noteworthy lack of community consultation regarding the proposed changes.

6. FINANCIAL AND RESOURCES IMPLICATIONS

It is expected that there may be increased cost to Council as a result of the proposal, however as no modelling has been undertaken by the Department of Treasury and Finance the implications on Council are not currently quantifiable.

There are no financial or resource implications associated with lodging a submission on behalf of Latrobe City Council.

7. INTERNAL / EXTERNAL CONSULTATION

Engagement Method Used:

No public consultation was undertaken in preparation of the report. A workshop convened by the Municipal Association of Victoria was attended to provide input into the proposed MAV submission on behalf of all councils.

8. OPTIONS

Council has the following options:

1. Submit a written submission in relation to the Victorian Fire Services Property Levy Options Paper; or
2. Not respond to the Victorian Fire Services Property Levy Options Paper

9. CONCLUSION

The Victorian Fire Services Property Levy Options Paper recommends an outcome which will result in local councils managing the invoicing and collection of the FSL.

The proposal has the potential to impose additional financial and reputational costs upon local councils. It is suggested that Latrobe City Council's view should be that the levy is a State Government Levy that should be managed by a state government agency.

10. RECOMMENDATION

That Council lodges the attached submission highlighting the concerns of Latrobe City Council in relation to the proposed Victorian Fire Services Property Levy.

Moved: Cr Middlemiss

Seconded: Cr O'Callaghan

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT 1

Victorian Fire Services Property Levy

Options Paper
June 2011

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1. Treasurer's foreword

In February 2009, Victoria was devastated by bushfires. At this time, concerns were raised about the operation of the Fire Services Levy (FSL). The Victorian Bushfires Royal Commission (the Royal Commission) subsequently recommended that 'the State replace the Fire Services Levy with a property-based levy and introduce concessions for low-income earners' (Recommendation 64).

The Victorian Government will introduce a fairer and more equitable new property-based levy to replace the existing Fire Services Levy. The current insurance-based model is inequitable and lacks transparency. The new levy will ensure that all Victorian property owners pay a fair contribution to our fire services.

Ensuring Victoria's fire services continue to operate equitably and with sufficient resources will be the focus of the design of the new levy.

This options paper outlines a range of levy design and implementation issues - from the most appropriate tax base on which to apply the property levy, to the most effective and efficient method to transition from the insurance-based model to a property-based model.

The Government offers all Victorians the opportunity to comment on the options for the design of the new fire services levy. A public consultation process will be undertaken to seek feedback, and responses will be considered in finalising the design and implementation of the new levy and transition process.

This options paper is the first stage in delivering this significant reform of the funding of Victoria's fire services.

KIM WELLS MP
Treasurer

2. Executive Summary

The annual budgets of Victoria's fire services are mainly funded by financial contributions from insurance companies, the State Government and metropolitan councils. The State and Commonwealth Governments provide additional funding in the event of major fires. Insurance companies recover the cost of their contributions by imposing a Fire Services Levy (FSL) on insurance premiums.

This options paper sets out the Government's proposal to replace the current funding model with a new property-based fire services levy, and invites community input regarding key elements of the new property levy. The Government welcomes views on the following proposals for the design of the new levy:

- Impose the levy on real property, including non-rateable property, property owned by local councils and potentially the State Government.
- Set the fire services property levy annually to ensure the fire services are adequately funded.
- The fire services property levy be comprised of a fixed component and an ad valorem charge assessed on the value of property.
- A concession be provided to Health Care Card holders, Department of Veterans Affairs gold card holders and Pensioner Concession Card holders.
- The fire services property levy be collected by local councils, with support for implementation and administration.
- The tapering approach be adopted to phase out the insurance contributions prior to the introduction of the property levy.
- The Essential Services Commission be appointed to independently monitor the FSL transition process and release a report on whether or not insurance companies have passed on savings to policy holders.

In a number of other areas there is a need to choose between different options for key elements of the levy. The Government seeks feedback on the following issues:

- Which components of the statutory contributions model should be replaced by a property levy.
- Whether the property levy should be assessed on the site value, improvements value of real property or on the capital improved value.
- The respective costs and benefits of a single statewide levy and separate levies for areas served by the CFA and MFESB.
- The potential for different property levy rates for different property types.
- How the amount of any concession should be determined.

3. Introduction

3.1 Previous reviews

Victoria's move to a property-based levy is consistent with recent reform in other states and territories. The Australian Capital Territory (2006–07), Western Australia (2003), South Australia (1999) and Queensland (1985) have introduced funding systems for fire services that require property owners to contribute via a levy on property. Tasmania levies residential property owners, while retaining an insurance-based levy on businesses.

In 2003, DTF released *A Review of Victorian Fire Services Funding Arrangements* comparing and evaluating various funding options. The Government of the day decided to retain the current fire services funding model, subject to some minor changes.

In 2009, the *Fire services and the non-insured* Green Paper was released, inviting public comment regarding the funding of Victoria's fire services and proposing a DTF pilot study into the level of insurance in Victoria. Public submissions overwhelmingly supported a property-based funding model.

In May 2010, the *Australia's Future Tax System* review was released. It recommended that all specific taxes on insurance products, including the FSL imposed by insurance companies, should be abolished, advising that insurance products should be treated like most other services consumed within Australia and be subject to only one broad-based tax on consumption.

In July 2010, the Royal Commission recommended that the current insurance-based funding model be replaced, on the grounds that it:

- is inequitable since the community-wide benefits provided by the fire services are funded by insured property owners only; and
- lacks transparency, as there is no direct or well understood link between insurance company contributions to the fire brigades and the FSL paid by insured property owners.

The Royal Commission did not prescribe the design of the property-based funding model but suggested that the State could benefit from the experience of other states and territories.

The Royal Commission was concerned that changing to a property-based model might create problems for some uninsured property owners with low incomes. This group would find themselves paying the new levy, without a compensating reduction in their insurance costs. As such, the Royal Commission recommended concessions for low-income earners.

3.2 The fire services

There are three authorities responsible for the provision of fire services throughout Victoria, the Metropolitan Fire and Emergency Services Board (MFESB), the Country Fire Authority (CFA) and the Department of Sustainability and Environment (DSE).

The MFESB and CFA undertake a range of activities that support three main objectives:

- fire or hazard prevention;
- fire or hazard extinguishment; and
- fire or hazard containment.

The MFESB and CFA also respond to a myriad of other emergency incidents including:

- floods;
- search and rescue;
- road accident rescue;
- emergency medical response; and
- industrial and hazardous materials incidents.

The MFESB and CFA also develop fire safety procedures and counter-terrorism strategies, provide community safety programs, conduct fire safety building inspections and inspect and maintain equipment.

DSE has statutory responsibility to prevent and suppress fire in every State forest, national park and on all public land in Victoria. DSE in partnership with Parks Victoria provides a significant fire fighting effort during events such as large bushfires and is entirely government funded.

3.2.1 MFESB and CFA geographical coverage

While the MFESB and CFA are each responsible for distinct geographic areas (see Figure 1), they extend their services across regional boundaries in response to specific emergencies.

The MFESB provides fire service coverage in metropolitan Melbourne. The Melbourne Metropolitan Fire District (MFD) covers approximately 1 096 square kilometres, containing almost four million residents, workers and visitors and billions of dollars of assets and infrastructure. The MFESB employs more than 1 700 fire fighters in 54 fire stations and specialist departments.

The CFA is one of the world's largest volunteer emergency service and community safety organisations. The CFA is based on community involvement and gains its strength from the commitment of its volunteers and staff. There are over 58 000 CFA volunteers, including more than 35 000 trained volunteer fire fighters and 23 000 involved in non fire fighting roles. The authority is supported by over 1 400 paid staff, including over 500 career fire fighters, providing emergency response and community safety programs throughout Victoria. The CFA provides fire services to all parts of Victoria other than the Melbourne MFD. This covers 150 182 square kilometres, and with the expansion of the urban fringe requires the CFA to provide services with a greater urban focus.

4. Fire services funding arrangements

4.1 Current funding arrangements

The MFESB and CFA are largely funded by statutory contributions from the insurance industry, metropolitan municipal councils and the State Government in proportions determined by Section 77A of the *Country Fire Authority Act 1958* (CFA Act) and Section 37 of the *Metropolitan Fire Brigades Act 1958* (MFB Act).

As illustrated in Table 1, insurance companies are required to contribute 75 per cent of the statutory contributions to MFESB annual expenditure and 77.5 per cent of the statutory contributions to CFA annual expenditure. The State Government contributes 12.5 and 22.5 per cent respectively. Local governments located wholly or partly within the MFD are required to contribute 12.5 per cent of the statutory contributions to the annual expenditure of the MFESB. Local councils outside the MFD are not required to contribute to CFA annual expenditure.

Table 1: Statutory contributions (per cent)

	MFESB	CFA
Insurance companies	75.00	77.50
Local government	12.50	-
State Government	12.50	22.50
Total	100.00	100.00

Source: Section 77A of the *Country Fire Authority Act 1958* and Section 37 of the *Metropolitan Fire Brigades Act 1958*

In addition to the statutory contributions set out in Table 1, the fire services receive funding from a range of other sources. This additional funding is provided by the Commonwealth Government, insurance brokers (and property owners who insure with a company not required to make a contribution), user charges (including attendance at false alarms), the sale of goods and services and income from investments. The State Government provides further funding for catastrophic fire events. (Table 6 on page 14 provides a full summary of MFESB and CFA funding.)

4.2 The insurance Fire Services Levy

Insurance companies have had an evolving role in funding Victoria's fire brigades since their inception in 1845. Under the current statutory contributions model, the fire brigades provide the Government with an estimate of expenditure likely to be incurred during each financial year. The Minister determines the total statutory contributions, and the insurance industry statutory contribution is distributed between individual insurance companies. The distribution is based on the insurance companies' annual gross premium income for each dedicated class of insurance.

Insurance companies pass on their contribution costs to policy holders as an FSL on insurance premiums. The Insurance Council of Australia (ICA) provides their members with quarterly advisory rates to add to premiums. The rates are advisory in nature and members are recommended to make their own determination of the FSL having regard to their estimated premium movements. The ICA has no legislative or statutory power to set rates

and insurance companies are not obliged to recover the costs in this way. Similarly, there is no role for the Government to determine how insurance companies should recover their costs.

The recent ICA advisory rates for Victoria are illustrated in Table 2.

Table 2: ICA advisory rates (per cent)

Victoria metro	May-11	Feb-11	Dec-10	Sep-10	Jun-10	Mar-10	Dec-09	Sep-09	Jun-09	Mar-09	Dec-08	Sep-08	Jun-08
Commercial	45	44	44	46	46	46	47	50	51	48	48	48	48
Householders/homeowners	18	17	17	18	18	18	19	20	21	20	20	20	20
Victoria country													
Commercial	65	64	64	66	72	72	80	84	68	63	63	58	58
Householders/homeowners	24	23	23	24	26	26	28	31	26	24	24	24	24

Source: Insurance Council of Australia

Most ICA members apply rates similar to the advisory rates to all home and contents policies. To calculate the FSL liability, the insurer will multiply the cost of the insurance policy by the advisory rate. For example, a residential building insurance policy of \$400 a year will be multiplied by the relevant rate (18 per cent in the metropolitan area) to determine a FSL liability of \$72.

4.3 Problems with the current funding model

Following the 2009 bushfires a number of questions were raised regarding the equity and efficiency of the statutory contributions funding model.

4.3.1 Over collection

The 2003 review highlighted concerns that insurance companies were collecting more FSL than the amount they were required to contribute to the MFESB and CFA.

It is estimated that from 1998-99 to 2001-02 the FSL revenue collected by the insurance industry was \$47 million greater than the statutory contribution the insurance industry was required to make to fund Victoria's fire services. While these excess amounts were retained by the insurance industry at that time, the Government introduced improved reporting measures to increase transparency in the insurance industry's collection of the FSL. Insurers must now report the contributions made to the fire services and the amount of the FSL collected each year.

From July 2006 to June 2009, the insurance industry collected \$17 million less in FSL than the required statutory contribution to the CFA and \$12 million more than the required statutory contribution to the MFESB. These discrepancies are likely to be the result of estimating premium income in advance of revenue collections.

4.3.2 Under-insurance and non-insurance

Insurance taxes are among the most inefficient taxes levied in Australia and there is significant potential for reform. The combination of state and Commonwealth taxes on insurance reduces transparency and increases the cost of insurance.

One of the primary concerns with the insurance-based model is that non-insured property owners do not contribute to funding the fire services. As a result, owners of insured buildings and contents are over-contributing to funding the fire services and cross subsidising the non-insured.

In 2010, DTF and the State Revenue Office (SRO) undertook a study to assess the level of non-insurance in Victoria. This study involved collecting information from insurance

companies on insured properties in 10 local authority areas and matching this to the SRO's property database.

In Victoria, there is a low level of building non-insurance both in absolute terms and when compared to other Australian states and territories (including those that do not use an insurance-based funding model). The estimated range for non-insured residential properties is between 3 and 9 per cent for buildings, with the most reliable estimate indicating that 4 per cent of Victorian households do not have building insurance. Approximately 26 per cent of Victorian households do not insure their contents.

A second equity concern is the incidence of under-insurance, where property owners insure their property for less than its value and therefore pay lower premiums and a reduced FSL. There are two possible measures of property value for insurance purposes, replacement cost and market value. Replacement cost refers to the cost of rebuilding the home, while market value is the differential between the likely sale price of the land (in the event of the home being destroyed) and the cost of purchasing an equivalent property.

Under-insuring a property for its replacement cost is prevalent and likely to be caused by:

- the intrinsically difficult task of estimating rebuilding costs;
- failure to update policies as circumstances change; and
- a deliberate tendency to insure only the dwelling and not other items such as fences and water tanks, which is a positive choice to partially self-insure.

Conversely, only a small percentage of domestic buildings are insured for less than market value. Many property owners are significantly 'overinsured' in respect of the market value of their home.

4.3.3 Owners of similar assets can make significantly different contributions

Insurance premiums for similar properties can vary significantly. The price of insurance varies due to deductibles and differential products, such as new-for-old replacement and reimbursement if building costs exceed the sum insured. Some property owners renew insurance policies with existing insurers without comparing premiums, or accurately estimating the value of their home and contents. These factors contribute to owners of similar assets paying considerably different premiums and therefore different FSL contributions.

A 2010 analysis of online insurance premium calculators found that a residential property with a sum insured of \$200 000 and a deductible of \$500 could pay an insurance premium of between \$296 and \$544. When the ICA advisory rates are applied to these premiums, the FSL payable varies from \$53.28 to \$130.56 per annum (see Table 3).

In addition, owners of similar properties choose to insure their property for different amounts. For example, the DTF and SRO study showed that the owners of properties with improvements valued at \$155 000 insured their properties for between \$148 800 and \$548 700. Substantial differences in the sum insured for similar properties will be reflected in differences in insurance premiums and FSL contributions.

4.3.4 Some asset owners pay too much for fire services

The DTF and SRO study found that those with contents insurance significantly over-contribute to funding Victoria's fire services relative to the benefits that they receive. In 2008-09, this over-contribution from insured contents owners was estimated to be between \$46 and \$54 million and is due to:

- insurance premium rates (as a percentage of the sum insured) being much higher for residential contents than for buildings, largely due to the risk of burglary and theft; and
- insurers applying the ICA-recommended rates to insurance premiums, which are the same for both building and contents premiums, to determine the FSL paid by individual policy holders.

Analysis of domestic contents insurance data indicates that the average FSL payable in respect of a contents policy is \$52.71. This is in addition to the FSL paid in respect of building insurance.

4.3.5 Fire risk and residential insurance premiums

Insurance premiums in the household sector are influenced by a number of risk factors. While fire risk is one, arguably weather damage and loss attributed to theft/burglary are greater determinants of insurance premiums and the FSL.

Research undertaken by DTF found a lack of consistent variation in the premiums charged by insurance companies for equivalent properties based on location in selected low or high fire risk areas (based on MFESB and CFA advice, see Table 3). As the FSL is calculated as a percentage of the total insurance premium, some property owners pay a higher FSL as a result of a risk profile which does not necessarily reflect fire risk.

Table 3: Insurance premiums for timber house, selected insurers and locations

	Low fire risk areas	High fire risk areas
Insurer A	\$351 - \$440	\$351 - \$470
Insurer B	\$376 - \$436	\$406 - \$436
Insurer C	\$391 - \$412	\$367 - \$390
Insurer D	\$296 - \$307	\$320 - \$352
Insurer E	\$450 - \$486	\$443 - \$544
Insurer F	\$475 - \$516	\$473 - \$483
Insurer G	\$318 - \$339	\$326 - \$377
Summary	\$296 - \$516	\$320 - \$544

Source: 2010 DTF and SRO study using online insurance calculators

The lack of variation is due largely to the relative importance of other risks (e.g. burglary) in determining premiums and the cost to insurers of undertaking fire risk assessments.

4.4 Alternate funding models

In recent years there has been a substantial change in the mechanisms used to fund the provision of fire services across Australia and New Zealand. As recently as 1998-99, insurance-based funding models were predominant across Australia and New Zealand. At that time four states used an insurance-based model (New South Wales, Victoria, Western Australia, South Australia), as did New Zealand, while Tasmania used a hybrid model containing both property-based and insurance-based funding elements. Only Queensland adopted a property-based model, with the ACT and Northern Territory funding services

from consolidated revenue. Queensland's property-based model was adopted in 1985, prior to which it also used an insurance-based model.

Since that time, three jurisdictions (Western Australia, South Australia and the ACT) have moved to a property-based model. In New South Wales and Victoria recommendations have been made to government to move to property-based models.

A high-level comparison of funding models by jurisdiction is provided at Table 4. Further information on the design of the fire services levy in other jurisdictions is set out at Table 5.

Table 4: Funding models by jurisdiction

Jurisdiction	Fire services contribution for residential property	Fire services contribution for non-residential property
Victoria	Insurance-based model	
New South Wales	Insurance-based model	
Queensland	Property-based model	
Western Australia	Property-based model	
South Australia	Property-based model	
Tasmania	Local council levies	Insurance-based model
Australian Capital Territory	Fixed charge	Property-based model
Northern Territory	Consolidated revenue	
New Zealand	Insurance-based model	

Source: Department of Treasury and Finance, Fire and Rescue NSW, Queensland Fire and Rescue Service, Fire and Emergency Services Authority of Western Australia, RevenueSA, Tasmania Fire Service, ACT Revenue Office, Northern Territory Treasury and the New Zealand Fire Service

In addition to the models used in other jurisdictions, the following have been raised as possible alternatives to Victoria's funding arrangements:

- enhancing the current insurance-based model;
- introducing compulsory insurance; and
- mandating recovery of fire service costs.

Upon analysis, these options were found to be impractical and unlikely to deliver significant improvements in efficiency and simplicity.

Table 5: Fire services levy in other jurisdictions

Jurisdiction	Fire services funding model	Collection agency	Tax base and levy structure	Concessions	Motor vehicles included	Property type classification	Area classification	Exemptions
Victoria (current)	Insurance-based model	Insurance industry	Insurance contribution passed on to policy holders	No	No	Different ICA advisory rates for residential and commercial property	Different ICA advisory rates for properties located in MFESB and CFA areas	Infrastructure insured by the State Government and some property insured with the VMIA by statutory authorities
New South Wales	Insurance-based model	Insurance industry	Insurance contribution passed on to policy holders	No	Yes	Unknown	Unknown	Unknown
Queensland	Property-based model	Local government	Fixed charge determined by the size and nature of any improvements on the land	Pensioners	No	17 risk weighted categories	Area classifications reflect quality of services delivery as measured by response time	State and Commonwealth property
Western Australia	Property-based model	Local government	Rate multiplied by Gross Rental Value (rental value of land and buildings)	Pensioner concession cards, state concession cards, Commonwealth Seniors Health Card and WA seniors cards.	No	Three property classifications: Vacant, residential and farming; commercial, industrial and miscellaneous; and mining (extraction) tenements. Different maximums apply depending on property classification	Five area classifications to reflect quality of service	Commonwealth property, some local government properties, mining (prospecting) tenements, Wittenoom township (which is contaminated by asbestos)
South Australia	Property-based model	RevenueSA	Fixed charge plus variable charge calculated using the capital value of the property (valuation based on the market value of the property). A fixed charge is applied to motor vehicles.	Pensioners, self-funded retirees, people receiving eligible Centrelink benefits	Yes	Six land use categories: residential; commercial; industrial; rural/vacant; other; and special community use	Four regions	No
Tasmania	Local council levies for residential property and an insurance-based model for non-residential property	Local government, insurance industry	Legal liability to residential contribution rests with the local council. Councils are permitted to pass the cost on to ratepayers in the form of a levy. Commercial property owners pay an insurance levy and motor vehicles owners pay a levy on registration.	Unknown	Yes	Residential and non residential property contributions are collected using different funding models	Unknown	Crown land, council land, State forests, the town of Savage River, a jetty or slipway, unimproved land not exceeding 10 square metres and Aboriginal land
Australian Capital Territory	Property-based model	Revenue Office	A fixed charge is imposed on residential and rural properties. Valuation-based charges, assessed on the Average Unimproved Value of land, apply to commercial properties. The Average Unimproved Value of land is the average value of the land for the 3 preceding years.	Pensioners	No	Two property classifications: residential and rural properties; and commercial properties	Unknown	Unknown
Northern Territory	Consolidated revenue							
New Zealand	Insurance-based model	Insurance industry	Variable rate applied to the insured replacement value of property and a fixed charge for motor vehicles	No	Yes	Rates are consistent for all property types (excl motor vehicles). Maximums only apply in respect of residential and personal property. No maximums apply to other property types.	No	Unknown

5. Property-based fire services levy

5.1 Property charge

Implementing a property-based charge to fund Victoria's fire services has several advantages. A property-based levy would have a broad tax base and ensure that all property owners make a financial contribution to the fire services. A levy calculated with reference to property value would be more equitable, and the owners of similar properties would make similar funding contributions that reflect the underlying costs of providing fire services.

Removing the insurance statutory contribution will also remove the FSL from insurance premiums and could lead to an increase in the take up of building and contents insurance. Evidence indicates that the levels of insurance increased when Western Australia replaced its insurance-based model with a property charge.

A property charge will directly and transparently link the financial contributions paid by individual property owners with the expected costs of providing fire services and provide a stable and predictable revenue source to fund the fire services over time.

5.2 Principles

The following principles have guided the design of a property-based fire services funding model:

- efficiency;
- equity;
- sustainability and stability of the revenue base;
- simplicity and transparency; and
- minimising administration and compliance costs.

5.2.1 Efficiency

The new property-based fire services levy should be charged on a broad base, and at a low rate that minimises distortions to decision making. Taxes that impose a significant burden may alter behaviour, such as discouraging consumption of a good or service.

5.2.2 Equity

All beneficiaries of the fire services should contribute to MFESB and CFA funding in proportion to the benefits they receive. As all property owners benefit from Victoria's fire services, a minimum contribution should be made by all property owners. Equally, property owners in similar circumstances should make similar contributions and consideration should be given to their ability to pay.

5.2.3 Sustainability and revenue stability

Funding should be derived from a reliable and stable source. The revenue base needs to grow over time in line with demand and the cost of providing the services. The amount of revenue received should be predictable to allow for service planning and minimise the need for adjustments to the levy.

5.2.4 Transparency and simplicity

A fire services funding model should allow property owners to identify what they are contributing to and how much they are contributing. The system should also ensure accountability for revenue and expenditure decisions.

5.2.5 Administration and compliance costs

The costs to the Government to administer the scheme and ensure property owner compliance should be minimised. Property owners should also be able to comply with their obligations without incurring significant time, resource and financial costs.

6. Levy design

6.1 Funding requirements

The intention of this reform is to maintain existing funding levels. In general, this implies that the new property levy will replace existing statutory contributions, while other sources of revenue to the fire services will remain in place.

To maintain current funding levels, the property-based funding model will need to replace all funding sources that will cease when the property levy is implemented.

Table 6 summarises the 2009-10 budget for the MFESB and CFA. The highlighted values represent the revenue sources which could potentially be replaced by the property-based levy following the cessation of the insurance model.

Table 6: 2009-10 Revenue

Funding Source	CFA 2009-10	MFEB 2009-10
Insurance Contributions	\$ 303 170 000	\$ 206 136 000
Local Government	-	\$ 34 356 000
State Government	\$ 71 554 000	\$ 34 356 000
Commonwealth Government	\$ 576 000	\$ 3 049 000
Major incident funding	\$ 4 389 000	
Contributions from brokers and owners	\$ 20 670 000	\$ 8 086 000
Provision of Goods and Services	\$ 13 701 000	\$ 27 214 000
Interest and dividends	\$ 4 544 000	\$ 8 072 000
Other Income*	\$ 14 252 000	\$ 4 288 000
- Uninsured fire fees	<i>a component of other income</i>	
Total Income	\$ 432 856 000	\$ 325 557 000

* Other income includes public donations, contributions from the Transport Accident Commission and income from investments.

Source: CFA and MFESB

Statutory contributions come from three sources: the insurance industry, local government and state government. There is a strong case for the new property levy to replace all existing insurance and local government contributions, and a question as to whether it should also replace state contributions.

Local councils currently contribute to the fire services to the extent that they insure their buildings and contents with private insurance companies. In addition, councils either wholly or partly within the Metropolitan Fire District (MFD) make statutory contributions to the MFESB. These costs are passed on to residents through local council rates. If the metropolitan municipal council statutory contribution was to cease following the introduction of the property-based levy, there would not be an increase in the overall burden on ratepayers as a result of a property levy on local council property. Similarly, the State Government statutory contribution could also be replaced by a levy on State Government property, subject to the development of a robust and transparent methodology for determining the levy. This could however, give rise to some administrative complexity.

In summary, there are significant distinctions between the situations in relation to local government contributions compared with state government contributions. In particular:

- Local councils currently pay the FSL when they insure their assets privately; state owned land and buildings are insured through the Victorian Managed Insurance Authority (VMIA).
- Existing local government statutory contributions are passed on (through rates); whereas state contributions are sourced from consolidated revenue.

These factors raise a question as to whether the new property levy should replace all existing statutory contributions, or insurance and local government contributions only.

Question

- Which components of the statutory contributions model should be replaced by a property levy?
 - All statutory contributions from insurers and state and local governments?
 - Statutory contributions from insurers and local government only, with existing state government contributions continuing on the basis of the current model?

6.2 Tax base

Since all property owners benefit from the availability of fire services, the levy should be imposed on real property (i.e. land and improvements).

6.2.1 Personal property and motor vehicles

The owners of personal property and motor vehicles receive significant benefits from the fire services. Approximately 12 per cent of incidents to which the CFA responds are mobile vehicle related, while a total of 9.1 per cent of MFESB incident response time relates to mobile vehicles. However, this includes rescue activities and the Transport Accident Commission (TAC) currently makes an annual contribution towards the cost of the MFESB and CFA providing road accident rescue services. The TAC contribution will continue following the implementation of the property-based funding model.

While South Australia, Tasmania and New Zealand impose a levy on motor vehicles, studies conducted by the Fire and Emergency Services Authority of Western Australian indicated that a levy on motor vehicles would add little value to the design of a fire services property levy. Western Australia, Queensland and the Australian Capital Territory have property-based funding models but do not impose that levy on motor vehicles. A motor vehicle fire services levy for Victoria will increase collection costs and duplicate collection of the levy from owners of both real property and motor vehicles.

There is also no existing valuation process or comprehensive valuation base upon which to impose a property levy on motor vehicles or personal property. As a result of the impediments to imposing the levy on motor vehicles and personal property, the property levy will not be extended beyond real property.

6.2.2 Non-rateable property

Given their use of Victoria's fire services, there is a case on equity, efficiency, competitive neutrality and transparency grounds for a fire services property charge to be levied on local government property and properties that currently receive exemptions from other property taxes in Victoria. This is consistent with the arrangements in Western Australia and South Australia.

This approach reflects the fact that owners of property used for charitable purposes, infrastructure and other currently tax-exempt purposes already make a financial contribution to the fire services through their insurance premiums. The property levy would replace this insurance contribution.

Proposal

- Impose a property levy on real property, including non-rateable property, property owned by local councils and potentially the State Government.

6.3 Valuation base

There are three main property valuation options for a property levy:

- site value, which is the value of land only;
- improved value, which is the value of buildings only; and
- capital improved value, which includes the value of both land and buildings.

Table 7 illustrates the value of the different tax bases. All Victorian properties are valued biennially, with supplementary valuations where new properties are developed or following a change in property use (i.e. from commercial to residential).

Table 7: Value of the tax base

Tax base	Value of tax base
Site value	\$776 billion
Improved values	\$486 billion
Capital improved value	\$1.3 trillion

Source: Valuer-General Victoria

Site (land) value is an economically efficient tax base and a levy on site value has the benefit of not affecting incentives to invest in improvements. Site value is however less representative of the value of assets protected by the fire services. A levy on the site value of a property could impose more heavily on property owners with low improved values relative to land value, such as farms and low density residential properties in metropolitan areas.

A property levy based on improved values (i.e. the value of buildings) would reflect the benefits received from fire services, as the owners of higher value assets receive a greater potential benefit from the availability of these services. Although a levy on improved values

would also have a higher impact on properties with high improved values relative to land value, such as high density office and apartment buildings and retail complexes. A levy on improved values may result in the owners of vacant lots not making a contribution to the fire services even where they represent a fire risk. This issue could be mitigated by including a fixed levy component on all properties (discussed further in section 6.5).

A property levy assessed on capital improved value would partly apply to a broad and immobile tax base (land). As the value of improvements is included in the tax base, the levy would partly reflect the benefits received from the protection of assets. Imposing the levy on capital improved value, however, would not identify whether the majority of the property's value (and therefore the benefit derived from fire services) was in the land or the improvements (buildings). A capital improved valuation base would be more consistent with local councils existing practice levying rates, which may reduce administration costs.

Question

- What is the most appropriate valuation base?
 - Site value (i.e. the value of land only)?
 - Improved value (i.e. the value of buildings only)?
 - Capital improved value (i.e. the value of land and buildings)?

6.4 .Revision of the funding requirement and levy

A revision mechanism is required to ensure the fire services property levy raises adequate revenue in future years while providing a stable and transparent levy for property owners.

There are three main options for revising the revenue raised and property levy in the years following implementation:

- continue to set MFESB and CFA budgets annually and derive the property levy rate from the funding requirement;
- determine a levy rate at the time of implementation and maintain that fixed levy rate in future years (subject to periodic review); or
- derive the property levy rate from the funding requirement, subject to a cap on total revenue growth.

There has been strong growth in revenue directed to the fire services in recent years. If MFESB and CFA budgets continue to be set annually and the property levy rates are derived from the funding requirement, the levy rates will change each year. To calculate levy rates the total revenue requirements would be divided by aggregate property values, taking into account levy areas and property types. A change in revenue requirements, or a change in aggregate property values, would have an impact on the levy rate. Variable levy rates provide flexibility to ensure revenue collections match funding requirements, but may reduce certainty for property owners about future levy charges. However, variable levy rates will ensure Victoria's fire services are adequately funded into the future.

Alternatively, the property levy rate could be determined at the time of implementation and fixed, subject to periodic review. In practice, a biennial review would be most appropriate to ensure that the revenue raised using revised property values is equivalent to the cost of providing fire services. A fixed levy rate would result in small revenue adjustments during

non-valuation years due to newly developed properties, and allow for larger variations following each review when new valuations are used to calculate the levy.

Fixed levy rates provide certainty and administrative simplicity but remove flexibility. This limitation may cause budgetary pressure in non-valuation years if there is little revenue growth. Growth in property numbers reflects an increase in demand for services, but due to the largely fixed nature of MFESB and CFA costs, revenue requirements may not increase until a capacity constraint is reached. Similarly, growth in property values is not necessarily related to growth in MFESB and CFA budgeting requirements.

As an alternative to the above options, the levy rate could be altered annually, subject to restrictions on the growth of overall revenue. Increases to fire services revenue and the resulting levy rate would be capped to promote prudent financial management and prevent an increased financial burden being passed on to property owners. Capped variations provide certainty but remove flexibility in the revenue raising capacity of the property levy.

Proposal

- Set the property levy annually to ensure the fire services are adequately funded.

6.5 Fixed and variable charge

The expected benefits of the fire services to a property are affected by two factors: the risk of a fire occurring and the value of the property to be protected. The fire services also provide broader public benefits, such as fire prevention, which cannot be readily linked to specific properties.

A fixed component or a minimum payment would reflect broader community benefits, while an ad valorem property rate (a charge calculated as a percentage of property value) would reflect the benefits to individual property owners. The structure of the emergency services property levy in South Australia includes both a fixed component and an ad valorem levy.

The fire services provide an on-call fire fighting capacity and undertake fire prevention activities that benefit the community as a whole. The cost of these prevention and preparedness services can be considered broadly equivalent across a given class of properties. The cost of responding to fire or emergency incidents is also likely to be similar for many sectors of the community. For example, the MFESB will send two fire appliances to most residential property fires irrespective of the value of the property. However, the costs will be greater for high value properties such as multilevel office, retail or apartment buildings. This additional cost would be reflected in the ad valorem component of the levy.

As alternatives to a fixed component and variable charge, a flat per property charge could be applied to property owners or a simple ad valorem rate could be applied to the value of each property. These alternatives are efficient and administratively simple to collect.

However, a flat charge per property may be inequitable as the same contribution is expected from owners of high value and low value properties with no consideration given to their ability to pay. A flat per property charge also does not reflect the value of assets protected. Alternatively, if a single ad valorem levy rate were applied, the levy would not reflect the benefits derived from on-call fighting capacity and fire prevention activities. In addition, the collection costs associated with a single ad valorem levy rate could be disproportionate relative to revenue collected from low value properties.

Proposal

- The fire services property levy include a fixed component and an ad valorem charge assessed on the capital improved value of property.

6.6 MFESB and CFA

Under the current insurance-based arrangements, policy holders contribute to the fire service for the area in which their property is located. As a result, the owners of property outside the MFD area (serviced by the CFA) pay a higher rate of FSL than those inside the MFD (serviced by the MFESB), as reflected in the current ICA advisory rates (see Table 2). This difference arises because the relatively larger budget of the CFA (Table 6) is spread over a smaller pool of insurance premiums in the CFA area, although there are a similar number of properties in each area (Table 8).

Maintaining separate levy rates for properties within the MFD and properties outside the MFD would be consistent with the existing funding arrangements. While the MFESB and CFA extend their services across regional boundaries in response to specific emergencies, property owners within the MFD largely benefit from services provided by the MFESB and property owners outside the MFD largely benefit from services provided by the CFA. Separate levy rates mean that property owners contribute to their local fire service. Due to significant differences in the cost of providing fire services to different geographical areas, separate levy rates reflect the cost and quality of fire services provided within and outside the MFD.

Under a separate levy rate structure, similar properties within each region would pay the same levy rate, but properties in the MFD would pay a lower levy rate compared to properties of similar properties value outside the MFD. As a result, and particularly in areas close to the boundary of the MFD, property owners in relatively close proximity may make quite different contributions to the provision of fire services.

While the Royal Commission noted that the fundamental problem with the current arrangements arises from its imposition on insurance, it also raised the possibility of establishing a single fund for CFA and MFESB services. While a single fund could imply a single state-wide levy, it could also involve differential levy rates determined on some basis other than the CFA and MFESB budgets.

A single levy rate is likely to be more economically efficient as it would spread the cost of funding both fire services over the broadest possibly property base (particularly when imposed on the capital improved value of property). A single rate would also mean that property owners in Victoria would all contribute to funding the fire services on similar terms, relative to the value of their property. However, it would necessarily re-distribute some of the costs of funding the CFA to metropolitan property owners.

Table 8: Property count by location

Within the Metropolitan Fire District (approx.)	
Residential property	988 000
Non-residential property	122 000
Outside the Metropolitan Fire District (approx.)	
Residential property	1 266 000
Non-residential property	216 000

Source: Valuer-General Victoria

The choice of single or separate levy rates will involve a tradeoff between economic efficiency, equity and the principle of user pays. As such, DTF welcomes submissions in response to the following questions.

Questions

- Should the property levy be set at single statewide rate, or should separate property levies be imposed within and outside the MFD?
- Are there alternative ways of sharing the cost of funding fire services across the boundary of the MFD?

6.7 Differential rates by property type

In forming its recommendations, the Royal Commission noted that there is potential to adjust the rate of the fire services property levy to reflect risk. Developing and applying a comprehensive risk rating to scale a property levy for individual properties is unlikely to be feasible, as the costs of doing so would be very high relative to the amount of the levy collected. However, it is feasible to apply different rates to different property types.

Applying differential rates by broad property type would be desirable on equity grounds if the use of fire services differs across property types (for example, commercial, industrial, residential, primary production land and public benefit). With differential rates, a \$1 million residential property and a \$1 million commercial property, both located in the same area, would make different annual contributions to the fire services.

Developing a robust methodology for classifying property types by fire risk will be key to implementing differential levy rates in a fair and transparent manner. As DTF further examines approaches to risk classification, the following questions are posed for consultation.

Questions

- Should different levy rates apply to different properties classifications?
- How should the total funding burden be distributed between property classifications?
- Should the total budget be allocated according to a measure other than the fire risk of broad property classifications?

6.8 Concessions

The Royal Commission recommended that the fire services property levy include a concession for low income earners. However, the recommendations did not provide any direction on how a concession should be implemented or appropriately targeted.

6.8.1 Eligibility for a concession

Eligibility based on Commonwealth concession cards would allow for an individual's status to be easily verified and subject to Commonwealth income and asset thresholds. This would be consistent with the approach taken in other jurisdictions.

Accordingly, the simplest and most equitable way to provide a concession is to grant a concession to holders of Commonwealth:

- Health Care Cards; and/or
- Pensioner Concession Cards; and/or
- Department of Veterans Affairs gold cards.

It is considered that Commonwealth Seniors Health Care card and Victorian Seniors card holders should not be entitled to a fire services property levy concession. This is due to the eligibility requirements for these cards allowing individuals not generally considered low income to be eligible.

6.8.2 Rate of concession

State concessions can be delivered in a variety of ways. For example:

- The local council rates concession is effectively a fixed discount, with a nominal 50 per cent discount subject to a cap (\$187.60 for 2010-11). Approximately 98 per cent of concession households receive the capped discount amount.
- The Annual Electricity Concession provides a 17.5 per cent discount off the electricity bills of eligible customers.

The fire services levy concession could take the form of a percentage discount on the levy payable, a percentage discount with a cap, or a fixed dollar amount discount.

6.8.3 Targeting the concession

The Royal Commission recommended a concession due to its concerns about uninsured low income earners becoming liable for a fire services property levy, without an offsetting reduction in fire services insurance levy.

The fire services property levy concession will need to be appropriately designed and targeted to ensure it is available to low income property owners, without significantly increasing the fire services property levy for non-concessional levy payers. In addition to concession card eligibility criteria, it may be possible to target the concession to those who need it most by setting a property value threshold.

6.8.4 Interaction of concession and collection agency

The choice of collection agency interacts with the choice of concessions eligibility.

If local councils are the collection agency, the fire services property levy would likely be issued as part of rates notices. In that case, it would be most simple administratively to align the concession with the existing local government rates concession, which is available to Pensioner Concession Card and Department of Veterans Affairs gold card holders.

Collection by the SRO would allow more flexibility in choosing the concessions policy. The SRO currently administers a range of concessions for stamp duty, including the pensioner stamp duty concession, which is available to pensioners who hold a Health Care Card, Pensioner Concession card and Department of Veterans Affairs repatriation health cards and pensioner cards.

Proposal

- A concession should be given to holders of Health Care Cards, Pensioner Concession Cards and Department of Veterans Affairs gold cards on their principal place of residence.

Questions

- Should eligibility for a concession be subject to a property value threshold?
- How should a concession be calculated?
 - Percentage discount?
 - Percentage discount with a cap?
 - A fixed dollar amount discount?

6.9 Collection agency

Local councils and the SRO are both feasible options for collecting the fire services property levy based on the recommended revenue base. DTF estimates that the administration costs of either option would be broadly similar. These costs could be recovered from the levy.

6.9.1 Local council

Local councils have an established legislative framework and established procedures for billing, collection, pensioner concession card verification, objections to property valuations, and debt collection. These could be extended to the fire services property levy, which would simplify compliance for residential owner-occupiers.

Implementation in any one local council will not be complex, but the involvement of 79 local councils significantly adds to the complexity of implementation and ongoing administration.

Collection by local councils could create the potential for differential treatment of taxpayers (e.g. different collection and enforcement arrangements in different councils), and would require a new mechanism for non-rateable property. It would also require more complex legislation, because of the need to provide for tax administration powers and governance arrangements in addition to the levy design.

Implementation will require a lead time of at least 12 months to develop suitable agreements with local government. Ensuring the smooth development and implementation of collection arrangements will also require being mindful of peak workloads for local government, such as flood recovery. The Government would need to agree with councils on suitable arrangements to support them to implement and administer the property levy.

6.9.2 State Revenue Office

The SRO has specialised knowledge and expertise in tax administration. The SRO's established processes for education, compliance, enforcement and existing avenues of review and appeal could be extended to the fire services property levy by amending the *Taxation Administration Act 1997* (TAA).

A single collection agency has lower complexity relative to the local government option. Collection by the SRO would also allow greater flexibility in levy design, greater direct control by government, a sophisticated capacity for compliance activity and lower risk to implementation timelines. Additionally, the SRO would provide uniform service and is already subject to existing supervision and accountability mechanisms that would apply to the property-based levy.

However, the SRO would need to implement a new collection system to issue an assessment to most households. This would increase household compliance costs. If there is low household compliance with fire services property levy payment, the additional cost of SRO debt collection may not be justified by the expected low fire services property levy assessments. This could be an ongoing risk to revenue, although this could be mitigated by other factors.

Proposal

- That the fire services property levy be collected by local councils, with support for implementation and administration.

6.10 Transitional arrangements

The existing fire service statutory contributions from insurers can be phased out relatively easily. The Government can declare a final statutory contribution to be paid by insurers for the 2012-13 financial year and property owners will then be liable for the property levy from 1 July 2013.

However, there are several associated risks which must be carefully managed. If insurers continue to collect the FSL in full until 30 June 2013, this may create an incentive for property owners to defer taking out or renewing insurance in the months immediately prior to 30 June in order to avoid the FSL. Those property owners who choose to remain insured and pay the full FSL may consider that they have contributed 'twice' to the fire services in the first year of the property levy.

The insurance industry will receive significant long-term financial and economic benefits following the abolition of the statutory contributions model and face some incentives to ensure the FSL is removed from insurance policies (including the risk of customer switching, price competition and reputational risk). However, it is preferable that the Government actively manage the transition process to ensure the interests of policy holders are protected.

6.10.1 Tapering model

Under a 'tapering' model, insurers would reduce the FSL paid on insurance premiums in the 2012-13 financial year on a pro-rata basis (for example, by 1/365th for each successive day in which an insurance policy is renewed or taken out during the year). By phasing out the FSL in this way, the incentive and equity impacts identified above are avoided.

Western Australia adopted a tapering approach as part of their transition model, which proved to be feasible and easy to communicate to stakeholders.

6.10.2 Decoupling model

The alternative approach is a 'decoupling' model, where insurers would pay a final discounted statutory contribution with the balance of the funding requirement met through a discounted property levy. In this case, the discounted FSL would apply to the full term of the insurance policy. For example, with a 50 per cent discount to the statutory contribution all policy holders (including those taking out insurance immediately prior to the end of the financial year) would pay an FSL equivalent to 50 per cent of the FSL normally applying to the full policy.

The main advantages of this option are that it staggers the introduction of the property levy for non-insured property owners (50 per cent in year one and 100 per cent in the second year), and is simpler to implement (a simple 50 per cent discount rather than a pro rata reduction).

However, this model only partially addresses the incentive and equity impacts on property owners through a partial discount. This option has not been successfully implemented in other jurisdictions.

Proposal

- The tapering approach be adopted to phase out the insurance contributions prior to the introduction of the property levy.

6.11 Monitoring

The abolition of statutory contributions from insurance companies will remove the FSL from insurance premiums. However, the nature of the insurance industry and significant events such as the recent floods may make it difficult to identify savings to insurance policy holders, particularly in the residential sector.

An independent review of the impact of abolishing the insurance-based funding model will be implemented to strengthen the incentives for insurance companies to fully pass on premium reductions and demonstrate premium reductions.

There are two main options for an independent monitoring authority: the Essential Services Commission (ESC) or an appropriate accounting, actuarial or consulting firm.

The ESC is Victoria's independent economic regulator of essential services and also provides advice to the Victorian Government on a range of regulatory and other matters. The ESC has the relevant skills and experience in data collection and analysis, performance monitoring, and the provision of independent advice. The ESC will adopt a cooperative approach with insurers but also has the statutory power to compel insurance companies to provide data for analysis should this become necessary.

The alternative is to appoint an accounting, actuarial or consulting firm to undertake this monitoring role. However, there may be concerns regarding the independence and transparency – and hence credibility – of the analysis undertaken by an external firm, particularly where it may have a previous or ongoing relationship with clients in the insurance industry.

The monitoring agency would review industry and company-specific data to investigate whether insurance companies have passed on savings to policy holders. The monitor would produce a public report detailing compliance or non-compliance on an industry wide level as well as for specific insurers if necessary.

Proposal

- The Essential Services Commission be appointed to independently monitor the FSL transition process. A public report on whether or not insurance companies have passed on savings to policy holders is to be produced as part of the monitoring role.

7. Next steps

7.1 Consultation

The Government offers all Victorians the opportunity to comment on the options for the design and implementation of the new fire services property levy in Victoria, and will conduct a rigorous public consultation process.

All written submissions will be treated as public documents unless individuals or organisations request otherwise. Please note that freedom of information access requirements will apply to all submissions including those treated as confidential.

The closing date for written submissions is 30 September 2011.

Submissions can be sent:

By post:

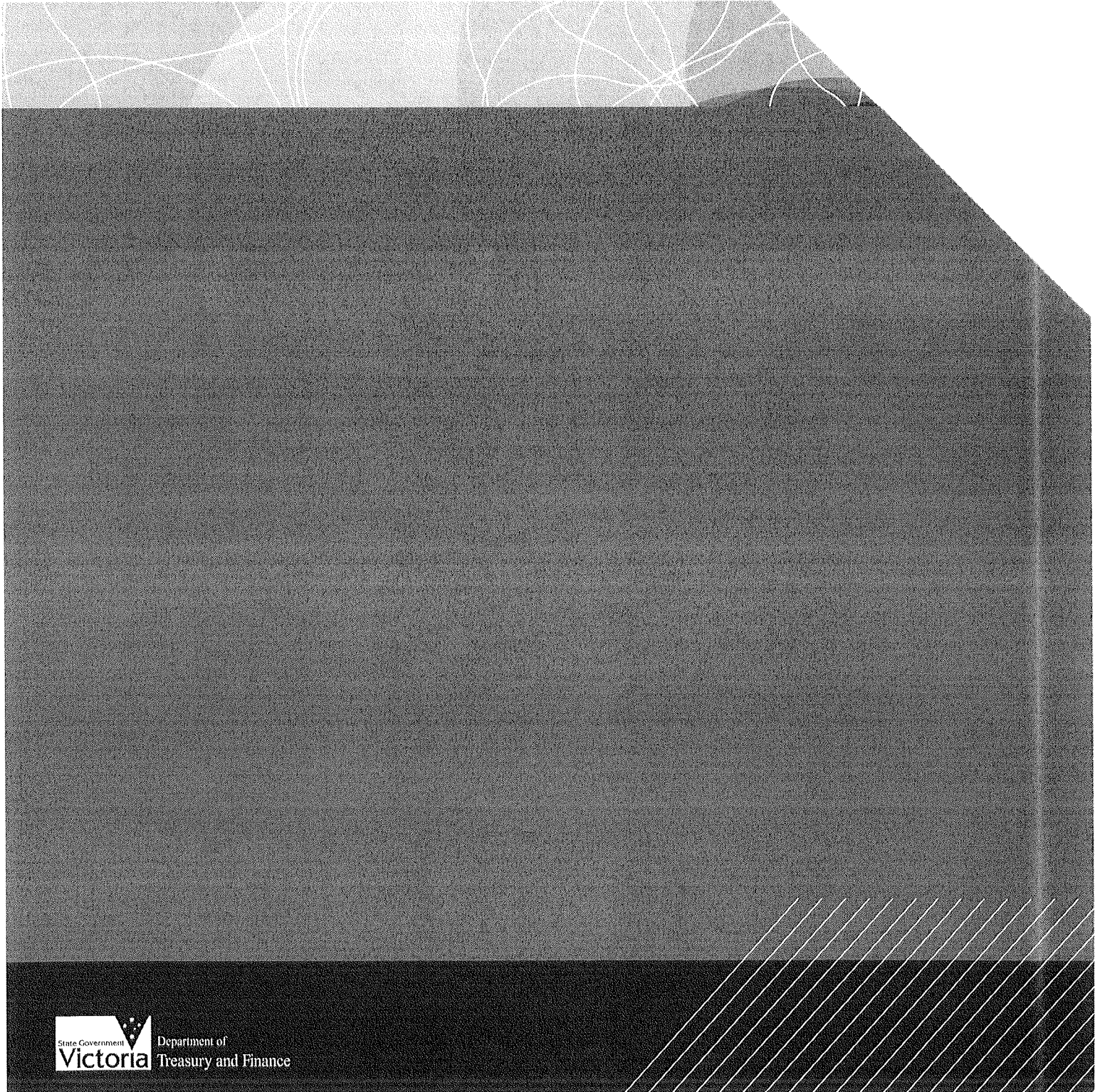
Fire Services Project
Department of Treasury and Finance
1 Treasury Place
East Melbourne
Vic 3002

By email:

fireservicesproject@dtf.vic.gov.au

7.2 Timeline

Consultation period	From June 2011
Written submissions close	30 September 2011
Legislation introduced	Early 2012
Transition period commences	1 July 2012
Implementation	1 July 2013
Independent review of insurance prices following the removal of the FSL	July 2013 – June 2014



ATTACHMENT 2

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DW:MR

9 September 2011

Fire Services Project
Department of Treasury and Finance
1 Treasury Place
EAST MELBOURNE VIC 3002

To Whom It May Concern:

**LATROBE CITY COUNCIL SUBMISSION IN RESPONSE TO VICTORIAN
FIRE SERVICES PROPERTY LEVY OPTIONS PAPER**

Latrobe City Council appreciates the opportunity to provide this submission to the Department of Treasury and Finance regarding the Option Paper for the Victorian Fire Services Property Levy.

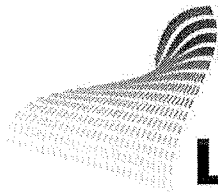
Latrobe City Council strongly disagrees with the proposal for local councils to collect the fire services levy on behalf of the State Government. It is the view of Latrobe City Council that the fire services levy should be collected by a state government agency as it would impose unnecessary financial and reputational costs on Latrobe City Council.

Latrobe City Council would be happy to participate in any further discussions regarding this issue.

Should you wish to discuss this submission, the officer contact at Latrobe City Council is Carol Jeffs, General Manager Governance, phone (03) 5128 5487 or email carol.jeffs@latrobe.vic.gov.au

Yours sincerely

DARRELL WHITE
Mayor



LatrobeCity
a new energy

SUBMISSION

Latrobe City Council's Response to the Victoria Fire Services Property Levy Options Paper

September 2011

Gippsland's Regional City

Latrobe City is one of the four major Victorian Regional Cities and one of the fastest growing metropolitan centres in Australia. Latrobe City is home to 80,000 people and is located approximately 150km east of Melbourne. The municipality is characterised by four major urban areas – Morwell, Traralgon, Churchill, Moe/Newborough and also includes seven smaller townships.

Latrobe City is the most populated local government area within the region of Gippsland which is also demonstrating strong population growth. A major strength for Latrobe City is its geographical central location within the Gippsland region that makes it the natural regional centre. Latrobe City Council currently has 36 700 rateable properties in its region.

Brown coal-fired electricity generation is an important part of the regional economy and the region supplies over 90% of Victoria's electricity generation requirements. For every ten direct jobs in the coal and electricity sector, it is estimated that a further eight jobs are sustained in the local economy. With the recent Federal Government announcements regarding a Carbon Tax scheme, Latrobe City Council is focusing on its overarching policy framework to overcome challenges and maximise opportunities that may be presented by a carbon constrained economy. Council's policy has a strong focus on working with all levels of government, business and citizens to enable the region to transition to a sustainable and prosperous future.

In 2009 the Latrobe City community was significantly impacted by the Boolarra bushfires and the Black Saturday fires in the Calignee, Hazelwood and Traralgon South areas. The recovery effort has been a great example of the community's resilience and leadership, however many people are still coming to terms with the event, particularly those who were uninsured or underinsured.

Latrobe City Council Submission

The proposal to replace the current insurance based fire services levy with a property based fire services levy is generally supported by Latrobe City Council as a more equitable and sustainable method to fund the fire services.

Latrobe City Council strongly disagrees with the proposal for local councils to collect the fire services levy on behalf of the State Government. It is the view of Latrobe City Council that the fire services levy should be collected by the State Revenue Office as it would impose unnecessary financial and reputational costs on Latrobe City Council.

Further detail is provided for each of the proposals in the options paper.

Proposal: Impose the levy on real property, including non-rateable property, property owned by local councils and potentially the State Government.

The property based approach is generally supported; however more information would be required regarding the costs and methods for collecting the levy from non-rateable properties and property owned by local councils. Latrobe City Council currently has no need and no method to collect a levy from non rateable properties and this would impose additional cost burden on Council.

Proposal: Set the fire services property levy annually to ensure the fire services are adequately funded.

Latrobe City Council opposes this approach and requests that a five year program of levy amounts is forecast to provide certainty and transparency for the Latrobe City community and Council's strategic resource plan.

Proposal: A concession be provided to Health Care Card holders, Department of Veterans Affairs gold card holders and Pensioner Concession Card holders.

The inclusion of health care card rebates is foreign to local government and will increase the complexity of collections and rate notices. Latrobe City Council opposes concessions for health care card holders should Council be required to collect the fire services levy.

The proposal to include a rebate for health care card holders will increase the complexity of both the collection process and would again impose additional costs on Council if the levy is collected via the rates notice.

Currently, health care card holders are not eligible for a rebate on municipal rates. The inclusion of a health care card rebate will cause confusion for rate payers and likely lead to an expectation that the rebate should apply to the whole notice. The complexity of different rebates will also increase the difficulty of managing the rates collection.

Proposal: The fire services property levy be collected by local councils, with support for implementation and administration.

Latrobe City Council strongly opposes this proposal. It is Council's position that the Fire Services Levy is a State Government tax and should be collected by a state government agency. The State Revenue Office (SRO) would be the appropriate agency to collect the fire services levy. The SRO has specialised knowledge and expertise in tax administration; it would enable a single collection agency which has lower levels of complexity; and it would allow greater flexibility in levy design and greater direct control by the State Government (page 23 of the options paper).

It is Latrobe City Council's view that the collection of the fire services levy by Latrobe City Council would impose additional financial and reputational costs. If the levy is included on local council rates notices, it is highly likely that the community will view this additional levy as a Council charge. This has the potential to impact Council's ability to meet its own operational requirements through increased pressure on future planned rate revenue. It is estimated that the fire services levy will add, on average, approximately \$200 per rateable property. While this may seem comparable to insurance premiums, this amount will result in a proportionately large increase in the total rate notice for Latrobe City property owners.

The State Government has imposed a requirement for local government to collect the EPA landfill levy on its behalf. This has resulted in confusion for rate payers regarding what they are paying for, and increased pressure from the community to reduce Council rates to compensate. Rate payers have found it difficult to delineate between the State Government and local government charges, and it has resulted in increased questions as to what is provided by each level of government. In addition, the Latrobe City community has difficulty understanding that there is a local collection system but the revenue appears to go into State consolidated revenue with no local expenditure connection.

There is also some concern that the Fire Services Levy would take precedence over Council revenue collection, leaving Council out of pocket for the unpaid levy amounts. Latrobe City Council would require assurance that the order of receipts would not impact on Council's financial wellbeing. Council's position is that the levy should be collected by the SRO, failing this; it would be a requirement that the recognition of all rates and charges would have priority payment allocations ahead of the fire services levy. Council proposes that only when the fire services levy is received would it be required to be passed on to the SRO.

Latrobe City Council requests that should it be required to distribute this levy on behalf of the State Government, that the Fire Services Levy is invoiced separately on SRO letterhead, with the SRO responsible for the collection and administration of the levy.

In addition, should Council be required to distribute this levy on behalf of the State Government, that the State Government undertake a comprehensive and ongoing community information and education campaign that includes broadscale advertising, individual notification of all property owners and opportunity for local face to face meetings with State Government representatives.

Finally, Latrobe City Council requests that should if it be required to administer this levy on behalf of the State Government that the recognition of all rates and charges would have priority payment allocations ahead of the fire services levy.

There has been a noteworthy lack of community consultation regarding the proposed changes

The options paper provides strong guarantees that a rigorous public consultation process would be undertaken regarding the amendments to the fire services levy. Council is concerned that little action has seemed to be taken to engage the broader community regarding this issue, even though the Department has consulted with the Municipal Association of Victoria.

Latrobe City Council contacted the Department of Treasury and Finance numerous times in August 2011. As at 2 September 2011, the Department of Finance and Treasury was still not able to provide any details regarding the planned rigorous community consultation. This is an issue which will impact every household across the state and Latrobe City Council strongly believes that the community must be provided with an opportunity to express their thoughts on the proposed options.

Latrobe City Council requests an extension of time to allow Council to undertake community consultation on this matter.

Latrobe City Council requests that the Department of Treasury and Finance undertake some broadscale advertising to advice of proposed changes and invite public comment.

11.6.4 DOCUMENTS PRESENTED FOR SIGNING AND SEALING

AUTHOR: General Manager Governance
(ATTACHMENT - NO)

1. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act* 1989 in the preparation of this report.

2. DOCUMENT/S

AP-1015-2011-VX	Section 173 Agreement under Section 173 of the Planning and Environment Act 1987 between Latrobe City Council and Geoffrey Robert Betts as the Owner of land described in Certificate of Title Volume 9487 Folio 057 being Lot 76 on PS 139475 situated at 44 Prince Street, Moe providing that notwithstanding the granting of works permit AP-1015-2011-VX to construct a vehicle crossing at an underground fire hydrant, the property owner or occupier is required to accept responsibility for reinstating the vehicle crossing in the event that the vehicle crossing is damaged by maintenance works undertaken on the fire plug.
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3. RECOMMENDATION

- 1. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement between Latrobe City Council and Geoffrey Robert Betts as the Owner of land described in Certificate of Title Volume 9487 Folio 057 being Lot 76 on PS 139475 situated at 44 Prince Street, Moe pursuant to works permit AP-1015-2011-VX.**

Moved: Cr Lougheed

Seconded: Cr Gibson

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

**MEETING CLOSED
TO THE PUBLIC**

13.1 MEETING CLOSED TO THE PUBLIC

AUTHOR: General Manager Governance
(ATTACHMENT – NO)

1. PURPOSE

The purpose of this report is for Council to consider closing this meeting to the public to allow Council to deal with items which are of a confidential nature.

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.

2. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act* 1989 in the preparation of this report.

3. RECOMMENDATION

That Council closes this meeting to the public to consider the following items which are of a confidential nature, pursuant to section 89(2) of the *Local Government Act* (LGA) 1989 for the following reasons:

ITEMS		NATURE OF ITEM
15.1	ADOPTION OF MINUTES	(h) other
15.2	CONFIDENTIAL ITEMS	(h) other
15.3	ASSEMBLY OF COUNCILLORS	(h) other
15.4	2011 AUSTRALIA DAY COMMITTEE	(h) other
15.5	CHURCHILL TOWN CENTRE PLAN - ADVERTISING LAND EXCHANGES	(e) proposed developments
15.6	CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW 2010/11	(a) personnel matters

Moved: Cr Lougheed

Seconded: Cr Gibson

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

Meeting Closed to the Public

The Meeting closed to the public at 9.02 PM.

14. TEA BREAK**Adjournment of Meeting**

The Mayor adjourned the Meeting at 9.02 PM for a tea break.

Resumption of Meeting

The Mayor resumed the Meeting at 9:15 PM

**THERE BEING NO FURTHER BUSINESS THE MEETING WAS DECLARED
CLOSED AT 10.05 PM.**

**I CERTIFY THAT THESE MINUTES COMPRISE OF 485 PAGES IN TOTAL
AND THAT THEY HAVE BEEN CONFIRMED.**

MAYOR: _____

DATE: _____