



LATROBE CITY COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING

**HELD IN THE
NAMBUR WARIGA MEETING ROOM,
CORPORATE HEADQUARTERS, MORWELL
AT 7:00 PM ON 03 OCTOBER 2011**

PRESENT:

*Cr Darrell White, Mayor - Firmin 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 - Gunyah 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
Allison Down, Manager Risk and Compliance
Casey Hepburn Acting General Manager Community Liveability
Grantley Switzer, General Manager Recreation, Culture and Community*

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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

Cr Sharon Gibson – Merton Ward

3. Declaration of Interests

Cr O'Callaghan declared an indirect interest under section 78B of the *Local Government Act* 1989 in Item 7.1 – 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 Lougheed

Seconded: Cr Harriman

That Council adopts the Minutes of the Ordinary Council Meeting held on 19 September 2011 (CM 358), relating to those items discussed in open Council.

CARRIED UNANIMOUSLY

PUBLIC QUESTION TIME

5.1 UPGRADING JUMBUK ROAD (11 CORNERS)

Mr Barry Gemmell asked the following questions:

Background

Upgrading Jumbuk Road (11 Corners)

Questions

1. Why did Latrobe Shire officials who compiled the Oct 09 submission for funding from Vicroads to upgrade 11 Corners on Jumbuk Rd State that Jumbuk Rd was the only route available for H.V.P to transport timber from coupes between Jumbuk Rd and Middle Creek Rd to the mill?
2. Vicroads requested “an outline of the extent of environmental impact”(ie removal of native vegetation, cultural heritage etc) in relation to the intended works on Jumbuk Rd. Was this document provided and is the document available to the public?

Answer

Please find response letter in regards to the above questions on the next page.

RB/ME

11 October 2011

Mr Barry Gemmell
885 Jumbuk Road
YINNAR SOUTH VIC 3889



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Dear Mr Gemmell

JUMBUK ROAD UPGRADE

I refer to your questions raised at the Ordinary Council meeting held 3 October 2011 regarding the above matter. Responses to your questions are as follows:

1. Why did Latrobe Shire officials who compiled the October 2009 submission for funding from Vic Roads to upgrade 11 corners on Jumbuk Road state that Jumbuk Road was the only route available for H.V.P to transport timber from coupes between Jumbuk Road and Middle Creek Road to the Mill?

Response: The funding application forwarded to Vic Roads to upgrade Jumbuk Road did not state that Jumbuk Road from Junction Road to Healeys Roads was the only route for the cartage of timber from coupes off Jumbuk Road.

Council considered a report on timber cartage routes at Jumbuk and Yinnar South on 19 October 2009. The report identified the Jumbuk Road, Junction Road route and the Upper Middle Creek Road, Middle Creek Road route as timber cartage routes. Improvement works on the roads was identified in the Council report.


A separate funding submission was previously made to Vic Roads for upgrade works on Upper Middle Creek Road.

2. Vic Roads requested an outline of the extent of the environmental impact (i.e removal of native vegetation, cultural heritage etc) in relation to the intended works on Jumbuk Road. Was there a document provided and is the document available to the public?

Response: The request for information regarding the environmental impacts was included in a letter from VicRoads dated 9 November 2009. Latrobe City responded to this request in a letter dated 24 November 2009. The response letter indicated that there were no cultural heritage issues and that there are some native vegetation issues. In addition, this letter indicated that Latrobe City Council had commenced discussions relating to offsets for the removal of native vegetation associated with the road widening works.

If you require further information please contact Michael Edgar, Acting
Manager Built and Natural Environment on (03) 5128 5628 or via email
Michael.Edgar@latrobe.vic.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Darrell White', with a long horizontal stroke extending to the right.

Cr DARRELL WHITE
Mayor

5.2 **LATROBE CITY COUNCIL LOW CARBON EMISSION FUTURE
TRANSITION COMMITTEE**

Ms Cheryl Wragg asked the following question:

Background

Latrobe City Council Low Carbon Emission Future Transition
Committee

Questions

1. Given that the Latrobe City Council Low Carbon Emission Future Transition Committee is supposed to be advocating on behalf of the community in the interests of the regional community, why aren't any community organisations members on the Committee?

Answer

Please find response letter in regards to the above question on the next page.

Our Ref: 704380
DW:JA



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12 October 2011

Ms Cheryl Wragg
Secretary
Moe and District Residents Association Inc.
10 Dwyer Street
MOE VIC 3825

Dear Ms Wragg

LATROBE CITY COUNCIL LOW CARBON EMISSION FUTURE TRANSITION COMMITTEE

Thank you for the question you submitted at the Ordinary Council meeting held on Monday, 3 October 2011:

Given that the LCC Low Carbon Emission Future Transition Committee is supposed to be advocating on behalf of the community in the interests of the regional community, why aren't any community organisations members on the Committee?

The membership of the Latrobe City Low Carbon Emissions Future Transition Committee is determined by the Terms of Reference for the committee. The establishment of a committee is a key action of Council's policy *Positioning Latrobe City for a Low Carbon Emission Future* and provides an overview of the membership that Council envisaged for the Committee.

The composition of the Committee and these Terms of Reference were adopted by resolution of Latrobe City Council at its Ordinary Council Meeting held on 8 November 2010. The objectives of the committee are outlined below:

- 2.1 To act as a conduit for the flow of information from key stakeholders to the Latrobe City Council on the low carbon emissions transition process by:
 - advising on relevant activities being undertaken by represented organisations and the broader community; and
 - keeping represented organisations informed on Latrobe City Council's low carbon emissions transition activities.
- 2.2 To keep Latrobe City Council abreast of relevant State and Federal Government legislative and policy developments related to carbon emissions mitigation and transition support.
- 2.3 To bring to the attention of Latrobe City Council any planned industry or business responses, which have the potential to impact on the wider Latrobe City community.

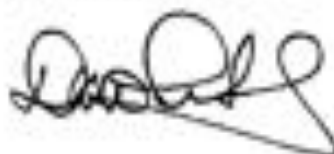
- 2.4 To assist Latrobe City Council to monitor the implementation and effectiveness of low carbon emissions policy actions and to identify any gaps in the management of the low carbon emissions transition process.
- 2.5 To assist Latrobe City Council to review and update its policy: Positioning Latrobe City for a Low Carbon Emissions Future.
- 2.6 To report to Council in June of each year, and more frequently as appropriate, on the overall operations and achievements of the Committee.

Council appreciates that there are many active community groups in the region and that these groups have an important role to play in representing the community. All community groups are welcome at any time to provide information and feedback to Council about any issues facing the community, including the transition to a low carbon economy.

It is also important to be aware that a number of Councillors sit on the Committee in their capacity as elected representatives for the community. As such, they advocate for the interests of the broader community during Committee meetings.

I trust this explains Council's position to you. If you have any more questions, please contact Julia Agostino, Manager Regional Partnerships on (03) 5128 5759 or Julia.Agostino@latrobe.vic.gov.au.

Yours sincerely



CR DARRELL WHITE
Mayor

Suspension of Standing Orders

Moved: Cr Lougheed
Seconded: Cr Harriman

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 7.03 pm

Cr O'Callaghan left the Chamber at 7.03 pm due to an indirect interest under section 78B of the Local Government Act 1989

Mr John MacKenzie addressed Council in relation to Item 7.1 Planning Permit Application 2010/307 – Use and Development of Land for Accommodation and Removal of Native Vegetation, 15 Northern Avenue Traralgon

Cr O'Callaghan returned to the Chamber at 7.07 pm

Mr Barry Gemmell addressed Council in relation to Item 11.3.4 Planning Permit Application 2010/387 – Native Vegetation Removal – Jumbuk Road, Jeeralang Junction

Ms Sharon Thompson addressed Council in relation to Item 11.3.4 Planning Permit Application 2010/387 – Native Vegetation Removal – Jumbuk Road, Jeeralang Junction

Mr Rodney Gilhan addressed Council in relation to Item 11.3.5 Planning Permit Application 2010/381 – Construction of 40 Dwellings on a Lot, 39 Queens Parade, Traralgon

Mr Michael Nicola addressed Council in relation to Item 11.3.5 Planning Permit Application 2010/381 – Construction of 40 Dwellings on a Lot, 39 Queens Parade, Traralgon

Resumption of Standing Orders

Moved: Cr Lougheed
Seconded: Cr Middlemiss

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

Standing Orders were resumed at 7.25 pm

ITEMS REFERRED BY THE COUNCIL

7.1 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.

The application was considered previously at the Council Meeting held on 19 September 2011 where the following resolution was passed:

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

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;

- iv. Details (including on site detention) to ensure that discharge from the land must be limited to pre-development flows from all storm events greater than the 1 in 5 year ARI storm event and up to an including the 1 in 100 year ARI storm event, and to ensure that there are no adverse affects or flooding either up or downstream of the site.
 - b) Detailed design and construction plans for the proposed vehicle access into the site from Northern Avenue. The plans must be prepared in accordance with the requirements of Latrobe City Council's Design Guidelines, must demonstrate compliance with the requirements of Austroads 'Guide to Road Design' and Australian Standard AS2890 and must show vehicle swept path diagrams for larger vehicles access to and from the site, provisions for conveying the existing roadside drainage past the vehicle access to the site and include proposed construction details and drainage calculations;
 - c) Detailed design plans for all mitigating works recommended by the approved traffic impact assessment report including any provision of road widening, kerb and channel, traffic islands, street furniture, signage and road pavement line marking. When approved, the plans will be endorsed and will then form part of the permit.
25. Prior to the commencement of the use, the following works must be completed to the satisfaction of the Responsible Authority:
- a) Drainage works must be constructed in accordance with the approved site drainage plan;
 - b) The new vehicle crossing providing access onto Northern Avenue must be constructed in accordance with the approved plans;
 - c) The areas set aside for vehicle access, deliveries and car parking as shown on the endorsed plans must be constructed in accordance with the endorsed plans.

- 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 L_A(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.

Cr O'Callaghan left the Chamber at 7.25 pm due to an indirect interest under section 78B of the Local Government Act 1989

ALTERNATE MOTION

Moved: Cr Kam

Seconded: Cr Harriman

That the Motion be adopted.

- 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;
 - 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; and
 - f) The provision of landscaping along the northern site boundary (common boundary of 15 Northern Avenue and 25 Northern Avenue)
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;
 - iv. Details (including on site detention) to ensure that discharge from the land must be limited to pre-development flows from all storm events greater than the 1 in 5 year ARI storm event and up to an including the 1 in 100 year ARI storm event, and to ensure that there are no adverse affects or flooding either up or downstream of the site.
- b) Detailed design and construction plans for the proposed vehicle access into the site from Northern Avenue. The plans must be prepared in accordance with the requirements of Latrobe City Council's Design Guidelines, must demonstrate compliance with the requirements of Austroads 'Guide to Road Design' and Australian Standard AS2890 and must show vehicle swept path diagrams for larger vehicles access to and from the site, provisions for conveying the existing roadside drainage past the vehicle access to the site and include proposed construction details and drainage calculations;
- c) Detailed design plans for all mitigating works recommended by the approved traffic impact assessment report including any provision of road widening, kerb and channel, traffic islands, street furniture, signage and road pavement line marking.

When approved, the plans will be endorsed and will then form part of the permit.

25. Prior to the commencement of the use, the following works must be completed to the satisfaction of the Responsible Authority:

- a) Drainage works must be constructed in accordance with the approved site drainage plan;
 - b) The new vehicle crossing providing access onto Northern Avenue must be constructed in accordance with the approved plans;
 - c) The areas set aside for vehicle access, deliveries and car parking as shown on the endorsed plans must be constructed in accordance with the endorsed plans. 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.

CARRIED UNANIMOUSLY

Cr O'Callaghan returned to the chamber at 7.35 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. 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

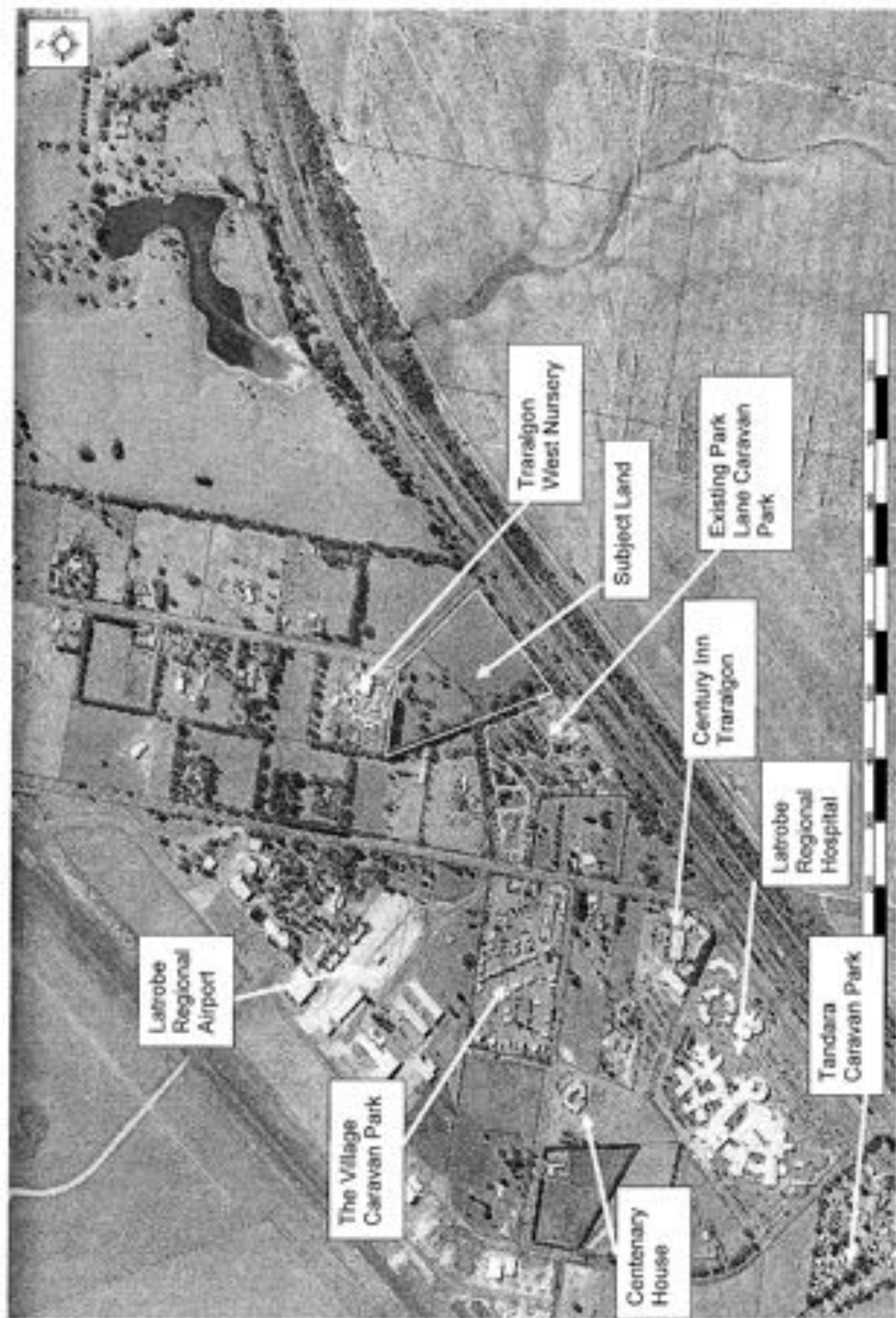
Clause 65 'Decision Guidelines'

Incorporated Documents

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

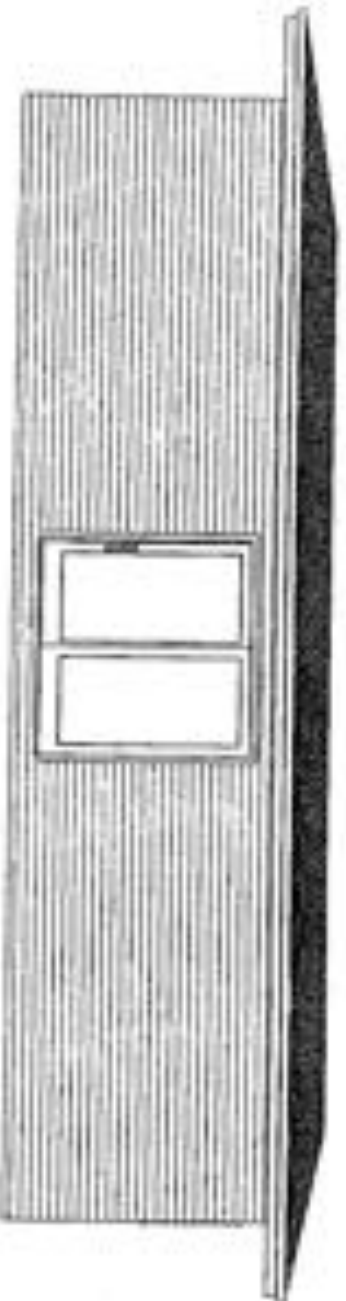
- Victoria's Native Vegetation Management – A Framework for Action, August 2002
- Latrobe Regional Airport Interim Land Use and Development Controls, January 2011

ATTACHMENT 3
Locality Plan



ATTACHMENT 4
Proposed Plans

**Unit - for Park Lane
Tourist Park**



Park Lane Relocatable Homes

RECORDED
11 SEP 1964

Window Schedule

- | | | |
|----|-----------------|--------------------------|
| 1. | Living | 2100 x 2100 Sliding Door |
| 2. | Living/Dining | 1800 x 1800 |
| 3. | Bathroom Window | 900 x 600 (square) |
| 4. | Bathroom 1 | 2100 x 2100 Bay |
| 5. | Kitchen | 1800 x 1800 Bay |
| 6. | Bathroom 2 | 1200 x 1200 |

Roof Trusses

Designed and Manufactured by Carpenter Trusses

Chairs

Manufactured from 75 x 55 Gal RUS

-Engineer approved Design

Foalage

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

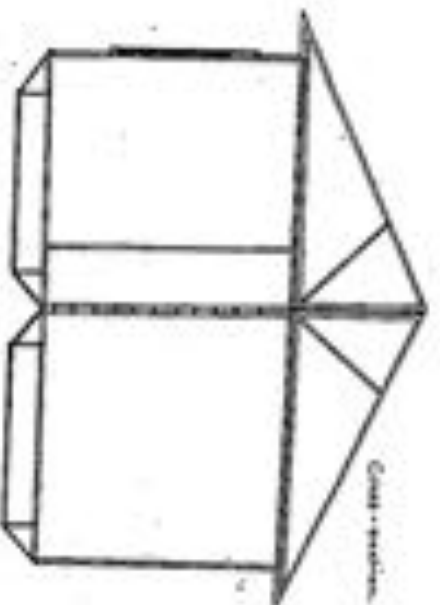
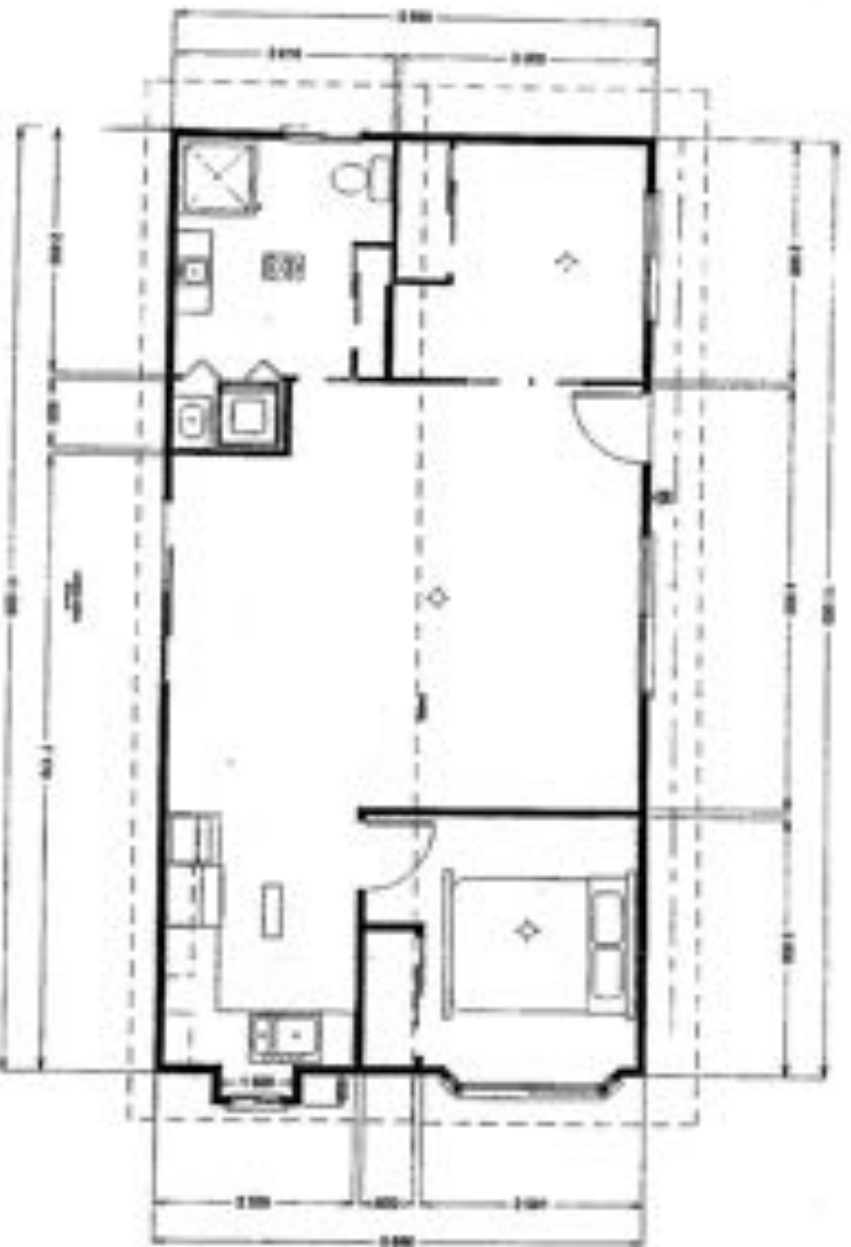
Roofing

Treadfalk - colorbond

Cladding

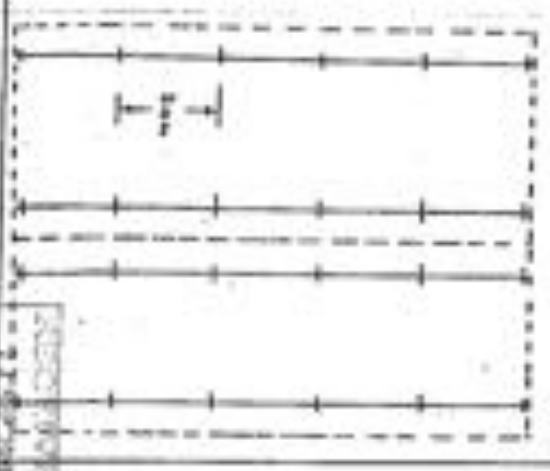
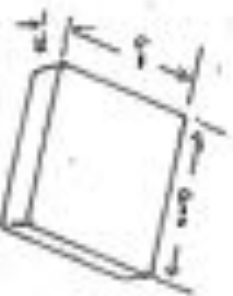
Weatherex

Resonator Slab Barriers. (See Eng.)



Thermostat Panel.

- 7000 mm -



| Site Summary | |
|--------------------|-----------|
| 10 x 17m site | 7 |
| 10 x 17m site | 40 |
| 11.8 x 17m site | 43 |
| Total sites | 90 |

- Legend**
- Tree to remove
 - Medium tree
 - Large tree
 - Very large old tree
 - Native vegetation
 - Modified vegetation to remove
 - Roadside vegetation
 - 10 x 17m site
 - 10 x 17m site
 - 11.8 x 17m site
 - ➡ Access way
 - ➡ Rain garden
 - 1.8m high concrete fence (proposed)

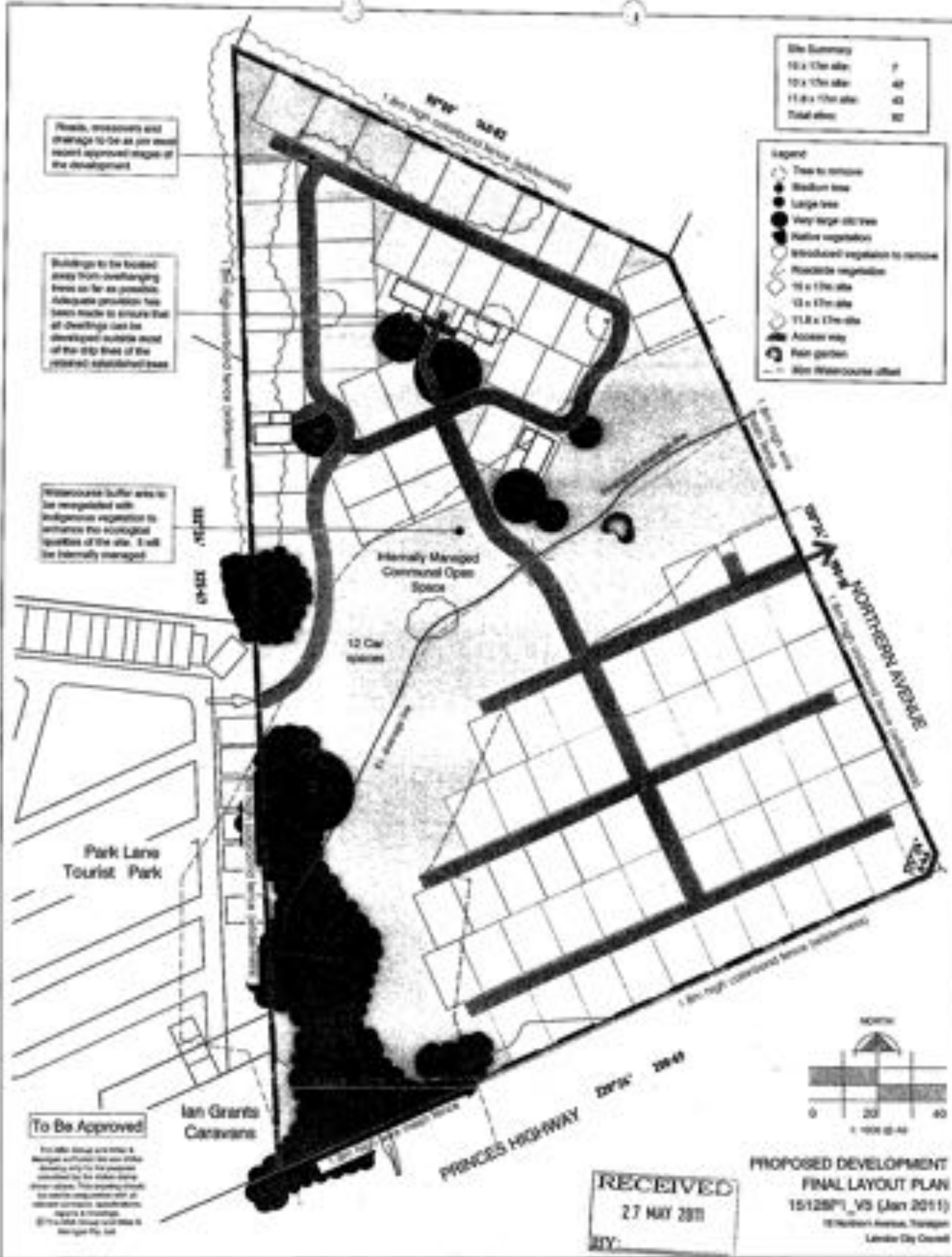
Paths, easements and drainage to be as per most recent approved stages of the development

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 40% limit of the reserved established trees

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

To Be Approved

The site layout and other details will be subject to the approval of the relevant authorities. The proposed development is subject to the approval of the relevant authorities. The site layout and other details will be subject to the approval of the relevant authorities.



RECEIVED
27 MAY 2011
BY:

**PROPOSED DEVELOPMENT
FINAL LAYOUT PLAN**
1512SP1_VS (Jan 2011)
10 Northern Avenue, Torquay
Lance City Council

NBA Group Pty Ltd
80 Woodbine Street
Box, 980
Tel: 0428 400 000
Tel: 0428 400 000
Tel: 0428 400 000
www.nbagroup.com.au
www.nbagroup.com.au

NBA
Planning & Engineering Services

Millar & Merrigan Pty Ltd
424-426 St. Hill
2/248 Woodbine Drive, Geelong
PO Box 247, Geelong, Victoria 3216
Tel: 052 4701 000
Tel: 052 4701 000
www.millarandmerrigan.com.au
www.millarandmerrigan.com.au

Millar | Merrigan

Civil Engineering
Land Surveying
Landscape Architecture
Project Management
Town Planning
Urban Design

LAND DEVELOPMENT CONSULTANTS

ATTACHMENT 5
Copy of Submissions

Vince Peluso &
Leeanne Cunningham
[REDACTED]
MORWELL Vic 3840

Title: [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 | |
| RO: | Doc No: 591366 |
| Comments/Claims Dispatched to: | |
| <input type="checkbox"/> I have registered a business <input type="checkbox"/> I have forwarded to account | |

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: SA1368

Comments/Queries Provided to:

Only registered in Database Invoice forwarded to account

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 neighbours. 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.

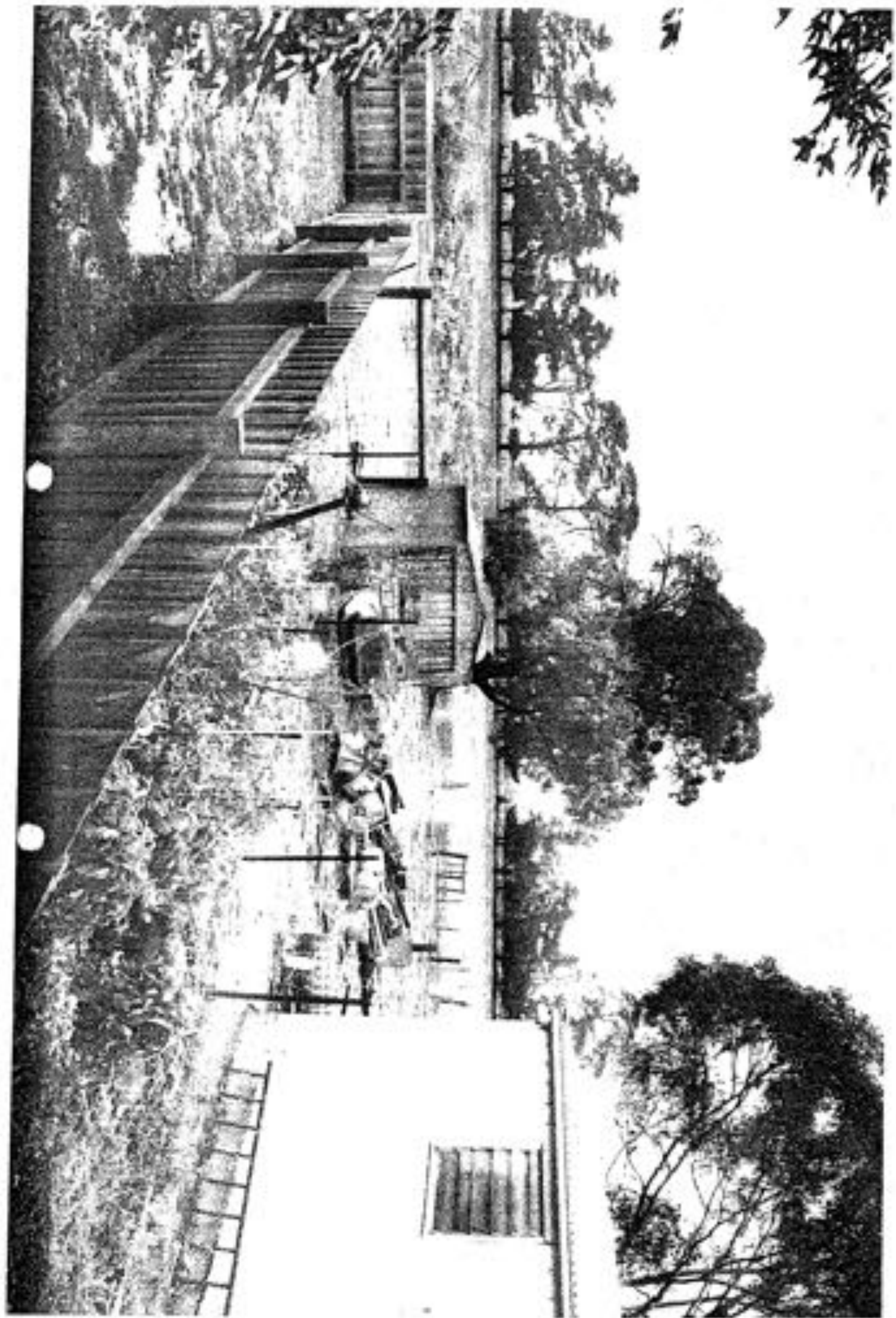
Sincerely,

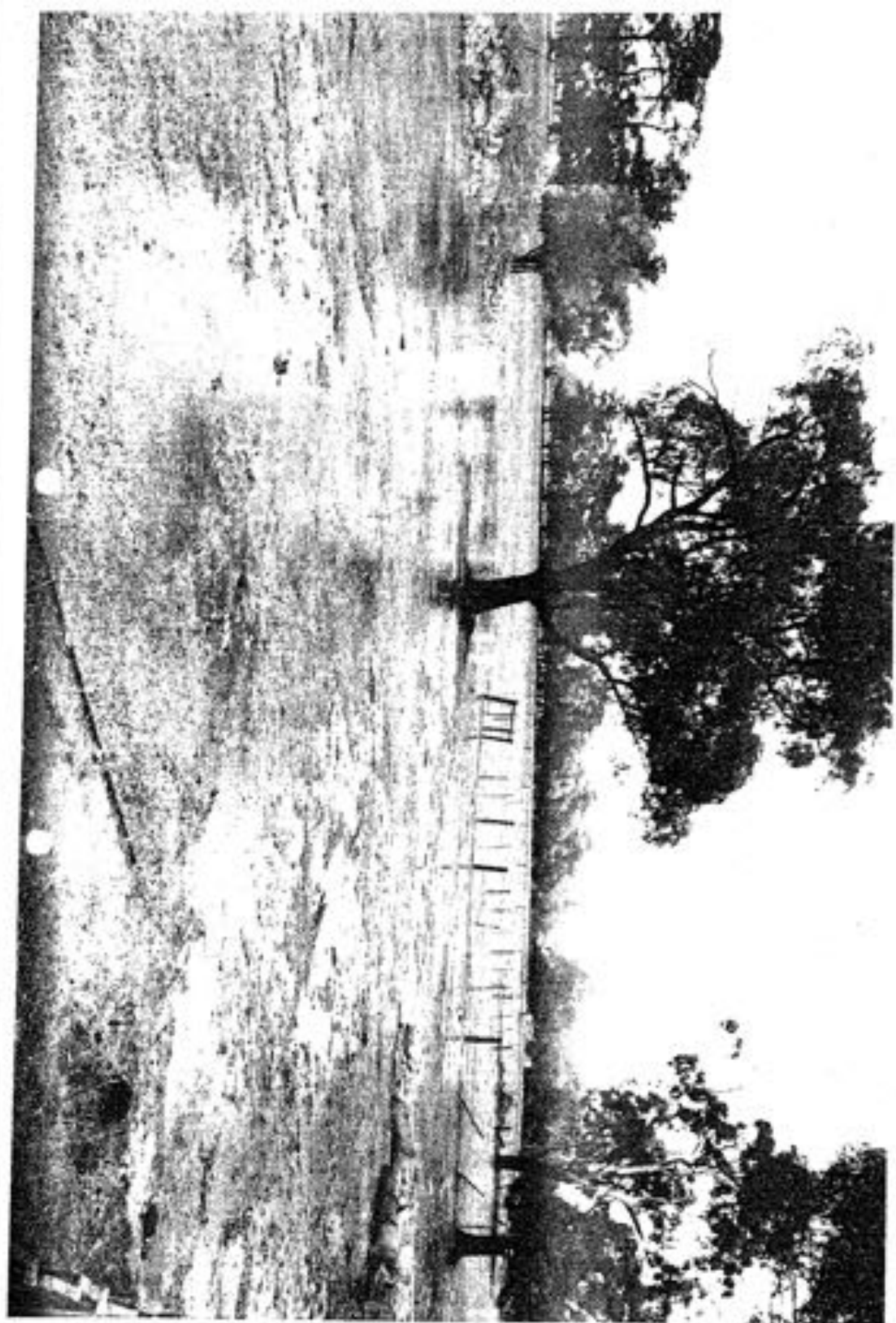
Kenneth John Martin and Julie-Anne Martin

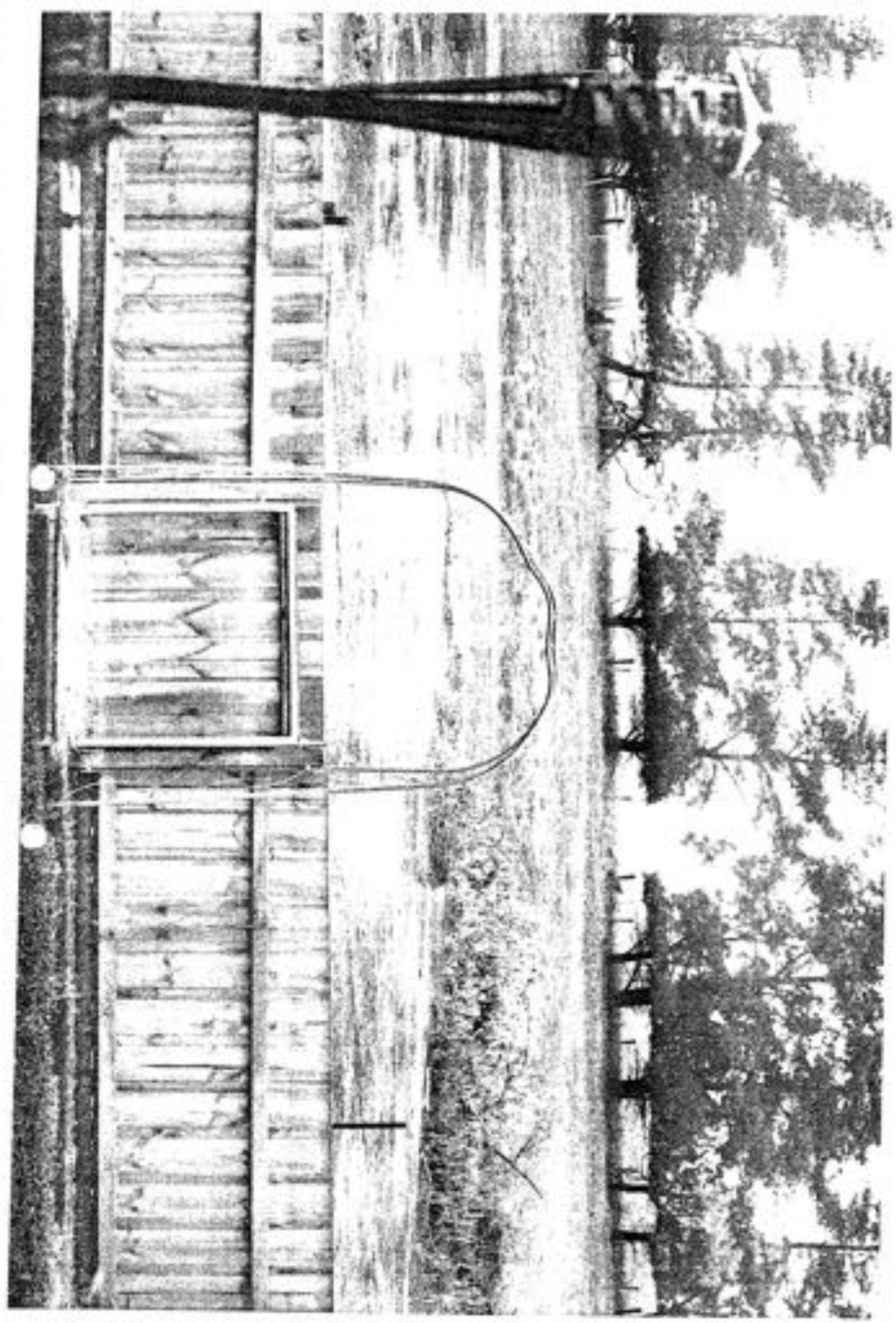
Kenneth John Martin and Julie-Anne Martin,

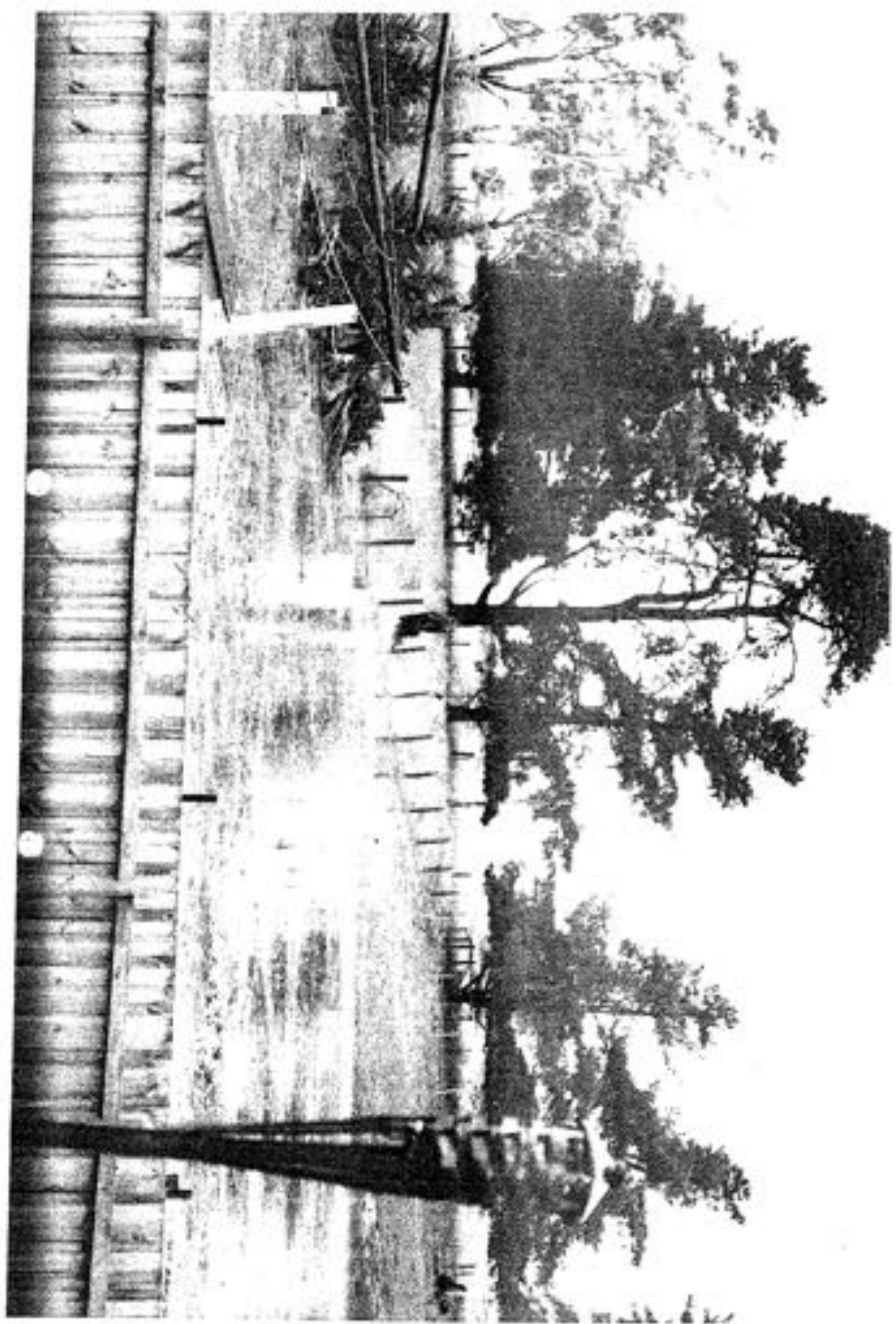
Traralgon, Vic, 3844.

Ph. [REDACTED]











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. <u>591369</u> |
| Comment/Copies Circulated to: | |
| <input type="checkbox"/> Copy registered in Database | <input type="checkbox"/> made for no. of comments |

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 | |
| RECEIVED 07 DEC 2010 | |
| FOI: | Doc No: 591596 |
| Comments/Queries Circulated to: | |
| <input type="checkbox"/> Day reported in DailyWorks | <input type="checkbox"/> Issues forwarded to accounts |

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

ASN 01 700 900 400
Eastern Victoria Headquarters
PO Box 158 Traralgon Victoria 3844

Tel: (03) 5172 2666
Fax: (03) 5176 5056

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.

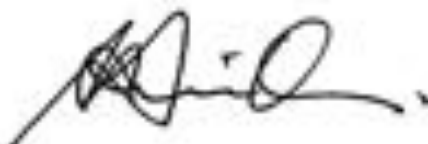
Since receiving your letter VicRoads has inspected the intersection of Airfield Road and the Princes Highway and considers that the design of the intersection is appropriate for vehicles wishing to do a U-Turn. The sight distance at the intersection for vehicles doing a U-Turn is good with adequate opportunity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

| | |
|---|--|
| LATROBE CITY COUNCIL | |
| INFORMATION MANAGEMENT | |
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| 07 DEC 2010 | |
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| Consent/Approval Granted to: | |
| <input type="checkbox"/> Copy kept with application | <input type="checkbox"/> Invoice forwarded if relevant |

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 ~~becoming~~ an eyesore. These properties will only look worse over time, not better. I believe that this development will devalue my property.

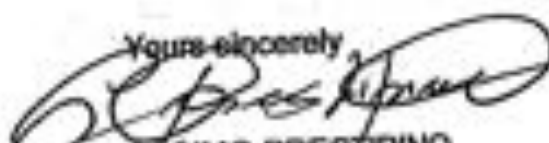
This development will place extra traffic on Northern Avenue with at least 200 new car movements per day.

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 2018

ROPAN Financial Planning Group

ABN 59 006 632 649

P.O. BOX 139
Traralgon 3944
Ph: 0391 74 6755
Fax: 0391 74 6750

Fax

| | |
|---|---|
| To: Latrobe City Council | From: Antonio & Livia Panozzo-Tisè |
| 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-Tisè

COPY ISSUE

Mr Antonio & Livia Panozzo-Tile
Traralgon, Vic, 3844

6th December 2010

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

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| LATROBE CITY COUNCIL INFORMATION MANAGEMENT | |
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| 09 DEC 2010 | |
| R/O: | Doc No: 591361 |
| Comments/Changes Consulted by: <i>2nd copy received</i> | |

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

We the owners of **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 ~~even a 5 star rating~~ could meet a 5 star rating ~~consideration~~. Density and location.

ACCOMMODATION C23:

"Short term accommodation meets ~~the needs~~ of travellers and ~~tourists~~ 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.

In 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

M. Panozzo Tile
Mrs Lisa 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]

LATROBE CITY COUNCIL
INFORMATION MANAGEMENT

RECEIVED

17 DEC 2010

R/O: [REDACTED] Doc No: 5914766

Comments/Copies Circulated to:

Copy registered in DataWorks Issues forwarded to applicants

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.

15 MAR 2011

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.

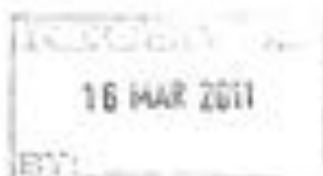
OBJECTION SEVEN: No communication to the above land holder on the health and safety risk of polluted water discharge, including petrol, solvents, diesel and other pollutants (human, animal and manufactured). With the proposed extension of the caravan park, the storm water from the development is to flow 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 bull doze 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 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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| LATROBE CITY COUNCIL | |
| INFORMATION MANAGEMENT | |
| REC'D | |
| 30 AUG 2011 | |
| R/O | Doc No: 1-1 |
| Comments/Concise Circulated to: | |
| <input type="checkbox"/> Copy required to: [REDACTED] | <input type="checkbox"/> Report forwarded to: [REDACTED] |

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| 31 AUG 2011 |
| BY: |

COPY



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ATTACHMENT 6
Traffic Management Report

Our Ref: JMs609

11 May 2011

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

Attention: Ms. Brooke Nanscawen

Dear Brooke

15 NORTHERN AVENUE TRARALGON
PROPOSED CAMPING AND CARAVAN PARK

1. Background

A planning permit application (Latrobe planning permit application No. 2010/200) 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:

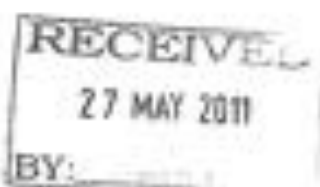
- 51 self contained accommodation units
- 2500m² communal open space
- internal roads, driveways and pedestrian paths
- 12 visitor car parking spaces
- fencing, security gates and landscaping.

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 Holdings 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

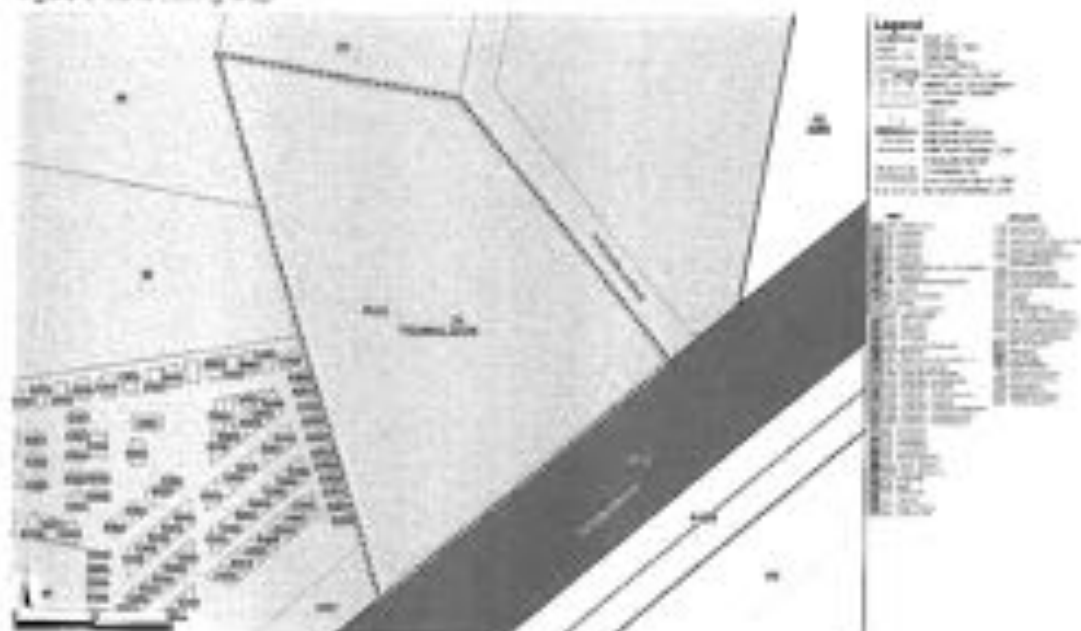


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27 MAY 2011

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Figure 2 - Land zoning map



2.2.2.1.1 Princes Highway

2.2.2.1.2 Northern Avenue

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.

2.2.2.1.3 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 33 metre wide road reserve (approx). Northern Avenue is shown in Figure 4.

Figure 3 - Princes Highway - looking northwest 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 1.2km 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 | 1194 | 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 HISTORY

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 'CrashStat' 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. | | |
|--|--------------|---------------|--------------|
| | Fatalities | Person Injury | Other Injury |
| Princes Hwy (the Arfield Road & Northern Avenue) | - | 1 | - |
| Princes Hwy / Northern Avenue Intersection | - | - | - |
| Princes Hwy / Caravan Park Entrance Intersection | - | 1 | - |
| Northern Avenue north of Princes Highway | 1 | - | - |

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.



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 existing 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 22 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 22 visitor parking spaces, at a rate of 0.23 spaces per unit, is expected to be sufficient to cater for visitor parking demands.

5. Traffic Impact

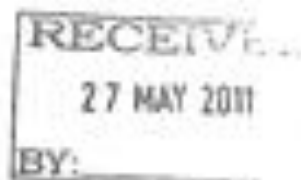
During the surveys of the access intersection to the existing caravan park it was noted that approximately half the vehicles entering or exiting the site were accessing / egressing the caravan park whilst the other half were accessing / egressing the caravan sales business. Therefore, as there are currently 78 sites within the caravan park, this equates to a total of 0.23 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 200 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 20 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.

5. 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) 9832 9600.

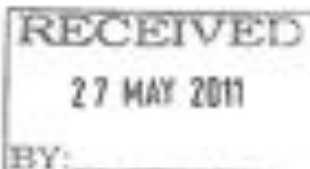
Yours sincerely

GTA CONSULTANTS



David Graham
Associate Director

encl:
Traffic Survey Results



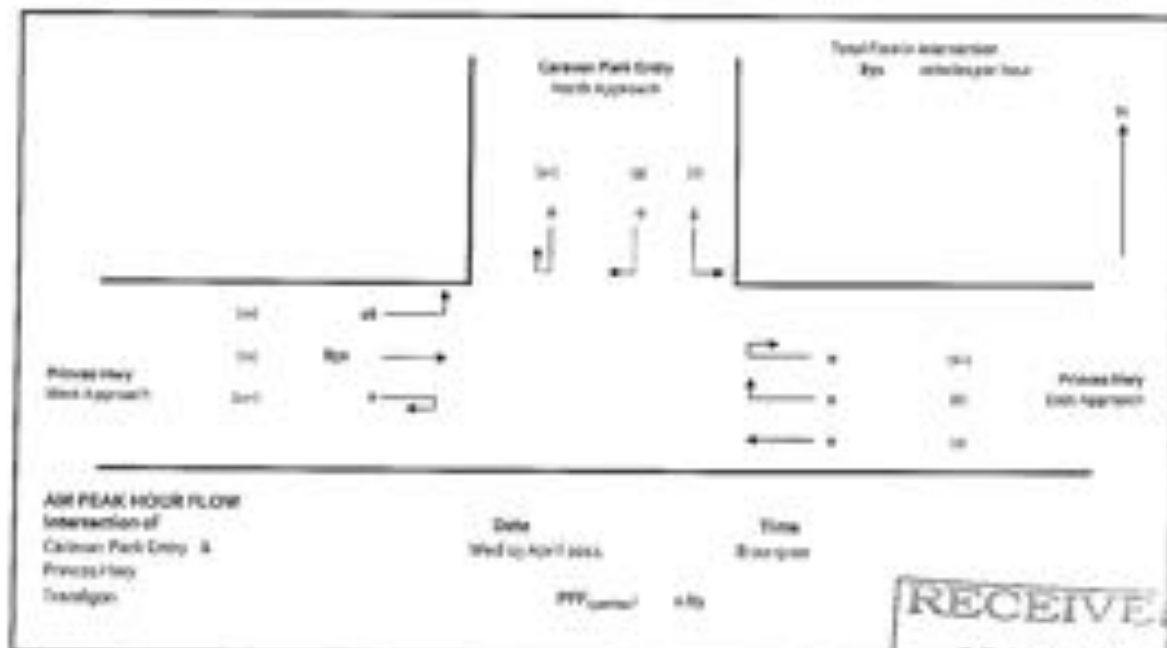
TURNING MOVEMENT SURVEY

Intersection of Caravan Park Entry & Prince Hwy, Traralgon

Date: Wed 13 April 2011

| 15 minute Data | | | | | | | | | | |
|----------------|----------------------------------|-------|--------|-----------------------------------|-------|--------|--------------------------|---------|--------|-------|
| Time | Movement | | | | | | | | | Total |
| | Caravan Park Entry West Approach | | | Caravan Park Entry South Approach | | | Prince Hwy West Approach | | | |
| | Through | Right | U Turn | Left | Right | U Turn | Left | Through | U Turn | |
| 8:00-8:15 | | | | | | | | | | |
| 8:15-8:30 | | | | | | | | | | |
| 8:30-8:45 | | | | | | | | | | |
| 8:45-9:00 | | | | | | | | | | |
| 9:00-9:15 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 9:15-9:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 9:30-9:45 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 9:45-10:00 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 10:00-10:15 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 10:15-10:30 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 10:30-10:45 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 10:45-11:00 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 11:00-11:15 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 11:15-11:30 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 11:30-11:45 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 11:45-12:00 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 12:00-12:15 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 12:15-12:30 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 12:30-12:45 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 12:45-1:00 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| Total | 0 | 0 | 0 | 22 | 0 | 0 | 0 | 0 | 0 | 22 |

| Hourly Flows | | | | | | | | | | |
|--------------|----------------------------------|-------|--------|-----------------------------------|-------|--------|--------------------------|---------|--------|-------|
| Time | Movement | | | | | | | | | Total |
| | Caravan Park Entry West Approach | | | Caravan Park Entry South Approach | | | Prince Hwy West Approach | | | |
| | Through | Right | U Turn | Left | Right | U Turn | Left | Through | U Turn | |
| 8:00-9:00 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 9:00-10:00 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 10:00-11:00 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 11:00-12:00 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 12:00-1:00 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| Total | 0 | 0 | 0 | 10 | 0 | 0 | 0 | 0 | 0 | 10 |



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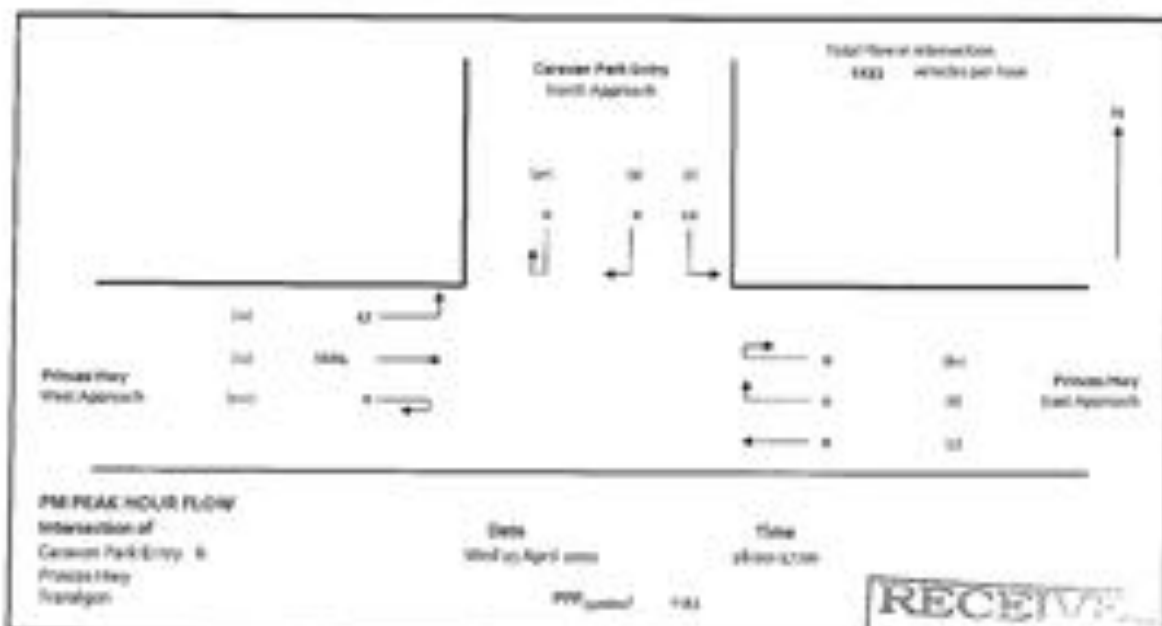
TURNING MOVEMENT SURVEY

Intersection of Carleton Park Entry & Prince Hwy, Thornhill

Date: Wed 13 April 2011

| Time | 15 minute Data | | | | | | | | | Total |
|-------------|--------------------------|-------|--------|------------------------------------|-------|--------|--------------------------|---------|--------|-------|
| | Prince Hwy East Approach | | | Carleton Park Entry North Approach | | | Prince Hwy West Approach | | | |
| | Through | Right | U-Turn | Left | Right | U-Turn | Left | Through | U-Turn | |
| 13:00-13:15 | | | | | | | | | | |
| 13:15-13:30 | | | | | | | | | | |
| 13:30-13:45 | | | | | | | | | | |
| 13:45-14:00 | | | | | | | | | | |
| 14:00-14:15 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 20 | 0 | 21 |
| 14:15-14:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 14:30-14:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 14:45-15:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 15:00-15:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 15:15-15:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 15:30-15:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 15:45-16:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 16:00-16:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 16:15-16:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 16:30-16:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 16:45-17:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 17:00-17:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 17:15-17:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 17:30-17:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 17:45-18:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 18:00-18:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 18:15-18:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 18:30-18:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 18:45-19:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 19:00-19:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 19:15-19:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 19:30-19:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 19:45-20:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 20:00-20:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 20:15-20:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 20:30-20:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 20:45-21:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 21:00-21:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 21:15-21:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 21:30-21:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 21:45-22:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 22:00-22:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 22:15-22:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 22:30-22:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 22:45-23:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 23:00-23:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 23:15-23:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 23:30-23:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| 23:45-00:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | 20 |
| Total | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 22 | 0 | 22 |

| Time | Hourly Flows | | | | | | | | | Total |
|-------------|--------------------------|-------|--------|------------------------------------|-------|--------|--------------------------|---------|--------|-------|
| | Prince Hwy East Approach | | | Carleton Park Entry North Approach | | | Prince Hwy West Approach | | | |
| | Through | Right | U-Turn | Left | Right | U-Turn | Left | Through | U-Turn | |
| 13:00-14:00 | | | | | | | | | | |
| 14:00-15:00 | | | | | | | | | | |
| 15:00-16:00 | | | | | | | | | | |
| 16:00-17:00 | | | | | | | | | | |
| 17:00-18:00 | 0 | 0 | 0 | 30 | 0 | 0 | 0 | 20 | 0 | 50 |
| 18:00-19:00 | 0 | 0 | 0 | 20 | 0 | 0 | 0 | 20 | 0 | 40 |
| 19:00-20:00 | 0 | 0 | 0 | 20 | 0 | 0 | 0 | 20 | 0 | 40 |
| 20:00-21:00 | 0 | 0 | 0 | 20 | 0 | 0 | 0 | 20 | 0 | 40 |
| 21:00-22:00 | 0 | 0 | 0 | 20 | 0 | 0 | 0 | 20 | 0 | 40 |
| 22:00-23:00 | 0 | 0 | 0 | 20 | 0 | 0 | 0 | 20 | 0 | 40 |
| 23:00-00:00 | 0 | 0 | 0 | 20 | 0 | 0 | 0 | 20 | 0 | 40 |
| Total Hour | 0 | 0 | 0 | 130 | 0 | 0 | 0 | 120 | 0 | 250 |



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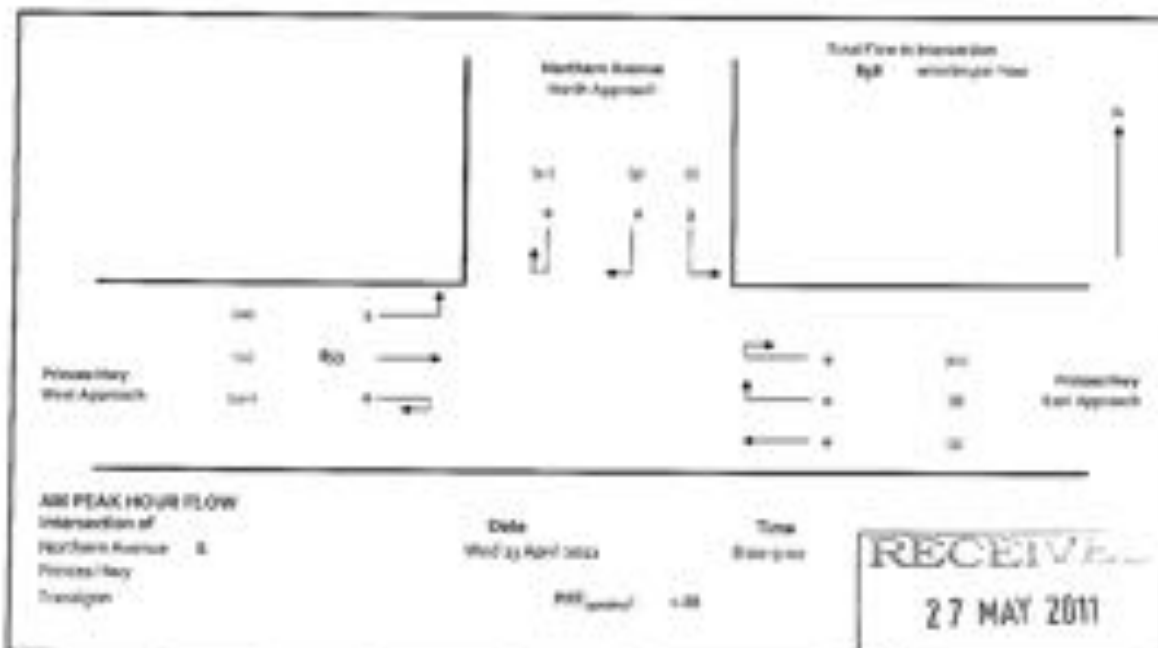
TURNING MOVEMENT SURVEY

Intersection of Northern Avenue & Prince's Hwy, Traralgon

Date: Wed 23 April 2011

| 15 minute Data | | | | | | | | | | |
|----------------|-------------------------------|-------|--------|-----------------------------------|-------|--------|-------------------------------|---------|--------|-------|
| Time | Intersection | | | | | | | | | Total |
| | Prince's Hwy East Approach | | | Northern Avenue North Approach | | | Prince's Hwy West Approach | | | |
| | Through | Right | U Turn | Left | Right | U Turn | Left | Through | U Turn | |
| 0:00-0:15 | | | | | | | | | | |
| 0:15-0:30 | | | | | | | | | | |
| 0:30-0:45 | | | | | | | | | | |
| 0:45-1:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 1:00-1:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 1:15-1:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 1:30-1:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 1:45-2:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 2:00-2:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 2:15-2:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 2:30-2:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 2:45-3:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 3:00-3:15 | | | | | | | | | | |
| 3:15-3:30 | | | | | | | | | | |
| 3:30-3:45 | | | | | | | | | | |
| 3:45-4:00 | | | | | | | | | | |
| 4:00-4:15 | | | | | | | | | | |
| 4:15-4:30 | | | | | | | | | | |
| 4:30-4:45 | | | | | | | | | | |
| 4:45-5:00 | | | | | | | | | | |
| 5:00-5:15 | | | | | | | | | | |
| 5:15-5:30 | | | | | | | | | | |
| 5:30-5:45 | | | | | | | | | | |
| 5:45-6:00 | | | | | | | | | | |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |

| Hourly flows | | | | | | | | | | |
|--------------|--------------------------------|-------|--------|----------------------------------|-------|--------|-------------------------------|---------|--------|-------|
| Time | Intersection | | | | | | | | | Total |
| | Prince's Hwy South Approach | | | Northern Avenue East Approach | | | Prince's Hwy West Approach | | | |
| | Through | Right | U Turn | Left | Right | U Turn | Left | Through | U Turn | |
| 0:00-0:30 | | | | | | | | | | |
| 0:30-1:00 | | | | | | | | | | |
| 1:00-1:30 | | | | | | | | | | |
| 1:30-2:00 | | | | | | | | | | |
| 2:00-2:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 2:30-3:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 3:00-3:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 3:30-4:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 4:00-4:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 4:30-5:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 5:00-5:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |
| 5:30-6:00 | | | | | | | | | | |
| 6:00-6:30 | | | | | | | | | | |
| 6:30-7:00 | | | | | | | | | | |
| 7:00-7:30 | | | | | | | | | | |
| 7:30-8:00 | | | | | | | | | | |
| 8:00-8:30 | | | | | | | | | | |
| 8:30-9:00 | | | | | | | | | | |
| 9:00-9:30 | | | | | | | | | | |
| 9:30-10:00 | | | | | | | | | | |
| 10:00-10:30 | | | | | | | | | | |
| 10:30-11:00 | | | | | | | | | | |
| 11:00-11:30 | | | | | | | | | | |
| 11:30-12:00 | | | | | | | | | | |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Left | 0 | Left |



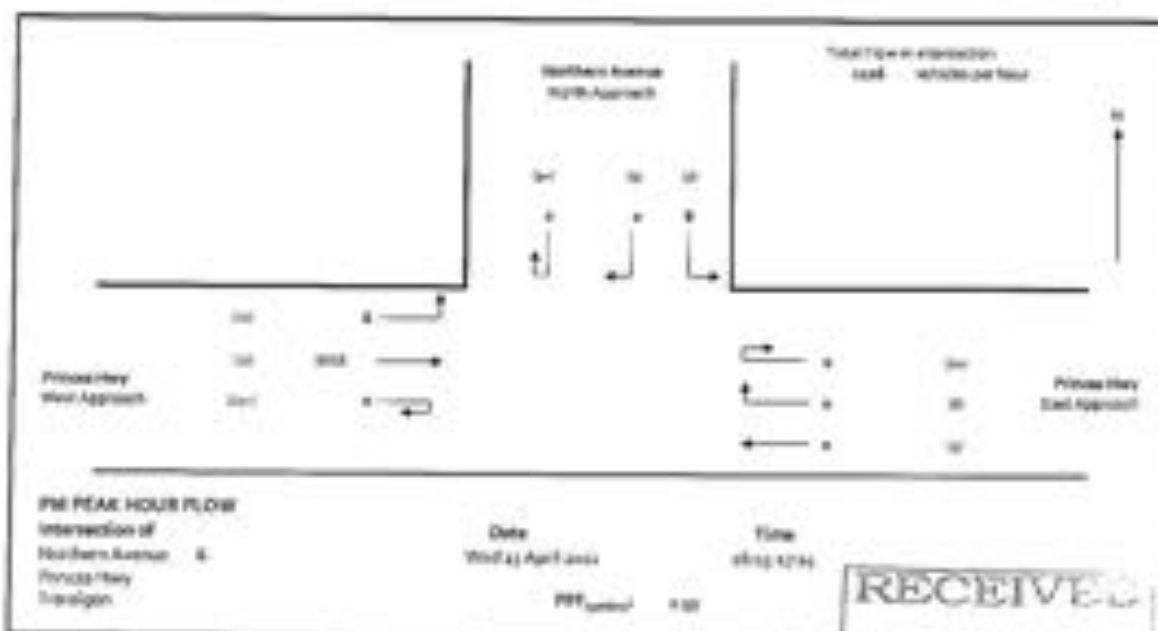
TURNING MOVEMENT SURVEY

Intersection of Northern Avenue & Prince's Hwy, Truroton

Date: Wed 17 April 2013

| 15 minute Data | | | | | | | | | | |
|----------------|----------------------------|-------|--------|--------------------------------|-------|--------|----------------------------|---------|--------|-------|
| Time | Movement | | | | | | | | | Total |
| | Prince's Hwy East Approach | | | Northern Avenue North Approach | | | Prince's Hwy West Approach | | | |
| | Through | Right | U Turn | Left | Right | U Turn | Left | Through | U Turn | |
| 08:00-08:15 | | | | | | | | | | |
| 08:15-08:30 | | | | | | | | | | |
| 08:30-08:45 | | | | | | | | | | |
| 08:45-09:00 | | | | | | | | | | |
| 09:00-09:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 09:15-09:30 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 200 | 0 | 201 |
| 09:30-09:45 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 200 | 0 | 202 |
| 09:45-10:00 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 197 | 0 | 198 |
| 10:00-10:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 10:15-10:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 10:30-10:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 10:45-11:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 11:00-11:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 11:15-11:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 11:30-11:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 11:45-12:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 12:00-12:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 12:15-12:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 12:30-12:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 12:45-13:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 13:00-13:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 13:15-13:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 13:30-13:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 13:45-14:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 14:00-14:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 14:15-14:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 14:30-14:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 14:45-15:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 15:00-15:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 15:15-15:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 15:30-15:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 15:45-16:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 16:00-16:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 16:15-16:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 16:30-16:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 16:45-17:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 17:00-17:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 17:15-17:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 17:30-17:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 17:45-18:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 18:00-18:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 18:15-18:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 18:30-18:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 18:45-19:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 19:00-19:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 19:15-19:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 19:30-19:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 19:45-20:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 20:00-20:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 20:15-20:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 20:30-20:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 20:45-21:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 21:00-21:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 21:15-21:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 21:30-21:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 21:45-22:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 22:00-22:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 22:15-22:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 22:30-22:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 22:45-23:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 23:00-23:15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 23:15-23:30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 23:30-23:45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 23:45-00:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |

| Hourly Flow | | | | | | | | | | |
|-------------|-----------------------------|-------|--------|-------------------------------|-------|--------|----------------------------|---------|--------|-------|
| Time | Movement | | | | | | | | | Total |
| | Prince's Hwy South Approach | | | Northern Avenue East Approach | | | Prince's Hwy West Approach | | | |
| | Through | Right | U Turn | Left | Right | U Turn | Left | Through | U Turn | |
| 08:00-09:00 | | | | | | | | | | |
| 09:00-10:00 | | | | | | | | | | |
| 10:00-11:00 | | | | | | | | | | |
| 11:00-12:00 | | | | | | | | | | |
| 12:00-13:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 13:00-14:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 14:00-15:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 15:00-16:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 16:00-17:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 17:00-18:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 18:00-19:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 19:00-20:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 20:00-21:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 21:00-22:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 22:00-23:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| 23:00-00:00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |
| Total Hour | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 200 | 0 | 200 |



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**7.2 PROPOSED REMOVAL OF DEODORA CEDAR TREE IN THE
ROUNDBOUT AT THE INTERSECTION OF TARWIN AND
GEORGE STREETS, MORWELL**

AUTHOR: General Manager Recreation Culture and Community
Infrastructure

(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present to Council the results of a public survey in relation to a request for the removal of a Deodora Cedar street tree currently situated in the roundabout at the intersection of George and Tarwin Streets, Morwell.

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.

Latrobe City Council Plan 2011 - 2015

Strategic Direction – Built Environment

Ensure the quality and sustainability of streetscapes and parks across the municipality through the provision and maintenance of trees that are appropriate to their surroundings.

Service Provision – Infrastructure Maintenance

Provide cyclic and reactive maintenance services for Latrobe City's road, drainage, footpath and tree networks.

Legislation – Local Government Act 1989

Policy – Tree Work Notification Policy 09 POL-3

The purpose of this policy is to detail processes for the notification of significant tree works prior to the works being undertaken.

4. BACKGROUND

A letter was received from Advance Morwell on 18 November 2010 (attachment 1) with regard to the attractiveness of the shrub plantings in the roundabouts at Hazelwood Road/George Street and Hazelwood Road/Elgin Street. Advance Morwell members feel that the appearance of these roundabouts does a great deal to improve the appearance of the general area and helps engender civic pride.

The letter requested that the trees be removed in the Tarwin Street/George Street and Church Street/Buckley Street roundabouts and be replaced with similar plantings to the Hazelwood Road/George Street and Hazelwood Road/Elgin Street roundabouts.

Officers replied to the above letter on 7 December 2010 (attachment 2). This correspondence stated that the existing shrubs and trees within the plant beds were the only suitable solution given that the large trees in the centre of the beds dictate that the other plants needed to have a reduced reliance on water.

A further letter from Advance Morwell was received on 20 February 2011(attachment 3) in relation to the Deodora Cedar located on the roundabout at the intersection of Tarwin Street/George Street, Morwell. The letter stated that the tree was not attractive and requested that if it be removed then appropriate annuals should be planted in its place.

Officers replied to this letter on 7 March 2011 (attachment 4) in regard to the removal of the Deodora Cedar on the roundabout at the intersection of Tarwin Street/George Street. This correspondence stated that if a tree is to be removed it has to be considered under Clause 7.2 and 8.4 of the Latrobe City Council Policy 'Latrobe City Council Urban Design Standard Street Tree'. Clause 7.2 states:

- *'There are four circumstances where established existing trees may require removal. That is, where the tree is either:*
 - *Dead, dying or dangerous;*
 - *Unsuitable;*

- *Badly disfigured by vandalism; or*
- *Interfering with an asset of an authority that has statutory right to protect that asset.'*

Clause 8.4 states:

- *'Isolated requests for tree removal not otherwise covered by policy or legislation are to be reported to the Urban Design Standards Working Party (or some variation of it approved by Council) for recommendation to Council.*

Council's arborist also completed a report on the condition of the tree (attachment 5) and the tree was found to be in good health.

As the tree did not meet the criteria required for removal in Clause 7.2 it was recommended that Advance Morwell make application to have the Cedar tree removed under Clause 8.4 of the Latrobe City Council Policy 'Latrobe City Council Urban Design Standard Street Tree'.

A reply to Latrobe City Council's letter of 7 March 2011 from Advance Morwell was received on 18 April 2011 (attachment 6) and requested the removal of the Deodora Cedar in the roundabout at the intersection of Tarwin Street/George Street, Morwell under Clause 8.4 of the Latrobe City Council Policy 'Latrobe City Council Urban Design Standard Street Tree'. The letter stated: *"the general appearance of the area would be significantly improved if the tree were removed and replaced by more colourful plantings"*.

The roundabout at the intersection of Tarwin Street/George Street, Morwell is one of only two remaining roundabouts in the Morwell CBD with a large tree as its centrepiece (the other being Church Street/Buckley Street) and by removing the tree and replacing it with alternative shrubs and plants would make the roundabout consistent with other roundabout plantings in the CBD.

A report was prepared for the Council meeting on 29 June 2011 seeking a decision on the removal of the tree. At this meeting Council resolved:

1. *That Council authorise the survey of all property occupiers on Tarwin and George Streets Morwell on the request from Advance Morwell to remove and replace the Deodora Cedar in the roundabout at the intersection of their streets.*

2. *That Council give public notice of the request from Advance Morwell to remove and replace the Deodora Cedar in the roundabout at the intersection of Tarwin and George Streets Morwell and invite submissions from the public in respect to this request for a period of 28 days.*
3. *That a further report be presented to Council following the 28 day public submission period to consider submissions from the public.*
4. *That Advance Morwell be notified of Council's intent to seek public comment in respect to their request for the removal of the Deodora Cedar in the roundabout in Tarwin and George Streets, Morwell.*

5. **ISSUES**

The Deodora Cedar for which Council has received a request for removal from Advance Morwell is a healthy tree and represents one of only two planted in the Morwell CBD. Whilst the tree is an exotic species it is not considered to be a rare species and is not on Council's list of significant trees.

Advance Morwell maintain that removal of the tree and replanting with alternative plants and shrubs will improve the visual amenity of the Tarwin Street/George Street, Morwell interchange.

Removal could not be authorised under Section 7.2 of the Latrobe City Council Policy 'Latrobe City Council Urban Design Standard Street Tree' as the tree does not fit any of the qualification criteria for removal under this clause.

Therefore Council considered the request for removal of the tree under Clause 8.4 of the Latrobe City Council Policy 'Latrobe City Council Urban Design Standard Street Tree'. Latrobe City Council's *Urban Design Standards Working Party* no longer meets; therefore Latrobe City Council officers are referred the request for removal to Council for a decision.

Council then asked that the opinion of the property occupiers and the general public be surveyed to ascertain their thoughts on the proposed tree removal.

Whilst Advance Morwell does represent a section of traders in the Morwell CBD, not all shop owners or occupiers are members of this group.

Latrobe City Council hand delivered letters on 29 June 2011 to approximately 70 businesses in George and Tarwin Streets (between Commercial Road and Elgin Street), Morwell seeking their preference to remove or retain the tree. An advertisement also appeared in the Latrobe Valley Express for two weeks requesting feedback from the public. Closing date for all feedback was Monday 8 August 2011. From the 34 responses received, 13 agreed to the proposed removal, 19 disagreed and two did not indicate their preference.

Comments and responses from property owners and the public received are attached to this report (attachment 7).

6. FINANCIAL AND RESOURCES IMPLICATIONS

Any costs for tree removal works would be minimal and would be able to be accommodated within Council's recurrent tree maintenance budget.

Costs for plants and shrubs to replace the tree would be able to be accommodated with the Parks and Gardens recurrent budget.

7. INTERNAL / EXTERNAL CONSULTATION

Engagement Method Used:

Feedback forms regarding the removal and replacement of the Deodora Cedar tree were hand delivered to businesses in George and Tarwin Streets (between Commercial Road and Elgin Street), Morwell. A public notice also appeared in the Latrobe Valley Express for two weeks seeking public opinion on the proposed tree removal.

Details of Community Consultation / Results of Engagement:

The majority of responses did not agree to the removal of the Deodora Cedar tree. From the 34 responses received, 13 agreed to the proposed removal, 19 disagreed and two did not indicate their preference.

8. OPTIONS

The following options are available to Council:

1. Authorise the removal of the Deodora Cedar tree located on the roundabout at the intersection of Tarwin Street/George Street, Morwell under Clause 8.4 of the Latrobe City Council Policy 'Latrobe City Council Urban Design Standard Street Tree' and its replacement with alternative plants and shrubs.
2. Not authorise the removal of the Deodora Cedar tree located on the roundabout at the intersection of Tarwin Street/George Street, Morwell under Clause 8.4 of the Latrobe City Council Policy 'Latrobe City Council Urban Design Standard Street Tree' and its replacement with alternative plants and shrubs.

9. CONCLUSION

The opinion of all property occupiers on Tarwin and George Streets, Morwell has now been sought on the request from Advance Morwell for the removal and replacement of the Deodora Cedar tree in the roundabout at the intersection of their streets. The public have also been asked for their opinion on the request for removal of the tree via public notice in the local media.

The results of these surveys indicate that the majority of property occupiers in Tarwin and George Streets, as well as the general public, do not support the removal of the tree.

10. RECOMMENDATION

1. **That Council not authorise the removal of the Deodora Cedar tree in the roundabout at the intersection of Tarwin and George Streets, Morwell.**
2. **That Council write to Advance Morwell, those people who made a formal submission and businesses in George and Tarwin Streets (between Commercial Road and Elgin Street) Morwell, informing them of their decision.**
3. **That Council give public notice of their decision.**

Moved: Cr Lougheed
Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT 1



Registration No. A36948L ABN: 79 430 405 176
PO BOX 1061 MORWELL 3840 AUSTRALIA

Chairman: John Guy
Phone: 51342371
Secretary: Keith Brownbill
Phone: 51342676
Email: keithjbr@hotmail.com

November 17, 2010

Paul Buckley
Chief Executive Officer
Latrobe City Council
PO Box 264
Morwell 3840

Dear Paul

RE: UPGRADE OF PLANTINGS IN ROUNDABOUTS

At our November committee meeting very favourable comment was made on the highly attractive plantings in the roundabouts in Hazelwood Road/George Street, and Hazelwood Road/Elgin Street. Members feel that the appearance of these roundabouts does a great deal to improve the appearance of the general area and helps to engender civic pride.

Because the attractiveness of the above-mentioned roundabouts is so great, we would ask Council to provide similar attractive plantings in the roundabouts in Tarwin/George Street, and Church/Buckley Street.

A major aim of Advance Morwell is to see our civic precinct a place of beauty. To further this end we have joined with Council to provide planter boxes of roses and annuals on footpaths outside businesses.

We congratulate Council's garden staff on the work being done and look forward to its extension to the roundabouts listed above.

Yours sincerely

Keith Brownbill
Secretary

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| LATROBE CITY COUNCIL | |
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| <input type="checkbox"/> City neighbours - Directors | <input type="checkbox"/> Please forward to ... |

ATTACHMENT 2

Our Ref: 585102
MC

7 December 2010

Mr Keith Brownbill
Secretary
Advance Morwell
PO Box 1061
MORWELL VIC 3840

Dear Mr Brownbill

UPGRADE OF PLANTINGS IN ROUNDABOUTS

Thank you for your letter of 17 November 2010 and the welcome comments on the appearance of both the Hazelwood Road/George Street, and Hazelwood Road/Elgin Street roundabouts.

An inspection of the roundabout at Church/Buckley Streets indicates that this is also planted with annuals, in addition to the tree which is well grown and a feature of the roundabout. The planting of annuals/shrubs under this tree may well need to be discontinued in the future due to the size of the tree. This will impact on the amount of water and nutrients available to secondary plantings.

The roundabout at Tarwin/George Streets is considered by Latrobe City Council's Horticulturalist to be unsuitable for the planting of anything but the existing native grasses due to the centrepiece tree which is there. These plantings are still in their infancy and will provide an attractive display on maturity. The added advantage of native grasses is they are low maintenance and reduced reliance on water.

If I can be of further assistance I am contactable on (03) 5128 5725.

Yours sincerely



MICK CANTWELL
Coordinator Parks, Gardens, Ovals and Playgrounds

ATTACHMENT 3



Chairman: John Guy
Phone: 51342371
Secretary: Keith Brownbill
Phone: 51342676
Email: keithjbr@hotmail.com

February 20, 2011

ATTENTION: Mick CANTWELL

Paul Buckley
Chief Executive Officer
Latrobe City Council
PO Box 264
Morwell 3840

Dear Paul

I refer to previous correspondence on the plantings in the roundabouts and our appreciation of the fine work Council gardening staff are doing to add to the attractiveness of our streets.

In your letter Ref 585102 MC it was mentioned that due to the presence of the tree in the roundabout at the intersection of Tarwin and George Streets it is unsuitable to plant anything there other than the existing native grasses.

Our members commented that the existing tree is not beautiful, and that should it for any reason not remain, one might consider planting appropriate annuals.

Yours sincerely

Keith Brownbill
Secretary

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ATTACHMENT 4

Our Ref: 585102
MC

7 March 2011

Mr Keith Brownbill
Secretary
Advance Morwell
PO Box 1061
MORWELL VIC 3840

Dear Mr Brownbill

**STREET TREE IN ROUNDABOUT AT INTERSECTION OF
GEORGE AND TARWIN STREETS MORWELL**

Thank you for your letter of 20 February 2011 concerning the tree in the above roundabout.

Latrobe City Council Policy, '*Latrobe City Council Urban Design Standard Street Tree*', states:

Clause 7.2

'There are four circumstances where established existing trees may require removal. That is, where the tree is either:

- Dead, dying or dangerous;*
- Unsuitable;*
- Badly disfigured by vandalism; or*
- Interfering with an asset of an authority that has statutory right to protect that asset.'*

Clause 8.4

'Isolated requests for tree removal not otherwise covered by policy or legislation are to be reported to the Urban Design Standards Working Party (or some variation of it approved by Council) for recommendation to Council.

Therefore, if Advance Morwell would like the tree to be removed in order to facilitate more colourful plantings, a written request is required to be made to Latrobe City Council for consideration in accordance with Clause 8.4 of the policy.

If you require further information please contact me on (03) 5128 5725.

Yours sincerely

MICK CANTWELL
Coordinator Parks, Gardens, Ovals and Playgrounds

ATTACHMENT 5

ARBORIST'S REPORT

Tree location (street number & name if possible):

Corner George Street and Tarwin Street Morwell, (Roundabout)

Town/Area: Morwell

Botanical name: Cedrus deodara

Common name: Deodora Cedar Tree

Type: Evergreen Exotic

Date of inspection: 20.4.2011

Inspection carried out by: Chris Dash

Tree properties are located in:

| | | | |
|------------------|--------------|------------------|-----|
| Nature strip | Median strip | Traffic island | Yes |
| Park | Green Belt | Private property | |
| Roadside Reserve | Other | Roundabout | |

Age (estimate): 30 yrs Life expectancy: 5+ yrs

Height: 14 metres Canopy spread: 9.2 metres

Trunk diam (@ 1.4m) 380 millimetres

Yes No

Register of significant trees: No

Tree preservation order applies: No

Native Indigenous Vegetation: No

Native Vegetation: No

Health: Poor Average **Good** Excellent

Comments: Cedar tree is in good health. Area is well mulched and maintained.

Structure: Poor Average **Good** Excellent

Comments: Main trunk has a lean, but has straightened up over time. Upper canopy is a little thin in areas. Not to sure of the cause for this.

Site suitability: Unsatisfactory Fair **Good** Ideal

Comments: Cedar tree is planted in the centre of the roundabout as a specimen tree/showpiece. Small landscape plants are planted under the tree and throughout the mulched area of the roundabout.

Hazard Rating: Failure Potential + Size of Part + Target Rating = Hazard Rating

$$1 \quad + \quad 1 \quad + \quad 4 \quad = \quad 6$$

(refer to Appendix)

Target Rating: 4 (Vehicle traffic only)

(refer to Appendix)

RECOMMENDED ACTION/TREATMENT:

1. Removal:

Reason: Dead/Dying
 Structurally unsound
 Excessive regular power line clearance pruning
 New construction project
 Unsuitable for site
Nuisance: fruit
 bark shedding
 seed & nut drop
 excessive leaf litter
 attraction to unpleasant insects
 thorns
 Damage to underground services
 Damage to infrastructure or buildings.

Comments:

2. Below surface maintenance:

- Soil modification required –fertilising/watering/mulching/aeration.
- Root and associated problems – root barrier installation/root pruning.
- Suckering – selective removal of suckers

Comments: Some minor drainage works will be carried out after Easter in the garden bed area of the roundabout by Latrobe City Council's gardening team.

3. Crown Maintenance:

- Clear out dead/diseased/dying/defective/conflicting branches larger than 25mm.
- Thinning – as above with additional removal of secondary branches while retaining main structure.
- Dead wooding – removal of all dead wood.
- Selective pruning – removal of identified branches causing a specific problem.
- Formative pruning – selective removal of specific branches to enhance form and improve structure.
- Cabling/bracing – to strengthen structural integrity.
- Reduction pruning – reducing size of crown either in height and/or spread.
- **Crown lifting – to satisfy statutory clearance requirements.**
- Pollarding – regular treatment to specific deciduous trees
- Line clearances – to satisfy clearance requirements around overhead services.
- Remove mistletoe.

Note: Lopping and topping is an unacceptable practice and must not be carried out.

Comments: A couple of low tree branches need pruning to increase sight distance for vehicle traffic around this area. This will also increase the sun light on the landscape plants growing in the mulched area.

4. Other Maintenance

- Treatment of pest infestation.
- Elm leaf beetle treatment.

Comments: After Easter approximately 20 new replacement landscape plants will be planted to fill in the gaps throughout the roundabout. This will be checked annually.

5. No Maintenance/Action Required

- Not a Council tree
- Tree/trees not to be removed.
- No pruning or other maintenance required.

Comments:

George St & Tarwin St Morwell

6. Approximate Cost to Carry Out Works and Timeframes

Comments: All costs are very minor and will come out of Tree Maintenance Team and Gardening Team recurrent budgets. This includes tree pruning, drainage works, replacement landscape plants and all labor.

If the Cedar tree was to be removed, the approximate cost for this is \$200. This includes tree removal and stump removal and would be carried out by Latrobe City Council's Tree Maintenance Team from their recurrent budget.

Any landscape plantings and costs would need to be discussed with Kathryn Stolk, Team Leader – Gardening Team.



Looking north

George St & Tarwin St Morwell



Looking west

GENERAL COMMENTS:

This Cedar tree is a great addition to the local land and street scape. The evergreen foliage of greens, silver and blues adds color all year around. The trees foliage makes a fragrance that can be smelt in the wind. There are only two Cedar trees in the Morwell C.B.D.

The Cedar tree has been in the current location for approximately twenty years. It was planted as an advanced tree two metres in height and was about ten years of age.

It is believed that Advanced Morwell planted this Cedar tree about twenty years ago. It was one of two trees used as Christmas trees for the town centre areas.

Advanced Morwell have asked Latrobe City Council to remove this tree. The committee believes that the round about and general appearance of the area would be significantly improved if the tree were removed and replaced by more colourful plantings.

Report requested by: Jody O'Kane

Reason for request: Letter received by Latrobe City Council from Advanced Morwell to have this tree removed and area replanted.

Signature of inspector: Chris Dash

APPENDIX

HAZARD RATING SYSTEM/FORMULA EXPLATATION

This hazard rating system is endorsed by the International Society of Arboriculture from *Evaluation of Hazard Trees in Urban Areas, 2nd edition*, Matheny & Clark, 1994. The scoring system is listed below by category that best fits the tree being assessed.

Failure Potential:

1. **Low** – Defects are minor (eg. Dieback of twigs, small wounds with good woundwood development).
2. **Medium** – Defects are present and obvious (eg. Cavity encompassing 10-25% of the circumference of the trunk, codominant stems without included bark).
3. **High** – Defect a numerous and/or significant (eg. Cavity encompassing 30-50% of the circumference of the trunk, multiple pruning wounds with decay along a branch).
4. **Severe** - Defects are very severe (eg. heartrot decay sporophores or conks in main stem; cavity encompassing more than 50% of the truck, codominant stems with included bark).

Size of Defective Part

1. most likely failure less than 15cm in diameter
2. most likely failure less than 15-45cm in diameter
3. most likely failure less than 45-75cm in diameter
4. most likely failure greater than 75cm in diameter

Target Rating

1. occasional use (eg. Open parkland, etc)
2. intermittent use (eg. Picnic area, day parking)
3. frequent use (eg. Jogging Track, storage facilities)
4. constant use (eg. Year-round use for a number of hours for each day, residences, etc)

The hazard evaluation system provides a simple process for Arborists to assess/process the danger and risks associated with trees. This includes death/injury to people and damage to infrastructure from falling branches. The rating system does not define danger. It provides a system for managing trees that could present high risk of failure.

ATTACHMENT 6



Registration No. A36948L ABN: 79 430 405 176
PO BOX 1061 MORWELL 3840 AUSTRALIA

Chairman: John Guy
Phone: 51322371
Secretary: Keith Brownbill
Phone: 51342676
Email: keithjbr@hotmail.com

April 18, 2011

Paul Buckley
Chief Executive Officer
Latrobe City Council
PO Box 264
Morwell 4840

Dear Paul

STREET TREE IN ROUNDABOUT AT INTERSECTION OF GEORGE AND TARWIN STREETS MORWELL

I refer to my letter dated February 20, 2011 on this matter and to your reply Ref: 585102 MC dated March 7, 2011.

Advance Morwell's committee believes that the roundabout and the general appearance of the area would be significantly improved if the tree were removed and replaced by more colourful plantings.

In accordance with Clause 8.4 of Council's policy we wish to make a formal request that consideration be given to the removal of the tree, and its replacement with more colourful plantings.

Yours sincerely

Keith Brownbill
Secretary

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ATTACHMENT 7

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Responses for the proposed removal of the Deodora Cedar tree in the roundabout at the intersection of Tarwin and George Streets, Morwell

A total of 34 responses were received. 13 agreed, 19 disagreed and 2 made comments only.

| | Address | Agree | Disagree | Comments |
|-----|--|-------|----------|--|
| 1. | 37B Tarwin Street | √ | | |
| 2. | 14 Tarwin Street | | √ | I love that tree and always have, since we have been running our business over the last sixteen years. It would be great if Council decorated it at Christmas time. Would make a great Christmas feature in the town. Preserve not removal is my motto. |
| 3. | 10 Tarwin (Moving to 106-108 George Street 27/7) | √ | | |
| 4. | 15 Tarwin Street | | √ | |
| 5. | 6 George Street | √ | | |
| 6. | 24 Tarwin Street | √ | | Excellent idea. Existing tree very morbid looking. Now how about the railway bridge on the entry to Morwell! |
| 7. | George Street (number not provided) | | √ | We need trees!! |
| 8. | 196-198 Commercial Road (corner Tarwin St) | | √ | It is an attractive tree and "more colourful plantings" can still be put around the base. |
| 9. | 18 Tarwin Street | | √ | The tree is a lovely feature in the roundabout. The plantings in the roundabout on George St and Hazelwood Rd grow too high and obstruct view. It is too busy intersection on George & Tarwin Sts to have this sort of planting. The tree should not be removed. Intersection is actually quite hazardous for pedestrians. Cars drive too fast and don't look. |
| 10. | 35 Tarwin Street | | √ | Get rid of the non natives in Tarwin Street road island. They drop all the seeds, take forever to clean out of shop. |
| 11. | 79-85 George Street | | √ | I should have thought Advance Morwell would be more interested in saving trees rather. |

| | | | | |
|-----|---------------------------|---|---|---|
| 12. | 12 Tarwin Street | | √ | Leave it alone! |
| 13. | 98 George Street | | √ | The tree isn't an issue to us. It makes the street look nice. |
| 14. | 4 Tarwin Street | √ | | The tree is unattractive and should be replaced by a more suitable specimen together with in ground planting. |
| 15. | 74 George Street | √ | | |
| 16. | 11 George Street | | √ | I'm in favour of the underdog. We can't all be beautiful. |
| 17. | 66A George Street | | √ | Workways Morwell is situated in George Street behind Spotlight and we would like the tree to stay. |
| 18. | 134 George Street | √ | | |
| 19. | 2 Tarwin Street | √ | | Would like to see native plants. |
| 20. | 73 George Street | | √ | This tree is gorgeous in summer it would be a shame to see if removed. If people want more colour go to Rose Garden. Leave the tree alone. |
| 21. | 26-28 Tarwin Street | √ | | |
| 22. | 25 Tarwin Street | | | You have more pressing problems in the CBD of Morwell than worrying about one tree. |
| 23. | 10 George Street | √ | | |
| 24. | 26 George Street | | | Non committal. Happy with either way |
| 25. | 21 Tarwin Street | | √ | Hands off! The tree is green, adds to village look. Lovely against the sky line. Enhances the roundabout. With all the problems in Morwell, how can you want to remove this wonderful tree. |
| 26. | 116 George Street | √ | | |
| 27. | 29 Tarwin Street | √ | | During winter the whole area looks really sad and grey looking because all the trees are bare. Something evergreen and nicer looking would really cheer the area up. |
| 28. | George Street (anonymous) | | √ | There is no problem with it. Please concentrate on more important things, Such as pedestrian crossings near schools. |
| 29. | 12-14 George Street | √ | | I have no objections |
| 30. | 35 Savige Street, Morwell | | √ | Refer to appendix 1 |
| 31. | 135 Clear Creek | | √ | Refer to appendix 2 |

| | | | | |
|-----|-----------------------------|--|---|---------------------|
| | Road, Mirboo | | | |
| 32. | 14 Manor Rise, Morwell | | √ | Refer to appendix 3 |
| 33. | 14 Manor Rise, Morwell | | √ | Refer to appendix 4 |
| 34. | McMillan Street, Morwell | | √ | Refer to appendix 5 |

To whom it may concern,

RE: Removal of the
Cedar tree at the roundabout on George and Tarwin
streets. In a society that is supposedly focusing on
bettering our environment and reducing emissions, I find
it hard to believe that a perfectly healthy and well
established tree would even be considered for removal.
Let alone for the sole reason of it "being an eyesore".

Beauty is in the eye of the beholder and I'm sure I'm
not alone when I say that the tree in question (and the one
on church st) is a fine specimen. I for one enjoy driving
past it and admire its stature.

I have watched sadly as many trees have been removed
from our streets lately (for whatever the reason) it is hard
to believe these were absolutely necessary measures.

Although they get replaced - unfortunately with senseless
acts of vandalism - probably only half of those will
reach maturity.

So please, since there is no underlying issues
of safety or necessity, leave this tree alone.

LATROBE CITY COUNCIL
INFORMATION MANAGEMENT

RECEIVED

- 8 JUL 2011

Thank you kindly

35 Sange St, Maxwell

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Appendix 2

Jody O'Kane

Manager Infrastructure Operations
Latrobe City Council

Re the removal of two Himalayan Cedars at the roundabouts of Buckley street and Tarwin street.

I am a farmer at Mirboo and although I am not a resident of the Valley, I am attracted to that area of Morwell for my weekly shopping and banking and would be disappointed if these two trees were removed. They are in their youth and have many years before they reach their prime and maturity. I realize they are not unusual, however adult trees are few and Morwell in thirty plus many years will have something precious that other town centres could only wish for. There are only three true Cedars in the world, the Himalayan being one and at particular times of the year it is a very attractive tree. In the long term if these trees were left to grow to their adult splendour, we all and Advance Morwell would be winners.

Yours Sincerely,

11-7-11

135 Clear Creek Rd
Mirboo 3871

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From:

Sent: Wednesday, 13 July 2011 8:52:53 PM

To: Latrobe Central Email

Subject: FW: Attention Mr. Jody OKANE - Re: objection to plans to remove tree at roundabout Tarwin and George Sts., Morwell

Attention Mr. Jody OKANE.

Please be advised that I strongly object to the suggestion of removing the tree at roundabout Tarwin and George Sts., Morwell as suggested by the Advance Morwell Committee. It is not unattractive, far from it.

Please note my objection and print this in support to keep this tree from being removed unnecessarily. If you wish any further information please call me on 0425 747 665 as I could expand on my objections further.

In the meantime please respond that you have received this objection/email and confirm that it will be placed with the argument to stop the deodora from being removed for such a stupid reason.

Kind Regards

14 Manor Rise
Morwell.

From: [Redacted]
Sent: Wednesday, 13 July 2011 8:47:06 PM
To: Latrobe Central Email
Subject: FW: Attention Mr. Jody OKANE - Re: objection to plans to remove tree at roundabout Tarwin and George Sts., Morwell

Attention Mr. Jody OKANE.

I have read the article in the Morwell and Churchill Advertiser wherein the Advance Morwell Committee wish to remove the deodora cedar at the roundabout Tarwin and George St. Morwell and I wish to lodge my objection to such an action. It is preposterous what is being suggested that the tree is 'unattractive' – please, this is ridiculous when one knows that this same tree has times of wonderful colour by displaying its light green oval shaped cones and gives pleasure to the eyes with its lush fresh green tips at other times.

Please note my objection and document this as a 'no' to the idea of removing this tree.

An email acknowledging my objection will be appreciated.

Yours sincerely,

[Redacted]
14 Manor Rise
Morwell

29th July 2011.

Councillors
Latrobe City Council
Commercial Rd
Morwell 3840

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Dear Councillors,

Re: Trees removal comment and roundabout leakage
at intersection of Chapel and George st, Morwell.I write with regard to an article I read in the Morwell
and Church Advertiser on Page 3, Monday 4th July 2011.

One ~~the~~ tree in question is at the roundabout intersection of
Tawin & George st, Morwell and Advance Morwell have
requested its removal because they believe that it is
unattractive.

I really hope that this tree is not removed. I have
enjoyed this beautiful tree and watched it grow
for 30 years now.

I love its height and the breadth all over. It first
reminds me of strength in life and the welcoming
arms for a hug.

It has a unique look of individuality but still says
I belong here and care for years ago. This then
takes my thoughts back to our heritage and occasions
of yesterday. The celebrations of Christmas and
imaginations of snow are other lovely features of
its beauty.

In the newspaper article it is written that a '30
year-old' tree is requested to be removed (paragraph 4)

but then in paragraph 5 it is written that Advance Howell planted the tree 20 years ago. So, was the tree planted at the age of 10 years?

Advance Howell planted it, and they would have applied to Shire/Council for permission, knowing full well how it would develop. And now they don't think it is 'beautiful'.

This tree and the one on the roundabout of Church & Buckley St have purpose and function.

In the newspaper article, Phillip Williams has written that these two roundabouts are the only ones left in Howell with a large tree as their centre piece. This is not correct as there are trees at Hazelwood Rd & George St, and Elgin & White St.

This morning I went for a drive around the shopping precinct and here is what I observed at the following roundabout intersections.

Whitest & Commercial rd: ^{short} short tidy plants, suitable for a busy intersection of traffic.

White & Elgin St: Centre tree, established & appropriate for roundabout.

Elgin & Tarrin St: Concrete monument for previous serving members of our community, no plants.

Hazelwood Rd & Elgin St: No tree but has significant amount of broken bricks that are unsightly & dangerous.

Elgin St & Margate crescent: No tree has bare roses. Has significant amount of damage of broken bricks, unsightly & dangerous. There has been a rubbish bin or two that were fire burned on one of the kerbs.

Hazelwood Rd & Ave / George Sts: Centre tree with box hedges and happy flowers. Suitable for busy intersection.

Torwin & George Sts: Centre tree with grass planting. Brickwork intact, clear functioning roundabout for busy intersection.

Chapple & George Sts: No tree, box hedge plants with happy flowers. This roundabout has been leaking water on the road for many years, I've never mentioned it before because I keep thinking someone else would have noticed it but I'm beginning to think I'm the only one who does. Could you please get maintenance to look into this leakage? Thanks

Chapple St & Commercial Rd: Short plants, clear functioning roundabout for busy intersection. This particular roundabout has its plants changed occasionally and it is a clever change each time. One time were strawberries and I think think even ^{orn} ornamental cacti flowers

Maryvale Rd & Commercial Rd: Daffodils & roses suitable for intersection.

Princes Drive & Lakeside Rd: Centre piece clear, ~~box hedges~~ ^{box hedges + roses} plants

Church & Torwin Sts: Centre tree with its top removed with surrounding plants
It is a shame that this tree has had its top removed but it is still beautiful and functional. It is quite a large tree with nice plants underneath.

I wish the newspaper article had not mentioned (paragraphs 9&10) that under the Lakeside - Street Tree Policy, a tree can only be removed if dead, dying or dangerous, unsuitable or badly disfigured by vandalism. This makes me concerned that someone will do damage so as to provoke their removal.

4/6

As far as Mr. Bramble requesting removal of the tree under the clause in the policy which allows isolated trees to be removed, I think that if the trees are specifically planted with distance between them of an equal amount then they are not isolated.

The trees in question are a collection of Novell's identity.

At the moment the grass plantings at the Turin and George sts is scraggy looking and the photo in the paper is unflattering. But from many other angles it is very beautiful and the grass plantings will develop.

Currently the plants at the Commercial Rd/Maryvale Lanes, Elgin St/Maryvale Lanes are looking not more than sticks toward the sky but we know they will become beautiful with flowers again.

As for Advance Novell's Secretary wanting the 'general appearance of the area' to be 'significantly improved if the tree were removed and replaced by more colourful planting' this does not take into consideration ~~and~~ people who are colour blind and cannot distinguish between certain colours or shades but they can enjoy the trees.

It is a respectful acknowledgment we remember and honour our heritage and previous serving members of our community and it is also correct that we should preserve and maintain the older trees that are a part of our heritage too and continue yesterday's memories.

There used to be a wonderful huge tree at the old Lodge (now the Health Centre) on the corner of Hepburn Avenue and Princes Drive. It was quite a sad moment when I drove by one day to discover its removal. The same feeling and concern would be to the big old trees at the Novell Bus terminal and these other ones.

5/5

The people of 'Advance Norwell' have done some good work in the past. But 'Advance Norwell' are not the main voice for this growing community and in this subject they are not making a valid reasoning for any removal.

I didn't know of the previous intentions to remove the tree at the old Lutcombe Community Health Centre, and hadn't been asked for my opinion.

As I am aware of this intended removal and have become aware of wanting my opinion then please do consider all that I've written.

Yours Sincerely
A.R.

PS: As for the cost of removal, could we put that to the topic of brickwork & other roundabouts please?

CORRESPONDENCE

9.1 ROADS TO RECOVERY PROGRAM

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

1. INTRODUCTION

The purpose of this report is to table a letter from the Australian Local Government Association (ALGA) requesting support for a campaign for increased and ongoing Roads to Recovery Program funding.

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 Roads to Recovery Program was instigated by the Federal Government in 2000. There have been two extensions to the program and the current program is due to end in 2014.

The program provides funding directly from the federal government to local government for maintenance and improvements on the local road network. It has been instrumental in assisting local government to maintain the extensive local road network.

There is still a shortfall across the nation in the level of funding to maintain the local road network. The ALGA will be launching local government's Roads to Recovery campaign at the National Local Roads and Transport Congress to be held in November 2011, and is seeking support from councils across the nation. A copy of the letter from ALGA is attached.

The campaign will be calling on the Federal Government for the Roads to Recovery Program to be made permanent and for the funding levels to increase.

4. RECOMMENDATION

- 1. That Latrobe City Council supports the Australian Local Government Association campaign for increased and ongoing Roads to Recovery Program funding and calls on the Federal Government to:
 - Recognise the successful delivery of the Roads to Recovery Program by local government since 2000;
 - Continue the Roads to Recovery Program on a permanent basis to assist local government to meet its responsibilities of providing access for its communities;
 - Continue the Roads to Recovery Program with the current administrative arrangements; and
 - Provide an increased level of funding under a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually.**
- 2. That the Mayor writes to the Prime Minister, Minister for Infrastructure and Transport, Leader of the Opposition and opposition transport spokesman advising them of council's decision.**
- 3. That a copy of the letters be forwarded to the Australian Local Government Association.**

Moved: Cr Lougheed

Seconded: Cr Harriman

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENTS



AUSTRALIAN LOCAL
GOVERNMENT ASSOCIATION

12 August 2011

Latrobe City Council
PO Box 264
MORWELL VIC 3840

Dear Mayor, Councillors and CEO,

I am writing to invite you to the 2011 National Local Roads and Transport Congress, the theme of which is *Better Roads are Safer Roads*, in Mount Gambier, South Australia from 16-18 November.

The Congress features a strong line up of road safety experts, an international speaker from Canada and political speakers from across the spectrum. The program also includes a "Hypothetical" to discuss road safety issues in the community.

Road safety is important to all of us. Sadly all our communities have been touched by death and injury caused by road crashes. While there are many causes of road crashes, there is no doubt that one of the best ways to improve road safety is through good roads and the key to good roads is funding.

The ALGA Board will use the Congress to launch local government's campaign to renew Roads to Recovery, the primary source of Federal funding for local roads.

I recently wrote to all Councils asking them to pass a resolution on Roads to Recovery as part of that campaign. We will build on those resolutions with the Roads to Recovery renewal campaign launch at the Congress.

Local government needs you to be there at the launch of the Roads to Recovery campaign to send the strongest possible and united message to the Federal Government and the Opposition. The message has to be loud and clear: **Roads to Recovery must be continued, made permanent and increased to a level that recognises the shortfall of funding on local roads of \$1.2 billion annually.**

Each delegate will be personally involved in the launch of the campaign – so we need as many delegates as possible to show Canberra the importance of Roads to Recovery to our communities. We have been successful in the past with renewal of the Roads to Recovery Program and we will be successful again if we work together with that clear objective.

Enclosed is the registration brochure with details of the arrangements for the Congress.

I look forward to seeing you in Mount Gambier

Yours sincerely

Mayor Genia McCaffery
President



2011

Including the launch of local
government's campaign to renew
ROADS TO RECOVERY

Better Roads ARE SAFER ROADS

16-18 NOVEMBER 2011
MOUNT GAMBIER • SOUTH AUSTRALIA



AUSTRALIAN LOCAL
GOVERNMENT ASSOCIATION



Australian Government
Department of Infrastructure and Transport



9.2 **LATROBE CITY WORLD HEALTH ORGANISATION
INTERNATIONAL SAFE COMMUNITY REDESIGNATION**
AUTHOR: General Manager Community Liveability
(ATTACHMENT - YES)

1. INTRODUCTION

The purpose of this report is to provide Council with correspondence received from the Australian Safe Communities Foundation (ASCF) advising that Latrobe City has been redesignated as an International Safe Community.

This is Latrobe City's second redesignation since achieving International Safe Community status in 1996.

2. DECLARATION OF INTERESTS

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

3. OFFICER COMMENTS

Latrobe City has been an accredited member of the World Health Organisation, Safe Community Network since 24 February 1996, when La Trobe Shire was first designated as an International Safe Community.

At the time of achieving International Safe Community status the redesignation process was set to occur every 10 years. Latrobe City was successful in its application for redesignated in 2006. The requirement for redesignation has subsequently changed and the process is now undertaken every five years.

In April 2011, Latrobe City applied for redesignation for the second time. The assessment process involved review by a panel appointed by the ASCF. Following a detailed and lengthy review and feedback process, advice was received on Tuesday, 6 September 2011 from the ASCF of Latrobe City's successful application for redesignation as an International Safe Community for a further five years to 2016 (see attachment).

The redesignation process required detailed documentation and response against the following six criteria:

Criteria 1

An infrastructure based on partnership and collaborations, governed by a cross-sectional group that is responsible for safety promotion in their community.

Criteria 2

Long-term, sustainable, programmes covering both genders and all ages, environments, and situations.

Criteria 3

Programmes that target high-risk groups and environments, and programmes that promote safety for vulnerable groups.

Criteria 4

Programmes that document the frequency and causes of injuries – both un-intentional (accidents) and intentional (violence and self-directed).

Criteria 5

Evaluation measures to assess programmes, processes and the effects of change.

Criteria 6

Ongoing participation in national and international Safe Communities networks.

The following was noted in the correspondence received:

“The review team congratulate you on your application which showcases a number of the community safety programs underway in your community and demonstrates that the six membership indicators of the ISC Network continue to be met in Latrobe City”.

Latrobe City will continue to provide an annual report to the ASCF and submit regular articles for inclusion in its newsletter as a requirement of redesignation.

A formal redesignation announcement will form part of the Latrobe City Community Safety and Wellbeing Forum which will be held on Wednesday, 12 October 2011 at the Churchill Hotel, 1 Balfour Place Churchill. The announcement will occur at 11.30 am, followed by lunch. The Safety and Wellbeing forum is open to the public.

4. RECOMMENDATION

- 1. That Council note the correspondence advising Latrobe City has been redesignated as an International Safe Community.**
- 2. That Latrobe City's status as an International Safe Community be promoted as appropriate opportunities arise.**

Moved: Cr O'Callaghan

Seconded: Cr Kam

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

.



Australian Safe
Communities
Foundation

Address: Secretary
Australian Safe Communities Foundation
C/- GPO Box 465
ADELAIDE SA 5000

Phone: (08) 8303 0480

Fax: (08) 8204 9500

ABN 41 164 859 665

6 September 2011

Teresa Pugliese
Coordinator Community Strengthening
Latrobe City Council
PO Box 264
MORWELL VIC 3840

Dear Teresa

Re: Latrobe City International Safe Community Redesignation 2011

As a Certifying Centre of the World Health Organisation Collaborating Centre on Community Safety Promotion, the Australian Safe Communities Foundation (ASCF) recently undertook a review of the application by Latrobe City, Victoria for redesignation as an International Safe Community (ISC).

The review team congratulate you on your application which showcases a number of the community safety programs underway in your community and demonstrates that the six membership indicators of the ISC Network continue to be met in Latrobe City. Redesignation as an ISC for a further 5 years to 2016 has been approved.

Your application and the outline of your program will be included on the ASCF and Collaborating Centre websites. We encourage you to contribute stories about local programs to the ASCF newsletter (these can be forwarded to info@safecommunities.net.au) and the Safe Community Monthly Newsletter (these can be forwarded to Koustuv Dalal, Editor, SCMN at koustuv.dalal@ki.se).

We look forward to your redesignation ceremony on 12 October 2011 and to working with you in the future. Congratulations on achieving this major milestone in the Latrobe City community development, wellbeing and safety journey.

Yours sincerely

Michael Bourne
ASCF Inc Certifying Centre

9.3 CORRESPONDENCE RECEIVED FROM PRIME MINISTER

AUTHOR: General Manager Economic Sustainability
(ATTACHMENT - YES)

1. INTRODUCTION

The purpose of this report is to table a letter from the Prime Minister that acknowledges Latrobe City Council's request to develop a partnership approach to managing the Latrobe Valley's transition to a clean energy future.

2. DECLARATION OF INTERESTS

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

3. OFFICER COMMENTS

On 11 July 2011, Latrobe City Council resolved to write to the Prime Minister as follows:

1. *That the Federal Government urgently commissions a report into the socio-economic impacts of a Carbon Price on the Central Gippsland region;*
2. *That the Prime Minister nominate Government initiated industry/job creation plans designed to mitigate any negative impacts arising from a Carbon Price.*

Also, as its Ordinary Meeting held on 11 July 2011, Council resolved to:

1. *That Council note the overview of the Victorian Government Latrobe Valley Advantage Fund development and implementation.*
2. *That the Mayor write to the Premier of Victoria and the Prime Minister requesting a joint government taskforce be established to ensure that three levels of Government work together to ensure a low carbon transition for the Latrobe City community and economy.*

The Prime Minister has responded by letter of 10 September 2011. As well as commending Latrobe City Council for its work in leading a proactive approach to shaping the region's low carbon future, the Prime Minister has stated that the Minister for Regional Australia, Regional Development and Local Government, the Hon Simon Crean MP, will work with all levels of government and community to develop a regional strategy for the Latrobe Valley.

4. RECOMMENDATION

That Latrobe City Council note the Prime Minister's letter.

ALTERNATE MOTION

Moved: Cr Kam

Seconded: Cr Harriman

That the Motion be adopted.

That the Mayor writes to the Prime Minister and thanks her for her letter dated 10 September 2011 and requests the Prime Minister to respond specifically to the request made in the letter dated on 18 July 2011 within 14 days.

For the Motion

Councillor/s Kam and Harriman

Against the Motion

Councillor/s O'Callaghan, Vermeulen, Middlemiss, Lougheed and White

The Mayor confirmed that the Motion had been LOST

The original Recommendation became the Motion before the chair.

Moved: Cr Lougheed

Seconded: Cr Middlemiss

That the Recommendation be adopted.

That Latrobe City Council note the Prime Minister's letter.

For the Motion

Councillor/s Vermeulen, Middlemiss, Lougheed and White

Against the Motion

Councillor/s O'Callaghan, Kam and Harriman

The Mayor confirmed that the Recommendation had been CARRIED

ATTACHMENTS

Our Ref: 671944
DW:ADJ

14 July 2011

The Hon Julia Gillard MP
Prime Minister
Parliament House
CANBERRA ACT 2600



Latrobe City ABN 92 472 314 133
Telephone 1300 367 700
Facsimile (03) 5128 5672
TTY (NRS) 133 677
Post to PO Box 264 Morwell 3840
Email Address latrobe@latrobe.vic.gov.au
Internet www.latrobe.vic.gov.au
AUSDOC DX 217733 Morwell

Dear Prime Minister

SECURING A CLEAN ENERGY FUTURE

The Latrobe Valley will be one of Australia's most impacted regions in the transition to a low carbon economy. After Sunday's announcement of the carbon pricing policy, Latrobe City Council is advocating for immediate community engagement and a genuine partnership approach across the three levels of government.

Over the last 12 months, Latrobe City Council has worked hard to raise the profile of our work undertaken in relation to the transition to a low carbon future and to progress our relationship with the Australian and Victorian Governments. At our Council meeting in items closed to the public on Monday, 11 July 2011, Latrobe City Council considered the range of Australian and Victorian Government assistance and initiatives underway and proposed in relation to a transition to a low carbon future. As a result, Council resolved the following:

1. *That the Mayor write to the Premier of Victoria and the Prime Minister requesting a joint government taskforce be established to ensure that three levels of Government work together to ensure a low carbon transition for the Latrobe City community and economy.*

Council is firmly of the belief that it is now timely to press for joint meetings to bring together the three levels of Government. This approach is consistent with our Positioning Latrobe City for a Low Carbon Emission Future Policy (copy enclosed), which commits Council to working in partnerships with other levels of government to ensure that all three levels contribute to a smooth transition to a low carbon future for the Latrobe Valley. A genuine joint approach would also ensure that in the event of an Australian and Victorian Government divergence of opinion that our community would still be adequately represented in any discussions.

Whilst we appreciate and value the work being undertaken and the initiatives proposed by the Australian and Victorian Governments to help our region transition to a low carbon future, I hope that you can understand Latrobe City Council's desire to ensure that Council and by definition our community are

represented in any future discussions on the transition of the Latrobe Valley to a low carbon future.

If you require further information in respect to the work undertaken by Council in the transitioning to a low carbon future, please contact Allison Jones, General Manager Economic Sustainability on (03) 5128 5446 or via email allison.jones@latrobe.vic.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Darrell White', written over a horizontal line.

CR DARRELL WHITE
Mayor

CC: Hon Ted Baillieu
Premier of Victoria
Level 1, 1 Treasury Place
MELBOURNE VIC 3000

Our Ref: 674471
DW:ADJ

COPY



18 July 2011

The Hon Julia Gillard MP
Prime Minister
Parliament House
CANBERRA ACT 2600

Latrobe City ABN 92 472 314 133

Telephone 1300 367 700

Facsimile (03) 5128 5672

TTY 133 677

Post to PO Box 264 Morwell 3840

Email Address latrobe@latrobe.vic.gov.au

Internet www.latrobe.vic.gov.au

AUSDOC DX 217733 Morwell

Dear Prime Minister

REQUEST FOR A SOCIO-ECONOMIC IMPACT REPORT

As you are aware, Latrobe Valley will be one of Australia's most impacted regions in the transition to a low carbon economy. Following the Government's announcement on 10 July 2011 of the carbon pricing policy, Latrobe City Council is advocating for immediate community engagement and a genuine partnership approach across the three levels of government.

At our Council meeting on 11 July 2011, Latrobe City Council resolved to write to you as Chair of the multi-party committee on Climate Change, requesting the following:

1. *That the Federal Government urgently commissions a report into the socio-economic impacts of a Carbon Price on the Central Gippsland Region; and*
2. *That you nominate Government initiated industry development/job creation plans designed to mitigate any negative impacts arising from a Carbon Price.*

Your continuing commitment to the ongoing work of Latrobe City Council in transitioning this region to a low carbon economy would be invaluable to our success. Should you have any queries please contact Julia Agostino, Manager Regional Partnerships on (03) 5128 5759 or via email julia.agostino@latrobe.vic.gov.au.

Yours sincerely

CR DARRELL WHITE
Mayor



PRIME MINISTER
CANBERRA

Reference: C11/79070

Councillor Darrell White
Mayor
Latrobe City
PO Box 264
MORWELL VIC 3840

18 SEP 2011

Dear Councillor White

Thank you for your letters of 14 and 18 July 2011 seeking to develop a partnership approach to managing the Latrobe Valley's transition to a clean energy future. I apologise for the delay in responding.

It was a pleasure to spend the day in the Latrobe Valley on 16 July this year to discuss the Government's climate change policies and their implications with the community. I was encouraged by the high level of engagement from the Latrobe City Council and commend you for the leadership you have shown in seeking to proactively shape the region's low carbon future.

I can assure you the Government remains committed to working with the Latrobe Valley region to best manage the impacts resulting from the introduction of a carbon price. I personally share your view that it is critical that the development of a response to social and economic change involves a cooperative and collaborative approach to engage closely with all levels of government, as well as industry, unions and community groups.

To this end, I have asked the Minister for Regional Australia, Regional Development and Local Government, the Hon Simon Crean MP, to work with all levels of government and the community to develop a regional strategy for the Latrobe Valley.

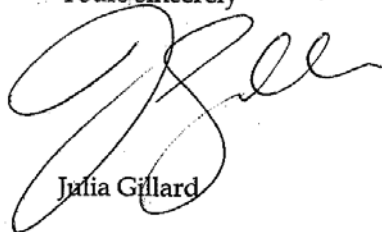
This strategy will support the delivery of significant government efforts to assist affected regions to transition to a low carbon future. This includes the \$200 million Regional Structural Adjustment Assistance for Workers, Regions and Communities package. This package is designed to support affected communities to manage the direct employment and labour market impacts of the introduction of a carbon price and assist with economic diversification activities.

As you are aware, the Government has also committed \$5.5 billion to the Energy Security Fund. Through this Fund, the Government will pursue a contract for closure, seeking to support the closure of around 2000 megawatts of highly emissions intensive generation capacity by 2020. First stage stakeholder consultation is underway with negotiations expected to be completed before the carbon price is introduced on 1 July 2012. I understand that, as part of this process, the Department of Resources, Energy and Tourism has already begun discussions with the Victorian Government and generators in the Latrobe Valley. Further, the Government has committed to continue progressing a carbon capture and storage project in the Latrobe Valley which, if successful, has the potential to significantly reduce emissions across a variety of applications including power generation.

The Government is committed to working with regions across Australia to manage the impacts of the introduction of a carbon price. I look forward to continued cooperation between our governments and believe the leadership the Latrobe City Council has shown to date will ensure the Latrobe Valley is well positioned to meet the challenges of change.

I have copied our correspondence to the Minister for Regional Australia, Regional Development and Local Government, the Treasurer, the Minister for Resources and Energy and the Minister for Climate Change and Energy Efficiency for their information.

Yours sincerely



Julia Gillard

PRESENTATION OF PETITIONS

10.1 **PETITION TO IMPROVE STORM WATER DRAINAGE AT
KILKENNY CLOSE TRARALGON**

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

1. PURPOSE

The purpose of this report is to present Council with a petition received requesting stormwater drainage improvement works at Kilkenny Close, 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

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.

Latrobe City Council Plan 2011 - 2015

Strategic Direction – Built Environment

Ensure public infrastructure is maintained in accordance with community aspirations.

Service Provision – Infrastructure Development

Provide Asset Management planning, advice and services for Latrobe City.

4. BACKGROUND

A petition signed by 23 residents was received on 15 August 2011 requesting Latrobe City Council to improve the storm water drainage in Kilkenny Close, Traralgon.

A copy of the petition is included as an attachment to this report.

The head petitioner has indicated that the residents believe a spoon drain is required to be installed in the vacant land at the rear of the properties on the south side of Kilkenny Close to stop surface water entering their properties.

5. **ISSUES**

It will be necessary to carry out a detailed investigation to address the petition in relation to the following:

- Previous history of localised flooding in this area.
- Consultation with residents who have been impacted by the localised flooding to determine specific concerns.
- Carry out a study of the area to determine the capacity of the existing drainage system, adequacy of existing surcharge routes and develop proposals that may mitigate localised flooding for designated various rainfall events.

It is proposed that a further report will be presented to Council following an initial investigation of the drainage issues raised in the petition. This investigation will determine the cause of the flooding problem and provide details on how to mitigate the problem if similar rainfall events occur into the future.

6. **FINANCIAL AND RESOURCES IMPLICATIONS**

Financial and resource implications will not be known until a more detailed investigation has been carried out.

7. **INTERNAL / EXTERNAL CONSULTATION**

Engagement Method Used:

Not applicable

Details of Community Consultation / Results of Engagement:

Not applicable

8. OPTIONS

The following options are available to Council:

1. Deal with the petition at this meeting; or
2. Lay the petition on the table until a further report is presented to Council.

9. CONCLUSION

It is usual practice for petitions to lay on the table as per Clause 63 of Council's Local Law No.1.

It is recommended that the petition lay on the table until the 5 December 2011 Ordinary Council Meeting, to allow sufficient time for Council Officers to undertake a drainage investigation in this area.

10. RECOMMENDATION

1. That the petition requesting Council to upgrade the storm water drainage system at Kilkenny Close, Traralgon lay on the table until the Ordinary Council Meeting to be held on 5 December 2011.
2. That the head petitioner be advised of Council's decision in relation to the petition requesting Council to upgrade the storm water drainage system in Kilkenny Close, Traralgon.

Moved: Cr Kam

Seconded: Cr Lougheed

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENTS

.

LATROBE CITY COUNCIL
INFORMATION MANAGEMENT

RECEIVED

15 AUG 2011

R/O:

Doc No:

Comments/Copies Circulated to:

Copy registered in GeosWorks Invoice forwarded to accounts

11/08/2011
MR. Paul Buckley
Latrobe city council
Morwell Vic 3840

To Mr. Buckley

Please find attached a petition for the residents of Killkenny close Traralgon, regarding the issues of water run off from the paddock behind Killkenny close.

We believe a spoon drain is required in the paddock to stop the run off into the backs of house holds and than into the street where the water has to travel from the corner of Killkenny close (e.g house numbers 14 and 15) right down the street to the drain out the front of 6 and 20 Killkenny Close) please see photos of the water in the street and also coming down 14 and 21 Killkenny Close drive ways. We also believe more drains are required in the court part of the Close as there is a pit out the front of 14/15 Killkenny Close.

We also feel that if nothing is done about it that it will cause extensive damage to houses the back on the paddock talking to the residents of this side they are all in the same boat some worse than others with water ankle deep in there back yards and close to entering there houses.

I understand there is a meeting to be held Tuesday the 16/08/11 regarding this issues and others issues we are all hoping for the correct outcome and for it to be resolved as soon as practical.

Thank you for your time

Jessica and Damien Gourley
And the residents of Killkenny Close Traralgon

10th August 2011

Attn: Les Hilton +
Linda Hasthorpe

PETITION

Topic: Water run off from the paddock into Kilkenny Close Traralgon

What do you want the council to do?

Make a spoon drain close to the fence line in the paddock from one end of Kilkenny close to the other to stop the water running into the back yards of all the house and than into the street.

Lead petitioner: Name: Jessica Gourley

Email address: Jess04damo16@hotmail.com

Telephone:

Work 03)51261755

Mobile 0421350951

Address: 14 Kilkenny Close Traralgon

We, the undersigned, want Latrobe City Council to:

Complete works of a spoon drain in the paddock behind Kilkenny Close Traralgon

10th August 2011



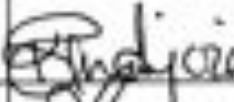


Lead petitioner Jessica and Damien Gourleys

| SIGNATURES | | |
|----------------|---------------------|---------------|
| NAME | ADDRESS | SIGNATURE |
| JAMIE | 11 KILLKENNY/CI | [Signature] |
| P. ASHLEY | 9 KILLKENNY C | [Signature] |
| O. Douglas | 7 Killkenney C | O Douglas |
| Ligh white | 22 Killkenney close | Lighwhite |
| Murcus Hunter | 3 Killkenney close | Murcus Hunter |
| KRISTINE BITER | 27 KILKENNY CLOSE | [Signature] |
| STANLEY SMITH | " " " | Smith |
| Diana Bourke | 26 Kilkenny close | [Signature] |
| Ruth McKeay | 25 Killkenney CI | R. McKeay |
| O. Bonnici | 24 KILKENNY | [Signature] |
| K. Dwyer | 6 Kilkenny close | [Signature] |
| E. Johnston | 8 Kilkenny close | E Johnston |

Page 2 of 3

10th August 2011

Lead petitioner Jessica and Damien Gourleys

| SIGNATURES | | |
|---------------------|--------------------|---|
| NAME | ADDRESS | SIGNATURE |
| SHAWN ROSS | 15 KILKENNY CLOSE |  |
| Brad Greaves | 16 Kilkenny Close. | contacted via phone. |
| BOB NIELSEN | 18 KILKENNY CLOSE |  |
| DEVON SOUTAR | 19 KILKENNY CLOSE |  |
| Anita Hamner | 4 Kilkenny close | anita hamner. |
| Clair Coulthard | 2 Kilkenny Close | Coulthard. |
| Katherine Archibald | 23 Kilkenny |  |
| STEFAN P | 12 KILKENNY CLOSE |  |
| JID Garley | 14 Kilkenny Close |  |
| S Kevin | 12 Kilkenny close |  |
| CHRIS YAP | 13 Kilkenny close |  |

Page 3 of 3







BUILT AND NATURAL ENVIRONMENT

**11.3.1 REGIONAL GROWTH FUND - LOCAL GOVERNMENT
INFRASTRUCTURE PROGRAM**

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

1. PURPOSE

The purpose of this report is to provide advice on the Local Government Infrastructure Program and to seek Council endorsement on projects to be nominated.

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 Objective – 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.

Latrobe City Council Plan 2011 - 2015

Strategic Direction – Built Environment

Develop high quality community facilities that encourage access and use by the community.

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

4. BACKGROUND

The state government has introduced a Regional Growth Fund of \$1 billion over the next eight years to contribute to regional development across the state.

The Regional Growth Fund incorporates a Strategic Initiatives component and a Local Initiatives component. Within the Local Initiatives component is the Local Government Infrastructure Program (LGIP), which provides \$100M over four years.

The aim of the LGIP is to provide regional and rural councils with certainty to plan for and build new infrastructure or renew assets. Each council is allocated a notional four year total for projects nominated from forward capital work plans.

5. ISSUES

Advice has been received from the Minister for Regional and Rural Development that Latrobe City's allocation under the LGIP is capped at \$2M over four years from 2011/2012 to 2014/2015.

The Minister has requested council to provide initial nominations for projects from the forward capital works plan to Regional Development Victoria, regional office.

The application and assessment process will be as follows:

Step 1: Councils nominate projects from their existing forward capital works plans, consistent with the direction of their asset management strategy including life cycle costing of assets.

Step 2: Regional Development Victoria (RDV) regional offices will contact councils to discuss their nominated projects and agree on staging of payments and reporting requirements.

Step 3: Funding proposals are submitted by RDV for approval by the Minister for Regional and Rural Development. A summary of approved projects in each region will be provided annually to the relevant Regional Development Australia committee for noting.

The process will be refreshed annually to provide councils with flexibility in relation to project funding and delivery within the four year allocation, subject to negotiation and agreement with RDV regional offices.

A copy of the RDV brochure on the Local Government Infrastructure Program is attached.

A copy of the forward capital works projects that were provided as part of the budget process are attached. This list should be used to select projects for the LGIP under the funding guidelines.

It is suggested that the following criteria be used to select projects to be nominated:

- Projects form part of an adopted Council Plan or Strategy identified in future years of the Capital Program.
- Projects that have broad community appeal and are visible.
- Degree of due diligence and planning for the nominated projects.
- Ability to deliver the projects within the nominated financial year.
- Projects that are unlikely to be eligible for other government funding.

Based on this criteria, it is suggested that the following projects be nominated for the program:

- Moe outdoor pool and amenities refurbishment - \$1.6M
 - Pool refurbishment year 2 - \$0.6M
 - Pool refurbishment year 3 - \$0.5M
 - Amenities refurbishment year 3 - \$0.5M
- Wright Street, Traralgon footbridge replacement and lighting upgrade year 3 - \$0.4M

6. FINANCIAL AND RESOURCES IMPLICATIONS

The LGIP grant is provided as additional funds from the state government for projects on Council's forward capital works plan. It will therefore allow Council to increase the overall capital works program.

The estimated costs for the suggested projects are preliminary as detailed design work has not yet been undertaken. It is feasible that Council may need to contribute some funds to these projects.

7. INTERNAL / EXTERNAL CONSULTATION

Engagement Method Used:

There has been no specific engagement on the LGIP. Community engagement, in accordance with Councils community engagement plan 2010-2014, will be undertaken in relation to the capital works projects.

Details of Community Consultation / Results of Engagement:

Community engagement has not yet been undertaken.

8. OPTIONS

Council has the option to nominate projects for the LGIP to the value of \$2M from the forward capital works plans.

9. CONCLUSION

Latrobe City has received advice that \$2M will be provided from the state government under the Local government Infrastructure Program for capital works projects within the forward capital works plan.

Nominations are to be forwarded to Regional Development Victoria. There will be an opportunity to review these annually, in consultation with RDV.

10. RECOMMENDATION

That the following projects be nominated to Regional Development Victoria for the Local Government Infrastructure Program.

- **Moe outdoor pool and amenities refurbishment**
 - **Pool refurbishment** **year 2 - \$0.6M**
 - **Pool refurbishment** **year 3 - \$0.5M**
 - **Amenities refurbishment** **year 3 - \$0.5M**
- **Wright Street, Traralgon footbridge replacement and lighting upgrade year 3 - \$0.4M**

Moved: Cr Vermeulen

Seconded: Cr Lougheed

That the Recommendation be adopted.

For the Motion

Councillor/s O'Callaghan, Vermeulen, Middlemiss, Lougheed, Harriman and White

Against the Motion

Councillor Kam

The Mayor confirmed that the Recommendation had been CARRIED

ATTACHMENT 1



1 Overview

1.1 Regional Growth Fund

The Regional Growth Fund (the RGF) is a key platform of the Victorian Government's agenda to drive growth and prosperity in regional Victoria. The RGF contributes to a thriving regional economy and improves quality of life for regional Victorians through four strategic objectives:

- ▶ strengthening the economic base of regional Victoria
- ▶ facilitating the creation of jobs and improvement of career options for regional Victorians
- ▶ supporting the resilience and sustainability of communities in regional Victoria
- ▶ increasing the capacity of regional communities to drive development in their region.

The RGF was established by the *Regional Growth Fund Act 2011* (the Act) as a Trust Fund in the Public Account. The Act describes the activities for which the RGF is to be applied as:

- ▶ providing for better infrastructure, facilities and services in regional Victoria
- ▶ strengthening the economic, social and environmental base of communities in regional Victoria
- ▶ facilitating the creation of jobs and the improvement of career opportunities in regional Victoria
- ▶ supporting the planning for and the development of projects in regional Victoria.

Regional Development Victoria (RDV) will administer the RGF.

1.2 Purpose of this document

- ▶ This document sets out the guidelines for the *Local Government Infrastructure Program* component of the RGF.





2 Description and objectives of program

The Local Government Infrastructure Program (LGIP) component of the RGF aims to provide regional and rural councils with certainty to plan for and build new infrastructure or renew assets.

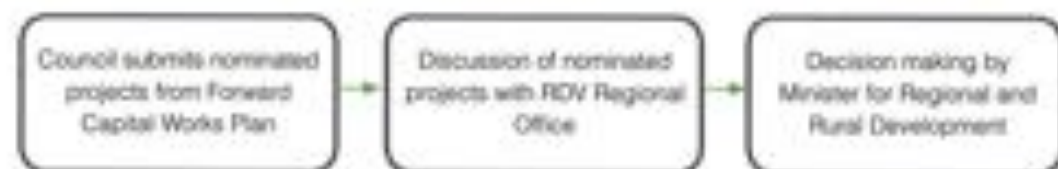
The LGIP will have the flexibility to support a range of local council initiatives including roads, bridges, new community assets such as halls and theatres, sporting grounds, grand stands, pools, libraries, and upgrading existing facilities.

In order to ensure the maximum degree of certainty, each council will be allocated a notional four year total for projects nominated from its Forward Capital Works Plan.

The Minister will notify councils in writing of their notional four year funding allocation for 2011-12 to 2014-15.



3 Application and assessment process



To ensure the suitability of projects all nominated LGIP projects will need to go through a three step application and assessment process. The process will be run on an annual basis, providing councils with flexibility in relation to project funding and delivery within the notional four year allocation.

3.1 Step 1: Submit projects nominated for LGIP funding

Councils will be required to submit Forward Capital Works Plans and nominate projects they intend to fund out of the LGIP to RDV regional offices.

3.2 Step 2: Review LGIP funding proposals with RDV Regional Office

RDV regional offices will contact councils to discuss infrastructure projects nominated for funding through the LGIP and agree project timescales, payment milestones and reporting requirements.

3.3 Step 3: Approval process

RDV regional offices will collate submitted LGIP funding proposals into a schedule to be forwarded to the Minister for Regional and Rural Development for consideration.

RDV regional directors will compile a regional schedule of LGIP funding proposals approved by the Minister for annual noting by the relevant Regional Development Australia (RDA) Committee.



4 Conditions of funding

4.1 Funding agreements

Councils will be required to add a schedule to their Single Funding Agreement with the Department of Planning and Community Development.

4.2 Evaluation and reporting

Evaluation and reporting requirements will be agreed in the process of negotiating Funding Agreements. Councils will generally be required to submit evidence of project completion to the local RDV regional office, prior to the submission of the following year's projects.

4.3 Submission process

Projects nominated for LGIP funding should be submitted by council to the RDV regional office.

RDV representatives can be contacted as follows:

- ▶ Ararat ☎ (03) 5352 1367
- ▶ Ballarat ☎ (03) 5327 2800
- ▶ Bendigo ☎ (03) 5410 5200
- ▶ Geelong ☎ (03) 5215 6000
- ▶ Horsham ☎ (03) 5381 2762
- ▶ Mildura ☎ (03) 5051 2000
- ▶ Sale ☎ (03) 5142 0200
- ▶ Shepparton ☎ (03) 5821 1811
- ▶ Swan Hill ☎ (03) 5036 2452
- ▶ Traralgon ☎ (03) 5174 7308
- ▶ Wangaratta ☎ (03) 5722 7101
- ▶ Warrnambool ☎ (03) 5561 4135
- ▶ Wodonga ☎ (02) 6056 2166

For preliminary information or advice on this or any other grant program please contact the Grants Information Line on 1300 366 356 (for the cost of a local call) on any weekday between 8.30am and 5.00pm (except for public holidays).

4.4 Definition of regional and rural Victoria

Regional Victoria is defined as the municipal districts of the 48 municipal councils, set out in the *Regional Growth Fund Act 2011*, the alpine resorts within the meaning of the *Alpine Resorts Act 1983*, and any geographical area prescribed in any regulations to the *Regional Growth Fund Act* (in the circumstances, if any, prescribed by the regulations).

ATTACHMENT 2

| Adopted Plan or Strategy | Project description | | 2012-2013 | 2013-2014 |
|---|---|---|------------------|------------------|
| Churchill Activity Centre Plan Adopted by Council 17/10/2007 | Master plan for the CTCP pedestrian plaza and access road - adopted by Council 15/12/08 | Churchill Town Centre Plan implementation: Phillip Parade to Monash Way (Including Plaza) | \$ 400,000 | \$ - |
| Building Asset Management Plan Adopted by Council 21/06/2010 | Heating Boiler Replacement | Building Maintenance: Heating Boiler Replacement - Traralgon Performing Arts Centre | \$ 30,000 | \$ - |
| Building Asset Management Plan Adopted by Council 21/06/2010 | Cooling Tower Replacement | Building Maintenance: Cooling Tower Replacement - Traralgon Service Centre | \$ 22,000 | \$ - |
| Bridge & Major Culvert Asset Management Plan Adopted by Council 15/06/2009 | Bridge Upgrade & Replacement Program 2009-2014. | Bridge Replacement - Downies Lane, Traralgon Creek Traralgon South | \$ 400,000 | \$ - |
| Bridge & Major Culvert Asset Management Plan Adopted by Council 15/06/2009 | Bridge Upgrade & Replacement Program 2009-2014. | Bridge Replacement - Kenyon Lane Loy Yang Creek, Traralgon East | \$ 380,000 | \$ - |
| Bridge & Major Culvert Asset Management Plan Adopted by Council 15/06/2009 | Bridge Upgrade & Replacement Program 2009-2014. | Bridge Replacement - Wright Street Footbridge, Traralgon Creek, Traralgon (Includes lighting upgrade) | \$ - | \$ 400,000 |
| Bridge & Major Culvert Asset Management Plan Adopted by Council 15/06/2009 | Bridge Upgrade & Replacement Program 2009-2014. | Bridge Replacement - Morwell Tennis Centre Footbridge, Waterhole Creek, Morwell | \$ - | \$ 400,000 |

| Adopted Plan or Strategy | Project description | | 2012-2013 | 2013-2014 |
|---|---|---|------------------|------------------|
| Bridge & Major Culvert Asset Management Plan Adopted by Council 15/06/2009 | Bridge Upgrade & Replacement Program 2009-2014. | Bridge Replacement - Lewis's Road, Bellbrook Creek , Yinnar | \$ - | \$ 100,000 |
| Latrobe City Leisure Facilities Condition Assessment Audit | Latrobe Leisure Traralgon Sports Stadium, Churchill, Moe/Newborough & Morwell | Moe Outdoor Pool: Urgent upgrades and maintenance. | \$ 1,100,000 | \$ 500,000 |
| Recreation and Leisure Strategy Adopted by Council 01/05/2006 | Northern Towns Outdoor Recreation Plan | Northern Towns Recreation Plan: Tyers Soccer Clubrooms, provision for female umpire and netball change room facilities. | \$ 200,000 | \$ - |
| Recreation and Leisure Strategy Adopted by Council 01/05/2006 | Northern Towns Outdoor Recreation Plan | Northern Towns Recreation Plan: Toongabbie Tennis Courts resurfacing. | \$ 50,000 | \$ - |
| Recreation and Leisure Strategy Adopted by Council 01/05/2006 | | Morwell Recreation Plan: Ronald Reserve Lighting Upgrade. | \$ 30,000 | \$ - |
| Asset Management Strategy Adopted by Council 02/04/2007 Road Management Plan Adopted by Council 21/04/2008 | Junction Road Safety Improvements | Timber Haulage Routes Program: Safety Improvement works: Junction Road. | \$ 417,300 | \$ - |

11.3.2 **PLANNING PERMIT APPLICATION 2011/143 - TWO LOT RE-SUBDIVISION AND USE OF PROPOSED LOT 1 FOR A DWELLING, 700 AND 700A FLYNN'S CREEK ROAD, FLYNN**
AUTHOR: General Manager Built and Natural Environment
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to determine Planning Permit Application 2011/143 for a two lot re-subdivision and use of the proposed Lot 1 for a dwelling, 700 and 700A Flynn's Creek Road, Flynn.

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 Objective – 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.

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.

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 1 Title Plan 280657P and Lot 2 Title Plan 77635F, more commonly known as 700 and 700A Flynn's Creek Road, Flynn.
Proponent: JW Planning Services
Zoning: Farming Zone
Overlay: State Resource Overlay Schedule 1

A Planning Permit is required for the subdivision of land (including re-subdivision) and the use of land for a dwelling in accordance with Clauses 35.07-1 and 35.07-3 of the Scheme.

4.2 PROPOSAL

The application seeks permission to allow the re-subdivision of the two lots to which the application relates to create a lot of 1.29 hectares (the proposed Lot 1) and a lot of 86.9 hectares (the proposed Lot 2). The application also seeks permission to use the proposed Lot 1 for a dwelling. No development of this site is proposed with this application. The proposed Lot 2 will contain an existing dwelling and associated outbuildings.

Subject Land:

The subject land comprises two parcels of land currently in separate ownership, and is located approximately 6 kilometres east of the Traralgon township boundary.

Lot 1 Title Plan 280657P, more commonly known as 700 Flynn's Creek Road, Flynn, comprises an overall site area of 39 hectares and is vacant. This site is triangular in shape and adjoins Flynn's Creek Road along the eastern site boundary for a length of approximately 1.25 kilometres. In the south western corner of the site, Flynn's Creek Road intersects with Barr's Lane, which borders the site to the west. The site addresses Barr's Lane for approximately 800 metres. To the north, the site adjoins 700A Flynn's Creek Road for a length of approximately 970 metres.

Lot 2 Title Plan 77635F, more commonly known as 700A Flynn's Creek Road, Flynn, comprises an overall site area of 49.17 hectares and is encumbered by an electricity transmission easement in the south western area of the site. This site is rectangular in shape but is tapered inwards at the sites eastern boundary, adjoining Flynn's Creek Road. The northern site boundary adjoins two vacant parcels of land which are used for grazing. This site contains a dwelling and outbuildings for which vehicle access is provided across the land at 700 Flynn's Creek Road.

Surrounding Land Use:

North: To the north of the lots are vacant parcels of land in common ownership, totalling approximately 64 hectares in size. These lots contain scattered vegetation and are used for grazing.

South/
East: To the south and east of the land, on the southern side of Flynn's Creek Road is a large farming lot comprising over 120 hectares. This site contains a dwelling and outbuildings.

West: To the west of the subject land, on the western side of Barr's Lane are parcels of land associated with farming operations, one of which comprises a single dwelling and outbuildings on approximately 52 hectares. This site is used for dairying purposes.

Directly to the south of this lot is a vacant parcel of land, also used for dairying on approximately 32 hectares.

4.3 HISTORY OF APPLICATION

The history of assessment of the Planning Permit application is set out in Attachment 1.

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

5. ISSUES

5.1 STATE AND LOCAL PLANNING POLICY FRAMEWORK

There are a number of state and local planning policies that apply to the consideration of this application.

In particular, State Planning Policy relates to the protection of the State's agricultural base, including protecting productive farmland which is of strategic significance in the local or regional context.

Clause 11.02-1 seeks to ensure that in planning for urban growth, opportunities for urban consolidation and infill development within existing urban areas is to be achieved.

The strategies to achieve the rural productivity objective as specified under Clause 11.05-3 of the State Planning Policy Framework are as follows:

- *Prevent inappropriately dispersed urban activities in rural areas.*
- *Limit new housing development in rural areas, including:*
 - *Directing housing growth into existing settlements.*
 - *Discouraging development of isolated small lots in the rural zones from use for single dwellings, rural living or other incompatible uses.*
 - *Encouraging consolidation of existing isolated small lots in rural zones*
- *Restructure old and inappropriate subdivisions.*

These policies are designed to direct growth of this type into designated rural residential areas and not fragment productive farmland by encouraging subdivision pattern contrary to the Farming Zone.

This clause further states the objectives to direct growth into existing urban settlements and limiting urban sprawl.

The Municipal Strategic Statement (MSS) of the Scheme, under Clause 21.07-5 (Agriculture Overview), further states that *'there remains a need to improve dairy industry efficiency, protect the agricultural land resource base and encourage new sustainable enterprises amid ongoing structural changes in rural industries.'*

One of the strategies under Clause 21.07-5 of the Municipal Strategic Statement is to *'limit subdivision, use or development of land that should be incompatible with the utilisation of the land for sustainable resource use'*.

The key issue in the consideration of this application is the lack of policy support for the creation of a 1.29 hectare parcel within the Farming Zone. There are number of strong policy statements against permitting an additional dwelling on this land both in the State and Local Planning Policy Frameworks. The creation of a 1.29 hectare "rural lifestyle lot", as submitted by the applicant, is considered to diminish rather than enhance the agricultural potential of the subject site and is not supported by planning policy.

The proposed subdivision does not meet the objectives and/or strategies of the above State and Local Planning Policy Frameworks.

5.2 SUBDIVISION OF LAND WITHIN THE FARMING ZONE

The subject site is zoned Farming, of which the purpose is to use and encourage the retention of agricultural land for agricultural activities. Within the Farming Zone, the minimum lot size for subdivision is set out in its schedule at 40 hectares.

Clause 35.07 provides for the granting of a permit to allow the re-subdivision of existing lots provided the number of lots is not increased, but this is conditional requiring an agreement under Section 173 of the Act to be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots.

Clause 65 of the Scheme states that *'Because a permit can be granted does not imply that a permit should or will be granted.'*

Decision guidelines for such subdivisions include consideration of (amongst other things):

- *How the use and development relates to sustainable land management*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses*
- *Whether the use or development would support and enhance agricultural production*
- *Whether the use or development would permanently remove land from agricultural production*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

The subject site has an overall area of approximately 88 hectares, and is currently used for grazing purposes. The site is considered productive in agricultural terms and as discussed above, the State and Local Planning Policy Framework requires that it should be protected for agricultural purposes. The creation of a 1.29 hectare "rural lifestyle lot", as submitted by the applicant, is considered to diminish rather than enhance the agricultural potential of the overall subject site. This area is not zoned for rural residential use and is not identified as suitable for this purpose in any Council adopted policy or strategy.

One of the purposes of the Farming Zone is to ensure that non- agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture. It is not a purpose of the zone to provide for residential use unrelated to agricultural uses, which is a reason why a dwelling on a lot less than 40 hectares requires a permit and must respond to the decision guidelines for dwellings in the zone.

The physical and planning context of the site is viable, high quality, agricultural land (as identified in the *Assessment of Agricultural Quality of Land in Gippsland, Swan and Volum, 1984*).

The subject land is surrounded by farming properties used primarily for grazing and dairying, for which this area is identified as being primarily suited. The Scheme is seeking an outcome that protects this valuable resource from fragmentation and the pressures caused by the encroachment of rural living properties. It seeks to protect against the permanent removal of high quality, agricultural land.

The risk in creating such a proposed rural living lot is that the size may prevent or restrict any new rural enterprise of agricultural use from occurring on the land.

The creation of the rural living lot is not an acceptable outcome when one has regard to the various clear directions in the Latrobe Planning Scheme that directs such activities to land that is zoned for low density or rural living.

On the above basis, it is reasonable to consider that the proposed subdivision does not meet the relevant agriculture objectives and strategies set out within the Scheme. If approved, the subdivision is likely to disrupt the ongoing use of land for agricultural purposes, and the use of a dwelling on Lot 1 is incompatible with the utilisation of the land for sustainable resource use. The use aspect of this application is discussed further at Section 5.4 of this report.

5.3 SUBDIVISION WITHIN A COAL RESOURCE AREA

The subject site is affected by the State Resource Overlay Schedule 1 (SRO1) which relates to the protection of coal resources from inappropriate subdivision and development.

A specified decision guideline of the SRO1 identifies the *'need to exclude urban development, including low density residential development, and rural living development, from this overlay area.'*

The proposal is inconsistent with this decision guideline as it will provide a rural living type of development in an area designated for longer term coal resource extraction and does not support the achievement of this.

Clause 21.07-3 of the Scheme acknowledges that *'the coal resource in the Latrobe Valley is an asset of national and state importance and is a significant component in the economy of the municipality.'*

Further, in order to achieve a sustainable and unencumbered coal resource, Clause 21.07-3 states a specific strategy to *'discourage incompatible uses such as residential, rural living, commercial or non coal related industrial land use and development in areas of potential coal production.'*

Some of the objectives relating to coal resources which are also relevant to the proposal are:

- *'To provide a clear understanding within the regional community of the implications of designating land for future coal resource development or for buffer areas on the future use of land.'*
- *To ensure that new development is not undertaken in such a way as to compromise the effective and efficient use of existing or future infrastructure or resources such as the airport, coal resources, timber production, and high quality agricultural land.'*
- *To maximise the protection of the coal resource to ensure resource security in the future.'*
- *To ensure that the use, development and management of land in the coal resource areas mutually protect urban amenity and coal resource development as well as the continued social and economic productive use of land.'*

These objectives provide for agriculture as an appropriate land use within the SRO1 and that development of dwellings may compromise the access to the coal resource if not carefully managed.

The proposal to subdivide the land into one smaller lot is likely to diminish rather than enhance the agricultural potential of the overall subject site (as discussed in length under the 'Subdivision in a Farming Zone' section above). The proposal therefore is considered to be contrary to the purpose of the SRO1, and strategic direction of the Local Planning Policy Framework relating to coal resources, which all seek to encourage low intensity land uses, such as farming, as appropriate interim uses over coal resources in order to ensure the long term protection of coal resources in the Latrobe Valley.

5.4 USE OF LAND FOR A DWELLING

The application also seeks permission to 'use' the proposed Lot 1 for the purposes of a dwelling. The application does not include the development of the site but simply obtain permission to undertake this land use at some stage in the future. If a permit was to issue, this aspect of the permit would be entirely dependent on a separate permit being applied for, which is not considered to produce an appropriate planning outcome.

The ultimate construction of a dwelling on the site is considered to be detrimental to the operations of nearby agricultural activities and contrary to planning policy in farming and coal resource areas.

A separate planning permit application will be required to develop the site with a dwelling, which could be expected to be approved if the proposed 1.29 hectare lot is approved and as sought by the use component of this application.

It should be noted that pursuant to Clause 65.02 of the Scheme, before deciding on an application to subdivide land, the responsible authority must consider (amongst other things) the existing use and possible future development of the land and nearby land.

When farming land is converted to rural living it is likely to be lost to agriculture. It can, however be common for vacant paddocks to be leased to other farmers, which means they are kept in production even though they may be in separate ownership. The construction of a dwelling means there is less likelihood that land not occupied by the curtilage of the dwelling will be separately leased or used for farming. It is considered that the proposed use of land for a dwelling is not supported by farming and coal resource planning policy.

When considering applications for dwellings where a 'use' permit is required, the 'use' and 'development' permissions are interconnected and it is not an appropriate outcome to provide separate consents for each of these. The permission sought to enable the 'use' of the land for a dwelling is therefore premature and cannot be considered independently of a 'development' application.

It should be noted that the permit applicant was provided the opportunity to amend the application to allow for the development but declined.

5.5 DEPARTMENT OF PRIMARY INDUSTRIES OBJECTION

In accordance with the requirements of the SRO1, the Department of Primary Industries (DPI) must be referred an application for a subdivision which creates a lot of less than 20 hectares within the SRO1. In accordance with Section 61(2) of the Act, the Responsible Authority must decide to refuse to grant the permit if a relevant referral authority objects to the grant of the permit. As DPI are a referral authority pursuant to Section 55 of the Act, Council have no alternative but to refuse to grant a permit.

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 was advertised pursuant to the following Sections of the Act:

- Section 52(1)(a): to adjoining property owners and occupiers; and
- Section 52(1)(d): by displaying an A3 sign on each road frontage of the site for 14 days.

External:

The application was referred to the DPI in accordance with Section 55 of the Act. DPI objected to the granting of a planning permit.

Internal:

Council's Infrastructure Planning team does not object to the granting of a permit for the proposed development, subject to a number of engineering conditions.

The application was also referred to Council's Health Services team, who did not object to the granting of a planning permit.

Details of Community Consultation Following Notification:

No objections from the public were received to the application and no planning mediation meeting was required.

8. OPTIONS

Council must issue a Refusal to Grant a Permit.

9. CONCLUSION

For the reasons outlined in this report, the proposal is considered to be:

- Inconsistent with the strategic direction of the State and Local Planning Policy Frameworks;
- Inconsistent with the purpose of the Farming Zone;
- Inconsistent with the decision guidelines of the Farming Zone;
- Inconsistent with the purpose of the State Resource Overlay and Schedule 1 to this overlay;
- Inconsistent with the decision guidelines of the State Resource Overlay and Schedule 1 to this overlay;
- Inappropriate having regard to the proper and orderly planning of the area, and therefore is inconsistent with Clause 65 (Decision Guidelines) of the Scheme.
- In accordance with Section 61(2) of the Act and the objection from DPI, no planning permit may be issued.

10. RECOMMENDATION

That Council decides to issue a refusal to grant a permit for the two lot re-subdivision and use of land for a dwelling, at Lot 1 Title Plan 280657P and Lot 2 Title Plan 77635F, more commonly known as 700 and 700A Flynn's Creek Road, Flynn, on the following grounds:

1. Council cannot issue a planning permit in accordance with Section 61(2) of the *Planning and Environment Act 1987*.
2. The proposal is inappropriate having regard to the proper and orderly planning of the area.
3. The proposed subdivision is inconsistent with Clause 21.07 of the Latrobe Planning Scheme.
4. The proposal is contrary to the purpose and decision guidelines of Clause 35.07 (Farming Zone) of the Latrobe Planning Scheme.
5. The proposal is contrary to the purpose and decision guidelines of Schedule 1 to the State Resource Overlay.
6. The proposal is inconsistent with Clause 65 (Decision Guidelines) of the Latrobe Planning Scheme.
7. It is premature to consider only the 'use' of land for a dwelling without an application for 'development' given the ability to commence the use of the land for a dwelling is entirely dependent on development occurring.

Moved: Cr Lougheed

Seconded: Cr Harriman

That the Recommendation be adopted.

For the Motion

Councillor/s O'Callaghan, Kam, Middlemiss, Lougheed, Harriman and White

Against the Motion

Councillor Vermeulen

The Mayor confirmed that the Recommendation had been CARRIED

ATTACHMENTS

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ATTACHMENT 1
History of Application

| DATE | EVENT |
|-------------|---|
| 10 May 2011 | Application received by Responsible Authority. |
| 19 May 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, and to display a sign on each road frontage of the site. |
| 20 May 2011 | The application was referred to the Department of Primary Industries in accordance with Section 55 of the Act. |
| 8 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 Ordinance of the
Latrobe Planning Scheme

LATROBE PLANNING SCHEME

State Planning Policy Framework

Clause 11.02 'Urban Growth'
Clause 11.05 'Regional Development'
Clause 14.01 'Agriculture'
Clause 14.03 'Mineral and Stone Resources'
Clause 16.02 'Housing Form'

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 21.07 'Economic Sustainability'
Clause 21.08 'Liveability'

Zoning – Farming Zone

The subject land is located within a Farming Zone.

Overlay – State Resource Overlay Schedule 1

The subject land is located within a State Resource Overlay Schedule 1.

Particular Provisions

There are no particular provisions relevant to the consideration of this application.

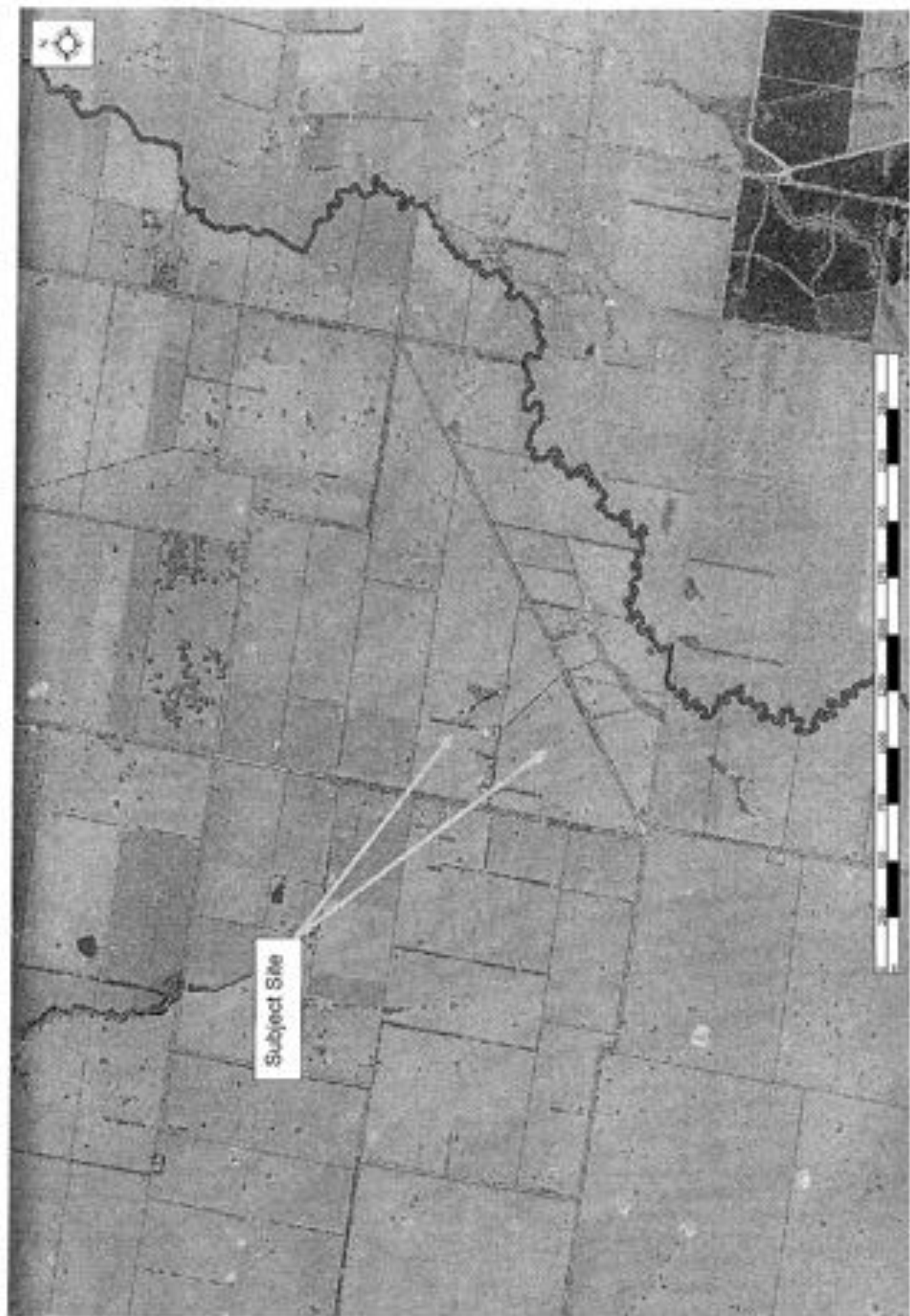
General Provisions

Clause 65 'Decision Guidelines'

Incorporated Documents

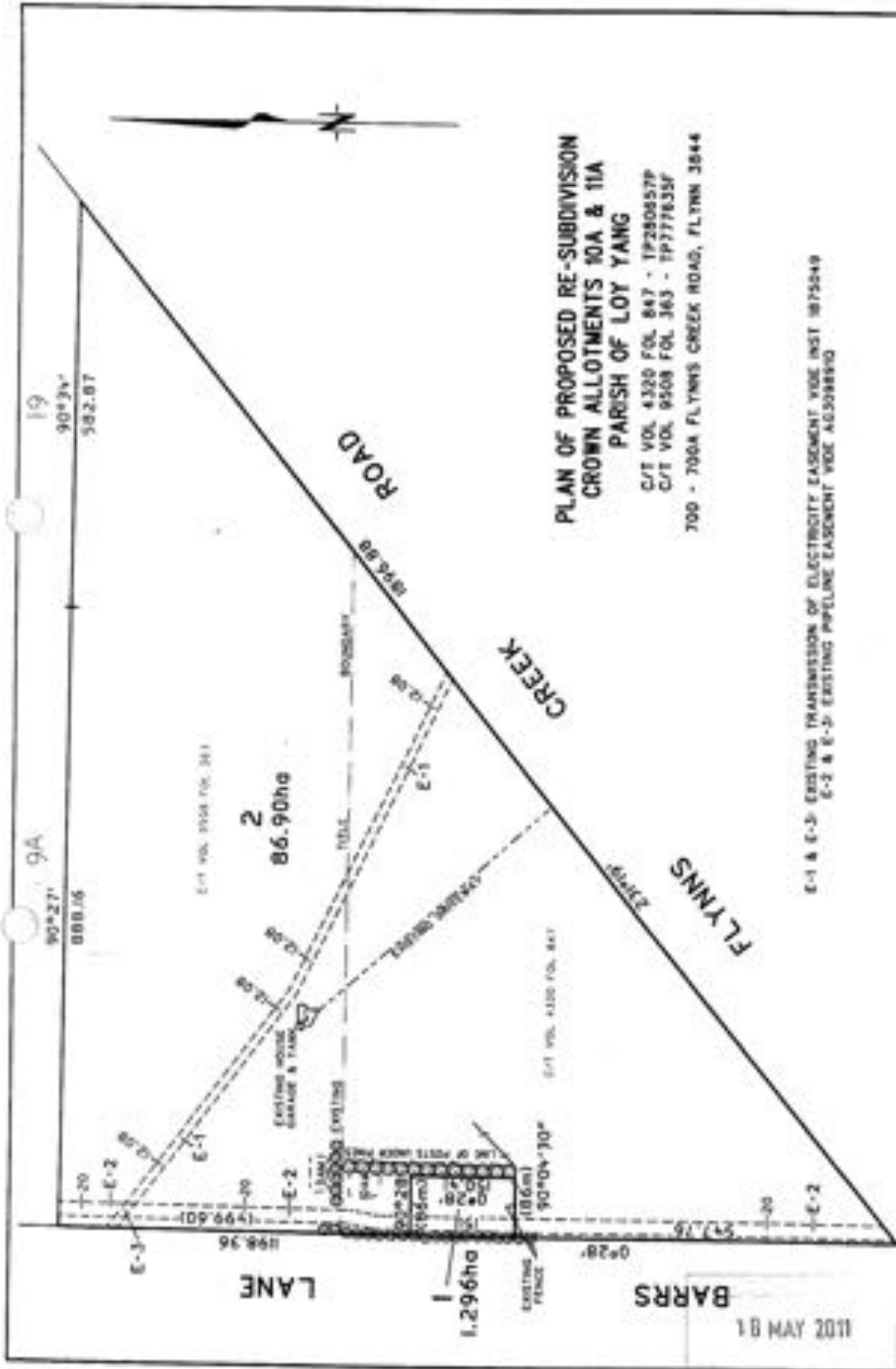
There are no incorporated documents that relate to the consideration of this application.

ATTACHMENT 3
Locality Plan



Subject Site

ATTACHMENT 4
Proposed Plan of Subdivision



**PLAN OF PROPOSED RE-SUBDIVISION
CROWN ALLOTMENTS 10A & 11A
PARISH OF LOY YANG**

C/T VOL 4320 FOL 847 - TP280857P
C/T VOL 9508 FOL 363 - TP777635F

700 - 700A FLYNN'S CREEK ROAD, FLYNN 3844

E-1 & E-2 EXISTING TRANSMISSION OF ELECTRICITY EASEMENT WIDE INST 1875249
E-2 & E-3 EXISTING PIPELINE EASEMENT WIDE A6308891Q

| | | | |
|---|--|--|--|
| <p>ROSS & WORTH PTY, LTD. LAND & ENGINEERING SURVEYORS 51 SMITH STREET WARRAGUL, VIC 3227 • 38 CONTINGENT ST. TRAFALGAR SQUARE 2108 PROSPECT HIGHWAY MORWELL, VICTORIA</p> | <p>ORIGINAL SHEET SCALE SIZE A3 1:5000 SCALE 50 0 50 100 150 200 LENGTHS ARE IN METRES</p> | <p>AREAS & DIMENSIONS ARE APPROXIMATE ONLY & ARE SUBJECT TO SURVEY</p> | <p>SHEET 1 OF 1 SHEET REF 5393 Dwg No. 1393plan1a VERSION 01</p> |
|---|--|--|--|

10 MAY 2011

ATTACHMENT 5
Department of Primary Industries Objection



Department of Primary Industries

22 September 2011

Tom Vercoe
Statutory Planner
Latrobe City Council
PO Box 264
MORWELL VIC 3840

1 Spring Street
GPO Box 448 Melbourne
Victoria 3001 Australia
Telephone: (03) 9651 4000
Facsimile: (03) 9651 4400
ABN 42 179 412 233
DX 119494

Our Ref:

Dear Mr Vercoe

**PLANNING PERMIT APPLICATION NO. 2011/143
700 FLYNN'S CREEK ROAD, FLYNN**

Thank you for your email received 9/09/11 referring the above planning permit application for our consideration and advice pursuant to Clause 44.07-4 of the Latrobe Planning Scheme.

The Earth Resources Regulation Branch of the Department of Primary Industries (DPI) has evaluated the above application and objects to a planning permit being granted on the following grounds.

The subject land is identified in the Latrobe Planning Scheme (Clause 21.07) as being within a coal resources area (Schedule 1 to the State Resource Overlay (SRO1)).

The subject land is also covered by Mining Licence 5462 (granted under the *Mineral Resources (Sustainable Development) Act 1990*) which subject to obtaining all relevant consents may result in mining.

DPI considers that the proposal to develop a single dwelling in the SRO1 does not support the purpose of the overlay *"To protect areas of mineral, stone and other resources, which have been identified as being of State significance, from development that would prejudice the current or future productive use of the resource"*. The small (1.296) hectare lot created by the subdivision represents a rural living allotment which is not compatible with land uses within the farming zone. This rural living format is in conflict with the decision guidelines contained within the SRO1.

Finally DPI will require a copy of Council's decision in accordance with section 66 of the *Planning and Environment Act 1987*.

Should you require any further information on the above matter please contact DPI on (03) 9658 4434.

Yours sincerely

SARAH HILL
Program Manager Planning
Earth Resources Regulation



11.3.3 SUBMISSION TO DRAFT CAR PARKING PROVISIONS

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

1. PURPOSE

The purpose of this report is present to Council a proposed submission developed in response to the state government proposed changes to the car parking provisions in Victorian planning schemes.

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.

Latrobe City Council Plan 2011 - 2015

Strategic Direction – Built Environment

Support and advocate for integrated transport solutions that improve accessibility to and within Latrobe City.

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

Service Provision – City Planning

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

Legislation

Local Government Act 1989

Planning and Environment Act 1987 (the Act)

4. **BACKGROUND**

In 2006 the *Cutting Red Tape in Planning* report included a recommendation to:

Review the ... car parking ... provisions in the planning schemes and associated guideline documents.

The intent of the review of the car parking provisions was to assess the existing provisions against new state planning policy objectives, the relevance of the provisions and provide opportunities to streamline the planning permit process.

In 2007 the Minister for Planning appointed an advisory committee to examine the existing car parking provisions in Victorian planning schemes. The advisory committee identified that:

There are two broad areas for improvement in car parking controls:

- *Efficiency – streamlining the planning process to reduce costs and delays.*
- *Effectiveness – ensuring car parking provisions are properly aligned to policy objectives.*

The advisory committee made recommendations on the review of the car parking provisions in January 2008. Following these recommendations the Department of Planning and Community Development (DPCD) have now proposed changes to the car parking provisions. The proposed changes to the car parking provisions include alterations to Clause 52.06 Car Parking and the introduction of a Parking Overlay with an associated schedule.

DPCD are calling for submissions on the draft provisions. An advisory committee has been appointed to review all submissions received before the finalisation of the provisions by the Minister for Planning.

5. ISSUES

The draft car parking provisions provide an opportunity to:

- Update provisions that are out of date and no longer reflect contemporary car parking requirements, and;
- Reduce the gap between the outdated existing standard car parking rates and real parking demand which reduces unnecessary regulatory burden, and adds complication, delays and expense to the planning permit application process.

The draft car parking provisions include proposed changes to Clause 52.06 and the introduction of a Parking Overlay and associated schedule (see attachment 1 and 2) to the Victorian Planning Provisions (VPP). The proposed changes to Clause 52.06 include:

- Removing the need for a permit when a change of use does not increase demand for car parking to that of the existing use.
- Revised car parking rates to better reflect current car parking demand.
- Reduced car parking rates in business zones and the Activity Centre Zone.
- Clearer decision guidelines about matters to be taken into account before car parking requirements are reduced.
- Land use terms in the car parking table being aligned with standard VPP definitions.
- Greater emphasis on urban design matters including additional design requirements.

In general, there have been changes to the table of uses from the current Clause 52.06 (see attachment 3) which include:

- 18 uses which required a reduction in the rate of car spaces, especially in Activity Centre Zone (ACZ) and Business Zones.
- 19 uses which have remained the same or to be measured differently; and
- 21 new uses which have been included in the table of uses which now require a specific car parking rate, including supermarkets, restricted retail premise and winery.

There is also more detail provided in the proposed Clause 52.06 on what is required to be submitted in a car parking plan and more detailed design requirements for car parking.

The introduction of the proposed Parking Overlay and associated schedule will allow local variations to the standard provisions in Clause 52.06 where strategically justified. A Planning Authority will be able to use the overlay to:

- Revise parking rates and provisions for a local area.
- Localise design requirements and decision guidelines for car parking plans.
- Implement clearer and more transparent 'cash in lieu' arrangements where parking requirements cannot be met on the land.
- Require a permit to exceed a specified parking rate.
- Identify the local area on a planning scheme map.

A draft submission has been prepared by council officers and is found at Attachment 4. In preparing the submission Council officers have focused on addressing the draft provisions for Clause 52.06 and the proposed Parking Overlay and associated schedule.

The draft submission raises concerns regarding additional car parking rates not being specified for regional areas, especially in relation to multi unit developments. Further, it highlights concerns about pressure being placed on on-street car parking associated with multi unit developments particularly where standard road widths (defined by Rescode) do not adequately address this additional parking demand.

The draft car parking provisions are an opportunity to provide more streamlined parking provisions within the Latrobe Planning Scheme.

In general, the draft car parking provisions are a positive step to ensure efficiency and effectiveness in the planning system and are an improvement to the current provisions.

6. FINANCIAL AND RESOURCES IMPLICATIONS

There are no fees or resource implications associated with making a submission to DPCD's review of car parking provisions.

7. INTERNAL / EXTERNAL CONSULTATION

Internal consultation within relevant departments of Latrobe City Council has occurred and all issues raised during these discussions have been detailed within the submission.

DPCD have called for submissions to the review of the car parking provisions. Notification of the review was received on 4 August 2011 with the closing date for written submissions being 7 October 2011. As part of the engagement process for the review of car parking provisions, DPCD have also invited community members to make a submission regarding the review on the car parking provisions.

8. OPTIONS

The options available to Council are as follows:

1. That Council, after considering the submission to the review of car parking provisions resolves to submit the submission to DPCD for their consideration.
2. That Council, after considering the submission to the review of car parking provisions resolves to request amendments to the submission prior to being submitted to DPCD for their consideration.
3. That Council chooses to not make a submission to the review of car parking provisions.

9. CONCLUSION

Latrobe City Council's participation in the current review of the draft car parking provisions is important due to the significant role car parking plays in our town centres. The draft car parking provisions will improve efficiency and effectiveness within the planning system.

10. RECOMMENDATION

That Council resolves to make a submission to the review of car parking provisions as shown in attachment 4 of this report, proposed submission to the review of car parking provision, to DPCD for their consideration.

Moved: Cr Lougheed
Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT 1 – DRAFT CLAUSE 52.06

52.06 CAR PARKING

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VC--

Purpose

To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework including the Municipal Strategic Statement and local planning policies.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To promote sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

52.06-1 Application

-/-
VC--

These provisions apply to:

- A new use.
- An increase of the floor area of an existing use.
- Any building or works associated with a new use or the increase of the floor area of an existing use.

These provisions do not apply:

- To an application to construct or extend a dwelling or a residential building under any provision of this scheme if the land is in the Residential 1 Zone, Residential 2 Zone, Residential 3 Zone, Mixed Use Zone or Township Zone unless the development is four or more storeys, excluding a basement.
- If a Parking Overlay applies, unless the overlay specifies otherwise.

Despite Clauses 52.06-2, 52.06-3 and 52.06-6, if the required number of car parking spaces for the new use under this clause is no more than the required number of car parking spaces for the existing use under this clause and the existing number of car parking spaces is not reduced:

- No additional car parking spaces are required to be provided.
- A permit is not required to reduce the requirement for car parking.
- A car parking plan is not required.

52.06-2 Provision of car parking spaces

-/-
VC--

A new use must not commence or any new buildings must not be occupied until the car parking spaces required under Clause 52.06-4 have been provided on the land or as approved under Clause 52.06-3.

52.06-3 Permit requirement

-/-
VC--

A permit may be granted to reduce the requirement for car parking or to vary the requirement to provide car parking on the land.

52.06-4 The number of car parking spaces required

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VC--

Table 1 sets out the number of car parking spaces required for a use.

The car parking requirement specified in Table 1 does not apply if there is a car parking requirement for the particular use under another provision of this scheme.

Where a use is not specified in Table 1 or under another provision of this scheme, an adequate number of car parking spaces must be provided to the satisfaction of the responsible authority.

Where the floor area occupied by an existing use is increased, the car parking requirement only applies to the floor area of any extension of the use or increase in site area provided the existing number of car parking spaces is not reduced.

If Table 1 specifies a percentage of site area as the car parking measure, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement for a use listed in the table is the product of the *rate* and the *measure*.

Table 1: Car parking requirement

| USE | RATE | MEASURE |
|--|------|--|
| Amusement parlour | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 4 | car spaces to each 100 sq m of leasable floor area |
| Art and craft centre | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 4 | car spaces to each 100 sq m of leasable floor area |
| Betting agency | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 4 | car spaces to each 100 sq m of leasable floor area |
| Child care centre | | |
| | 0.2 | car spaces to each child |
| Cinema based entertainment complex | | |
| | 0.3 | car spaces to each patron catered for |
| Convenience restaurant | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 0.3 | car spaces to each patron permitted |
| Convenience shop if the leasable floor area exceeds 80 sq m | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 10 | car spaces to each premises |
| Display home | | |
| - in a business zone or | 0 | car spaces to each dwelling for five or fewer contiguous dwellings, then |

| USE | RATE | MEASURE |
|--|-------------|--|
| Activity Centre Zone | 2 | car spaces to each additional contiguous dwelling |
| - in another zone | 5 | car spaces to each dwelling for five or fewer contiguous dwellings, plus |
| | 2 | car spaces to each additional contiguous dwelling |
| Dwelling | | |
| - in an Activity Centre Zone | 0 | car spaces to each dwelling |
| - in a business zone | 1 | car space to each one or two bedroom dwelling |
| | 2 | car spaces to each three or more bedroom dwelling (studies or studios that are separate rooms must be counted as bedrooms) |
| - in another zone | 1 | car space to each one or two bedroom dwelling, plus |
| | 2 | car spaces to each three or more bedroom dwelling (studies or studios that are separate rooms must be counted as bedrooms), plus |
| | 1 | car space for visitors to every five dwellings for developments of five or more dwellings |
| Education centre other than listed in this table | 0.4 | car spaces to each student that is part of the maximum number of students that will be on the land at any time (peak student load) |
| Food and drink premises other than listed in this table | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 4 | car spaces to each 100 sq m of leasable floor area |
| Freezing and cool storage | 1.5 | car space to each 100 sq m of net floor area |
| Fuel depot | 10 | per cent of site area |
| Funeral parlour | 0.3 | car spaces to each seat or to each sq m of net floor area available to the public, whichever is greater |
| Gambling premises other than listed in this table | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 0.4 | car spaces to each patron permitted |
| Golf course | 4 | car spaces to each hole, plus 50 per cent of the relevant requirement of all ancillary uses available to the public |
| Home occupation | | |
| - in a business zone or Activity Centre Zone | 0 | car spaces to each person who works in the home occupation who is not a resident of the dwelling |
| - in another zone | 1 | car space to each person who works in the home occupation who is not a resident of the dwelling |
| Hotel | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 0.4 | car spaces to each patron permitted |
| Industry other than listed in this table | 2.9 | car spaces to each 100 sq m of net floor area of buildings |

| USE | RATE | MEASURE |
|--|-------------|---|
| Landscape gardening supplies | 10 | per cent of site area |
| Mail centre | 2.9 | car spaces to each 100 sq m of net floor area |
| Manufacturing sales | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 2.9 | car spaces to each 100 sq m of leasable floor area |
| Market | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 8 | car spaces to each 100 sq m of leasable floor area |
| Materials recycling | 10 | per cent of site area |
| Medical centre | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 5 | car spaces to the first person providing health services, plus |
| | 3 | car spaces to every other person providing health services |
| Milk depot | 10 | per cent of site area |
| Motel | 1 | car space to each unit, and to each manager dwelling, plus 50 per cent of the relevant requirement of all ancillary uses available to the public |
| Motor repairs | 3 | car spaces to each 100 sq m of net floor area, plus |
| | 1 | car space for each vehicle being serviced, repaired or fitted with accessories (including vehicles waiting to be serviced, repaired or fitted with accessories, or to be collected by their owners) |
| Office other than listed in this table | | |
| - in a business zone or Activity Centre Zone | 3 | car spaces to each 100 sq m of net floor area |
| - in another zone | 3.5 | car spaces to each 100 sq m of net floor area |
| Place of assembly, except Amusement parlour | 0.3 | car spaces to each seat |
| Postal agency | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 4 | car spaces to each 100 sq m of leasable floor area |
| Primary produce sales | 4 | car spaces to each 100 sq m of leasable floor area |
| Primary school | 1 | car space to each employee |
| Research centre | 3.5 | car spaces to each 100 sq m of net floor area |
| Residential aged care facility | 0.3 | car spaces to each lodging room |
| Residential village provided by the Office of Housing | 0.3 | car spaces to each dwelling |
| Residential village not | 1 | car space to each one or two bedroom dwelling, plus |

| USE | RATE | MEASURE |
|---|-------------|--|
| provided by the Office of Housing | 2 | car spaces to each three or more bedroom dwelling (studies or studios that are separate rooms must be counted as bedrooms), plus |
| | 1 | car space for visitors to every five dwellings for developments of five or more dwellings |
| Restaurant | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 0.4 | car spaces to each patron permitted |
| Restricted retail premises | | |
| - in a business zone or Activity Centre Zone | 2.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 3 | car spaces to each 100 sq m of leasable floor area |
| Retirement village provided by the Office of Housing | 0.3 | car spaces to each dwelling |
| Retirement village not provided by the Office of Housing | 1 | car space to each one or two bedroom dwelling, plus |
| | 2 | car spaces to each three or more bedroom dwelling (studies or studios that are separate rooms must be counted as bedrooms), plus |
| | 1 | car space for visitors to every five dwellings for developments of five or more dwellings |
| Saleyard | 10 | per cent of site area |
| Secondary school | 1.2 | car spaces to each employee |
| Shop other than listed in this table | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 4 | car spaces to each 100 sq m of leasable floor area |
| Store other than listed in this table | 10 | per cent of site area |
| Supermarket | 5 | car spaces to each 100 sq m of leasable floor area |
| Tavern | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 0.4 | car spaces to each patron permitted |
| Trade supplies | 10 | per cent of site area |
| Veterinary centre | | |
| - in a business zone or Activity Centre Zone | 3.5 | car spaces to each 100 sq m of leasable floor area |
| - in another zone | 5 | to the first person providing animal health services, plus |
| | 3 | to every other person providing animal health services |
| Warehouse other than listed in this table | 1.5 | to each 100 sq m of net floor area |
| Winery | 0.4 | to each patron permitted |

| USE | RATE | MEASURE |
|-----|------|---------|
|-----|------|---------|

In this table a reference to a business zone includes the Business 1 Zone, Business 2 Zone, Business 3 Zone, Business 4 Zone and Business 5 Zone, and any Comprehensive Development Zone, Priority Development Zone or Urban Growth Zone that provides for business development.

52.06-5 Reducing the requirement for car parking

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VC-

Before a requirement for car parking is reduced, the responsible authority must be satisfied that such a reduction is justified, having regard to either or both of the following:

- The car parking demand likely to be generated by the use.
- Whether it is appropriate to allow fewer spaces to be provided than the number likely to be generated by the use.

An assessment of the car parking demand likely to be generated by the use must have regard to the following factors, as appropriate:

- Multi-purpose trips within an area.
- The variation of car parking demand over time.
- The short-stay and long-stay car parking demand.
- The availability of public transport in the locality.
- The convenience of pedestrian and cyclist access to the site.
- The provision of bicycle parking and end of trip facilities for cyclists.
- The anticipated car ownership rates of likely or proposed occupants (residents or employees).

An assessment of the appropriateness of allowing fewer spaces to be provided than the number likely to be generated by the use must have regard to the following factors, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The potential to access the site by public transport, bicycle and walking.
- The availability of car parking in the locality.
- Any efficiencies to be gained from consolidating shared car parking spaces.
- The potential economic impact that a shortfall of car parking may have on an activity centre.
- The future growth and development of an activity centre.
- Any car parking deficiency associated with the existing use of the land.
- Any credit for car parking spaces provided on common land or by a special charge scheme or similar contribution.
- Historic contributions by existing businesses.
- Local amenity including pedestrian amenity and the amenity of nearby residential areas.
- Local traffic management.
- The need to create safe, functional and attractive parking areas.

- The need to respect the character of the neighbourhood or achieve a quality urban design outcome.

Application requirements

An application to reduce the requirement for car parking or to vary the requirement to provide car parking on the land must be accompanied by the following information, as appropriate:

- A plan showing the proposed use and siting of buildings.
- A car parking plan as specified in Clause 52.06-6.
- An assessment of the car parking demand likely to be generated by the use.
- An assessment of the appropriateness of allowing fewer spaces to be provided than the number likely to be generated.

52.06-6 Car parking plan requirement

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VC--

Before a new use commences or any buildings or works associated with that use or an existing use is constructed, a car parking plan must be prepared to the satisfaction of the responsible authority.

A car parking plan must show:

- All required car parking spaces.
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Landscaping and water sensitive urban design treatment.
- Finished levels, if required by the responsible authority.

Design requirements for car parking plan

A car parking plan should meet the design requirements of this clause.

Design requirement 1: Accessways

Accessways should:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersections or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.

Design requirement 2: Car parking spaces

Car parking spaces and access ways should have the minimum dimensions as outlined in Table 2.

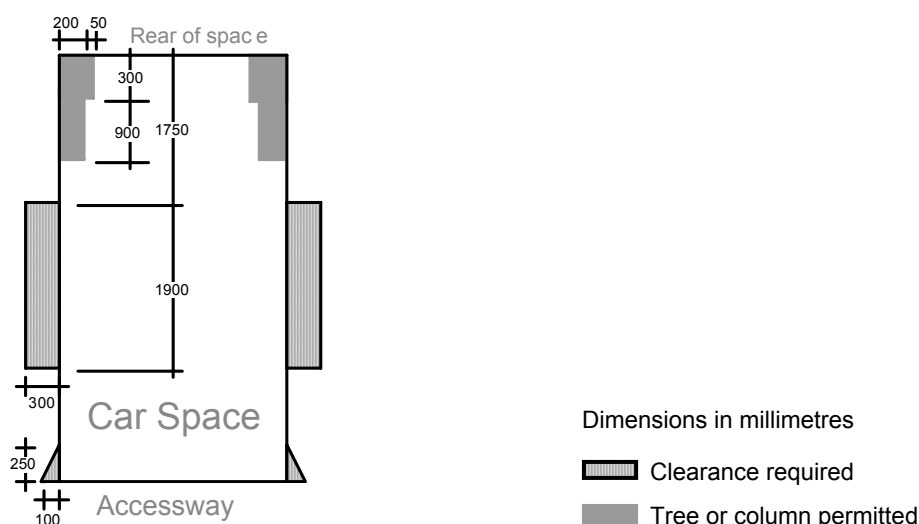
Table 2: Minimum dimensions of car parks and access ways

| Angle of car parking spaces to access way | Access way width | Car park width | Car park length |
|---|------------------|----------------|-----------------|
| Parallel | 3.6 m | 2.3 m | 6.7 m |
| 45° | 3.5 m | 2.6 m | 4.9 m |
| 60° | 4.9 m | 2.6 m | 4.9 m |
| 90° | 6.4 m | 2.6 m | 4.9 m |
| | 5.8 m | 2.8 m | 4.9 m |
| | 5.2 m | 3.0 m | 4.9 m |
| | 4.8 m | 3.2 m | 4.9 m |

A wall, fence, column, tree, tree guard or any other structure that abuts a car space should not encroach into the area marked ‘clearance required’ on Diagram 1.

A column, tree or tree guard may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1. A structure may project into the space if it is at least 2.1 metres above the space.

Diagram 1: Clearances to car parking spaces



Design requirement 3: Entries and exits

Accessways should:

- Provide a turning space so that vehicles can exit the site in a forward direction if the accessway serves four or more car parking spaces or connects to a road in a Road Zone.
- Provide a passing area at the entrance at least 5 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone.
- Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided.

If an accessway to four or more car parking spaces is from land in a Road Zone, the edge of any car space abutting the accessway must be at least 6 metres from the frontage.

If entry to the car space is from a road, the width of the accessway may include the road.

Design requirement 4: Gradients

Accessway grades should not exceed 1:20 (5 per cent) within 6 metres of the frontage unless they are safe for pedestrians and vehicles having regard to pedestrian and vehicular traffic volumes, the nature of the car park, the slope of the land and transition treatments at the frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 6 metres of the frontage) should have the maximum grades as outlined in Table 3.

Table 3: Ramp gradients

| Type of car park | Length of ramp | Maximum grade |
|----------------------------------|-----------------------|----------------------|
| Public car parks | 20 metres or less | 1:5 (20%) |
| | longer than 20 metres | 1:6 (16.7%) |
| Private or residential car parks | 20 metres or less | 1:4 (25%) |
| | longer than 20 metres | 1:5 (20%) |

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp should include a transition section of at least 2 metres to prevent vehicles scaping or bottoming.

Grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart should be assessed for clearances.

Design requirement 5: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design requirement 6: Urban Design

Ground level car parking, garage doors and accessways should not visually dominate public space.

Car parking within buildings (including visible portions of partly submerged basements) should be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks should take into account their use as entry points to the site.

Design of new internal streets in developments is encouraged to maximise on street parking opportunities.

Design requirement 7: Safety

Car parking should be well lit and clearly signed.

The design of car parks and adjacent buildings should maximise natural surveillance of car parks and pedestrian visibility.

Pedestrian access to car parking areas from the street should be convenient.

Pedestrian routes through car parking areas and building entries and other destination points should be clearly marked and separated from traffic in high activity parking areas.

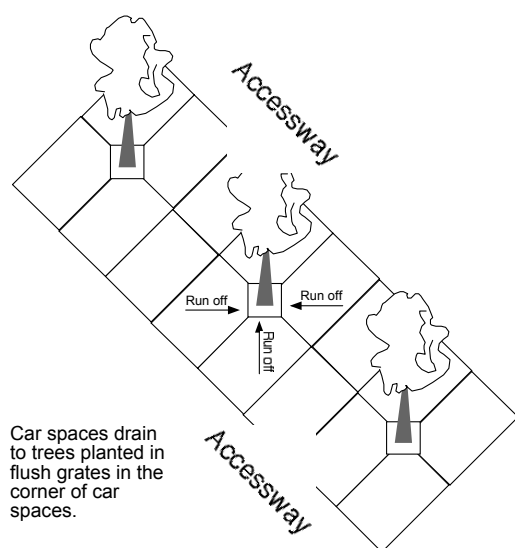
Design requirement 8: Landscaping

The layout of car parking areas should provide for water sensitive urban design treatment and landscaping.

Landscaping and trees should be planted to provide shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces should include trees planted with flush grilles 2 metres by 2 metres set at 45 degrees to the car space at the rear corners. Spacing should be determined having regard to the expected size of the selected species at maturity.

Diagram 2: Possible landscape and water sensitive urban design treatment



Decision guidelines

Before deciding that a car parking plan is satisfactory, the responsible authority must consider as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provision of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.

- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The need for the required car parking spaces to adjoin the premises used by each occupier, if the land is occupied by more than one occupier.
- The workability of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.

52.06-7 Construction of car parking

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VC--

Before any use commences or any new building is occupied, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the car parking plan must, to the satisfaction of the responsible authority, be provided and available for use and be:

- Formed to such levels and drained so that they can be used in accordance with the plan.
- Treated with an all-weather seal or some other durable surface
- Line-marked or provided with some other adequate means of showing the car parking spaces.

ATTACHMENT 2 – DRAFT PARKING OVERLAY AND SCHEDULE

45.09 PARKING OVERLAY

--/--/---
VC--

Shown on the planning scheme map as **PO** with a *number*.

Purpose

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

To facilitate an appropriate provision of car parking spaces in an area.

To identify areas and uses where local car parking rates apply.

To identify areas where financial contributions are to be made for the provision of shared car parking.

To ensure that the design and location of car parking areas is of a high standard, creates a safe environment for users, enables easy and efficient use and does not adversely affect the amenity of the locality.

45.09-1 Operation

--/--/---
VC--

A schedule must specify:

- The parking objectives to be achieved.

A schedule may specify:

- The number of car parking spaces required for any use.
- Any financial payments to be made as a way of meeting the car parking requirements.
- Any design requirements to be met.
- Any additional decision guidelines.

Despite Clauses 45.09-2, 45.09-5 and 45.09-6, if the required number of car parking spaces for the new use under this overlay is no more than the required number of car parking spaces for the existing use under this overlay and the existing number of car parking spaces is not reduced:

- No additional car parking spaces are required to be provided.
- A permit is not required to reduce the requirement for car parking.
- A car parking plan is not required.

45.09-2 Car parking objectives

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VC--

A schedule to this overlay must contain a statement of the car parking objectives to be achieved.

45.09-3 Provision of car parking spaces

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VC--

A new use must not commence or any new building must not be occupied until the car parking spaces required under this overlay have been provided on the land or as approved under Clause 45.09-5.

--/--/---
VC--

The number of car parking spaces required

The schedule to this overlay sets out the number of car parking spaces required for a use.

If a car parking space requirement for a use is not specified in a schedule to this overlay, the car parking requirement specified in Table 1 at Clause 52.06 applies.

Where the floor area occupied by an existing use is increased, the car parking requirement only applies to the floor area of any extension of the use or increase in site area provided the existing number of car parking spaces is not reduced.

If a schedule to this overlay specifies a percentage of site area as the car parking measure, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement for a use listed in the table is the product of the *rate* and the *measure*.

45.09-5 Permit requirement

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VC-

A permit may be granted to reduce the requirement for car parking or to vary the requirement to provide car parking on the land, unless a schedule to this overlay specifies otherwise.

A schedule to this overlay may specify that a permit is required to provide car parking in excess of a rate specified in a schedule to this overlay.

Reducing the requirement for car parking

Before a requirement for car parking is reduced, the responsible authority must be satisfied that such a reduction is justified, having regard to either or both of the following:

- The car parking demand likely to be generated by the use.
- Whether it is appropriate to allow fewer spaces to be provided than the number likely to be generated by the use.

An assessment of the car parking demand likely to be generated by the use must have regard to the following factors, as appropriate:

- Multi-purpose trips within an area.
- The variation of car parking demand over time.
- The short-stay and long-stay car parking demand.
- The availability of public transport in the locality.
- The convenience of pedestrian and cyclist access to the site.
- The provision of bicycle parking and end of trip facilities for cyclists.
- The anticipated car ownership rates of likely or proposed occupants (residents or employees).
- Any other matters specified in a schedule to this overlay.

An assessment of the appropriateness of allowing fewer spaces to be provided than the number likely to be generated by the use must have regard to the following factors, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any objectives specified in a schedule to this overlay.
- The potential to access the site by public transport, bicycle and walking.
- The availability of car parking in the locality.
- Any efficiencies to be gained from consolidating shared car parking spaces.

- The potential economic impact that a shortfall of car parking may have on an activity centre.
- The future growth and development of an activity centre.
- Any car parking deficiency associated with the existing use of the land.
- Any credit for car parking spaces provided on common land or by a special charge scheme or similar contribution.
- Historical contributions by existing businesses.
- Local amenity including pedestrian amenity and the amenity of nearby residential areas.
- Local traffic management.
- The need to create safe, functional and attractive parking areas.
- The need to respect the character of the neighbourhood or achieve a quality urban design outcome.
- Any other matters specified in a schedule to this overlay.

Financial contribution requirement

A schedule to this overlay may specify a requirement to pay an amount to the responsible authority as a way of meeting the car parking requirements.

The schedule must specify:

- The amount to be paid for each car parking space.
- Any method of indexing the amount if indexation is proposed.
- Details of the car parking project to be funded by the financial contributions.

Where a schedule provides for payment of an amount as a way of meeting the car parking requirement, the responsible authority must include a condition in a permit requiring a payment of an amount to the responsible authority as a way of meeting the car parking requirement.

Application requirements

An application to reduce the requirement for car parking or to vary the requirement to provide car parking on the land must be accompanied by the following information, as appropriate:

- A plan showing the proposed use and siting of buildings.
- A car parking plan as specified in Clause 45.09-5.
- An assessment of the car parking demand likely to be generated by the use.
- An assessment of the appropriateness of allowing fewer spaces to be provided than the number likely to be generated.
- Any other requirements specified in a schedule to this overlay.

Car parking plan requirement

Before the new use commences or any buildings or works associated with that use or an existing use is constructed, a car parking plan must be prepared to the satisfaction of the responsible authority.

A car parking plan must show:

- All required car parking spaces.

- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Landscaping and water sensitive urban design treatment.
- Finished levels, if required by the responsible authority.
- Any other matters specified in the schedule to this overlay.

Design requirements for car parking plan

A car parking plan should meet the design requirements specified in Clause 52.06-6, unless the schedule to this overlay specifies different design requirements.

The schedule may include additional requirements relating to the design of car parking.

45.09-7 Decision guidelines

--/--
VC--

Before deciding that a car parking plan is satisfactory, the responsible authority must consider as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any objectives specified in a schedule to this overlay.
- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provision of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- Any other matters specified in a schedule to this overlay.

45.09-8 Other car parking requirements

--/--
VC--

A schedule to this overlay may specify other requirements for the provision and management of car parking.

45.09-9 Construction of car parking

--/--
VC--

Before any use commences or any new building is occupied, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the car parking plan must, to the satisfaction of the responsible authority, be provided and available for use and be:

- Formed to such levels and drained so that they can be used in accordance with the plan.

- Treated with an all-weather seal or some other durable surface
- Line-marked or provided with some other adequate means of showing the car parking spaces.

--/20--
C-

SCHEDULE NUMBER TO THE PARKING OVERLAY

Shown on the planning scheme map as **POnumber**

NAME OF PARKING PRECINCT AREA

1.0 Car parking objectives

--/20--
C-

2.0 Number of car parking spaces

--/20--
C-

Table 1: Car parking spaces

| USE | RATE | MEASURE |
|-----|------|---------|
| | | |
| | | |

3.0 Permit requirement

--/20--
C-

4.0 Reducing the provision of car parking

--/20--
C-

5.0 Financial contributions requirement

--/20--
C-

6.0 Application requirements

--/20--
C-

7.0 Car parking plan requirements

--/20--
C-

8.0 Design requirements

--/20--
C-

9.0 Other car parking requirements

--/20--
C-

10.0 Decision guidelines

--/20--
C-

11.0 Reference document

--/20--
C-

ATTACHMENT 3 – CURRENT CLAUSE 52.06

52.0615/09/2008
VC49**CAR PARKING****Purpose**

To ensure that car parking facilities are provided in accordance with:

- The State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement and local planning policies.
- Any parking precinct plan.

To provide the opportunity to use parking precinct plans in appropriate locations.

To promote the efficient use of car spaces through the consolidation of car parking facilities.

To ensure the provision of an appropriate number of car spaces having regard to the activities on the land and the nature of the locality.

To ensure that the design and location of car parking areas:

- Does not adversely affect the amenity of the locality, in particular the amenity of pedestrians and other road users.
- Achieves a high standard of urban design.
- Creates a safe environment for users, particularly at night.
- Enables easy and efficient use.
- Protects the role and function of nearby roads.
- Facilitates the use of public transport and the movement and delivery of goods.

52.06-119/01/2006
VC37**Car spaces****Provision of car spaces**

A new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land.

Where the floor area occupied by an existing use is increased, the parking requirement only applies to the floor area of any extension of the use or site area provided the existing number of car spaces is not reduced.

Number of car spaces required

The table at Clause 52.06-5 sets out the number of car spaces required for uses not covered by a parking precinct plan or another clause. The requirement for car spaces for a use listed in column 1 of the table is the product of columns 2 and 3 of the table.

A permit may be granted to reduce or to waive the number of car spaces required by the table.

Where a use is not specified in the table at Clause 52.06-5, an adequate number of car spaces must be provided to the satisfaction of the responsible authority.

These requirements do not apply if there is a parking requirement for the particular use under another clause or in a parking precinct plan.

Decision guidelines

Before a requirement for car spaces is reduced or waived, the applicant must satisfy the responsible authority that the reduced provision is justified due to:

- Any relevant parking precinct plan.
- The availability of car parking in the locality.
- The availability of public transport in the locality.
- Any reduction in car parking demand due to the sharing of car spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces.
- Any car parking deficiency or surplus associated with the existing use of the land.
- Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement.
- Local traffic management.
- Local amenity including pedestrian amenity.
- An empirical assessment of car parking demand.
- Any other relevant consideration.

52.06-2

19/01/2006
VC37

Design and construction

Car parking plan

Before any use commences or any building or works associated with that use or an existing use is constructed, a plan must be prepared to the satisfaction of the responsible authority showing all required car spaces, access lanes, driveways and associated works and landscaping.

Provision before commencement

Before any use commences or any new building is occupied, the car spaces, access lanes, driveways and associated works and landscaping shown on the plan must, to the satisfaction of the responsible authority, be provided and available for use and be:

- Formed to such levels and drained so that they can be used in accordance with the plan.
- Treated with an all-weather seal or some other durable surface.
- Line-marked or provided with some other adequate means of showing the car spaces.

Decision guidelines

Before deciding that any plan is satisfactory, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- Any relevant parking precinct plan.
- Whether the layout of car spaces and access lanes are consistent with Clause 52.06-5 or a variation generally in accordance with Australian Standard AS2890.1 - 1993, Parking facilities, Part 1: Off-street car parking.
- The protection and enhancement of the streetscape.

- The provision of landscaping for screening and shade.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The provision for pedestrian movement within and around the parking area.
- The measures proposed to enhance the security of people using the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The type and size of vehicle likely to use the parking area.
- The ease and safety with which vehicles gain access to the site and circulate within the parking area.
- The need for the required car spaces to adjoin the premises used by each occupier, if the land is occupied by more than one occupier.

52.06-3

19/01/2006
VC37

Design of car spaces and accessways

Design requirements

Accessways should:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersections or be wider than 4.2 metres.
- Provide a turning space so that cars can exit the site in a forward direction if the accessway serves four or more car spaces or connects to a road in a Road Zone.
- Provide a passing area at the entrance at least 5 metres wide and 7 metres long if the accessway serves ten or more spaces and is either more than 50 metres long or connects to a road in a Road Zone.

Car spaces and accessways should have the following minimum dimensions:

| Angle of car spaces to accessway | Accessway width | Car park width | Car park length |
|----------------------------------|-----------------|----------------|-----------------|
| Parallel | 3.6 m | 2.3 m | 6.7 m |
| 45° | 3.5 m | 2.6 m | 4.9 m |
| 60° | 4.9 m | 2.6 m | 4.9 m |
| 90° | 6.4 m | 2.6 m | 4.9 m |
| | 5.8 m | 2.8 m | 4.9 m |
| | 5.2 m | 3.0 m | 4.9 m |
| | 4.8 m | 3.2 m | 4.9 m |

A building may project into the space if it is at least 2.1 metres above the space.

If entry to the car space is from a road, the width of the accessway may include the road.

If an accessway to 4 or more car spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the frontage.

Variation of requirement

A permit may be granted to vary any dimension or requirement of this clause. Before deciding on an application, the responsible authority must consider:

- Whether the dimensions and layout of car spaces and access lanes are generally in accordance with Australian Standard AS2890.1 - 1993, Parking facilities, Part 1: Off-street car parking.
- Any relevant parking precinct plan.

52.06-4

15/09/2008
VC49

Dwellings and residential buildings

The requirements of Clauses 52.06 do not apply to an application to construct or extend a dwelling or a residential building under any provision of this scheme if the land is in the Residential 1 Zone, Residential 2 Zone, Residential 3 Zone, Mixed Use Zone or Township Zone unless the development is four or more storeys, excluding a basement.

52.06-5

19/01/2006
VC37

Car parking table

| USE | CAR SPACE MEASURE | RATE |
|--|---|------|
| Residential building, other than specified in this table | Car spaces to each lodging room | 1 |
| Caretaker's house | Car spaces to each dwelling | 1 |
| Dwelling, other than Caretaker's house if at least 2 on a lot | Car spaces to each dwelling | 2 |
| Shop other than specified in this table | Car spaces to each 100 sq m of leasable floor area | 8 |
| Betting agency Market | Car spaces to each 100 sq m of net floor area | 8 |
| Restaurant | Car spaces to each seat available to the public | 0.6 |
| Office other than specified in this table Postal agency | Car spaces to each 100 sq m of net floor area | 3.5 |
| Hotel or Tavern | Car spaces to each 100 sq m of bar floor area available to the public, plus | 60 |
| | Car spaces to each 100 sq m of lounge floor area available to the public | 30 |
| Motel | Car spaces to each unit, plus | 1 |
| | Car spaces to each resident employee, plus | 1 |
| | Car spaces to each 100 sq m of motel service floor area not available for use by guests | 2 |
| Industry other than specified in this table Mail centre | Car spaces to each 100 sq m of net floor area | 2.9 |

| USE | CAR SPACE MEASURE | RATE |
|---|---|-------------|
| Materials recycling Fuel depot Milk depot Motor repairs | Percentage of site area to be set aside for car spaces and access lanes, but not driveways | 10 |
| Plant nursery Saleyard Store other than specified in this table Timber yard Utility installation | Percentage of site area to be set aside for car spaces and access lanes, but not driveways | 10 |
| Freezing and cool storage Warehouse other than specified in this table | Car spaces to each 100 sq m of net floor area | 1.5 |
| Display home | Car spaces to each dwelling for five or fewer contiguous dwellings, plus Car spaces to each additional contiguous dwelling | 5 2 |
| Medical centre Veterinary centre | Car spaces to each practitioner | 5 |
| Hospital | Car spaces to each bed available for use by patients | 1.3 |
| Place of assembly Funeral parlour | Car spaces to each seat or to each sq m of net floor area, whichever is greater | 0.3 |
| Golf course | Car spaces to each hole | 4 |
| Bowling green | Car spaces to each rink | 6 |
| Squash court other than in conjunction with a dwelling | Car spaces to each court | 3 |
| Swimming pool other than in conjunction with a dwelling | Car spaces to each 100 sq m of site | 5.6 |
| Tennis court other than in conjunction with a dwelling | Car spaces to each court | 4 |
| Primary school | Car spaces to each employee | 1 |
| Secondary school | Car spaces to each employee | 1.2 |
| Tertiary institution | Car spaces to each full-time student and three part-time students | 0.6 |
| Convenience shop if the leasable floor area exceeds 80 sq m | Car spaces to each premises | 10 |

52.06-6

19/01/2006
VC37

Parking precinct plan

A parking precinct plan is a strategic plan relating to parking of cars and other vehicles within a defined area which is incorporated into this scheme and listed in the schedule to this clause. A parking precinct plan may form part of a more general land use or other strategic plan or policy.

A parking precinct plan may specify different requirements to those set out in the table at Clause 52.06-5.

The parking precinct plan must include the following information:

- The purpose of the plan.
- The area to which the plan applies.
- The parking outcomes to be achieved by the parking precinct plan.
- An assessment of car parking demand and supply in the precinct.
- Any locational, financial, landscape or other actions or requirements necessary to implement the parking precinct plan.

**ATTACHMENT 4 - PROPOSED SUBMISSION TO THE REVIEW OF CAR
PARKING PROVISIONS**

Latrobe City Council Submission *Review of Car Parking Provisions*



13 September 2011

Latrobe City Council appreciates the opportunity to provide comments on the state governments draft car parking provisions. Overall, Latrobe City Council believes the draft car parking provisions are an improvement to the existing provisions.

The following comments provide more specific information regarding the proposed changes to Clause 52.06 - Car Parking and the proposed Parking Overlay and schedule.

Clause 52.06 - Car Parking

Latrobe City Council believes that the draft car parking provisions for Clause 52.06 are an improvement to the existing provisions and is supportive of the changes proposed. In particular Latrobe City Council notes the following improvements in:

- The readability of the clause has improved with the listing of the table of uses alphabetically and the clause now includes what information is to be provided in a car parking plan.
- The more specific design requirements to be included in a car parking plan provide the community and developers with minimum standards of.
- Key land uses such as a supermarket, food and drink premise and restricted retail premise which will have specified car parking requirements. There is also a significant increase in the number of uses which have specified car parking requirements to be provided.
- There is now the opportunity provided to councils to alter the requirement of car parking spaces through the Parking Overlay. This means that local considerations are able to be included in the planning scheme.

Latrobe City Council would however, like to see more uses listed within the car parking provisions, including retail premise. Furthermore, Latrobe City Council would have preferred to see the table of uses with a differentiated regional and metropolitan car parking rate as there are differences between regional areas and metropolitan areas. For example, the availability of public transport in regional areas is not as accessible as those in metropolitan areas. Therefore, there is a stronger reliance on cars (and car parking) within regional areas.

Latrobe City Council would also like included additional car parking rates on multi unit developments, especially for regional areas. Latrobe City Council finds that in residential subdivisions in regional areas there is pressure being placed on on-street car parking especially with multi unit developments. This issue can cause concern for residents living within these areas as on occasion's standard road widths do not cope with this demand.

Clause 52.06 – 4 of the draft car parking provisions state that:

Where a use is not specified in Table 1 or under another provision of this scheme, an adequate number of car parking spaces must be provided to the satisfaction of the responsible authority.

This clause can provide uncertainty to applicants, planners and the community as to how to determine what is considered as an adequate number of spaces to be provided. Latrobe City Council would like more guidance provided in Clause 52.06 about how the responsible authority can determine what an adequate rate is when there is no specified rate applied.

Latrobe City Council would also like clarification and further information on the proposed exemption provided in draft Clause 52.06 and why it is not proposed to apply to:

An application to construct or extend a dwelling or a residential building under any provision of this scheme if the land is in the Residential 1 Zone, Residential 2 Zone, Residential 3 Zone, Mixed Use Zone or Township Zone unless the development is four or more storeys, excluding a basement.

Draft Parking Overlay and Parking Overlay Schedule

Latrobe City Council is supportive of the draft Parking Overlay and schedule. In particular, Latrobe City Council supports:

- The ability to collect contributions under the overlay and schedule as a way of meeting car parking requirements.
- The ability to apply local circumstances to the overlay, especially for the design requirements, provision and management of car parking and car parking rates.
- The ability to define a precinct to which the overlay applies, which will make it easier to understand and implement.

Although Latrobe City Council is supportive of the introduction of the draft Parking Overlay and schedule to the Victorian Planning Provisions (VPP) it is also noted that a planning scheme amendment is still required to include these provisions with the Latrobe Planning Scheme. Latrobe City Council does not see how the new provisions will improve time taken and resources required to implement these provisions from the current system, which is to introduce a car parking precinct plan as an incorporated document.

11.3.4 **PLANNING PERMIT APPLICATION 2010/387 - NATIVE
VEGETATION REMOVAL - JUMBUK ROAD, JEERALANG
JUNCTION**

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

1. PURPOSE

The purpose of this report is to determine Planning Permit Application 2010/387 for the removal of native vegetation at Jumbuk Road, Jeeralang Junction.

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.

Strategic Objectives – Natural Environment

In 2026, Latrobe Valley enjoys a beautiful natural environment that is managed and protected with respect to ensure a lasting legacy for future generations.

Latrobe City Council Plan 2011 - 2015

Strategic Direction – Built Environment

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

Strategic Direction – Natural Environment

Enhance biodiversity conservation through the protection and management of remnant native vegetation and revegetation.

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, Jeeralang Junction
Proponent: Latrobe City Council
Zoning: Farming Zone
Overlay: Wildfire Management Overlay

A Planning Permit is required for the removal of native vegetation in accordance with Clause 52.17 of the Latrobe Planning Scheme.

4.2 PROPOSAL

The application is for removal of native vegetation on three corners of Jumbuk Road (see plan at *Attachment 3*) to allow the widening of the road for safety improvements.

A total of 2300 square metres of native vegetation will be affected as part of this proposal.

Stage 1 of the upgrade works involves the widening of isolated bends at Jumbuk Road to enhance the safety of road users.

VicRoads allocated \$280,000 in the 2010/2011 financial year under the Better Roads Victoria Rural Local Timber Roads Program to stage 1 of the upgrade works and Latrobe City Council has allocated \$200,000 to the project within 2011/2012 capital works budget.

Subject Land:

The subject site on Jumbuk Road includes three corners and is located between Richards Corner and O'Reilly's Hill Road in the locality of Jumbuk.

The site is approximately 8 kilometres from the Churchill Township and at its northernmost extent is 800 metres from the Morwell National Park. The three corners are located on the southern side of the road.

The surrounding area consists mainly of plantations and predominantly cleared farmland.

4.3 HISTORY OF APPLICATION

The history of the assessment of planning permit application 2010/387 is identified within *Attachment 1*.

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

5. ISSUES

The assessment of this planning permit application has focussed on three key areas:

1. Safety of the road network;
2. Native vegetation removal and loss of habitat; and
3. The potential for landslips in the area.

The removal of the vegetation, loss of habitat and potential for landslips are all discussed below in further detail.

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. Clause 52.17 – Native Vegetation also sets out specific application requirements that must be addressed as part of a planning permit application.

Clause 12.01-2 of the Scheme sets out '*To achieve a net gain in the extent and quality of native vegetation.*' This is achieved through the three step process as set out by Victoria's Native Vegetation Management – a Framework for Action. These are:

1. Avoid;
2. Minimise; and
3. Offset.

These requirements have been addressed in the 'Ecological Assessment with Net Gain for Stage 1 of Jumbuk Road Pavement Widening' report shown in *Attachment 6*. Specifically the report details the requirements considered to avoid and minimise the removal of native vegetation. It was determined that no further vegetation could be avoided to that already considered and implemented in the design phase, without compromising the safety of the road improvements. This has been supported by both the Department of Sustainability and Environment and Council's Environmental Planner (discussed in further detail later in the report).

Clause 21.02 outlines Latrobe City Council's strategic objectives which include '*To promote the responsible and sustainable care of our built and natural environment for the use and enjoyment of the people who make up the vibrant community of Latrobe Valley*' and '*To promote and support social, recreational, cultural and community life by providing both essential and innovative amenities, services and facilities within the municipality*'. Both of these strategic directions promote the care for the environment and the people who reside in it. It also shows the commitment to providing the best services available which includes the safety of people who live in and visit the municipality.

Clause 13.03-2 of the Scheme does aims '*To protect areas prone to erosion, landslip or other land degradation processes.*' Whilst it is recognised that there is some soil erosion evident at the subject site, there are appropriate measures and controls that can be put in place to ensure it is managed effectively.

5.2 OBJECTORS CONCERNS

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

1. Landslip risk

Objectors are concerned that the area where the works are proposed is an area where previous cut batter faces have collapsed. The proposed works involve the removal of some large, older trees whose root system is interlocked with the soil. The removal of the trees will cause slope instability in an area known for landslip.

Officer Comment

A report has been prepared on behalf of Council by GHD Pty Ltd (see *Attachment 7*) that provides a preliminary geotechnical assessment of the subject site and proposed works (removal of native vegetation) to be undertaken. The report particularly reviewed the geotechnical stability of associated batter excavation on particular curve sections (curves 7, 8, 9, 10 and 11) of the pavement widening project that were raised in the submission received by Council.

There were several recommendations that came out of the report that are listed below and have been included as conditions where appropriate if a permit is issued:

- *An experienced engineering geologist or a geotechnical engineer should be present during widening works to assess the materials present and to identify areas that would need risk mitigation, i.e., monitoring, support installation, catch fences, shotcreting, etc. in areas of rock and steepening the batters in soils if weak materials are encountered. Existing surface level and design surface level are required at the top of cut to make assessment;*
- *Detailed mapping of the cut face would be required where mitigation measures are to be implemented;*
- *Hillside surface runoff should be intercepted before it reaches the cut slope, diverted around it and disposed of in a proper manner;*
- *As an erosion protection measure, the batters comprising soils should be top soiled (150mm) and grassed. Tensar mat or equivalent would facilitate retention of bare topsoil in order to maintain close contact with the slope and establish reinforced grass slope surfaces; and*
- *Trees closer to the top of new batter (less than 1m) and or any trees posing risk of falling down should be removed.'*

Appropriate measures and controls can be put in place to ensure potential slope stability issues are managed effectively.

2. Loss of vegetation and koala habitat

Objectors have raised concerns that the removal of several trees will remove a physical link for the Koalas to travel from tree to tree to reach particular Manna Gums (their leaf of choice) with adequate protection from predators.

It will require them to travel greater distances across the ground leaving them exposed to attacks.

Officer Comment

A report has been prepared by Indigenous Design Land Management P/L (see *Attachment 8*) that provides a response to the concerns raised by the objectors regarding the habitat for Koalas. The report states that:

'It is acknowledged that the trees proposed to be removed (Eucalyptus globulus subsp. Bicostata [Eurabbie]) to facilitate improvements to road safety of Jumbuk Road have the potential to provide both habitat and fodder to the local koala (Phascolarctos cinereus) individuals and populations. However, the current conservation status of the koala at both State (FFG Act 1988) and Commonwealth (EPBC Act 1999) level does not afford any higher protection to the species or its habitat than that of all other native fauna protected under the Wildlife Act 1975 as defined in Part 1 s. 3 of the Act.

In a recent reassessment of the koala's current conservation status at Commonwealth level, the Threatened Species Scientific Committee (TSSC) found that the koala failed to meet any of the specified criteria for listing as threatened under the EPCB Act:

'Current available evidence indicates that the koalas population has declined in numbers in recent years. However, it is not likely that the decline in Koala numbers across the species' national or natural range has been substantial. Therefore, the koala is not eligible for listing under any of the EPCB Act criteria.' (TSSC 2010)

Given such considerations of the koala's current conservation status and legal protection, under Victoria's Native Vegetation Management – a framework for action (DNRE, 2002) the Applicant (Latrobe City Council) is not required to directly assess potential issues of habitat reduction or population fragmentation for this species. Other native fauna (i.e. those fauna not listed as rare or threatened under the FFG Act 1988 or EPBC Act 1999) and the habitat that may rely on, are instead, intrinsically accounted for within the habitat hectares scoring method described by DSE (2004) through components of the overall score such as Large Trees, Logs, Landscape Context etc.'

It is therefore considered that appropriate measures have been made with regards to the local koala population and its habitat, and Latrobe City Council as the applicant has taken the necessary steps to ensure the amount of vegetation clearing that is required is minimal and avoided where possible.

3. Loss of vegetation and wombat habitat

Objectors have raised concerns that there are three wombat burrows, two of which are in use by a number of families. Excavation proposed may disturb or destroy the current wombat population in the area.

Officer Comment

It is identified in the original report prepared by Indigenous Design Land Management P/L that a single, active, wombat burrow was located within Damp Forest Habitat Zone 1 at Corner 1. This falls within the proposed construction area and as a result would be impacted by the proposal.

Immediately prior to the works commencing, it is recommended that a suitably qualified and experienced animal rescuer is engaged to remove (and relocate if necessary), the wombat that is currently living in the burrow. It would also be appropriate for the rescuer to assess the remainder of the site for presence of any further wildlife that may be affected by construction works. This will avoid construction having any foreseeable direct impact on wildlife within the roadside.

It is considered that the appropriate measures are being undertaken by Latrobe City Council to ensure that no animal habitats are unduly affected by the construction activities and relocation as appropriate is carried out.

In response to the concerns raised by the objectors, additional reports were prepared on behalf of Latrobe City Council to evaluate the issues raised. These reports have been discussed above and have provided more context to the proposal in light of objector concerns.

Comments were also sought from the Department of Sustainability and Environment who were a Section 55 referral under the Act, and Councils Environmental Planning team. Whilst both recognised the Ecological Vegetation Class (EVC) as being Very High Conservation Significance, both also recognised that due to the nature of the project, the safety objectives and terrain involved there is little chance to avoid the removal of the native vegetation.

Relevant conditions are recommended to ensure appropriate mitigation in relation to the various matters raised as part of objector concerns.

6. FINANCIAL AND RESOURCES IMPLICATIONS

Additional resources or financial cost may 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 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 each of the corners where the native vegetation is proposed to be removed for a minimum period of 21 days.

It was identified by an objector that the date on the notices indicated the incorrect year. The application was re-advertised for a minimum of 14 days, with new notices sent to all adjoining and adjacent land owners and occupiers as well as new A3 notices to replace the ones on each of the corners the original ones were displayed.

External:

The application was referred to the Department of Sustainability and Environment pursuant to Section 55 of the Act.

The Department of Sustainability and Environment consented to the granting of a planning permit subject to appropriate conditions being included if issued.

Internal:

Internal officer comments were sought from Councils Environmental Planning team in relation to the removal of vegetation.

The Environmental Planning team gave consent to the granting of a planning permit in relation to their area of expertise subject to appropriate conditions being placed on a permit if one is issued.

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 have been received.

A planning mediation meeting was held 23 March 2011.

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 Latrobe Planning Scheme, it is considered that the application is consistent with the 'Purpose' and 'Decision Guidelines' of Clause 52.17 Native Vegetation.

Measures will be implemented to ensure the works to be undertaken will be managed appropriately.

It is therefore recommended that a Notice of Decision be issued for the reasons set out in this report.

10. RECOMMENDATION

- A. That Council issues a Notice of Decision to Grant a Planning Permit for the removal of native vegetation at Jumbuk Road, Jeeralang Junction, with the following conditions:**
- 1. The removal of native vegetation as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**
 - 2. No native vegetation, other than that shown on the endorsed plans, shall be removed, destroyed or lopped, without the written consent of the Responsible Authority.**
 - 3. Prior to the removal of vegetation commencing, all persons on site undertaking the vegetation removal and works associated with this project must be advised of all relevant conditions of this permit.**
 - 4. Prior to the removal of vegetation commencing, vegetation preservation fencing must be erected to protect all remnant native vegetation outside the construction footprint.**
 - 5. No excavation, trenching or soil removal may be undertaken within the fenced area.**
 - 6. No materials are to be stored within the fenced area.**
 - 7. No vehicles are to drive or park within the fenced area.**
 - 8. Any excess soil produced by the construction shall not be deposited onto native vegetation; rather, be removed from the site and transported to a location where disposal has no impact on native vegetation.**
 - 9. Prior to the removal of vegetation commencing, noxious weeds on site must be appropriately treated and or removed to the satisfaction of the Responsible Authority.**
 - 10. All tree roots left exposed by construction must be cut by or under the supervision of an Arborist or suitability qualified person.**
 - 11. Trees on the periphery of the footprint must be monitored at regular intervals post-construction for any signs of deterioration in overall health. The timing and length of monitoring is to be determined by a qualified Arborist to the satisfaction of the Responsible Authority.**
 - 12. If any further vegetation is lost due to works undertaken during the road widening treatments then appropriate measures must be undertaken to apply Net Gain guidelines and calculate the**

appropriate offsets to the satisfaction of the Responsible Authority.

13. Following the completion of the works, the area must be monitored for the emergence of noxious weeds and appropriate treatment undertaken as necessary to the satisfaction of the Responsible Authority.
14. Removal and disposal of native vegetation must be carried out in a manner that does not result in damage to existing Council assets and does not cause detriment to adjoining owners and occupiers.
15. An experienced engineering geologist or a geotechnical engineer must be present during road widening works to assess the materials present and to identify areas that would need risk mitigation i.e. monitoring, support installation, catch fences, shotcreting, etc. in areas of rock and steepening the batters in soils if weak materials are encountered. Existing surface level and design surface level are required at the top of cut to undertake the assessment.
16. The hillside surface runoff must be intercepted before it reaches the cut slope, diverted around it and disposed of in a proper manner to the satisfaction of the Responsible Authority.
17. As an erosion protection measure, the batters comprising soils must be top soiled (150mm) and grassed.
18. The identification, removal and subsequent relocation of wombats prior to construction must be undertaken by an appropriately qualified person to the satisfaction of the Responsible Authority.
Department of Sustainability and Environment Condition:
19. Before any vegetation removal, an offset plan showing appropriate offsets to compensate for the removal of 0.08 habitat hectares of vegetation and 1 small scattered tree 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 will then form part of this permit.
Maps or plans forming part of the offset plan must be drawn to scale with dimensions (where appropriate).

The offset plan must be generally in accordance with the Net Gain Targets (specified in *Ecological Assessment with Net Gain for Stage 1 of Jumbuk Road Pavement Widening Indigenous Design Land Management P/L November 2010*).

The plan must include details of the:

- a) gain targets;
- b) offset/s to compensate for the vegetation removal, including details of:
 - i. type of offset/s to be provided in each location;
 - ii. location of the offset/s including details of the Bioregion;
 - iii. Ecological Vegetation Class of the offset vegetation;
 - iv. habitat hectare score (out of 1) of the offset/s;
 - v. number of large and medium old trees to be protected (where applicable);
 - vi. rare or threatened species habitat to be protected (if applicable); and
 - vii. conservation significance of the offset.
- c) gains in vegetation and habitat quality to be achieved by the offset/s;
- d) details of any revegetation including number of trees, shrubs and other plants, species mix, and density included in a Schedule of Works;
- e) methods of managing and restoring the existing vegetation to be retained included in a Schedule of Works;
- f) methods of interim protection for newly established vegetation;
- g) methods of permanent protection for established offset/s;
- h) persons responsible for implementing and monitoring the offset plan; and
- i) time frame for implementing the offset plan.

Vegetation removal and the provision of offset/s must accord with the endorsed plan.

Expiry of Permit:

20. This permit will expire if one of the following circumstances applies:
 - a) The removal of native vegetation as approved under this permit is not started within two years of the date of this permit.

b) The removal of native vegetation as approved under this permit 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.

Moved: Cr Lougheed
Seconded: Cr Middlemiss

That the Recommendation be adopted.

For the Motion

Councillor/s Vermeulen, Middlemiss, Lougheed, Harriman and White

Against the Motion

Councillor/s O'Callaghan and Kam

The Mayor confirmed that the Recommendation had been CARRIED

ATTACHMENTS

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ATTACHMENT 1
HISTORY OF APPLICATION

History of the Application

| | |
|------------------|---|
| 30 November 2010 | Application received by Council. |
| 23 December 2010 | Application referred internally to Councils Environmental Planner. Applicant sent letter requiring notification to be given to adjoining and adjacent properties via letters and signs placed on site, in accordance with Section 52(1)(a) of the Act. Section 55 referral to the Department of Sustainability and Environment. |
| 11 January 2011 | Objection 1 received. |
| 13 January 2011 | Application re-advertised as incorrect dates were provided on the signage and letters sent out. |
| 25 January 2011 | Response from Department of Sustainability and Environment received requesting additional time to respond as approval must be sought from the Minister. |
| 7 February 2011 | Statutory declaration received advising that advertising has been carried out and completed as per Councils requirements. |
| 8 February 2011 | Consent to the granting of a planning permit received from Councils Environmental Planner. |
| 23 March 2011 | Mediation meeting held. Section 55 response received from Department of Sustainability and Environment consenting to the granting of a planning permit subject to appropriate conditions. |
| 1 April 2011 | Further correspondence received from 1 st objector. |
| 12 April 2011 | Objection 2 received. |
| 31 May 2011 | Additional report 1 provided by consultant to support the proposal. |
| 21 June 2011 | Objection 3 received. |
| 10 August 2011 | Additional report 2 provided by consultant to support the proposal. |

ATTACHMENT 2
RELEVANT CLAUSES OF THE LATROBE
PLANNING SCHEME

LATROBE PLANNING SCHEME

State Planning Policy Framework

- Clause 12.01-1 – Protection of Habitat
- Clause 21.01-2 – Native Vegetation Management
- Clause 13.03-2 – Erosion and Landslip

Local Planning Policy Framework

- Clause 21.01 – Municipal Profile
- Clause 21.02 – Municipal Vision
- Clause 21.03-2 – Environmental Sustainability

Zoning

The subject site is located in the Farming Zone.

Overlay

The subject site is affected by the Wildfire Management Overlay.

Particular Provisions

- Clause 52.17 – Native Vegetation

General Provisions

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

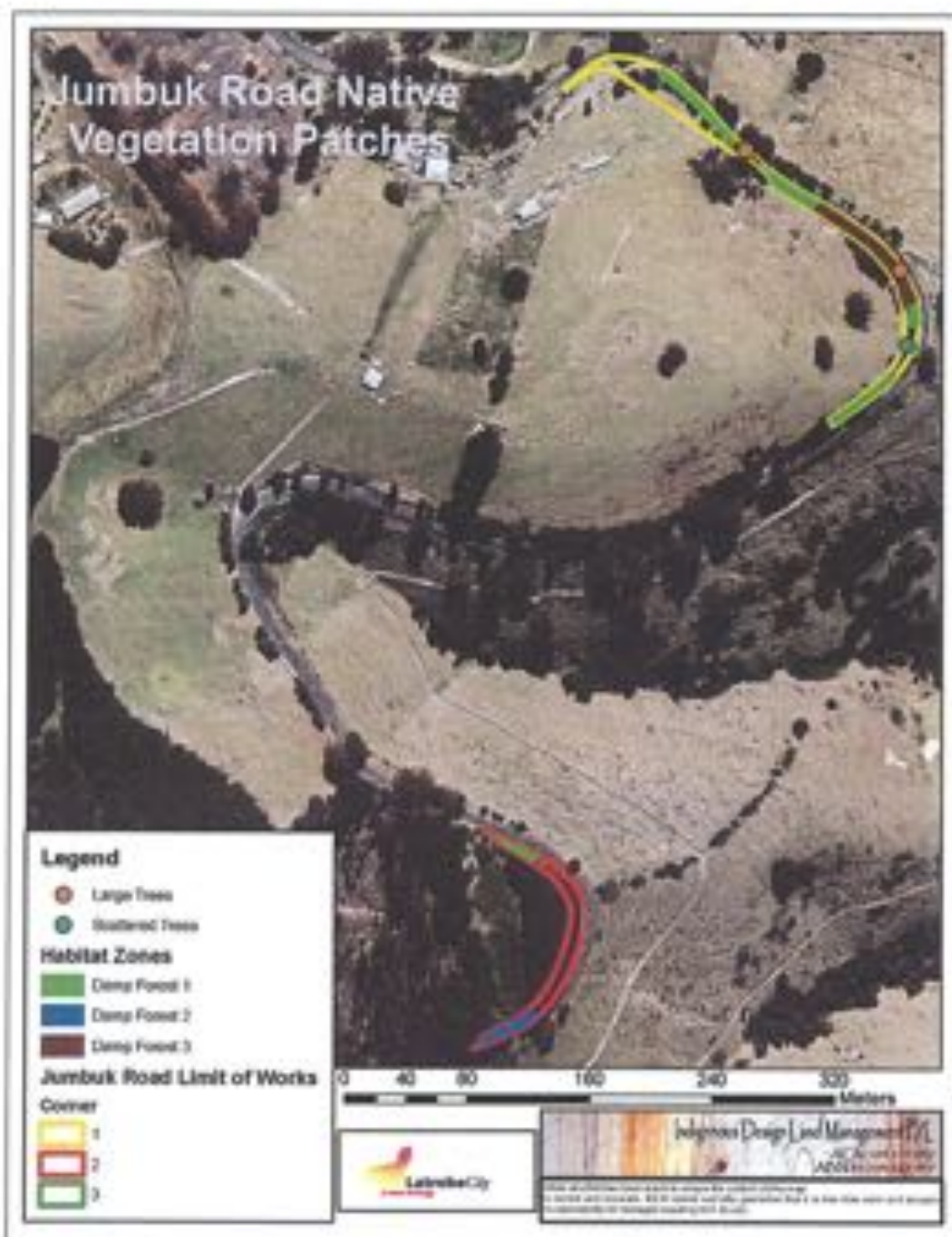
Incorporated Documents

- Victoria's Native Vegetation Management – A Framework for Action, August 2002

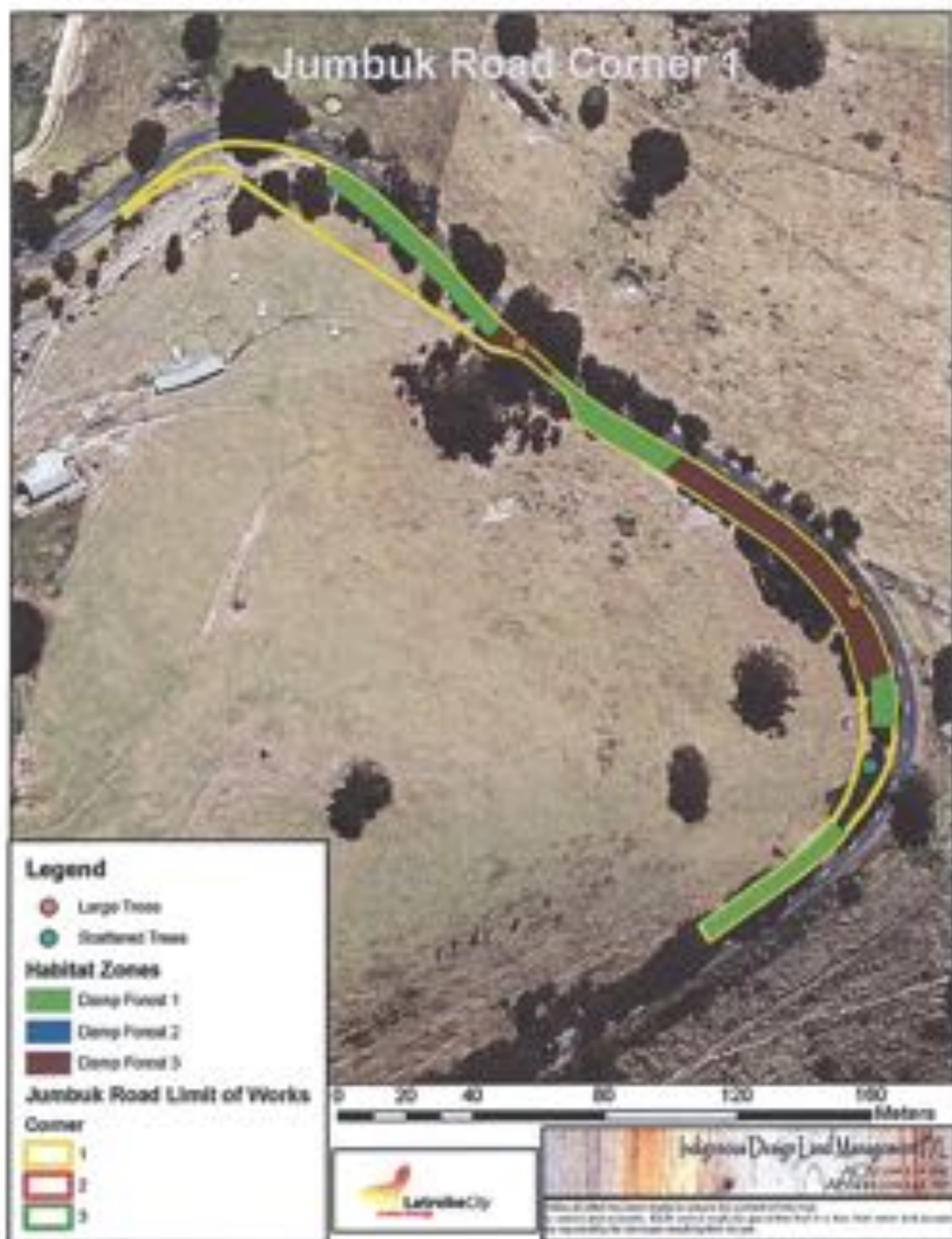
ATTACHMENT 3
PLANS

7 MAPS

7.1 Map 1

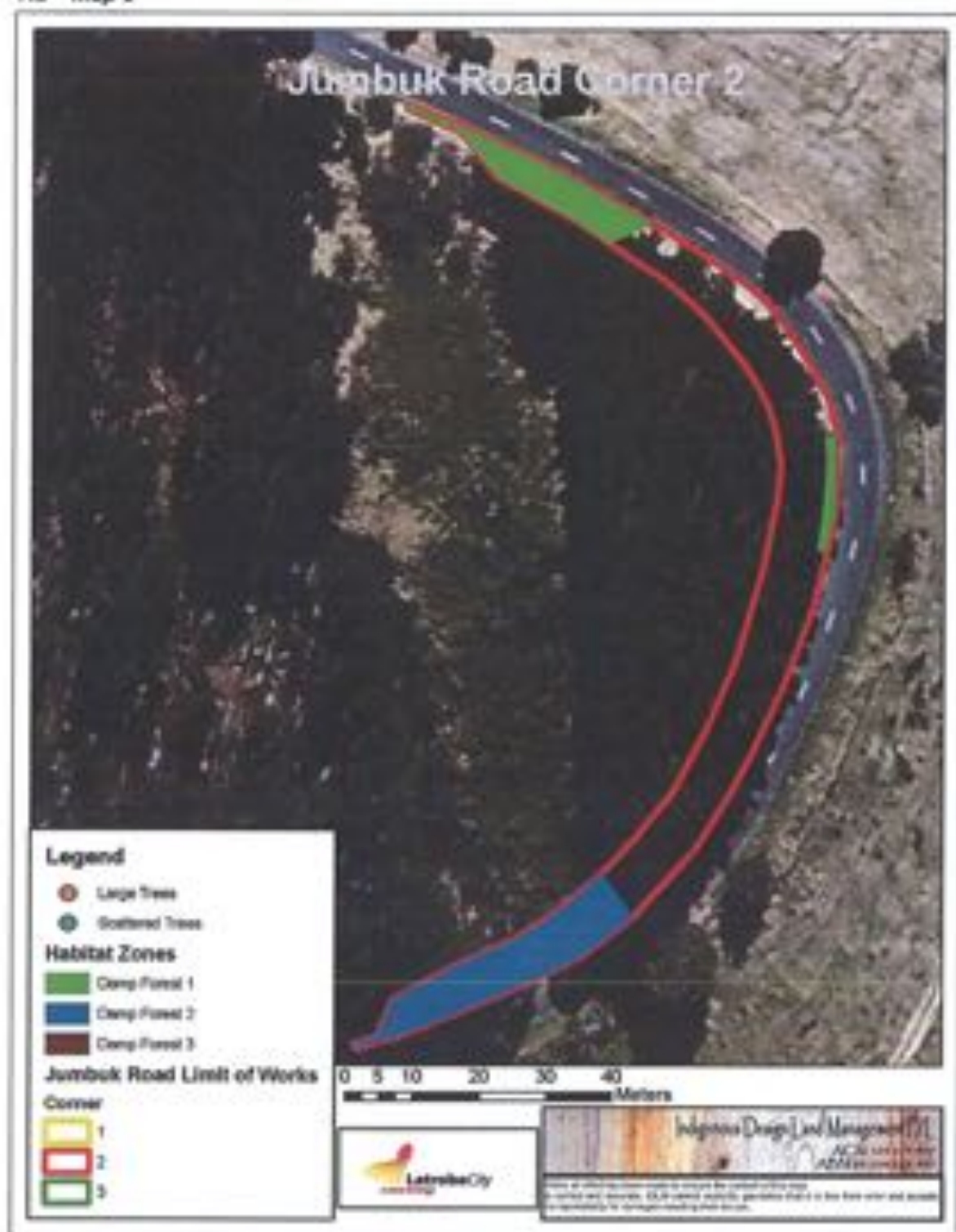


7.2 Map 2

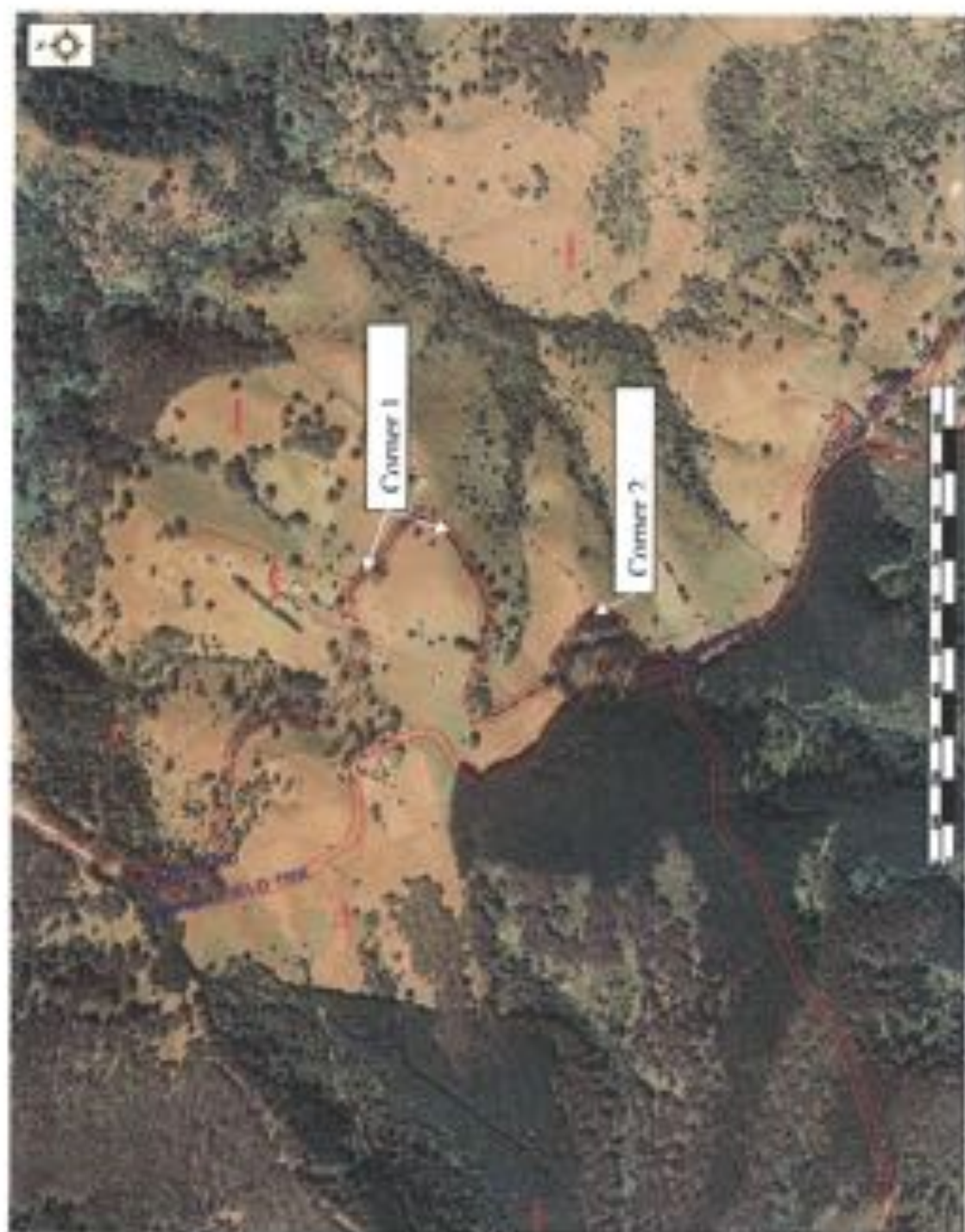


30 NOV 2010

7.3 Map 3



ATTACHMENT 4
LOCALITY MAP



ATTACHMENT 5
OBJECTIONS

plu 211
JAC

Richard Northover
60 Kowloon Road
Jeeralang Junction VIC 3840

Monday 10th January 2011

Responsible Authority

Lalrobo City Council

PO Box 264 Morwell VIC 3840

| | |
|---|--|
| LATROBE CITY COUNCIL INFORMATION MANAGEMENT | |
| RECEIVED 11 JAN 2011 | |
| REQ: | DOC NO: SFA 205 |
| Comments/Notes/Cancelled at: | |
| <input type="checkbox"/> Only responsible authorities | <input type="checkbox"/> Internal circulation accounts |

Dear Sirs,

RE : PLANNING PERMIT APPLICATION 2010/ 387

Native Vegetation Removal by Council

Please find attached my objection to the abovementioned Planning Application. It should also be noted that the road signs installed on Jumbuk Road have **incorrect closing dates posted**. Whilst my objection will be submitted by the "intended" date of the 14 Jan 2011, you advised it closed on 14 Jan 2010. This has possibly been read by potential objector, who has **not submitted** noting that the closing date has passed.

Under the Planning Act and Government Legislation, it is a requirement that the dates be correct, and in this case, they are not. It will be necessary to rescind the existing dates publically and readvertise the proper dates allowing a new additional period for objection.

Yours Sincerely

Richard Northover

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10 JAN 2011
BY: HQ SW

OBJECTION TO NATIVE VEGETATION REMOVAL

JUMBUK ROAD JEERALANG JUNCTION

Planning Application: 2010 /387

Applicant: Latrobe City Council

Objector: Richard Northover
60 Kowloon Road Jeeralang Junction VIC 3840

Grounds of Objection:

The following grounds are the basis of our Objection to the proposed works.

- (i) Slope instability in an area known for landslip
- (ii) Loss of connecting habitat for the local Koala population
- (iii) Loss of habitat for current wombat population which have burrows in the areas to be excavated.



Photo 1: One of the Eucalypts to be removed on the south side of the road



Details of Grounds:

(I) **Slope instability in an area known for Landslip (your ch 3960m)**

The area of the works is within a known area which has suffered from severe landslip over the last 40 years. Over the past 4 years cut batter faces have collapsed approx 200m west of the proposed works, blocking the road completely causing major safety hazards as well as preventing access to and from Jumbuk.

The foundation material in the area is a mixture of overlying sandy silts/ clays over a soft bedrock of mudstone – see photo below



Photo 2: Soil in subject area – weak clay/silts over soft rock.

The severe slips have occurred following high rainfall – the area, at an AHD of approx 450m has an annual rainfall of between 900mm and 1100mm, much higher in volume and intensity than experienced in the lower levels of Latrobe Valley. The proposed works involve the removal of a number of large Eucalypts, some over 60 years old and a large number of Blackwoods. Some of these Blackwoods are dead or in poor condition, although their root system is interlocked with the soil providing a measure of soil stability.

The following notes are taken from *Landslides in Practice – Investigations, Analysis and Remedial/Preventative Options in Soils* – Derek H. Cornforth- Wiley 2005.

This text is one of the leading texts in the area and is based on the vast experience of Cornforth and detailed case histories.

"There is a direct relationship between heavy rainfall and landslides – particularly in steep hills with residual soils and colluviums derived from the underlying rock. Short term / high intensity rainfall triggers landslide where material overlies the more impermeable rock, the rainfall seeping through the ground until it reaches the less permeable material. This then creates a perched water table."

As can be seen from Photo 2, this is the situation in the proposed works area. The proposed works WILL alter the groundwater flow, and due to the soft rock with extensive fissures, will redirect groundwater creating slip planes.



Photo 3: Site of most recent landslide approx 4 years ago – this event blocked the road, cutting access- this is approx 200m west of the proposed works ie similar soil and



rainfall .The existing trees, on both sides of the road are providing a valuable root system adding to the slope stability.

The tree removal causes a number of issues including a reduction of transpiration – ie wetter ground, the ground disturbance causes an increase in water infiltration and the stability provided by the roots is lost. (the root loss –decay – does not become obvious until 3 to 5 years post removal , with most failures within 12 years).

That is, in this case, once the trees are removed, we are left with an unstable slope in a high rainfall area with past landslides in the adjoining areas. This is poor Engineering and a potential risk to user's Health and Safety. If a landslide occurs during road use, the outcome could be a fatality and as Landslide Insurance is not available in this country, the responsibility and costs would be borne by Latrobe Council, ie the ratepayers and professional negligence liability would have to be borne by the Engineers who designed , approved and managed the works.

Adding to this negligence, the Council is very familiar with past slips in this area and the potential risk has been brought to their attention in writing in this objection.



Photo 4: One of the Eucalypts to be removed – note tree root interlock to underlying soils providing slope stability. Tree removal will remove this stability.



Photo 5: Landslip in open paddock approx 400m SE of proposed works – note slip is foreground and background – main scarp and head is obvious in closest slip. Closer inspection in the local area will identify hundreds of these occurrences – ie: the area is an area subject to landslip.

The current traffic on this road does NOT include heavy vehicles – I understand that the proposed use will be by semi trailers, possibly B doubles fully loaded with forest timber. Whilst the vegetation removal will improve sight distances, it will not improve the pavement capacity particularly on the outside of corners which have been constructed on cut and fill basis. Due to the potential massive increase in axle loads from the large vehicles, the filled external edges will fail due to both vertical axle load and horizontal loading causing as the vehicle screws around the corners. I am not aware of any pavement testing being carried out on the weakest points of the carriageway, the external corners and this should be carried out to establish load capacity and compaction levels/slip planes. The reason this is critical, is the road damage sustained further up the Jumbuk Road, in the past 2 years as logging was carried out above the Jumbuk Hall at the following co ordinates. 55449481 E 5749911N AHD 515m.

Two internal road corners collapsed removing approx 1.5m of carriageway width and were not repaired. Initially "soft edges" signs were erected, eventually being removed

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BY:

and the contractors spray painted the white posts with yellow paint (see below) as a warning to themselves. This road damage has never been repaired, it is a public road NOT private and the Contractors have demonstrated their lack of commitment to both road repair and public Safety. The Council are also liable jointly due to their lack of monitoring and enforcement of their protection of Council Property (Ratepayers Assets).



Photo 5: Jumbuk Road past Jumbuk hall, past internal corner collapse not repaired – yellow paint indicates caution for contractors – demonstration of lack of commitment to repair of damage caused by their vehicles.

In association with this unrepaired corner damage, a temporary access track was cut into the hill to the north side of the road at 55448544E 5750408N to access the logging behind the hall. This road was constructed without an approved crossing and if it was a ratepayer on a rural property, a permit would have been required and the crossing permit would have had specified drainage provisions, headwall requirements etc. Nothing was done or attempted in accordance with good practice and Council by laws. The result has been severe erosion of Jumbuk Road causing deep furrows in the road and a loss of road surface (bluemetal) which has been washed into the gully. Once again, this demonstrates both a lack of commitment by the logging Contractor to

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11 Jun 2011
BY: _____

maintain and repair damage they cause, and also a clear 'head in the sand' approach by the Council ignoring the actions of a heavy road user, allowing it to damage public roads with no consequences. The costs of repair are borne by the Ratepayer / Taxpayer, not the Contractors.



Photo 6: Jumbuk Road past Jumbuk Hall, logging road installed with no crossing, drainage causing road to wash away- demonstration of lack of care of Councils assets.

It is this unsupervised and negligent approach, that will allow the proposed works to permanently damage the existing road and create a potential risk to the road using public.

(ii) Loss of connecting habitat for the local Koala population

All of the large trees to be removed are *Eucalyptus globulus* ssp *bicostata*, the Southern Blue Gum, which are remnant original old growth forest, and without taking unauthorised core samples, are possibly up to 100 years old. A single specimen, 20 m into the farm at ch 3960 is a massive specimen well over 100 years old and has a considerable root spread of up to 40 metre radius. This root system is in the proposed excavation area and root damage plus ground compaction could kill this tree. This is a



tree of note, as are the adjacent gums and should not be disturbed. The Council have a history of protecting significant flora and it is inconsistent that the removal of these trees are supported and actually proposed by them. A council document published approximately 30 years ago, made note of these roadside trees as "significant native vegetation". It is confusing that this has changed over time as the environment was not deemed as critical 30 years ago and must have been of major consequence in the era of 'slash and burn'. The loss of these eucalypts will remove a main narrow corridor of trees currently well used by the local Koala population centering around the Morwell National Park and the Billys Creek valley. A very healthy Koala population have a range that runs east from the National Park up each side of Jumbuk Road to where the south side gums run out and the Koalas use this corridor as part of their range connecting the upper edge of the park with the the strip of eucalypts running down into Billys Creek valley into the stands of Manna Gums (their leaf of choice). The removal of these trees will remove a physical link for the mammals where they can now go from tree to tree with adequate protection from predators. It will require them to travel greater distances across the open ground and exposure to attack.



Photo 7: Large specimen *Eucalyptus globulus ssp bicostata* in paddock at CH 3960 - not planned for removal but root system is within the area of excavation- risk of root damage and eventual loss of tree.



Photo 8: Group of Eucalyptus globulus ssp bicostata @ CH 4070 – planned to be removed by Council – significant roadside vegetation.

(iii) Loss of habitat for current wombat population which have burrows in the areas to be excavated.

Along the south side of the road between ch 3880 and 4050 there are three wombat burrows, two of which are in use by a number of males and their families. Their nocturnal activities are easily noted by their footprints across the road to the north after wet weather. If excavation is carried out whilst these mammals are in situ, they will be killed by the excavators and whilst their population is not endangered, as is the local healthy Koala population, they should not be disturbed or killed.

Statement of how Objector would be Affected:

The native vegetation removal has the potential to affect me in a number of ways being:

- (a) As a ratepayer and local resident there is a real risk to the local community due to slip danger and landslide in the area, which could lead to injury or death due to negligent Engineering and construction of a wide road in a KNOWN slip area.



(b) Due to my qualifications, formal training and knowledge of this area over 35 years, I have a 'duty of care' to point out risk to unsuspecting / inexperienced persons to prevent the loss/damage of publically owed assets AND more importantly the risk to users of the proposed works.

(c) The loss of amenity of the area – I have used this road for the past 35 years for walking , running, mountain bike riding and bringing visitors / tourists to show them a reliable source of Koalas and spectacular Blue Gums – removal of the proposed trees will sever the regular corridor for these animals – a further threat to their range and occurrence.



Richard Northover
10th January 2011



LATROBE CITY COUNCIL
INFORMATION MANAGEMENT

RECEIVED

21 JUN 2011

| | |
|---|---|
| R/O: | Doc No: |
| Comments/Queries Contacted to: | |
| <input type="checkbox"/> Only require Details | <input type="checkbox"/> require full details |

995 Jumbuk Road,
Yinnar South, 3869
Ph. 51 69 1591.
19/06/2011.

The Manager,
Environmental Unit,
Latrobe Shire,
Commercial Road,
MORWELL, VIC., 3840.

Dear Sir/Madam,

As you are probably aware Latrobe Shire has committed to spending \$1.78 million of ratepayers' and taxpayer's money for roadwork on Jumbuk and Junction Roads so that HVP can bring timber out of its forests in the Jumbuk/Yinnar South area.

In preparation for widening 11 corners on Jumbuk Road, surveyors have marked out each corner with pegs. These pegs and discs placed on trees indicate the trees and vegetation to be removed.

I undertook a count of the trees to be removed on Jumbuk Road and was shocked to discover that 163 trees will need to be removed (as well as other native vegetation) to facilitate these expensive and unnecessary roadworks (86 eucalypts - some of these are large, mature trees) and 77 others (mainly blackwood).

Nearly five of these trees (57 eucalypts and 38 blackwoods) are in the region which forms an important wildlife corridor between the Billy Ch section of the Brownell National Park and the section of the park on the other side of Jumbuk Road. This is a very popular section of the road for walkers because of the bush surrounds and because lyrebirds and koalas can be seen almost every day. Removing 95 trees in this section of road must have a disruptive effect on the wildlife, not to mention what it does to the environment.

There was apparently a poorly publicised opportunity for objections to vegetation removal back in February this year with a notice being placed near the south end of Semonfield's track. I, like many others in our area, was unaware of this opportunity for objections at the time.

COPY

Hence this letter:

If the Tumbuk and Junction Road route was the only road available to HVP to transport its timber to the mill, there would be no basis for objecting to these roadworks. However, the factor that LaTrobe Shire officials have seemingly failed to grasp or thoroughly investigate is that HVP has an existing extensive network of tracks and roads within its pine forests in this area, feeding logically through an intersection called "Five Ways" to the top end of Middle Cr Rd, a road which, except for a short section (about 500m) at Upper Middle is an approved B double route. Yet somehow HVP has persuaded the shire to spend money on BOTH Middle Creek AND Tumbuk/Junction Rd routes so that it can use BOTH roads for loaded timber trucks en route to the mill.

In 2007 the then LaTrobe Council voted unanimously NOT to allow loaded log trucks to use the narrow winding Tumbuk Rd route because of the danger to motorists and the truck drivers themselves.

Now somehow, today's council saw fit to reverse the 2007 council decision and are convinced that widening 11 corners (about 30% of this road) and leaving the other 70% as it is (with the associated dangers) somehow alleviates the danger overall on the road.

Tumbuk Road does not and will not, after these expensive corner widenings, meet the shire's own stated minimum standard for logging roads or the minimum standards as set out in the report ("Central Gippsland Timber Roads Needs Study" of 1990) a study which the then Shire of Morwell was party to.

So these roadworks with the removal of 163 trees and other vegetation in the \$.85 million to be spent on Tumbuk Road are set to go ahead and still large sections of this mountainous road will be as it is today with its precipitous drop offs, under road erosion, surfaces cracking and subsidence and sections too narrow to pass a loaded log truck and another vehicle with safety

COPY

27 JUL 2011

All these expensive roadworks on Tumbak and Junction Roads and the associated vegetation removal could have been avoided with a compromise of unloaded trucks coming up Junction and Tumbak Rds and going out loaded through the Middle Cr route.

With the current Maxwell Bypass crisis, the \$1.78 million to be spent on Tumbak and Junction Roads (which will undoubtedly rise to close to \$3 million by the time it happens) should be withdrawn by the Roads and reallocated to that project.

Tumbak Rd is classified as a rural access road. It is not a tourist route to anywhere and the local community has made no representations to Council for improved safety except for Roberts' corner (already widened) and Richardson's corner.

Surely commonsense should prevail here. Unloaded log trucks have travelled up this road before and could do so again. With the appropriate signage and sensible speed limits, this pristine area could be left undisturbed and loaded trucks could use the much safer Middle Cr Rd route (B double approved) to the mill; a route which has none of the gradient, sight distance and other safety hazards so apparent on Tumbak Rd. There is a short section of winding narrow road at Upper Middle Creek, but this area has been addressed already, I understand.

There was an objection to the removal of a couple of mature trees on the Upper Middle Cr section which held works up. It boggles belief then that the intended removal of 163 trees on Tumbak Rd seemingly has not caused a ripple of concern.

I do hope that somebody listens to this appeal for a workable solution to this long running issue.

Yours faithfully,
B.D. Gemmett
B.D. Gemmett (187)

21 JUL 2011

COPY

Tuesday, 12 April 2011

To Who It May Concern

Re: Removal of large numbers of Strzelecki Koala habitat trees along Jumbuk Road by Latrobe City Council

Background

Latrobe City Council has recently agreed to widen Jumbuk Road in the Strzelecki Ranges to accommodate use of the roads by log trucks. Many of the trees along the roadside are inhabited by this species of Koala. They can be seen at all times of the year frequently moving from tree to tree.

The Strzelecki Koala is the only 'Genetically diverse' Koala population left in Victoria and South Australia. All other populations are the result of translocation programs and are suffering from inbreeding.

In 2000 Latrobe City lobbied the federal and state governments to declare the Strzelecki or Gippsland Koalas an endangered species.

Local government is empowered under state legislation to protect native legislation

The protection of the Strzelecki Koalas formed part of Latrobe City's bio-diversity conservation policy contained in the environmental planning scheme, released in 2000.

Issues

- The widening of the road will have a severe impact on Strzelecki Koala habitat in the area
- Recent bushfire events have significantly reduced habitat and this action will reduce this further
- The January/February 2009 Deiburn and Churchill fires burnt out approximately 50% of the best remaining koala habitat in the Strzelecki Ranges
- This process will also cause death and injury to Koalas as the trees are removed unless they are removed from the trees prior to cutting down
- Increased traffic of large vehicles will disrupt Koala breeding and cause anxiety and stress to an already stressed population
- Not all gums are food trees for Koalas. Replacing food source trees with other types of gums is not necessarily replacing the food source
- The growth time for trees to support Koala habitat would mean many would die in the meantime
- *"The issue isn't the number of koalas, it's the habitat and without their habitat, the koalas will die". Koalas are uniquely adapted to local ecosystems. They can't move on and take a holiday into other parts of Victoria. They die without their trees. Once you start to clear,*



the forest becomes sick. Koalas get stressed if their trees go and that stress can kill them (statement from Friends of the Earth representative)

- Fragmentation of habitat is a serious issue for Koala conservation because Koalas have a specialised low-energy, low-nutrient diet. This means that Koalas have a limited amount of energy available to use travelling between patches of food trees (Department of Sustainability and Environment)
- Removal of existing habitat trees will reduce available food source as Koalas would have to travel to seek further food trees
- Only in South Gippsland does it appear that some remnants of the original gene pool survive, thanks to a strong remnant population and few releases of island stock. However, current information on the geographic spread of Koalas with this higher genetic variation is poor. Further, very little Koala habitat in South Gippsland is reserved for conservation purposes. Most is highly fragmented, and some is threatened by unsympathetic land uses. Therefore, if significant remnant genetic resources persist in South Gippsland it is imperative to ensure that habitat is protected as far as possible (DSE Victoria's Koala Management Strategy). The strategy aims to ensure that viable wild Koala populations persist wherever suitable habitat occurs throughout the species' natural range in Victoria.
- **Sam the Koala**

The unfortunate death of 'Sam the Koala' made media headlines with lament coming far and wide, nationally and internationally. There is no doubt that the filming of Sam drinking from a water bottle after being burnt, was a very powerful media image, but has anyone really given much attention to the long term plight of Sam and similar bushfire survivors? What chance did Sam really have in the long term? It's well and good to get emotional about Sam, but what about the hundreds of other koalas, like Sam who also face an uncertain future.

Sam was a Strzelecki Koala, the only genetically pure koala population left in Victoria and South Australia. The Strzelecki Koalas hold the key for the preservation of the species throughout Victoria and South Australia. All other Koala populations in Victoria and South Australia suffer from diseases caused by inbreeding as they are the descendants of only 4 animals transferred to French Island in the 1850's.

The Strzelecki Koalas, and Victorian Koalas as a whole, are under dire threat because of habitat destruction (Anthony Amis on August 11th, 2008).

Recommendations

- That Latrobe City reconsider and discontinue the plan to widen Jumbuk Road
- That existing alternative routes are used to transport logs from the designated area
- That Latrobe City use their powers under state legislation to protect the native vegetation along Jumbuk Road
- That State and Federal government support Latrobe City to preserve the Strzelecki Koala population
- That trees are not removed on Jumbuk road reserve

Yours Sincerely

Sharyn K Thompson

Sharyn K Thompson



ATTACHMENT 6
Ecological Assessment with Net Gain for
Stage 1 of Jumbuk Road Pavement Widening
Report

Indigenous Design Land Management P/L

ACN 104 211 997
ABN 63 104 211 997

Report for Latrobe City Council



**Ecological Assessment with
Net Gain for Stage 1 of
Jumbuk Road Pavement
Widening**

November 2010

Shannon Dwyer

NOV 11 2010

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- **Harley Schinagl** - Indigenous Design Land Management
- **Les Hilton** - Co-ordinator Infrastructure Design, Latrobe City Council

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GLOSSARY

| | |
|--|--|
| Bioregion | Biogeographic areas that capture the patterns of ecological characteristics in the landscape or seascape, providing a natural framework for recognising and responding to biodiversity values. |
| Bioregional Conservation Status (BCS of an EVC) | A state-wide classification of the degree of depletion in the extent and/or quality of an Ecological Vegetation Class (EVC) within a bioregion in comparison to the State's estimation of its pre-1750 extent and condition. |
| Diameter at Breast Height (DBH) | The diameter of the trunk of a tree measured over bark at 1.3m above ground level. |
| Ecological Vegetation Class (EVC) | A type of native vegetation classification that is described through a combination of its floristic, life form and ecological characteristics, and through an inferred fidelity to particular environmental attributes. Each EVC includes a collection of floristic communities (i.e. lower level in the classification that is based solely on groups of the same species) that occur across a biogeographic range, and although differing in species, have similar habitat and ecological processes operating. |
| EVC Benchmark | A standard vegetation-quality reference point relevant to the vegetation type that is applied in habitat hectare assessments. Represents the average characteristics of a mature and apparently long-undisturbed state of the same vegetation type. |
| Gain Target | The amount of gain that needs to be achieved to offset a loss measured in habitat hectares. |
| Habitat Hectare | A site based measure of quality and quantity of native vegetation that is assessed in the context of the relevant native vegetation type. |
| Habitat Score | The score assigned to a habitat zone that indicates the quality of the vegetation relative to the Ecological Vegetation Class (EVC) benchmark - sum of the site condition score and landscape context score usually expressed as a percentage or on a scale of zero to 1. |
| Habitat Zone | A discrete area of native vegetation consisting of a single vegetation type (EVC) with an assumed similar quality. This is the basic spatial unit for conducting a habitat hectare assessment. |
| High Threat Weed | Introduced plant species (including non-indigenous "natives") with the ability to out-compete and substantially reduce one or more indigenous life forms in the longer term, assuming on-going current site characteristics and disturbance regime. |
| Improvement Gain | This is gain resulting from management commitments beyond existing obligations under legislation to improve the current vegetation quality. Achieving improvement gain is predicated on maintenance commitments being already in place. For example, control of any threats such as grazing that could otherwise damage the native vegetation must already be agreed. |
| Large Old Tree (LOT) | A tree with a Diameter at Breast Height equal to or greater than the large tree diameter as specified in the relevant EVC benchmark. |
| Like-for-Like | These are part of the criteria for the determination of an offset and provide a direct link between the loss and the offset gain, in terms of vegetation type or landscape function. There are more specific requirements for higher conservation significance vegetation and more flexible requirements for lower significance. |
| Maintenance Gain | This is gain from commitments that contribute to the maintenance of the current vegetation quality over time (i.e. avoiding any decline). It includes forgoing certain entitled activities that could otherwise damage or remove native vegetation, such as grazing or firewood collection. |
| Medium Old Tree (MOT) | A tree with a Diameter at Breast Height (DBH) equal to or greater than 0.75 of the large tree diameter in the relevant EVC benchmark but less than the DBH for a large old tree. |

| | |
|------------------------------------|---|
| Net Outcome | The result of applying conservation significance criteria to protection, investment and other decisions. This results in a range of outcomes from short term losses for Low conservation significance to substantial net gain for Very High conservation significance. For offsets, the Framework (Table 6) specifies a multiplier on the calculated loss (in habitat hectares) to achieve the net outcome, graded according to conservation significance. Refer to Table 6 (pp. 34-35) of the Framework. |
| Offset Zone | An offset area of native vegetation consisting of a single vegetation type (EVC) with similar quality under the same proposed management regime. |
| Prior Management Gain | This gain acknowledges actions to manage vegetation since State-wide planning permit controls for native vegetation removal were introduced in 1989. |
| Protection (of a tree) | An area with twice the canopy diameter of the tree(s) located and protected from adverse impacts: grazing, burning and soil disturbance not permitted, fallen timber retained, weeds controlled, and other interventions and/or management if necessary to ensure adequate natural regeneration or planting can occur. |
| Recruitment | The production of new generations of plants, either by allowing natural ecological processes to occur (regeneration etc), by facilitating such processes such as regeneration to occur, or by actively revegetation (replanting, reseeded). See revegetation. |
| Remnant patch | An area of vegetation, with or without trees, where less than 75% of the total understorey plant cover is weeds or non-native plants (bare ground is not included). That is at least 25% of the understorey cover is native, or a group (i.e. three or more) of trees where the tree canopy cover is at least 20%. |
| Revegetation | Establishment of native vegetation to a minimum standard in formerly cleared areas, outside of a remnant patch. |
| Scattered Trees | Canopy trees within an area where at least 75% of the total understorey plant cover is weeds or non-native plants and the overall canopy cover for a group (i.e. Three or more) of trees is less than 20%. |
| Security Gain | This is gain from actions to enhance security of the on-going management and protection of native vegetation at the offset site, either by entering into an on-site agreement (for example under Section 173 of the <i>Planning and Environment Act 1987</i>), or by locating the offset on land that has greater security than the clearing site, or by transferring private land to a secure public conservation reserve. |
| Small Tree (ST) | A tree with a Diameter at Breast Height (DBH) equal to or greater than 0.25 of the large tree diameter in the relevant EVC benchmark but less than the DBH for a medium old tree. |
| Supplementary Planting | Establishment of overstorey and/or understorey plants within a remnant patch. Typically includes the planting or direct-seeding of understorey life forms. |
| Very Large Old Trees (VLOT) | A tree with a Diameter at Breast Height (DBH) of at least 1.5 times that of the large tree DBH as specified in the relevant EVC benchmark. |

EXECUTIVE SUMMARY

Indigenous Design was engaged by Latrobe City Council to undertake an ecological assessment of 3 corners of Jumbuk Road proposed to be widened for safety improvement. Assessments were undertaken to identify ecological assets and calculate any subsequent net gain requirements for vegetation that could not be avoided. Following assessments, it was determined that a total of 0.23 hectares (2,300m²) of native vegetation would be affected under the proposal.

Original plans sought to minimise native vegetation removal and earthworks through increasing the gradient of batters, thereby decreasing the area of land and native vegetation required to be removed.

Discussions were held to determine if any further vegetation could be avoided through design changes to the project. This was determined to be unfeasible with the limited area and steep gradient of the roadside allowing no digression from the original plans without compromise to the effectiveness of proposed safety improvements.

Native vegetation onsite consists of just one Ecological Vegetation Class (EVC), EVC 29: *Damp Forest*. Three Habitat Zones were identified and a total of 0.8 habitat hectares of native vegetation with a conservation significance of High and Very High were identified throughout these zones.

Due to this project being located on public land managed by Latrobe City Council it is a requirement for this permit application to be referred to the Department of Sustainability and Environment for consideration.

Latrobe City Council are currently considering a number of offset options within remnant native patches on both public and private land; however, negotiations are currently underway and, as such, no details of these options can yet be provided.

All details of this proposal including measures to avoid and minimise removal of native vegetation; the assessment of conservation significance; and subsequent required offsets are detailed within this report.

1 INTRODUCTION

1.1 Project Background

Indigenous Design Land Management has been commissioned by Larrobe City Council to assess the quality and extent of native vegetation in relation to the widening of Jumbuk Road between Jerralang Junction and Jumbuk.

Larrobe City Council is proposing to undertake the first stage of pavement widening on Jumbuk Road to improve the safety of the road for all road users. The project involves the widening of the paved road surface through the excavation of embankments, predominantly on the south side of the road, at particularly tight corners. The project also involves a small amount of acquisition of land where Crown road easements cannot fully accommodate the necessary widening.

This project is the first stage of safety improvement works proposed for Jumbuk Road that, when complete, will appropriately widen eleven corners over approximately five kilometres of road between Stringybark Track and O'Reilly's Hill Road. Completion of this project will improve sight distances and general safety in anticipation of heavy logging traffic in the near future.

1.2 Objectives

Some of the corners proposed for safety improvement works host native vegetation and the objectives of this assessment are to:

- Describe the flora, fauna and habitat values
- Map the extent, type and condition of the native vegetation
- Assess the Conservation Significance of the native vegetation
- Assess potential impacts of the proposed development on ecological values
- Consider measures that could avoid or minimise any impacts
- Assess and quantify measures to offset unavoidable impacts and achieve a Net Gain

1.3 Study Area

The study site for stage 1 of safety improvements on Jumbuk Road includes 3 corners and is located between Richards Corner and O'Reilly's Hill Road, (chainage: 3740 – 5880) in the locality of Jumbuk. The site is approximately 8km from the Churchill Township and at its northernmost extent is 800m from the Morwell National Park. Jumbuk is located within the municipality of Latrobe City, the Strzelecki Ranges Bioregion and the West Gippsland Catchment.

The three corners proposed for widening as part of stage 1 works have an aspect varying from east to northeast and are located on the southern side of the road. The composition of vegetation on the corners is highly variable from relatively intact patches of distinct Ecological Vegetation Classes (EVCs) to exotic dominated pasture. None of the corners containing native patches are connected to any significant extant native vegetation (i.e. > 2ha), but rather adjoin *Pinus radiata* (Radiata Pine) plantations and predominantly cleared farmland.

The proposed development site is subject to the following planning restrictions:

Planning Zones

- o Farming Zone (FZ)

Planning Overlays

- o Environmental Significance Overlay – Schedule 2 (ESO2)
- o Wildlife Management Overlay (WMO)

Figure 1 displays the corners proposed for safety treatment on Jumbuk Road.



Figure 1. Corners proposed for pavement widening works at Jumbuk Road

2 DESCRIPTIONS OF METHODS

2.1 Data and Literature Review

Prior to field assessments, the DSE's Flora and Fauna Information System (FIS) and the Commonwealth *Environment Protection and Biodiversity Conservation (EPBC) Act 1999*, Protected Matters on-line search tool were used to determine if any rare or threatened species have been, or potentially could be, located at or within 5 km of the study site.

Additionally, the DSE's Biodiversity Interactive Map was used to gain an insight into the overall distribution of native vegetation on the site and the EVC to which any remnant vegetation may belong.

2.2 Field Survey

A field survey of the site was undertaken in November, 2010. During this survey, all flora and fauna present on the site was recorded. All native vegetation on site was categorised as being native patch or scattered trees.

Native patches were categorised into EVCs and furthermore into habitat zones. These areas were GPS mapped and assessed using the habitat hectare method described by DSE (2004).

Scattered trees on site were identified, GPS mapped and had their Diameter at Breast Height (DBH) recorded to determine the location and significance of native trees in relation to the planned works.

2.3 Limitations

The assessment of flora on site was undertaken in November, 2010. Whilst this is in most cases a good time of year to assess the presence of flora, it is still possible that some annual, deciduous or dormant taxa may not have been visible during assessments. Additionally, some taxa have not been identified to species or sub-species level due to the absence of flowering, or other material typically used for identification. This may have a bearing on the overall significance of the record.

A targeted fauna survey was not undertaken as a part of this assessment. Any direct sightings or observations of fauna traces such as scats, burrows and other specific traces were recorded incidentally during flora assessments. Consequently, further species are likely to be recorded given further time and/or the undertaking of a detailed survey including trapping and monitoring.

3 ECOLOGICAL VALUES

3.1 Flora

3.1.1 Vegetation

Assessments concluded that a total area of 2,300m² (0.23ha) of native vegetation patch exists between 2 of the 3 corners proposed for treatment. The remaining corner is dominated by exotic flora and does not constitute a native patch or scattered trees. Map 1 displays the distribution of native vegetation on site.

All native vegetation on site is significantly disconnected from other patches of native vegetation on or off the roadside by farmland, Radiata Pine plantation or exotic dominated roadside flora. Additionally, roadside weeds on Jambuk Road are managed periodically by Latrobe City Council.

Native overstorey vegetation on site comprises species such as *Eucalyptus globulus* subsp. *bicolorata* (Bamboo) and *Eucalyptus cypellocarpa* (Mountain Grey-gum). In other more disturbed areas *Acacia melanoxylon* (Blackwood) forms a pseudo-canopy in dense stands of suckering trees or isolated, scattered trees. Other trees of the roadside consist of planted exotic Radiata Pine, largely grounded in adjacent plantation properties.

Middlestorey vegetation is dominated by common and widespread shrub species such as *Cassinia aculeata* (Common Cassinia), sapling Eucalypts and Blackwoods.

Groundstorey flora is extremely variable from predominately damp and ferny with species such as *Polystichum proliferum* (Mother-shield Fern), *Pellaea foliata* s.s. (Sickle Fern) and *Stellaria flaccida* (Forest Starwort); to open, grassy and or litter dominated with species such as *Microlaena stipoides* var. *stipoides* (Weeping Grass), native *Senecio* (Fireweed) species and a suit of exotic grasses such as *Bromus diandrus* (Great Brome) and *Dactylis glomerata* (Cocksfoot).

A small number of noxious weeds such as *Carduus tenuiflorus* (Winged Slender Thistle), *Rubus fruticosus* spp. agg. (Blackberry) and *Cirsium vulgare* (Spear Thistle) occur throughout the site with limited dominance.

3.1.2 Ecological Vegetation Classes

The DSE's Biodiversity Interactive Map classifies the roadside study site as comprising 1 pre 1750's EVC. Extant mapping of native vegetation on site (DSE, 2009) suggests this EVC still exists in a somewhat more fragmented assemblage.

Following field assessments, it was determined that 1 EVC is consistently present on 2 of the 3 corners assessed for this proposal. Analysis of fragments of native vegetation on-site, adjacent roadside vegetation, soil, topography and other site features determined that the site hosts EVC 29: *Damp Forest*. Map 1 displays the area currently occupied by Damp Forest as Habitat Zones 1, 2, & 3 and Table 1 details the Bioregional Conservation Status of this EVC.

Table 1 Bioregional Conservation Status of native vegetation identified at Jumbuk Road

| Ecological Vegetation Classes | Bioregional Conservation Status |
|-------------------------------|---------------------------------|
| EVC 29: <i>Damp Forest</i> | Endangered |

(DSE, 2004a)

The DSE Benchmark for *Damp forest* in the Stroeblecki Ranges Bioregion describes the EVC as occurring:

...on a wide range of geologies on well developed generally colluvial soils on a variety of aspects, from sea level to montane elevations. Dominated by a tall eucalypt tree layer to 30m tall over a medium to tall dense shrub layer of broad-leaved species typical of wet forest mixed with elements from dry forest types. The ground layer includes herbs and grasses as well as a variety of moisture-dependent ferns. (DSE, 2004a)

3.1.3 Flora Species

3.1.3.1 Flora Species Recorded

A total of 60 vascular plants were found to occur across site during assessments. Of this 60, 29 are considered to be species native to Victoria. Appendix 1 displays the results of the flora survey.

3.1.3.2 Threatened Flora Species

No species listed as rare or threatened were located on site through assessments. However, a number of threatened flora species were identified by database searches as having been recorded or as potentially occurring within 5km of the site. Appendices 2 and 3 display the results of these database searches. The following subsection provides an assessment of the likelihood of threatened species identified through database searches to use the site in the medium term.

3.1.4 Best or Remaining 50% Habitat for Rare and Threatened Flora Species

Table 2 provides an assessment of the potential for flora species listed as rare or threatened to use this site in the medium term. This assessment is based on Table 2 of *Native Vegetation Guide for assessment of referred planning permit applications* (DSL, 2007a) and only applies to species that the site potentially provides habitat for i.e. those species recorded nearby that do not naturally occur with this EVC or habitat type are considered to be not applicable.

Table 2: Determination of Best/Remaining Habitat for Rare or Threatened Flora Species

| Habitat Zone: Damp Intert 1, 2 & 3 | | | | | |
|------------------------------------|---------------------|---------------|---|-------------------------------|-------|
| Species | Conservation status | Steps [1] | Determination of Best 50% / Remaining 50% [2] | Conservation significance [3] | Notes |
| <i>Desmodium rotundifolium</i> | Poorly known | A = No D = No | Remaining | High | |
| <i>Caladenia aureoventris</i> | Rare | A = No D = No | Remaining | High | |

[1] From Table 2 in the *Guide for Assessment of Referred Planning Permit Applications* (DSL 2007) specify steps taken in habitat assessment to determine best 50% or remaining 50% of habitat.

[2] Specify 'best' or 'remaining'.

[3] Conservation significance of the habitat zone based on consideration of threatened species.

3.2 Fauna

3.2.1 Fauna Habitats

Given the limited width and overall size of the site, it is unlikely to provide significant habitat advantages to majority of native fauna species occurring within the area (Appendix 5 & 6). There is however localised, niche opportunities for individuals or small populations of fauna to make use of the site.

Large old trees in Damp Forest Zone 3, some of which are developing hollows, would certainly provide perching, hunting and nesting opportunities for an array of bird species. However, the lack of connectivity of these trees with other stands of trees or patches of vegetation – which would provide necessary habitat, predatory protection or food resources – renders them largely impractical for use by arboreal mammals such as koalas, possums and gliders.

Much of Damp Forest Zone 2 under storey is intact and could on appearance superficially accommodate ground-dwelling mammals and birds within its dense ferny understorey. However, this zone also suffers from its contiguity with a mature Radiata Pine plantation. The plantation's monoculture offers very little habitat potential and therefore serves as an isolator rather than a useful link to this roadside patch.

The height and sharp gradient of the embankments provides further obstacles for the movement of wildlife such as wallabies and wombats along and across the road.

3.2.2 Fauna species

3.2.2.1 Fauna Species Recorded

A total of 8 species of fauna were identified on site during assessments. Records consisted of birds, reptiles and mammals. Of the species observed 7 are considered to be native to Victoria. Appendix 4 provides the list of species observed during field assessments.

3.2.2.2 Threatened Fauna Species

No rare or threatened fauna species were observed during assessments. However, searches of the EPBC Protected Matters database and DSE's FIS found 21 species of fauna listed as rare or threatened as potentially occurring at or within 5km of the site. Appendices 5 & 6 list the results of these searches.

As discussed earlier, faunal habitat within this site is limited; however, it does effectively meet some of the requirements for a number of species detected through database searches. Table 3 details the assessment of this potential, determining whether the site falls within the best or remaining 50% of habitat for each species.

Table 3: Determination of Best/Remaining Habitat for Rare or Threatened Fauna Species

| Habitat Zone: Deep Forest 1, 2 & 3 | | | | | |
|---|---------------------|-----------------------------|---|-------------------------------|-------|
| Species | Conservation status | Steps [1] | Determination of Best 50% / Remaining 50% [2] | Conservation significance [3] | Notes |
| <i>Alcedo azurea</i> | Near Threatened | A = No D = No | Remaining 50% | High | Nil |
| <i>Anthochaera phrygia</i> | Endangered | A = No D = No | Remaining 50% | High | Nil |
| <i>Cinclosoma punctatum</i> | Near Threatened | A = No D = No | Remaining 50% | High | Nil |
| <i>Climacteris affinis</i> | Vulnerable | A = No D = No | Remaining 50% | High | Nil |
| <i>Daryulus maculatus maculatus</i> (SE mainland population) | Endangered | A = No D = Yes F = No | Remaining 50% | High | Nil |
| <i>Doodon obscurus obscurus</i> | Endangered | A = No D = No | Remaining 50% | High | Nil |
| <i>Lathamus discolor</i> | Endangered | A = No D = No | Remaining 50% | High | Nil |
| <i>Ninox strenua</i> | Vulnerable | A = No D = No | Remaining 50% | High | Nil |
| <i>Petroica trilineata</i> <i>melanura</i> | Vulnerable | A = No D = No | Remaining 50% | High | Nil |
| <i>Pardalipicus fuscus</i> | Vulnerable | A = No D = Yes F = No | Remaining 50% | High | Nil |
| <i>Petroica poliocephala</i> | Vulnerable | A = No D = Yes F = No | Remaining 50% | High | Nil |

| Vanuatu warbler | Vulnerable | A = No D = Yes F = No | Remaining 50% | High | Nil |
|--|------------|-----------------------------|---------------|------|-----|
| [1] From Table 2 in the Guide for Assessment of Referral Planning Permit Applications (DSE 2007) specify steps taken in habitat assessment to determine best 50% or remaining 50% of habitat. [2] Specify 'best' or 'remaining'. [3] Conservation significance of the habitat area based on consideration of threatened species. | | | | | |

Table 3 demonstrates that it is unlikely that any of the species listed in Appendices 5 & 6 would make significant use of the proposed road works site in the short to medium-term. The largely degraded nature of vegetation and lack of connectivity to other native vegetation in the area is considered to severely limit the site's capability to host any of these species or vital resources they may rely on.

3.3 Likely Impacts

A single, active, wombat burrow was located within Dump Forest Habitat Zone 1 at Corner 1. This burrow falls within the proposed construction area and as a result of construction would be destroyed. Means by which to avoid harm to the wombat occupying this burrow are detailed in Section 5. There is unlikely to be any other direct or significant impacts on native fauna under this proposal.

4 POLICY AND LEGISLATIVE IMPLICATIONS

4.1 Commonwealth

4.1.1 Environment Protection and Biodiversity Conservation Act 1999

It is not considered to be necessary to refer this proposal to the Commonwealth Department of Sustainability, Environment, Water, Population and Communities for assessment as this action is not likely to have a significant impact on any matters protected under the EPBC Act 1999.

4.2 State

4.2.1 Flora and Fauna Guarantee Act 1988

Seven species listed as protected under the FFG Act were located on site. Due to the location of this development on Crown land, an application for a Permit to Take Protected Flora has been lodged with the DSE. Removal of these plants will not be undertaken until this permit has been issued.

4.2.2 Catchment and Land Protection Act 1994

Exposure and disturbance of soil during and after construction has the potential to cause contamination of water bodies through run-off of silt from the road. Additionally, a number of weeds listed under the Act have been located on site and may have the potential to colonise areas of disturbance following construction. Section 5 details measures to minimise impacts during and after construction.

4.2.3 Planning and Environment Act 1987

The site is subject to Schedule 2 to the Latrobe City Council Environmental Significance Overlay. The primary objective of this overlay is: *'To protect and sustain the environmental attributes which ensure high quality water availability...providing a potable water supply for a number of urban settlements'*.

Section 5 details measures that will be implemented on site during and after construction to avoid any impacts on water quality and security in the vicinity of the works area.

5 VICTORIA'S NATIVE VEGETATION MANAGEMENT – A FRAMEWORK FOR ACTION

5.1 Three-step Approach

The Framework (DNRE, 2002) outlines the three step approach to native vegetation management in Victoria. This approach is:

1. Avoid
2. Minimise
3. Offset

A memorandum of understanding (MOU) exists between the DSE and a number of Councils throughout Victoria which allows small amounts of native vegetation removal associated with road safety improvement to be undertaken without the necessity to offset. However, Latrobe City Council has not yet signed on to this MOU and as such any permitted native vegetation removal is required to be offset in line with the Framework (DNRE, 2002).

The following subsections outline how this process has been applied to this project.

5.2 Avoiding Impacts on Native Vegetation

Following field assessments, 1 scattered tree and a total of 0.08 habitat hectares of vegetation were identified as occurring within the proposed footprint of pavement widening. Maps 1, 2 & 3 display the location of native vegetation in relation to the layout of the proposed works.

Discussions were held to determine if there were any possibilities of avoiding some or all of native vegetation identified on site. Following these discussions, it was determined that further concessions to that already considered and implemented in the design phase could not be made without compromising the safety of the road improvements.

5.3 Minimising Impacts on Native Vegetation

5.3.1 Design

Original designs of the corner safety treatments actively considered and sought to avoid and minimise impacts on native vegetation where possible, without compromising the integrity of

safety improvements. This was completed through increasing the gradient of batters to decrease the overall area that would require excavation and consequent removal of vegetation.

5.3.2 Construction

It is the responsibility of Latrobe City Council that all workers involved in the pavement widening treatments at Jumbuk Road are made fully aware of the significance of native vegetation surrounding the works area and a high level of care is taken to avoid any negative impact on this. The following recommendations should be adhered to during construction to avoid unpermitted damage to native vegetation:

- Vegetation preservation fencing should be erected to protect all remnant native vegetation outside the construction footprint.
- No excavation, trenching or soil removal may be undertaken within the fenced area.
- No materials are to be stored within the fenced area.
- No vehicles are to drive or park within the fenced area.
- Excess soil produced by construction shall not be deposited onto native vegetation; rather, be removed from site and transported to a location where disposal or storage has no impact on native vegetation.
- Noxious weeds on site should be appropriately treated and or removed prior to construction works commencing to avoid the spreading of weeds during works.
- All tree roots left exposed by construction must be cut by or under the supervision of an Arborist or suitably qualified person.
- Trees on the periphery of the footprint should be monitored at regular intervals post-construction for any signs of deterioration in overall health. The timing and length of monitoring is to be determined by a qualified Arborist.
- If any further vegetation to that indicated on the plans is lost due to works undertaken during the pavement widening then appropriate measures must be undertaken to apply Net Gain guidelines and calculate appropriate offsets.
- Following the completion of works, the area should be periodically monitored for the emergence of noxious weeds and appropriate treatment undertaken as necessary.

In line with Schedule 2 to the Environmental Significance Overlay (ESO2) the following steps should be taken during and after construction works to avoid the contamination of water used for local drinking supplies.

- Filter fence should be erected at regular intervals within roadside drainage channels immediately down-slope from any construction works
- Any excess soil produced by construction should be either removed from site or stored within an area free from native vegetation and surrounded by filter fence or another suitable barrier to erosion of silt from the stockpile.
- All fuels, oils or other potential contaminants should be safely stored on site and decanted in a designated area at least 40 metres from any creeks or drainage channels with appropriate spill retention and clean-up materials available.
- Following construction all bare earth should be sown with a suitable, fast establishing grass such as Rye-grass to avoid the potential for erosion of newly excavated areas and colonization by noxious weeds.

5.3.3 Other Actions to minimise impacts on Wildlife (consistent with Clause 15.09)

Immediately prior to construction commencing, it is recommended that a suitably qualified and experienced animal rescuer is engaged to remove (and relocate if necessary), a wombat that is currently living in a burrow within Habitat Zone 1. It would also be appropriate for the rescuer to assess the remainder of the site for the presence of any further wildlife that may be affected by construction works. This will avoid construction having any foreseeable direct impact on wildlife within the roadside.

5.4 Assessing Loss of Native Vegetation

5.4.1 Patches of Native Vegetation

A number of small patches of native vegetation were located on site and divided into 3 habitat zones based on similarities in vegetation structure, composition, quality and other habitat components such as logs and litter cover. Each habitat zone received a habitat hectare assessment in order to assign a quality score. Maps 1, 2, & 3 display the location of these zones and the following subsections detail the floristic composition and structure of these zones.

5.5 Habitat Zones

5.5.1 Damp Forest Habitat Zone 1

Damp Forest Habitat Zone 1 is located throughout Corner 1 and the northern portion of Corner 2 and measures 1,191m² (0.12ha) in total. The zone lacks a Eucalypt canopy with the tallest stratum represented by *Acacia melanoxylon* (Blackwood). One *Eucalyptus cypellocarpus* (Mountain Grey Gum) exists within the zone but fails to reach a height to provide a sufficient canopy.

The disturbed and exposed nature of the roadside embankment has left middle storey vegetation dominated by sapling Blackwoods and just a few individual *Coprosma quadrifida* (Prickly Currant-bush) and *Cassinia aculeata* (Common Cassinia).

Ground storey flora is sparse and dominated by exotic flora and non-native organic litter from the adjacent Radiata Pine plantation. Nevertheless, a number of resilient native ground storey species persist in the zone such as Weeping Grass, *Austrodanthonia* spp. (Wallaby Grass), Fireweeds and *Poa labillardieri* (Common Tussock). A number of common noxious weeds also occur within this zone with limited density including *Cirsium vulgare* (Spear Thistle), *Cordua arvensis* (Winged Slender Thistle) and *Rubus fruticosus* spp. agg. (Blackberry).

5.5.1.1 Damp forest Habitat Zone 2

Damp Forest Habitat Zone 2 is represented by a small southern portion of Corner 2 and measures just 277m² (0.01ha). Due largely to its aspect, this zone is notably damper than others and as such has a considerably different and diverse floristic composition.

Over storey of this area is absent with no eucalypt species recorded within the zone.

The tallest of all flora exists within the middle storey and is represented by Blackwoods. Along with the contiguous Radiata Pine plantation, these Blackwoods provide ample shade and shelter to the damp ground storey. A number of medium to large shrubs such as *Pomaderris aspera* (Hazel Pomaderris), Prickly Currant-bush and robust climbers, *Clematis*

aristata (Mountain Clematis) and *Pandorea pandorana* (Wonga Vine), are also present throughout this zone.

Ground storey flora is dominated by a dense cover of ferns including *Polystichum proliferum* (Mother Shield-fern) and *Pellaea falcata* (Sickle Fern). Amongst the ferns is a diversity of small shrub, herb and graminoid species such as *Stellaria flaccida* (Forest Starwort), *Pieris* spp., *Goodenia ovata* (Hop Goodenia), *Viola hederacea* (Ivy-leaf Violet), *Sambucus australasica* (White Elderberry) and *Lepidosperma clavus* (Tall Sword-sedge).

A small number of noxious and environmental weeds such as Blackberry, *Hypericum androsaemum* (Tutsan) and *Dactylis glomerata* (Cocksfoot) are distributed throughout this zone.

5.5.1.2 Damp Forest Habitat Zone 3

Damp Forest Habitat Zone 3 is located in two areas of Corner 1 and measures 813m² (0.08ha). This zone is characterised by a stand of large (>90cm DBH) and medium Eucabbies forming the canopy and upper stratum.

Middle storey tree and shrub species are limited in cover throughout this zone but include such species as Blackwood, Prickly Currant-bush and sapling Eucabbie.

The ground storey heavily dominated by logs and litter from the dominant Eucabbie canopy. However, a number of species appear throughout the zone including Common Tussock, *Dianella tasmanica* (Tasman Flax-lily), *Gonocarpus retrorsus* (Common Ragwort) Hop Goodenia and *Acrota newzealandiae* (Bidgee-widgee).

Heavy litter cover within majority of this zone limits the opportunity for weed invasion. Nonetheless, exotic species such as *Senecio jacobaea* (Ragwort), Blackberry and *Sonchus oler* (Rough Sow-thistle) are present in limited numbers.

Table 4 displays the results of the habitat hectare assessments undertaken in each zone.

Table 4: Quantification and Significance of Losses in Patches of Native Vegetation

| Habitat Zone | | | DF1 | DF2 | DF3 |
|---------------------------------------|-----------------------|-----------------|-----------------|-----------------|-----------|
| EVC Name (orRanks) | | | DF | DF | DF |
| EVC Number | | | 29 | 29 | 29 |
| | | Max Score | Score | Score | Score |
| Site Condition | Large Old Trees | 10 | 0 | 0 | 6 |
| | Canopy Cover | 5 | 0 | 0 | 3 |
| | Understorey | 25 | 10 | 15 | 15 |
| | Lack of Wood | 15 | 0 | 4 | 7 |
| | Recruitment | 10 | 0 | 3 | 3 |
| | Organic Matter | 5 | 2 | 4 | 3 |
| | Logs | 5 | 4 | 4 | 4 |
| | Total Site Score | 75 | 22 | 30 | 41 |
| | Site score out of? | eg 55 | 75 | 75 | 75 |
| | Adjusted Site Score | | 22 | 30 | 41 |
| Landscape value | Patch Size | 10 | | | |
| | Neighbourhood | 10 | 3 | 3 | 4 |
| | Distance to Core | 5 | | | |
| Habitat points out of 100 | 100 | 27 | 35 | 45 | |
| Habitat Score (each patch/100) | 0.27 | 0.27 | 0.35 | 0.45 | |
| Area of zone to be cleared (ha) | (R.F) | 0.12 | 0.03 | 0.08 | |
| Habitat Hectares of loss | (R.F) | 0.03 | 0.01 | 0.04 | |
| Total area of the Zone (Ha) | (R.F) | 0.12 | 0.03 | 0.08 | |
| Total HHA in the zone | (R.F) | 0.03 | 0.01 | 0.04 | |
| Bioregion | | Sootyoki Ranges | Sootyoki Ranges | Sootyoki Ranges | |
| EVC Conservation Status | | Endangered | Endangered | Endangered | |
| Conservation Significance | RCSI x Habitat Score | | High | High | Very High |
| | Threatened Species | | High | High | High |
| | Other Site Attributes | | NA | NA | NA |
| No. of Large Old Trees to be reserved | | | 0 | 0 | 1 |

5.5.2 Scattered Trees

Under this proposal 1 scattered native tree is considered to be unavoidable and will require removal to facilitate necessary road widening. The assessment details of this tree are displayed in Table 5 and its location is displayed in Map 2. Figure 2 displays the Blackwood deemed to be unavoidable on Corner 1.



Figure 2 – Unavoidable scattered tree at Jambak Road Corner 1

5.5.3 Assessment of Conservation Significance of Scattered Trees

Table 5 lists the details of the single scattered tree identified as unavoidable on Corner 1. In accordance with DSE's Guide (2007a), the path used to determine the conservation significance of trees is dependent on their size. The Guide states that the conservation significance of 'Small' trees is to be assigned 'low' unless threatened species or other attributes increased their rating. The conservation significance of 'Medium' and 'Large' old trees is to be determined by the lowest conservation significance category appropriate to the conservation status of the EVC to which they originally belonged unless threatened species or other attributes present increase their rating.

Table 5: Scattered Trees Identified in the area of proposed Jumbuk Road widening

| Tree # | Species | DBH (mm) | Size class | Pre-1750 EVC | Biogeation | EVC biogeographical conservation status | Other attributes | Cons. significance of tree | Retained/ Retained/ Protected |
|--------|---------------------------|----------|------------|--------------|-------------------|---|------------------|----------------------------|-------------------------------|
| 1 | <i>Acacia melanoxylon</i> | 53 | Small | Dump Forest | Sirrahacki Ranges | Endangered | NA | Low | Removed |

5.6 Net Gain Targets

5.6.1 Native Patch Losses

Table 6 provides the detail of all patch losses and subsequent requirements for their offset.

Table 6: Gain Targets for Clearing Patches of Native Vegetation

| Target # [1] | Habitat Zones [2] | Bioregion | EVC #; Name | Conservation significance | Min. habitat score for target [3] | Other Like-for-Like ropts [4] | Habitat Losses Target | | | Large Tree Protection Targets [5] | | |
|--------------|-------------------|-------------------|---------------------|---------------------------|-----------------------------------|---|-----------------------|-------------|-------------------|-----------------------------------|-----------------------|--|
| | | | | | | | Total Losses (Hba) | Net Outcome | Gain Target (Hba) | Total LOTS Lost | Protection Multiplier | LOTS to be protected |
| VH1 | DP3 | Stretlocks Ranges | EVC 29; Dump Forest | Very High | 41 | Same EVC & habitat type | 0.04 | 2 | 0.08 | 2 | 2 | 35 and 80 new trees recruited or planted |
| H1 | DP1 | Stretlocks Ranges | EVC 29; Dump Forest | High | 19 | Same EVC or Very High significance vegetation | 0.03 | 1.5 | 0.05 | 0 | 0 | 0 |
| H2 | DP2 | Stretlocks Ranges | EVC 29; Dump Forest | High | 26 | Same EVC or Very High significance vegetation | 0.01 | 1.5 | 0.2 | 0 | 0 | 0 |

[1] For losses of very high or high conservation significance vegetation, the losses in different habitat zones can be added together into one Offset Target provided that they meet the same Like-for-Like criteria, e.g. losses are in the same EVC/habitat type etc. For losses of medium or low conservation significance vegetation, losses from different habitat zones can be added together into one Offset Target provided that the losses are in the same bioregion.

[2] Please specify the habitat zones that contribute to the target.

[3] Based on the quality objectives for the offset specified in Table 6 of Victoria's Native Vegetation Management – A Framework for Action (2008: 2007).

[4] Please specify any other Like-for-Like requirements. These may include benchmarking habitat for threatened species, ecological function etc.

[5] Please note that by protecting a medium or large tree, other scattered or within a patch it is assumed five recruits will be generated. To be considered protected prior the canopy loss of a tree must be fenced and protected from adverse impacts (see definition in Guide for Assessment of Riparian Planning Permit Applications 2012: 2017 for more information). It has therefore been assumed that protection of a tree will generate five recruits and so separate recruitment targets have been calculated.

5.6.2 Scattered Tree Losses

Table 7 details the proposed losses and subsequent gain targets for the removal of 1 scattered tree under this proposal. In lieu of relevant small tree offset guidelines within the WGCMA Native Vegetation Plan, Figure 7 of the Post Phillip and Westport Native Vegetation Plan (PPWCMA, 2006) has been used to calculate appropriate offsets for the 1, small, scattered tree proposed for removal.

Table 7: Gain Targets for Clearing Scattered Trees

| Target No. (1) | Bioregion Scrubland Rangers | Pre-1750 EVC # Name Damp Forest | Conservation Significance Low | # Trees to be removed Tree Size Small | Tree protection (2) | | Offset Only (3) | | |
|---|-----------------------------------|------------------------------------|-------------------------------------|---|---------------------|--------------|-----------------|-----------|--------------|
| | | | | | Multipier | Offset Total | OR | Multipier | Offset Total |
| 1 | | | | 1 | MA | MA | 30 | 30 | |
| TOTAL number of plants to be recruited | | | | | | | | | 30 |

(1) For losses of very high or high conservation significance vegetation, the losses in different habitat zones can be added together into one Offset Target provided that they meet the same Like-for-Like criteria, e.g. losses are in the same EVC/habitat type etc. For losses of medium or low conservation significance vegetation, losses from different habitat zones can be added together into one Offset Target provided that the losses are in the same bioregion.

(2) Plants may be protected in medium or large trees, other scattered or within a patch it is assumed five recruits will be generated. To be considered protected means the canopy diameter of a tree must be fenced and protected from adverse impacts (see definition in Guide for Assessment of Biological Planning Permit Applications DSE 2007 for more information). It has therefore been assumed that protection of a tree will generate five recruits and so separate recruitment targets have been calculated.

(3) Victoria's Native Vegetation Management - A framework for action specifies circumstances under which 'Recruit Only' options may be utilised. Please see the appropriate regional Native Vegetation Plan.

A total of 30 plants are required to be recruited as an offset for the loss of 1 small scattered tree at Jansbuck Road.

6 CONCLUSION AND RECOMMENDATIONS

Original designs for the safety improvement of Jambuk Road actively minimised the amount of land and native vegetation required to be removed to facilitate road widening. However, in order to complete the project to appropriate safety specifications, no avoidance or further minimisation measures could be implemented.

No rare or threatened flora or fauna species were identified on site by assessments. Database searches revealed a number of rare and threatened species of flora and fauna as having been recorded or potentially occurring within 5km of the site. However, assessments concluded that the site does not provide any significant habitat to those species identified.

A total of 0.8 habitat hectares of native vegetation with a conservation significance of High and Very High and 1 'small' scattered tree were identified at the site as requiring removal. Given the small area of clearing and subsequent offsets required, it is recommended that all habitat zones' targets be combined and placed into one native patch offset of Very High Conservation Significance. This will create an overall target of 0.15Hha which is a much more practical target for ongoing conservation management.

Seven species listed as protected under the Flora and Fauna Guarantee Act 1988 were identified on site. A permit to take protected flora has been lodged with the DSE for removal of these species.

A number of measures to avoid further damage to native vegetation and water quality in the area are to be implemented during and after construction including, protective fencing for native vegetation, filter fence for silt control and weed control prior to construction.

Offsets will be undertaken within native patch vegetation off-site that meets bioregional, habitat score and conservation significance considerations.

Due to the Very High conservation significance of vegetation proposed to be removed in Damp Forest Habitat Zone 3, an Offset Management Plan must be approved and implemented prior to removal of native vegetation under this proposal.

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APPENDICES

6.1 Appendix 1 – Flora Survey Results

| Order | Botanical Name | Common Name | Conservation Status | | | | | | Class 2 |
|-------|---|-----------------------|---------------------|------|-------|-----|-----|-----|---------|
| | | | FFS | ETBC | YN019 | DF1 | DF2 | DF3 | |
| | <i>Acacia melanoxylon</i> | Blackwood | | | | + | + | + | |
| | <i>Acacia nigra-vulgaris</i> | Bulger-widgee | | | | | | + | |
| * | <i>Acanthella vulgaris</i> | Sheep Sorrel | | | | + | + | | + |
| * | <i>Anagallis arvensis</i> var. <i>arvensis</i> | Scarlet Pimpernel | | | | | | | + |
| * | <i>Austrostachys odoratum</i> | Sweet Ventral-grass | | | | + | + | | + |
| * | <i>Arctotheca cuneolata</i> | Cape Weed | | | | + | | | + |
| | <i>Austrodanthonia</i> spp. | Wallaby Grass | | | | + | | | + |
| * | <i>Briwa minor</i> | Lower Quaking-grass | | | | + | | | |
| * | <i>Bromus diandrus</i> | Great Brome | | | | + | | | + |
| * | <i>Cardamine</i> sp. aff. <i>flexuosa</i> (Metropolitan Melbourne) | Rick Weed | | | | | | | + |
| * | <i>Carduus tenuiflorus</i> | Winged Slender-ohiate | | | | + | | | + |
| | <i>Cassinia aculeata</i> | Common Cassinia | | | | + | + | | |
| * | <i>Cirsium vulgare</i> | Spear Thistle | | | | + | | + | + |
| | <i>Clematis alata</i> | Mourning Clematis | | | | + | | + | |
| | <i>Cyperus podifolius</i> | Prickly Curlew-bush | | | | + | + | + | |
| * | <i>Cyperus rostratus</i> | Orin Flat-sedge | | | | + | + | + | + |
| * | <i>Dactylis glomerata</i> | Cockfoot | | | | + | + | + | |
| | <i>Dianella tasmanica</i> | Tasman Flax-lily | | | | | | | + |
| | <i>Eucalyptus cyathocarpa</i> | Mourning Grey-pine | | | | + | | | |
| | <i>Eucalyptus globulus</i> subsp. <i>bicolorata</i> | Eurabbie | | | | | | | + |
| * | <i>Gallium aparine</i> | Clayton | | | | + | + | + | + |
| | <i>Gnaphalium uliginosum</i> | Common Ragwort | | | | | + | + | |
| | <i>Goodenia ovata</i> | Hop Goodenia | | | | | + | + | |
| * | <i>Holcus lanatus</i> | Yorkshire Fog | | | | + | | | + |
| * | <i>Hypericum androsaemum</i> | Tutsan | | | | | + | | |
| * | <i>Hypericum radicans</i> | Flaxweed | | | | + | + | + | + |
| | <i>Lagotis stipes</i> | Common Birth-daisy | | | | | | | + |
| | <i>Lepidosperma platys</i> | Tall Sword-sedge | | | | + | + | + | |
| * | <i>Malva</i> spp. | Apple | | | | | | | + |
| | <i>Merrilliana stipoides</i> var. <i>stipoides</i> | Winging Grass | | | | + | | | + |
| | <i>Oxalis pentstemon</i> | Greenland Wood-sorrel | | | | + | | + | + |
| | <i>Pandanus pandurata</i> | Wings Vine | | | | + | + | | |
| | <i>Peripogonias</i> spp. | Stork's Bill | | | | | | | + |
| | <i>Pellaea fibrosa</i> s.l. | Saddle Fern | | | | | + | | |
| * | <i>Pilea radicata</i> | Radicate Pine | | | | | + | | + |
| * | <i>Plantago coronopus</i> | Buck's-horn Plantain | | | | | | | + |
| * | <i>Plantago lanceolata</i> | Kibbinn | | | | + | + | + | + |
| * | <i>Poa annua</i> | Annual Meadow-grass | | | | | | + | + |
| | <i>Poa tuberosa</i> | Common Tussock-grass | | | | + | + | + | |
| | <i>Polystichum proliferum</i> | Mother Shield-fern | | | | | + | | |
| | <i>Pomadouria aspera</i> | Haunt Pomadouria | | | | | + | | |
| * | <i>Ranunculus repens</i> | Creeping Ranunculus | | | | | + | | |
| | <i>Rorippa</i> spp. | Bitter Cress | | | | | | | + |
| * | <i>Rubus fruticosus</i> spp. agg. | Blackberry | | | | + | + | + | + |
| * | <i>Rubus obtusifolius</i> subsp. <i>obtusifolius</i> | Broad-leaf Dock | | | | + | + | | |
| | <i>Sambucus gaudichaudiana</i> | White Elderberry | | | | | + | | |
| | <i>Senecio-bipetalus</i> s.l. | Rough Firwood | | | | + | | | |

Ecological Assessment with Net Gain, Stage 1 Jumbuk Road Pavement Widening – November 2010

| Origin | Botanical Name | Common Name | Conservation Status | | | | | | Other |
|--------|---|---------------------|---------------------|------|--------|-----|-----|-----|-------|
| | | | FFG | EPBC | VIC/OT | VF1 | VF2 | VF3 | |
| * | <i>Senecio jacobaea</i> | Ragwort | | | | | | | + |
| | <i>Senecio linearifolius</i> | Florowood Groundsel | | | | | | | + |
| | <i>Senecio quadridentatus</i> | Cotton Flowered | | | | * | | | + |
| * | <i>Silene</i> spp. | Cockily | | | | | | | + |
| * | <i>Solanum nigrum</i> s.s. | Black Nightshade | | | | * | | | |
| * | <i>Sonchus olerifolius</i> s.l. | Rough Saw-thistle | | | | | | | + |
| * | <i>Sonchus oleraceus</i> | Common Saw-thistle | | | | * | | | |
| | <i>Stellaria flaccida</i> | Purple Starwort | | | | | | + | |
| * | <i>Tylothem repens</i> var. <i>repens</i> | White Clover | | | | * | | | + |
| * | <i>Tylothem</i> spp. | Clover | | | | * | | | |
| | <i>Urtica urens</i> | Scrub Nettle | | | | | | + | |
| * | <i>Viola</i> spp. | Viola | | | | * | | | + |
| | <i>Viola hederacea</i> s.s. (1996) | Jay-leaf Violet | | | | | | + | |

Key to Conservation Status & Origin

| | |
|----------|---|
| F | Native species that may be considered alien in some circumstances |
| * | Exotic species |

| | |
|----------|---|
| L | Listed as a Threatened in Victoria |
| P | Listed as a Protected in Victoria |
| N | Nominated for listing as Threatened in Victoria |
| D | Delisted as Threatened in Victoria |

| | |
|----------|--|
| V | Listed as Nationally Vulnerable |
| E | Listed as Nationally Endangered |
| X | Listed as Nationally Extinct |
| C | Listed as Nationally Critically Endangered |

| | |
|----------|--|
| v | Listed as Vulnerable in Victoria |
| x | Listed as Presumed Extinct in Victoria |
| e | Listed as Endangered in Victoria |
| r | Listed as Rare in Victoria |
| k | Listed as Poorly Known in Victoria |

6.2 Appendix 2 - FIS search results for rare or threatened flora species recorded within 5km

| Origin | Botanical Name | Common Name | VRGTS | FFG | EPBC |
|--------|-----------------------------|---------------------------|-------|-----|------|
| | <i>Desmodium varians</i> | Sleazy Tick-infol | b | | |
| | <i>Triclispora elongata</i> | Sleazy Fork-fern | v | | |
| | <i>Triclispora ovata</i> | Oval Fork-fern | r | | |
| | <i>Caladenia acrotiara</i> | Orange-tip Flogger-orchid | r | | |

Key to Conservation Status & Origin

| Origin | |
|--------|---|
| # | Native species that may be considered alien in some circumstances |

| Flora and Fauna Guarantee Act 1988 | |
|------------------------------------|---|
| L | Listed as a Threatened in Victoria |
| P | Listed as a Protected in Victoria |
| N | Nominated for listing as Threatened in Victoria |
| D | Delisted as Threatened in Victoria |

| Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999 | |
|---|--|
| V | Listed as Nationally Vulnerable |
| E | Listed as Nationally Endangered |
| X | Listed as Nationally Extinct |
| C | Listed as Nationally Critically Endangered |

| Adoption List of Rare or Threatened Plants in Victoria (2018) (DPI, 2005) | |
|---|--|
| v | Listed as Vulnerable in Victoria |
| x | Listed as Presumed Extinct in Victoria |
| e | Listed as Endangered in Victoria |
| r | Listed as Rare in Victoria |
| b | Listed as Poorly Known in Victoria |

20 NOV 2010

6.3 Appendix 3 – EPBC Protected matters search results for rare or threatened flora that may occur within 5km of the site

| Botanical Name | Common Name | Conservation Status | Protected Matters Type of Presense |
|-------------------------------|--------------------|---------------------|--|
| <i>Dianella amoena</i> | Matted Flax-lily | E | Species or species habitat likely to occur within area |
| <i>Eucalyptus strzeleckii</i> | Strzelecki Gum | V | Species or species habitat likely to occur within area |
| <i>Prasophyllum frenchii</i> | Maroon Leek-orchid | E | Species or species habitat may occur within area |

Key to Conservation Status

| | |
|---|--|
| V | Listed as Nationally Vulnerable |
| E | Listed as Nationally Endangered |
| X | Listed as Nationally Extinct |
| C | Listed as Nationally Critically Endangered |

6.4 Appendix 4 – Fauna survey results

| Origin | Common Name | Zoological Name | Conservation Status | | |
|--------|------------------------------|-----------------------------------|---------------------|-----|------|
| | | | VICITS | EPG | EPBC |
| | Australian Magpie | <i>Gymnorhina tibicen</i> | | | |
| | Australian Raven | <i>Corvus coronoides</i> | | | |
| | Black Wallaby | <i>Wallabia bicolor</i> | | | |
| * | Common Starling | <i>Sternus vulgaris</i> | | | |
| | Common Wombat | <i>Vombatus sarrabus</i> | | | |
| | Citrine Rosella | <i>Pliocercus elegans elegans</i> | | | |
| | Eastern Brown Snake | <i>Pseudonaja textilis</i> | | | |
| | Yellow-tailed Black-Cockatoo | <i>Calyptrorhynchus lewinii</i> | | | |

Key to Conservation Status & Origin

| Origin | |
|---|---|
| * | Exotic species |
| Flora and Fauna Lists (Victoria), AD 1983 | |
| L | Listed as a Threatened in Victoria |
| P | Listed as a Protected in Victoria |
| N | Nominated for listing as Threatened in Victoria |
| D | Delisted as Threatened in Victoria |
| Commonwealth Environment Protection and Biodiversity Conservation (EPBC Act) 1999 | |
| VU | Listed as Nationally Vulnerable |
| EN | Listed as Nationally Endangered |
| EX | Listed as Nationally Extinct |
| CR | Listed as Nationally Critically Endangered |
| Advisory List of Threatened Vertebrate Fauna in Victoria (DLG, 2007) | |
| v | Listed as Vulnerable in Victoria |
| x | Listed as Presumed Extinct in Victoria |
| e | Listed as Endangered in Victoria |
| r | Listed as Rare in Victoria |
| k | Listed as Poorly Known in Victoria |

5.5 Appendix 5 – FIS search results for rare or threatened Fauna species recorded within Skm

| Zoological Name | Common Name | Conservation Status | | |
|----------------------------------|--------------------------|---------------------|------|-------|
| | | FFI | EPBC | VROTS |
| <i>Ninox strenua</i> | Powerful Owl | L | VU | |
| <i>Pteropus poliocephalus</i> | Grey-headed Flying-fox | L | VU | VU |
| <i>Egretta garzetta nigripes</i> | Little Egret | L | EN | |
| <i>Chloroceryle alcyon</i> | White-browed Treecreeper | L | VU | |
| <i>Varenum virens</i> | Lace Quail | | VU | |
| <i>Zosterornis lateralis</i> | Swift Parrot | L | EN | EN |
| <i>Alcedo atropurpurea</i> | Amur Kingfisher | | NT | |
| <i>Chondestes punctatus</i> | Spotted Quail-thrush | | NT | |

Key to Conservation Status

| | |
|--------------------------|---|
| L | Listed as a Threatened in Victoria |
| P | Listed as a Protected in Victoria |
| N | Nominated for listing as Threatened in Victoria |
| D | Delisted as Threatened in Victoria |
| Nationally Listed | |
| VU | Listed as Nationally Vulnerable |
| EN | Listed as Nationally Endangered |
| EX | Listed as Nationally Extinct |
| CR | Listed as Nationally Critically Endangered |
| Victorian Listed | |
| v | Listed as Vulnerable in Victoria |
| s | Listed as Presumed Extinct in Victoria |
| e | Listed as Endangered in Victoria |
| r | Listed as Rare in Victoria |
| k | Listed as Poorly Known in Victoria |

6.6 Appendix 6 - EPBC Protected matters search results for rare or threatened fauna that may occur within 5km of the site

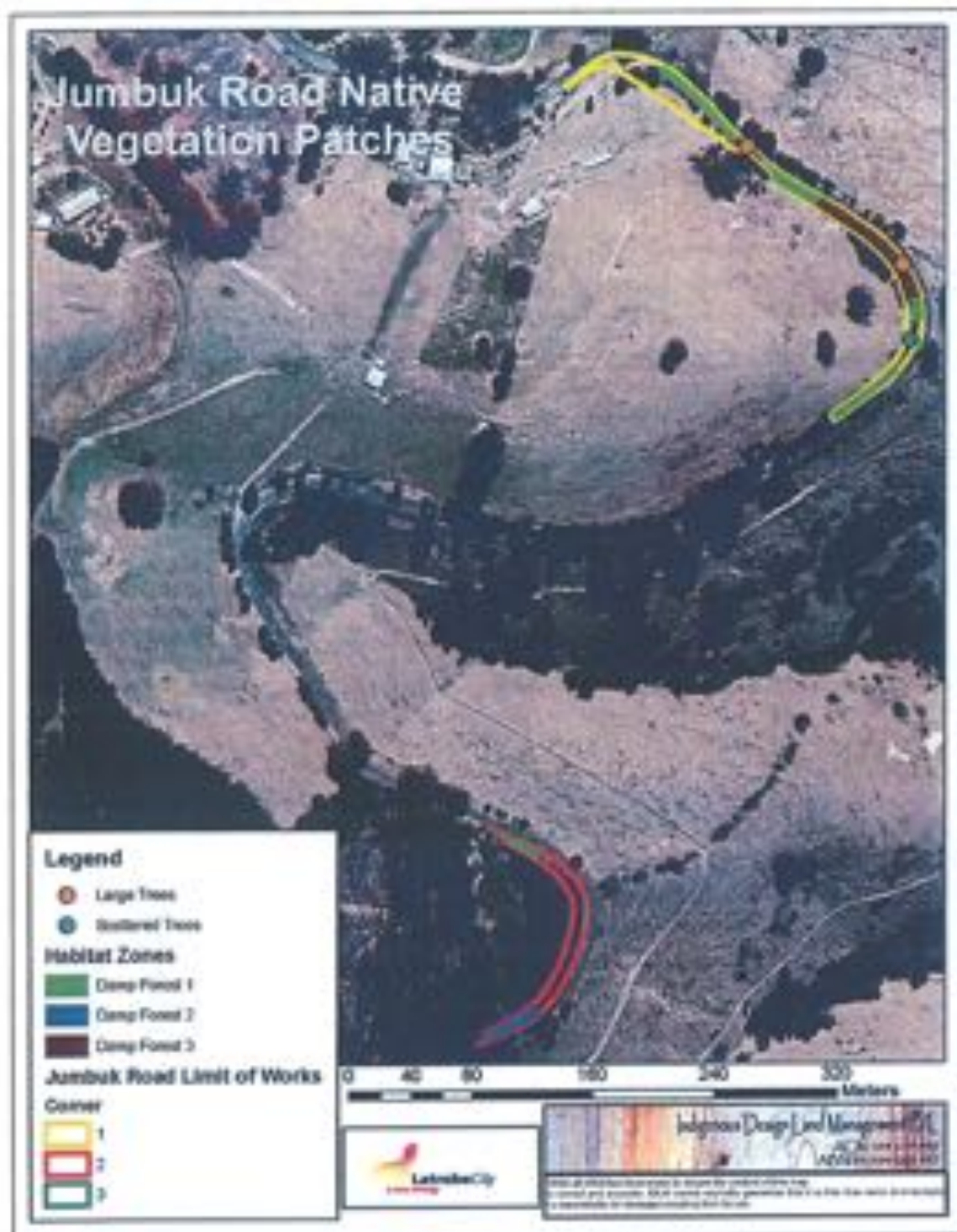
| Zoological Name | Common Name | Status | Protected Matters Type of Presence |
|--|--|--------|--|
| <i>Anthochaera phrygia</i> | Regent Honeyeater | EN | Species or species habitat may occur within area |
| <i>Lathamus discolor</i> | Swift Parrot | EN | Species or species habitat likely to occur within area |
| <i>Rostratula australis</i> | Australian Painted Snipe | VU | Species or species habitat may occur within area |
| <i>Litoria raniformis</i> | Growing Grass Frog | VU | Species or species habitat likely to occur within area |
| <i>Synemon plana</i> | Golden Sun Moth | CR | Species or species habitat may occur within area |
| <i>Dasyurus maculatus maculatus</i> (SE mainland population) | Spot-tailed Quoll (southeastern mainland population) | EN | Species or species habitat may occur within area |
| <i>Isodon obesulus obesulus</i> | Southern Brown Bandicoot | EN | Species or species habitat may occur within area |
| <i>Potorus hildebrandti hildebrandti</i> | Long-nosed Potoroo (SE mainland) | VU | Species or species habitat may occur within area |
| <i>Pseudomys fumeus</i> | Kangaroo | EN | Species or species habitat may occur within area |
| <i>Pseudomys novaehollandiae</i> | New Holland Mouse | VU | Species or species habitat may occur within area |
| <i>Pteropus poliocephalus</i> | Grey-headed Flying-fox | VU | Foraging, feeding or related behaviour may occur within area |
| <i>Galaxiella pusilla</i> | Eastern Dwarf Galaxias | VU | Species or species habitat likely to occur within area |
| <i>Prototodes manema</i> | Australian Grayling | VU | Species or species habitat may occur within area |

Key to Conservation Status

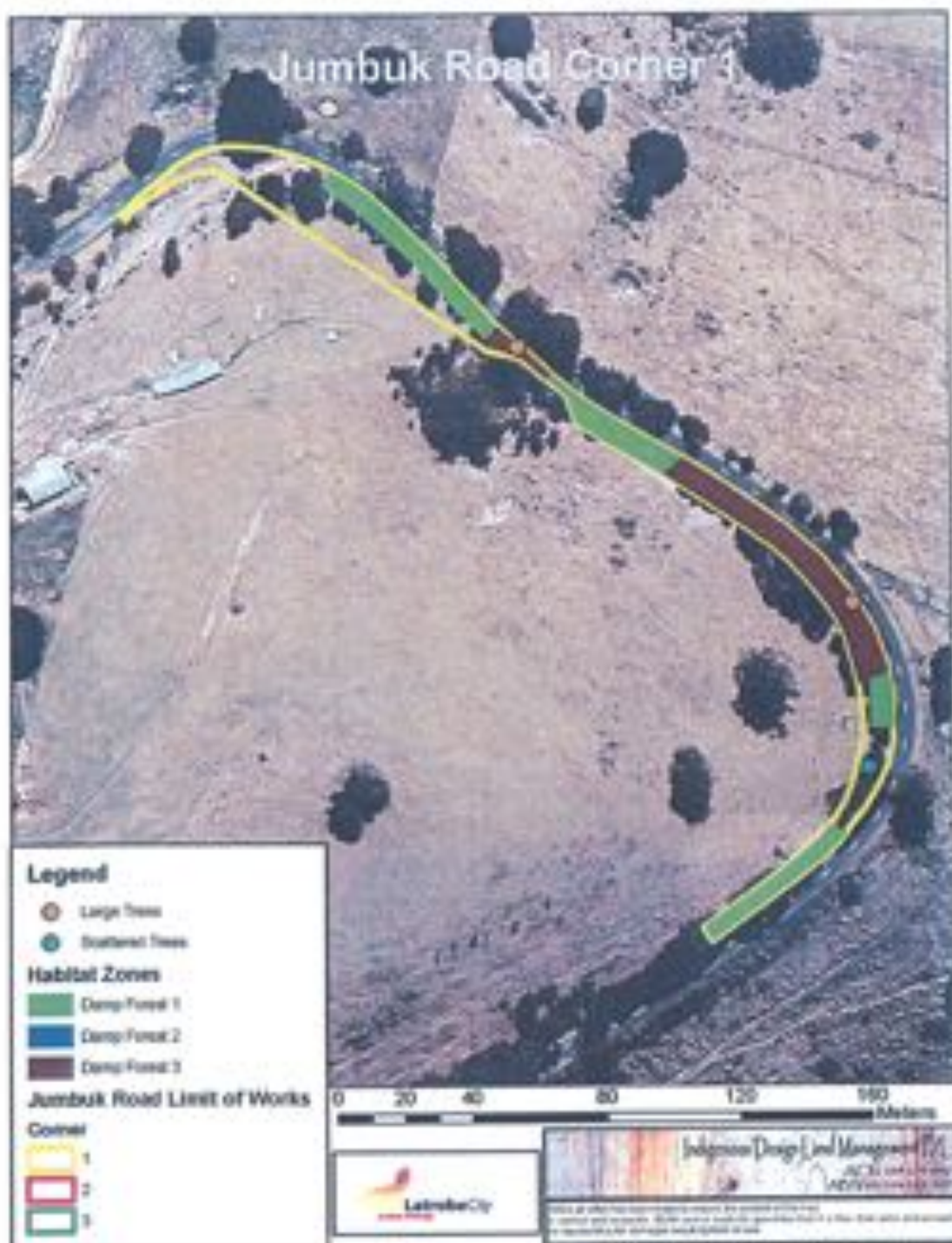
| Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999 | |
|---|--|
| VU | Listed as Nationally Vulnerable |
| EN | Listed as Nationally Endangered |
| EX | Listed as Nationally Extinct |
| CR | Listed as Nationally Critically Endangered |

7 MAPS

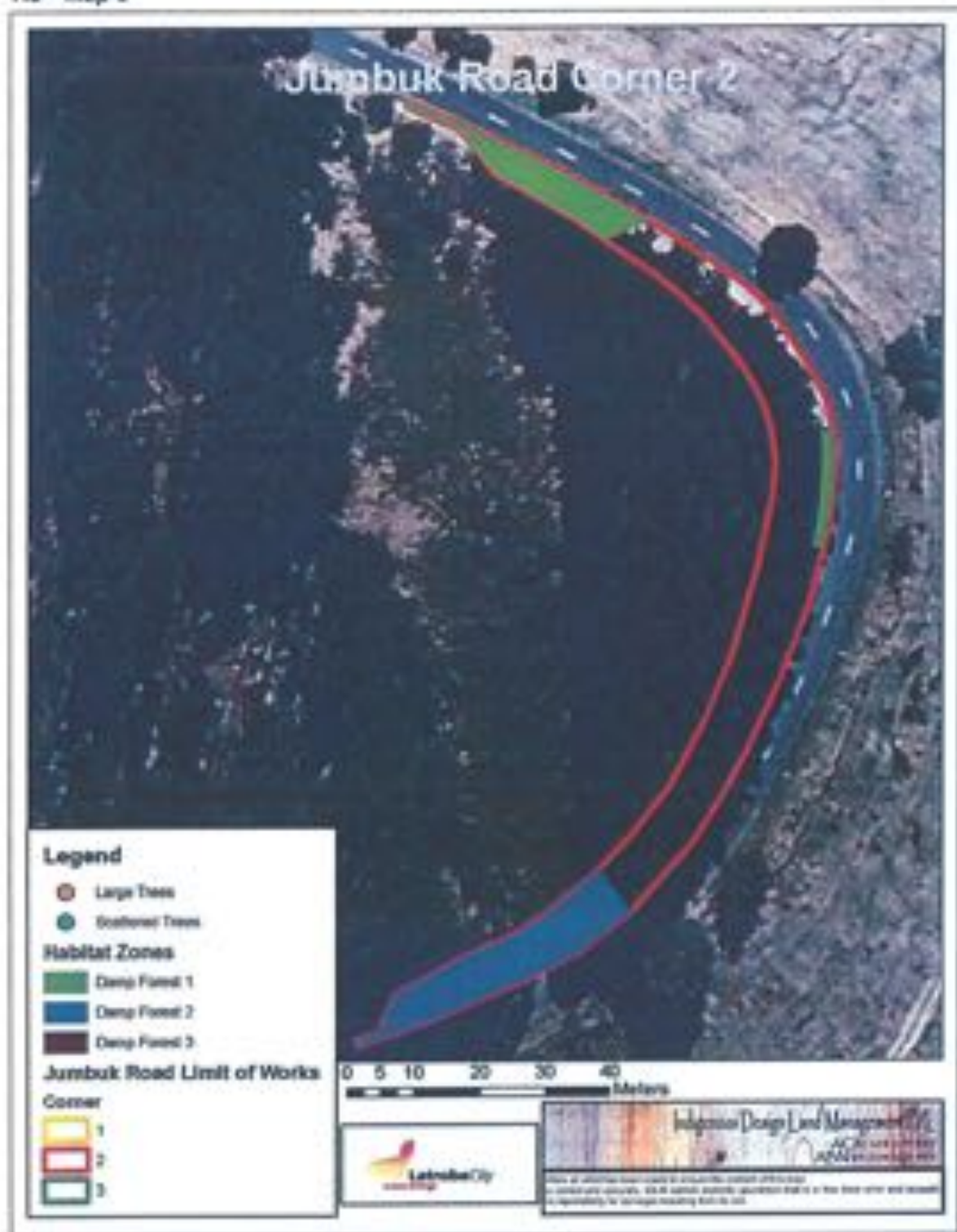
7.1 Map 1



7.2 Map 2



7.3 Map 3



ATTACHMENT 7
Preliminary Geotechnical Assessment Report
– Jumbuk Road Widening



9 August 2011

Richard Brammall
Manager-Infrastructure Maintenance
Latrobe City Council
PO Box 264
Morwell Vic 3840

Our ref: 3107819/15085
Your ref:

Dear Richard

Jumbuk Road Widening Preliminary Geotechnical Assessment

1 Background

Latrobe City Council (LTCC) requested GHD to provide geotechnical assistance with its pavement widening project along a stretch of Jumbuk Road in Jeeralang Junction, Victoria. R Brammall (Infrastructure Maintenance Manager, LTCC) accompanied D de los Angeles (Senior Engineering Geologist, GHD) to the site and briefed him on the extent of geotechnical stability assessment required.

On 18 April 2011, D de los Angeles, together with A Vijayakumar (Senior Geotechnical Engineer, GHD) conducted a visual inspection of the proposed widening from Curve 7 to Curve 11 (LTCC Drawing No R510006/18). This report presents the outcome of the geotechnical assessment.

2 Scope

As discussed with R Brammall, the scope of work consisted of a geotechnical assessment of specified Curves along a stretch of Jumbuk Road included in LTCC's pavement widening project. On LTCC Drawing No R510006/18, these are marked as Curve 7 to Curve 11, from Richardson's Corner to O'Reilly's Hill Road. In particular, it included a review of the geotechnical stability of associated batter excavation on the above-mentioned Curve sections of the pavement widening project and present findings and recommendations in a brief report.

3 Inspection Results

3.1 Curve 7 and Curve 8 (CH 3800 to CH4220)

3.1.1 Cut Batter Slopes

During the site inspection it was observed that the upper 1 meter of some of the cuts is steeper than the lower sections and signs of erosion were evident. It appears that this is due to water flowing down the batter during heavy rainfall.

Some water seepage through rock joints of the batter was observed between chainages between 5045 and 5050. Some water was ponding at the toe of the batter at approximately 4060.



Based on the site inspection and section profiles from LTCC Drawing No R510006/18, the soil/rock type, material in the slope, proposed widening, estimated effective existing cut slope, proposed cut slope and the percentage of increase in cut slope due to proposed widening are summarised in Table 1.

3.1.2 Recommendations

Based on the site inspection and the assessment of existing cut slopes the following recommendations are made:

- An experienced engineering geologist or a geotechnical engineer should be present during widening works to assess the materials present and to identify areas that would need risk mitigation, i.e., monitoring, support installation, catch fences, shotcreting, etc. in areas of rock and steepening the batters in soils if weak materials are encountered. Existing surface level and design surface level are required at the top of cut to make assessment.
- Hillside surface runoff should be intercepted before it reaches the cut slope, diverted around it and disposed of in a proper manner.
- As erosion protection measure the batters comprising soils should be top soiled (150mm) and grassed. Tensor mat or equivalent would facilitate retention of bare topsoil in order to maintain close contact with the slope and establish reinforced grass slope surfaces.
- Trees closer to the top of new batter (less than 1m) and or any trees posing risk of falling down should be removed.



Table 1 Curve 7 to Curve 8 Summary of Observations

| Chainage | Soilrock Type | Material Description | Estimated Effective Slope of Existing Batter (Deg) | Proposed Cut Slope (Deg) | Approximate Widening At Base (m) | Increase in Slope Angle (%) | Comments |
|----------|----------------------|---|--|--------------------------|----------------------------------|-----------------------------|--|
| 3020 | | | 67 | 65 | 1.00 | 14.5 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 3010 | | | 60 | 60 | 0.00 | 0.0 | Some risk mitigation measures provided in Section 3.1.3 may be required. |
| 3020 | | | 40 | 48 | 1.20 | 20.0 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 3030 | | | 30 | 50 | 3.75 | 66.7 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 3040 | Felsparite sandstone | Moderately weathered, solidified, moderate to highly fractured, orthogonal joints | 18 | 25 | 4.25 | 66.7 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 3050 | | | 20 | 40 | 14.00 | 100.0 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 3060 | | | 25 | 45 | 5.50 | 80.0 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 3070 | | | 67 | 68 | 11.75 | 14.0 | Proposed cut further likely to be stable. |
| 3080 | | | 20 | 45 | 12.50 | 80.0 | |



| Challenge | Soilback Type | Material Description | Estimated Effective Slope of Existing Batter (Deg) | Proposed Cut Slope (Deg) | Approximate Widening At Base (m) | Increase In Slope Angle (%) | Comments |
|-----------|-----------------------|--|--|--------------------------|----------------------------------|-----------------------------|--|
| 3000 | | | 20 | 45 | 12.50 | 125.0 | |
| 3000 | | | 20 | 45 | 12.50 | 125.0 | |
| 3010 | Frictional conditions | Moderately weathered, moderate to highly fractured | 30 | 45 | 11.00 | 50.0 | Proposed cut better likely to be stable. |
| 3020 | | | 20 | 45 | 8.25 | 125 | |
| 3030 | | | 30 | 45 | 8.00 | 50.0 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 3040 | | | 35 | 45 | 4.50 | 28.5 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 3050 | | | 42 | 45 | 0.75 | 7.1 | Considered stable. |
| 3060 | | | 45 | 45 | 0.50 | 8.0 | Considered stable. |
| 3070 | | | | | | | No widening |
| 3080 | | | | | | | No widening |
| 3090 | | | 70 | 80 | 0.50 | | Reduction in slope angle 28.5%. Considered stable. |
| 4000 | | | 57 | 45 | 1.00 | | Reduction in slope angle 21.0%. Considered stable. |
| 4010 | | | 35 | 45 | 2.25 | 28.5 | Proposed cut better likely to be stable. |
| 4020 | | | 40 | 45 | 1.75 | 12.5 | Proposed cut better likely to be stable. |



| Chainage | Soil/rock Type | Material Description | Estimated Effective Slope of Existing Batter (Deg) | Proposed Cut Slope (Deg) | Approximate Widening At Base (m) | Increase in Slope Angle (%) | Comments |
|----------|----------------------|---|--|--------------------------|----------------------------------|-----------------------------|--|
| 4030 | | | 40 | 45 | 2.00 | 12.5 | Proposed cut better likely to be stable. |
| 4040 | Felspathic sandstone | Moderately weathered; blocky; overlain by ~1m residual soil; large trees on surface | 40 | 45 | 2.00 | 12.5 | Proposed cut better likely to be stable. |
| 4050 | | | 40 | 45 | 1.50 | 12.6 | Proposed cut better likely to be stable. |
| 4060 | | | 40 | 45 | 1.50 | 12.6 | Proposed cut better likely to be stable. |
| 4070 | Felspathic sandstone | Moderately weathered; blocky; large trees on surface; tree roots within joints | 40 | 45 | 1.50 | 12.5 | Proposed cut better likely to be stable. |
| 4080 | | | 30 | 45 | 2.25 | 38.5 | Proposed cut better likely to be stable. |
| 4090 | | | 30 | 45 | 3.00 | 50.0 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 4100 | Felspathic sandstone | Light grey to grey; moderate to highly weathered with distinct oxidation stains along joint surfaces; highly fractured; joints @ 55/120, 85/225, 15/000 | 30 | 45 | 4.00 | 62.5 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 4110 | | | 25 | 45 | 5.00 | 80.0 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 4120 | | | 20 | 45 | 6.00 | 125.0 | Some risk mitigation measures provided in Section 3.1.2 may be required. |



| Chainage | Soilrock Type | Material Description | Estimated Effective Slope of Existing Batter (Deg) | Proposed Cut Slope (Deg) | Approximate Widening At Base (m) | Increase in Slope Angle (%) | Comments |
|----------|-----------------------|---|--|--------------------------|----------------------------------|-----------------------------|--|
| 4130 | Feldspathic sandstone | Moderately weathered, close to very closely spaced joints @ 50/50 | 35 | 47 | 6.00 | 85.0 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 4140 | | | 38 | 45 | 5.00 | 80.0 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 4150 | | | 30 | 45 | 4.25 | 80.0 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 4160 | | | 35 | 45 | 2.50 | 28.5 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 4170 | | | 40 | 45 | 1.75 | 12.5 | Proposed cut batter likely to be stable. |
| 4180 | Feldspathic sandstone | Moderately weathered, blocky, moderately spaced joints @ | 40 | 45 | 1.00 | 12.5 | Proposed cut batter likely to be stable. |
| 4190 | | 68/250, 60/300 | 40 | 50 | 0.75 | 18.0 | Some risk mitigation measures provided in Section 3.1.2 may be required. |
| 4200 | | | 40 | 45 | 0.75 | 12.5 | Proposed cut batter likely to be stable. |
| 4210 | | | 40 | 45 | 0.80 | 12.5 | Proposed cut batter likely to be stable. |



| Chaining | Soil/rock Type | Material Description | Estimated Effective Slope of Existing Batter (Deg) | Proposed Cut Slope (Deg) | Approximate Widening At Base (m) | Increase In Slope Angle (%) | Comments |
|----------|-----------------------|---|--|--------------------------|----------------------------------|-----------------------------|--|
| 4120 | Fine/medium sandstone | Moderate to highly weathered. Highly to moderately jointed sub-vertical batter. 2 debris flow features seen East of location across valley. From mid-slope down to valley floor | 40 | 45 | 1.8 | 12.5 | Proposed cut better likely to be stable. |



3.2 Curve 9 and Curve 10 (CH 4920 to CH 5130)

3.2.1 Cut Batter Slopes

During the site inspection it was observed that upper 1 meter of some of the cuts is steeper than the lower sections and signs of erosion were evident. It appears that this is due to water flowing down the batter face during heavy rainfall.

Based on the site inspection and section profiles from LTCC Drawing No R510006/1B, the soil/rock type, material in the slope, proposed widening, estimated effective existing cut slope, proposed cut slope and the percentage of increase in cut slope due to proposed widening are summarised in Table 2.

3.2.2 Recommendations

Based on the site inspection and the assessment of existing cut slopes the following recommendations are made:

- An experienced engineering geologist or a geotechnical engineer should be present during widening to assess the materials present to identify areas that would need risk mitigation i.e. monitoring, support installation, catch fences, shotcreting, etc. in areas of rock and steepening the batters in soils if weak materials are encountered. Existing surface level and design surface level are required at the top of cut to make assessment.
- Detailed mapping of the cut face would be required where mitigation measures are to be implemented.
- Hillside surface runoff should be intercepted before it reaches the cut slope, diverted around it and disposed of in a proper manner.
- As erosion protection measure, the batters comprising soils should be top soiled (150mm) and grassed. Tensar mat or equivalent would facilitate retention of bare topsoil in order to maintain close contact with the slope and establish reinforced grass slope surfaces.
- Trees closer to the top of new batter (less than 1m) and or any trees posing risk of falling down should be removed.



Table 2 Curve 9 to Curve 10 Summary of Observations

| Change | Soil/rock Type | Material Description | Estimated Effective Slope of Existing Batter (Deg) | Proposed Cut Slope (Deg) | Approximate Width of Widening At Base (m) | Increase in Slope Angle (%) | Comments |
|--------|---|--|--|--------------------------|---|-----------------------------|--|
| 4020 | Siltstone(?) mudstone? | Light grey to grey, mottled with oxidation stains. Highly weathered, fine-grained, closely spaced joints @ 50/500, 15/252. ~4m batter exposure with 3.2m typical underlain by 2.5m residual soil and bedrock to batter toe | 40 | 45 | 1.00 | 12.5 | Proposed cut batter likely to be stable. |
| 4030 | Felsiparitic sandstone, siltstone, mudstone | ~5m white chalk zone @ 15/255, CH 4030-4040; juxtaposed sandstone and fine-grained siltstone in medium to high strength, bedded blocky with moderately spaced joints @ 60/200, 60/515, siltstone-siltstone moderately weathered, very highly fractured with extremely closely spaced discontinuities (sheared) | 45 | 45 | 3.50 | 0.0 | No widening Proposed cut batter likely to be stable. |
| 4040 | Felsiparitic siltstone | Moderately weathered, moderately spaced joints @ 20/236, 65/518, 30/208 | 40 | 45 | 6.50 | 12.5 | Proposed cut batter likely to be stable. |
| 4050 | Very fine sandstone(?) siltstone? | Highly weathered grey to dark grey, very fine-grained, sheared, water seepage at 20cm from toe and small ponding of water observed at toe | 40 | 50 | 1.50 | 25.0 | Likely to be stable provided that the geology and the consistency of the materials present at the current face and new face are same or better. Some risk mitigation measures provided in Section 3.2.2 may be required. |
| 4070 | | | 35 | 45 | 2.50 | 20.0 | Likely to be stable provided that the geology and the consistency of the materials present at the current face and new face are same or better. Some risk mitigation measures provided in Section 3.2.2 may be required. |
| 4080 | | | 30 | 45 | 1.50 | 50.0 | Likely to be stable provided that the geology and the consistency of the materials present at the current face and new face are same or better. Some risk mitigation measures provided in Section 3.2.2 may be required. |



| Chainage | Soilrock Type | Material Description | Estimated Effective Slope of Existing Batter (Deg) | Proposed Cut Slope (Deg) | Approximate Width of Widening At Base (m) | Increase in Slope Angle (%) | Comments |
|----------|---------------------|--|--|--------------------------|---|-----------------------------|--|
| 4000 | | | 30 | 45 | 4.55 | 50.0 | Some risk mitigation measures provided in Section 3.2.2 may be required. |
| 5000 | Siltstone/mudstone? | Tight bedding and lamination @ 200mm joints @ 70/143, 80/200 | 30 | 45 | 4.35 | 33.0 | Some risk mitigation measures provided in Section 3.2.2 may be required. |
| 6010 | | | 25 | 45 | 3.00 | 34.3 | Likely to be stable provided that the geology and the consistency of the materials present at the current face and new face are same or better. Some risk mitigation measures provided in Section 3.2.2 may be required. |
| 5020 | | | 40 | 45 | 2.00 | 20.0 | Likely to be stable provided that the geology and the consistency of the materials present at the current face and new face are same or better. Some risk mitigation measures provided in Section 3.2.2 may be required. |
| 6000 | Siltstone/mudstone | Moderately weathered, grey to dark grey, fine-grained, bedded, and laminated @ 200mm joints @ 65/103, 80/162, 70/102 | 40 | 45 | 1.80 | 12.0 | Proposed cut batter likely to be stable. |
| 5040 | | | 40 | 45 | 1.25 | 12.5 | Proposed cut batter likely to be stable. |
| 6080 | | | 40 | 45 | 1.50 | 12.8 | Proposed cut batter likely to be stable. |
| 6060 | | | 40 | 45 | 1.50 | 12.5 | Proposed cut batter likely to be stable. |
| 5070 | | | 40 | 45 | 1.50 | 12.5 | Proposed cut batter likely to be stable. |



| Chainage | Soil/Rock Type | Material Description | Estimated Effective Slope of Existing Batter (Deg) | Proposed Cut Slope (Deg) | Approximate Width of Widening At Base (m) | Increase in Slope Angle (%) | Comments |
|----------|----------------|----------------------|--|--------------------------|---|-----------------------------|--|
| 8000 | | | 40 | 60 | 1.25 | 25.0 | Likely to be stable provided that the geology and the consistency of the materials present at the current face and new face are same or better. Some risk mitigation measures provided in Section 3.2.2 may be required. |
| 8090 | | | 40 | 45 | 1.25 | 12.5 | Proposed cut batter likely to be stable. |
| 8100 | | | 40 | 45 | 1.00 | 12.5 | Proposed cut batter likely to be stable. |
| 8110 | | | 40 | 45 | 2.00 | 12.5 | Proposed cut batter likely to be stable. |
| 8120 | | | 45 | 45 | 0.70 | 0.0 | Considered stable |
| 8130 | | | 30 | 45 | 2.00 | 17.0 | Proposed cut batter likely to be stable. |



3.3 Curve 11 (CH5710 to CH 5840)

3.3.1 Cut Batter Slopes

During the site inspection it was observed that approximately 1m of the top section is approximately 80-90 degrees and signs of erosion were observed. It appears that this is due to water flowing over the batter during heavy rain-fall.

Based on the site inspection and section profiles from LTCC Drawing No R510006/18, the soil/rock type, material in the slope, proposed widening, estimated effective existing cut slope, proposed cut slope and the percentage of increase in cut slope due to proposed widening are summarised in Table 3.

3.3.2 Recommendations

Based on the site inspection and the assessment of existing cut slopes the following recommendations are made:

- As erosion protection measure the batters comprising soils should be should be top soiled (150mm) and grassed. Tensar mat or equivalent would facilitate retention of bare topsoil in order to maintain close contact with the slope and establish reinforced grass slope surfaces. Trees closer to the top of new batter (less than 1m) and or any trees posing risk of falling down should be removed.



CLIENTS | PEOPLE | PERFORMANCE

We trust this report addresses your current requirements. Please feel free to contact the undersigned if you wish to discuss the results of the above assessment.

Yours sincerely

Dan De Los Angeles
00 5136 5001

Vijay Vijayakumar
00 6687 8385

ATTACHMENT 8

Response to permit objections for clearing of
Native Vegetation on Jumbuk Road – Stage 1



Tuesday, 31 May 2011

Richard Brammall
Coordinator Civil Works Projects
Latrobe City Council
T (03) 5128 5475
E Richard.brammall@latrobe.vic.gov.au

Dear Richard,

RE: RESPONSE TO PERMIT OBJECTIONS FOR CLEARING NATIVE VEGETATION ON JUMBUK ROAD – STAGE 1

The proposed clearing of native vegetation associated with stage 1 of road safety improvements on Jumbuk Road has, to date, followed the necessary procedures and protocols to ensure that the extent of native vegetation clearing required for this project to proceed is minimised and avoided where possible. Furthermore, vegetation found to be unavoidable has been appropriately accounted for, documented and proposed to be offset in line with all State planning and environment policy.

The subject site was thoroughly assessed for its ecological value in line with Victoria's Native Vegetation Management Framework for action (2002). The vegetation on site was allocated values based on ecological attributes and used the habitat hectares scoring method described by DSE (2004), which also accounts for the presence, or likely presence of threatened species at risk. The outcome of the assessments (Dwyer, 2010) were then referred to the Department of Sustainability and Environment (general authority) for consideration pursuant to Clause 47 of the Victorian Planning Provisions.

Following detailed review of the above letters of objection to the aforementioned proposal, Indigenous Design Land Management (IDLM) offers the following response with respect to the ecology of subject site and regional, State and Commonwealth planning and environment legislation:

1. Latrobe City Council Document Number 599205 – 'Objection to Native vegetation Clearing Jumbuk road Jeeralang Junction.' Author: Mr Richard Northover
2. 'Removal of large numbers of *Strzelecki Kosciuszko* habitat trees along Jumbuk Road by Latrobe City Council.' Author: Ms Sharyn Thompson

1. 'Loss of connecting habitat for the local koala population' (Northover, 2011)
2. 'The widening of the road will have a severe impact on Strzelecki Koala habitat in the area' (Thompson, 2011)

It is acknowledged that the trees proposed to be removed (*Eucalyptus globulus* subsp. *bicostata* [Eurabbie]) to facilitate improvements to road safety of Jumbuk Road have the potential to provide both habitat and fodder to local koala (*Phascolarctos cinereus*) individuals and populations. However, the current conservation status of the koala at both State (FFG Act 1988) and Commonwealth (EPBC Act 1999) level does not afford any higher protection to the species or its habitat than that of all other native fauna protected under the Wildlife Act 1975 as defined in Part 1 s. 3 of the Act.

In a recent reassessment of the koala's current conservation status at Commonwealth level, the Threatened Species Scientific Committee (TSSC) found the koala failed to meet any of the specified criteria for listing as threatened under the EPBC Act:

'Current available evidence indicates that the koala population has declined in members in recent years. However, it is not likely that the decline in population is significant across the species' national or natural range has been substantial. Therefore, the Koala is not eligible for listing under any of the EPBC Act criteria.' (TSSC, 2010)

Given such consideration of the koala's current conservation status and legal protection, under Victoria's Native Vegetation Management – a Model for action (ONRE, 2002) the Applicant (Latrobe City Council) is not required to directly address potential issues of habitat reduction or population fragmentation for koalas. Other native fauna (i.e. those fauna not listed as rare or threatened under the FFG Act 1988 or EPBC Act 1999) and the habitat they may rely on, are, instead, intrinsically accounted for within the habitat hectare scoring method described by DSE (2004) through components of the overall score such as Large Trees, Logs, Landscape Context etc.

3. 'Loss of habitat for current wombat population which have burrows in the areas to be excavated'

IDLM considers that this point has been sufficiently addressed within the ecological assessment of the site (Dwyer, 2010). The assessment found wombats to be present and active at the site. However, as with koalas, wombats are not listed at State or Commonwealth level as rare or threatened and therefore do not increase the conservation significance of the vegetation proposed for clearing; or preclude the land on which they occur from being subject to works such as those proposed.



The identification, removal and subsequent relocation of wombats prior to construction (as recommended in the assessment) will be undertaken by Latrobe City Council, or a contractor on their behalf, to ensure that no animals are harmed or killed as a result of the construction activities.

Considering submissions received by Council (Northover, 2011; Thompson, 2011); available ecological information, and relevant planning and environment policy, the likely or possible presence of koalas at the site; loss of potential koala habitat at the site; and presences of wombats and wombat habitat throughout the site are not sufficient grounds for this project to be not permitted in its current form.

Should you wish to discuss any of the detail of this response, please feel free to contact me.

Regards

Shannon Dwyer
Indigenous Design Land Management
m. 0407 009 637 | shannon@iddesign.com.au

DRAFT

References

- DNRE (2002) *Victoria's Native Vegetation Management – A framework for action*. Victorian Government Department of Natural Resources and Environment, 2002.
- DSE (2004) *Vegetation Quality Assessment Manual – Guidelines for applying the habitat hectares scoring method*. Victorian Government Department of Sustainability and Environment. Ver. 1.3 October, 2004.
- Dwyer, S. (2010) *Ecological Assessment with Net Gain for Stage 1 Jumbuk Road Pavement Widening*. Report for Latrobe City Council by Indigenous Design and Management. November, 2010.
- Northover, R. (2011) *Objection to Native vegetation clearing Jumbuk Road Greenslang Junction*. Letter to Latrobe City Council. 10 January, 2011.
- Thompson, S. (2011) *Removal of large members of *Strombosia* habitat trees along Jumbuk Road by Latrobe City Council*. Letter to Latrobe City Council, 11 April 2011.
- TSSC (2010) *Advice to the Minister for the Environment and Heritage from the Threatened Species Scientific Committee regarding the loss of Threatened Species under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*. Commonwealth Department of Sustainability, Water, Population and Communities.

**11.3.5 PLANNING PERMIT APPLICATION 2010/381 - CONSTRUCTION
OF 40 DWELLINGS ON A LOT, 39 QUEENS PARADE,
TRARALGON**

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

1. PURPOSE

The purpose of this report is to determine Planning Permit Application 2010/381 for the construction of 40 dwellings on a lot at 39 Queens Parade, 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

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 Objective – Built Environment

‘In 2026, Latrobe Valley benefits from a well planned built environment that is complementary to its surroundings and which provided for a connected and inclusive community.’

Latrobe City Council Plan 2011-2015

Strategic Direction –

‘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.’

Legislation -

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 1 Plan of Subdivision 637622, known as 39 Queens Parade, Traralgon
Proponent: Prime Development Enterprises Pty Ltd
c/- Beveridge Williams Pty Ltd
Zoning: Mixed Use Zone
Overlay: Heritage Overlay

A Planning Permit is required for the construction of two or more dwellings on a lot within the Mixed Use Zone in accordance with Clause 32.04-5 of the Scheme.

A Planning Permit is also required to undertake buildings and works within the Heritage Overlay in accordance with Clause 43.01-1 of the Scheme.

4.2 PROPOSAL

The application seeks to allow the construction of 40 dwellings on the subject land. The proposed dwellings will be set over three storeys with a level of basement car parking provided also.

The development comprises a range of one, two and three bedroom apartments, some including studies, and provides common car parking area. The multiple levels can be accessed via stairwells and lifts.

The basement level provides for storage areas for each of the dwellings, 55 car parking spaces and provision for the storage of garbage and recycling facilities.

The ground level provides for a common entrance to the building and provides 15 apartments with a mixture of one, two and three bedroom apartments. The number of bedrooms for these 15 apartments requires 20 car parking spaces to be provided within the site.

The first floor provides 15 apartments with a mixture of one, two and three bedroom apartments. The number of bedrooms for these 15 apartments requires 22 car parking spaces to be provided within the site.

The second floor provides 10 apartments comprising two and three bedrooms. The number of bedrooms for these 10 apartments requires 13 car parking spaces to be provided within the site.

This totals a requirement for 57 car parking spaces to be provided, including the required visitor spaces. 55 spaces in total are to be provided within the basement of the development. The two spaces not provided relate to the visitor space requirements.

The external walls of the proposed building will be constructed of rendered tilt panel and glazed screens. The building will comprise an overall building height of 10.9 metres and provides a colorbond roof. This is similar to the ridge height of the neighbouring building at 11 Collins Street, which is 10.4 metres in height.

Subject Land:

The subject land is located within the Traralgon Activity Centre and is on the southern side of Queens Parade. The site adjoins Queens Parade along the northern boundary, Collins Street along the eastern boundary, and private properties to the south and west.

The site comprises an overall area of 2864 square metres and is flat. The site is vacant and contains no significant vegetation or other natural features. There is an existing concrete vehicle crossover servicing the site on the Collins Street site frontage.

Surrounding Land Use:

North: 30-32 Queens Parade Traralgon

This site is currently vacant and comprises a total area of 813 square metres. There are no significant features of this site. This site is not within the Heritage Overlay.

34-38 Queens Parade, Traralgon

This site contains a former shop (currently vacant) and a number of larger, commercial buildings occupied by Cleaners World Gippsland. This site comprises an overall area of approximately 2125 square metres. This site contains some minor landscaping adjacent to the southern site boundary (addressing Queens Parade) with a large sealed car parking area in front of the aluminium clad building and weatherboard office. This site is not within the Heritage Overlay.

South: 11 Collins Street, Traralgon

The sites southern boundary addresses in part Shakespeare Street and also a former dwelling now used as a medical centre. This building is identified in the Heritage Overlay as 'Etheldale', a significant building within the heritage precinct. This building has a total ridge height of 10.4 metres. The site has minimal landscaping and a new timber paling fence along the common boundary with the subject land. This site was previously part of the subject land but title boundaries were realigned in 2010 to separate the building from the vacant portion of the site.

East: 10 Collins Street, Traralgon

This site contains a single storey dwelling and ancillary outbuilding on a lot of approximately 637 square metres. Vehicle access to this dwelling is from Meredith Street but the design of the dwelling allows for primary pedestrian access from Collins Street. The dwelling is set back 3.8 metres from the Collins Street frontage. The building is constructed of weatherboards with an aluminium roof. There is a rendered fence along the street frontages shielding much of the site from street view. This site is identified in the Heritage Overlay as containing a non-contributory building.

12 Collins Street, Traralgon

This site contains a single storey dwelling and ancillary outbuilding on a lot of approximately 349 square metres. This lot addresses Collins Street but vehicle access is provided from Meredith Street. This building is set back 3.6 metres from Collins Street and the boundary is lined with a low timber picket fence. This site is identified in the Heritage Overlay as containing a contributory building.

37 Queens Parade, Traralgon

This site contains a single storey dwelling and outbuilding on a lot of approximately 583 square metres. This building is designed to address Queens Parade with vehicle access provided from Collins Street. This site is identified in the Heritage Overlay as containing a contributory building.

West: 41 Queens Parade, Traralgon

This site contains a single storey dwelling on a lot of approximately 660 square metres. This building is set back 7.8 metres from Queens Parade and is presently occupied. There is a single vehicle crossover in the north eastern corner of this site and a long driveway to an outbuilding at the rear of the property which runs along the eastern site boundary. This building is identified as contributory to the heritage precinct.

26 Shakespeare Street, Traralgon

This site contains four commercial shops and the associated car parking. This lot addresses Shakespeare Street and the buildings abut the western, northern and some of the eastern boundary of this lot. This site is not within the Heritage Overlay.

4.3 HISTORY OF APPLICATION

The history of the assessment of planning permit application 2010/381 is identified within Attachment 1.

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

5. ISSUES

The site is contained within a Mixed Use Zone and is within a Heritage Overlay.

Within the Mixed Use Zone the development of multiple dwellings on a lot requires planning permission. An application must demonstrate its consistency with the relevant Planning Scheme provisions and the relevant provisions within Clause 55 of the Scheme (ResCode).

The Heritage Overlay relates to the Traralgon Railway Residential Precinct. This is discussed in greater detail at Section 5.3 of this report.

5.1 STATE AND LOCAL PLANNING POLICY FRAMEWORK

The Scheme contains a number of strategies around promoting and supporting well designed infill residential development in areas located close to community facilities. The application is considered to provide for the varied housing needs of the community and caters to Latrobe residents seeking a smaller and more manageable property.

Due to the location being adjacent to the Traralgon Railway Station and activity centre, the application is generally supported through the principles of urban consolidation in areas within activity centres and well serviced by public transport.

Regional strategy expressed in *Ready for Tomorrow – a Blueprint for Regional and Rural Victoria* and in the State and Local Planning Policy Framework generally encourages compact cities by focussing employment, commercial activity, housing and community facilities to be located in activity centres and strategic sites.

More intense development in these locations should facilitate improved access to, and more use of existing services, infrastructure and the public transport network. Clause 11 of the Scheme seeks to encourage more intense development in activity centres to meet the growth in households forecasts. Clause 15 seeks to encourage a more compact city and encourages the development of well designed medium density housing which respects the neighbourhood character, improves housing choice and makes better use of existing infrastructure.

Clause 15 further acknowledges the importance of conserving places of heritage significance and to ensure that development responds to its context in regards to the heritage values and aspirations of the community.

The strategic directions set out in the State Planning Policy Framework set a clear framework that generally supports development such as this, subject to satisfactory detailed design and consideration of off site amenity factors.

It is considered that the proposal is broadly supported given the site being within the central activity area of Traralgon and the scale of development being appropriate for the area.

5.2 MIXED USE ZONE

The objectives of the Mixed Use Zone are to implement the State and Local Planning Policy Frameworks, provide for a range of varied uses complementing the 'mixed use-function' of the locality, and to encourage residential development that respects the neighbourhood character.

In considering applications for multiple dwellings and residential buildings, Clause 55 is also identified as a guideline for decision making.

The scale of the development is not currently common in the site's immediate context. However, the design response is considered acceptable in the context of this site given:

- The mixed use zone exists despite being within the central activity district of Traralgon; and

- The housing is proposed to be accessible to persons with restricted mobility, enhanced by the proximity to the central business district and improved connections through the implementation of the Traralgon Station Precinct Master Plan adopted by Council on 27 June 2011.

5.3 HERITAGE OVERLAY

This heritage precinct comprises properties to the south of the Traralgon Railway Station, the majority of which are to the east of the subject land save one dwelling at 41 Queens Parade and the building at 11 Collins Street, currently used as a medical centre. The precinct comprises largely late Edwardian and Inter-War weatherboard dwellings with some late Victorian houses also. Roof forms are a mixture of hip and gable and typically constructed of corrugated iron.

In assessing this application, Council sought independent heritage design advice in regard to the proposal. In the report provided to Council dated 9 September 2011, *Heritage Intelligence Pty Ltd* advised that:

- The scale of the proposed building is out of character with the precinct; and
- The bulk of the building is out of character with the precinct.

Clause 10.04 of the Scheme calls upon planning and responsible authorities to endeavour to integrate the range of policies relevant to the issues to be determined, balancing conflicting objectives in favour of net community benefit and sustainable development.

The Scheme recognises that it is inappropriate for new developments in heritage areas to mimic the characteristics of the heritage buildings. Whilst the building has been well designed, the heritage advice provided to Council indicates that the building is contrary to the existing heritage character of the area and no planning permit should be issued.

The design of the proposed building is a significant contrast to the features of the heritage precinct and as such will highlight the design attributes of the heritage buildings. The site is located on the periphery of the precinct and many of the heritage sites will not be significantly impacted due to their proximity to the site.

The heritage advice acknowledges that if a permit was to be issued, the dwelling located at 41 Queens Parade should be given an individual citation in the Heritage Overlay as this site may be visually isolated from the precinct.

Having regard to the heritage advice, it is considered that in balancing the heritage characteristics of the precinct with the development, the proposal will not adversely affect the significance of the precinct. The design response has regard to the maximum building height found within the precinct and whilst it contrasts with the precinct in terms of site coverage, it is considered appropriate with the decision guidelines for the precinct.

5.4 CLAUSE 55

The proposed building will assume a greater visual presence on the site than the majority of residential buildings within this area. In terms of assessing its impact on the amenity of the neighbouring dwellings, the proposed building exhibits compliance with or exceeds all the relevant objectives of Clause 55 of the Scheme.

5.5 TRARALGON ACTIVITY CENTRE PLAN

This site is located within the Traralgon Activity Centre area.

The Traralgon Activity Centre Plan Key Directions Report was considered by Council at the ordinary meeting on 19 September 2011.

Whilst not endorsed at this stage, the draft Key Directions Report identifies that the future built form of the activity centre will include up to seven and eight storey buildings in the retail core, concealed car parking sites with active street frontages, and development to make more efficient use of underutilised spaces within the activity centre area.

Emphasis will be given to the design detail of buildings, sensitive interfaces to residential properties and active frontages to face public spaces, open spaces and public walkways.

Key Direction 37 refers specifically to the strategy to encourage higher density residential development within the activity centre.

It is considered that the proposal is generally consistent with the strategic direction set out in the draft key directions report.

5.6 TRARALGON INNER SOUTH PRECINCT MASTER PLAN

This document was adopted by Council at the ordinary meeting on 11 July 2011. Whilst this site falls outside the Traralgon Inner South Precinct Master Plan study area, there are a number of strategies within this plan which relate to this area. The primary strategy relevant to this application relate to transitioning this area to a medium density precinct. There are a number of parcels within the Traralgon Inner South Precinct which are designated for large scale medium density housing subject to appropriate design considerations. The proposal is considered to be consistent with the strategies to achieve this.

5.7 TRARALGON STATION PRECINCT MASTER PLAN

This document was adopted by Council at the ordinary meeting on 27 June 2011. The subject site is immediately adjacent to the Traralgon Station Precinct study area. There are a number of strategies within this plan which relate to this area. The primary strategy relevant to this application relates to ensuring that development on the southern side of the train line provides basement parking and no more than three storeys of residential development with the intent to minimise any adverse impacts on the single storey dwellings on the southern side of Queens Parade.

The Traralgon Station Precinct Master Plan identifies opportunities for improved connectivity between the northern and southern side of the railway line through a new overpass, north and south plaza area and a network of paths directing users from the southern residential precinct through the area to the town centre.

The proposed height of the building is marginally taller than the ridge of the adjoining building located at 11 Collins Street. It is acknowledged that the design addresses the residential interface through articulation of the facades of the building and other landscaping. It is considered that whilst this building will be prominent and from some angles is likely to be viewed from some distance, visibility is not the test as to whether a building is appropriately designed. The many multi level buildings both within the Traralgon central business district and sought with the Traralgon Activity Centre Plan Key Directions Report will ensure that future development of this scale will become more common in these areas. The Traralgon Station Precinct Master Plan supports residential development of the same scale on the northern side of Queens Parade, demonstrating that this type of development is intended to become prevalent in this area.

Clause 10.04 of the Scheme requires decision makers to integrate the range of policy issues and to balance any conflicting objectives in favour of 'net community benefit.' It is considered that this proposal provides a number of benefits in terms of:

- A building with a contemporary design which provides variety in terms of height, setbacks, treatments and facades;
- A major residential project for Traralgon within a designated activity centre and well serviced by pedestrian networks and public transport;
- A building which facilitates the achievement of a number of State and Local objectives regarding Transit Cities and activity centre objectives;
- Development consistent with the strategic direction of the Traralgon Inner South Precinct Master Plan; and
- Development consistent with the Council adopted Traralgon Station Precinct Master Plan and draft Traralgon Activity Centre Plan Key Directions Report.

The application received four submissions in the form of objections. The issues raised by submitters are summarised as follows:

1. The development will lead to an additional strain on the car parking available within the area.

Officer Comment:

In relation to the provision of car parking spaces, the Latrobe Planning Scheme at Clause 55.03-11 provides a Parking Provision Objective as follows:

- To ensure that car and bicycle parking for residents and visitors is appropriate to the needs of residents.
- To ensure that the design of parking and access areas is practical and attractive and that these areas can be easily maintained.

Standard B16 goes on to state the following parking standards should be met:

- One space for each one or two bedroom dwelling.
- Two spaces for each three or more bedroom dwelling, with one space under cover.
- Developments of five or more dwellings should provide visitor car parking of one space for every five dwellings.

Clause 55 of the Planning Scheme requires that a development must meet all of the objectives and should meet all standards. If Council is satisfied that an alternative response to the standards is appropriate, the alternative solution may be considered. This provides Council with the discretion to accept a reduced level of car parking in appropriate circumstances.

Pursuant to Standard B16, the proposal should provide 57 car parking spaces. The proposal actually provides 55 car parking spaces, reducing the number of car parking spaces to be provided by omitting two visitor spaces.

The justification provided within the proponents traffic report (see attachment 8) and following due consideration from the City Planning and Infrastructure Planning teams, the proposed number of car parking spaces is considered to be acceptable. There are a number of factors to support this assessment.

In accordance with the standard B16, adequate on site car parking is provided for all residents of the proposed development. Given the highly accessible location of the subject site (in proximity to the Traralgon Activity Centre and public transport opportunities) it is considered reasonable to expect that visitor access to the dwellings could be provided via alternate means of transport (public transport, walking or cycling).

This view is supported by the State and Local Planning Policy Frameworks which seeks to reduce reliance on car-travel and encourages medium density housing within Transit City areas. Further, the strategies within the Traralgon Station Precinct Master Plan and the draft Traralgon Activity Centre Plan Key Directions report support reduced car borne use within the Traralgon Activity Centre.

The objections expressed concerns that residents would be likely to park on street rather than in their designated car space in the basement car park. It is considered possible that there may be occasions when residents or visitors do park on street but given the limited on-street parking available, this is not considered to cause detriment to the surrounding highway network. The proximity to the Traralgon Railway Station and other public transport facilities will provide alternative access to and from the development.

2. Amenity and traffic movements generated by the development, both on nearby residents and businesses.

Officer Comment:

Council's Infrastructure Planning team raised no concern in regard to traffic flow problems or congestion through increased vehicle and pedestrian movements as a result of this development proceeding. The traffic and parking patterns are likely to be typical of those found within and surrounding an activity centre.

No expert traffic advice was submitted with any objection which would demonstrate that parking and vehicle movements may cause material detriment to any party.

The traffic study provided with the application and Council's Infrastructure Planning team consider that the likely vehicle movements generated by the development will be accommodated within the existing highway network.

3. The development is inconsistent with the heritage character of the area.

Officer Comment:

The heritage implications of the development have been discussed at Section 5.3 of this report. The design is considered to be appropriate in the context of the surrounding heritage precinct and the preferred development density for the area. Whilst there are aspects of the proposal which vary from the significant features of the heritage buildings within the precinct, the proposal is considered to be acceptable.

4. The possibility of overlooking and overshadowing effects of the development.

Officer Comment:

The permit applicant has prepared overlooking and overshadowing drawings that identifies the possible overshadowing or overlooking to adjoining properties. There will be some overshadowing effects to the lot directly to the west of the subject land (41 Queens Parade) for a habitable room window facing east. This will only occur for a period with the morning sun and will allow for light entry at other periods throughout the day and is acceptable in the context of Clause 55.04-6 'Overlooking Objective'. The upper levels of the development are staggered to attempt to minimise any overshadowing impacts on this property.

There are some minor overlooking issues from the subject land to 11 Collins Street. At present, as this land is used for a medical centre, there are no significant amenity impacts arising from overlooking into this site. If the use of the land is to change in the future to a more sensitive use, particularly residential, there may be some additional impacts.

Given the overlooking screens provided within the development, any overlooking will occur primarily into a small area of open space within the rear of 11 Collins Street. The possible measures to prevent *all* overlooking to 11 Collins street may compromise the appearance of the development through excessive screening measures. The objective of Clause 55.04-6 'Overlooking Objective' is to *limit* views into existing private open space areas and habitable room windows.

It is considered that the proposal is able to meet this objective as the overlooking effects are minimal.

5. The proposal will prevent the Gippsland Regional Indoor Aquatic Facility from being constructed on the site.

Officer Comment:

There is no Council adopted study or plan which provides for an indoor aquatic facility in this area of Traralgon. Any private development for this purpose will be subject to planning permission.

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 was advertised pursuant to Section 52(1) of the Act in that notice was provided to the adjoining property owners and occupiers, and a sign displayed on each road frontage of the site. Notice of the application was also provided in one edition of the Latrobe Valley Express (published on 14 July 2011).

Notice was also provided to Gippsland Water in accordance with Section 52(1)(d) of the Act.

External:

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

Advice was sought from a heritage consultant regarding the proposal.

Internal:

The application was referred internally to Council's Infrastructure Planning team who provided consent to the granting of a planning permit subject to appropriate conditions.

Details of Community Consultation following Notification:

Following the notification process, there were four submissions in the form of objections received to the application. A planning mediation meeting did not occur as the permit applicant did not wish to proceed to mediation. A response to the objections was prepared by the permit applicant and circulated to the objectors for review.

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. Refuse 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:

- Consistent with the strategic direction of the State and Local Planning Policy Frameworks;
- Consistent with the 'Purpose' and 'Decision Guidelines' of the Mixed Use Zone;
- Consistent with the 'Purpose' and 'Decision Guidelines' of the Heritage Overlay;
- Consistent with the relevant requirements of Clause 55 (Two or More Dwellings on a Lot);
- Consistent with Clause 65 (Decision Guidelines); and
- The objections received have been considered against the provisions of the Latrobe Planning Scheme and the relevant planning concerns have been considered and do not form planning grounds on which the application should be refused.

10. RECOMMENDATION

A. That Council issues a Notice of Decision to Grant a Planning Permit, for the construction of 40 dwellings on a lot at Lot 1 Plan of Subdivision 637622, more commonly known as 39 Queens Parade, Traralgon, with the following conditions:

- 1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**
- 2. Once building works have commenced they must be completed to the satisfaction of the Responsible Authority.**
- 3. Upon completion of the works, the site must be cleared of all excess building materials and debris to the satisfaction of the Responsible Authority.**
- 4. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.**
- 5. Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access must be constructed in accordance with Australian Standards Design for Access and Mobility: AS1428.1-2001, AS1428.2-1992, AS1428.3-1992 and AS1428.4-2002.**
- 6. All outdoor lighting must be baffled and/or located to prevent light from the site causing detriment to the locality to the satisfaction of the Responsible Authority.**
- 7. All pipes, fixtures, fittings and vents servicing the building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.**
- 8. The operator of this permit must ensure that all dwellings within the development are protected from noise associated with any on-site mechanical plant equipment, consistent with the requirements of the State Environment Protection Policy N-1.**
- 9. The proposed works must not cause any damage to any existing street tree.**
- 10. Prior to the occupation of the development, all tilt slab or precast concrete surfaces must be painted, treated, textured and maintained thereafter to the satisfaction of the Responsible Authority.**

Landscaping Conditions

- 11. Prior to the commencement of any works, a landscape plan must be submitted to and approved by the Responsible Authority. The plan must provide for:**
- a) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;**
 - b) Details of all surface finishes and pathways;**
 - c) A planting schedule of proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;**
 - d) Landscaping and plantings within all open areas of the site.**

All species are to be selected to the satisfaction of the Responsible Authority.

When approved, the plan will be endorsed and will then form part of the permit.

- 12. The landscaping as shown on the endorsed Landscape plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development or by such date as is approved by the Responsible Authority in writing.**
- 13. The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.**

Engineering Conditions

- 14. Prior to the commencement of works, the operator of this permit must provide a Waste Collection Management Plan to the satisfaction of the Responsible Authority. This plan must address the storage and collection of household, recyclable materials and green wastes and access arrangements for the safe and efficient collection of waste materials from the site.**
- 15. Prior to the commencement of works, a site drainage plan including all hydraulic computations must be submitted to and approved by the Responsible Authority. The plan must be prepared in accordance with the requirements of Latrobe City Council's 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 to the legal point of discharge; and
- c) The provision of stormwater detention within the site and prior to the point of discharge into the drainage system if the total rate of discharge from the property exceeds the rate of discharge that would result if a co-efficient of run-off of 0.4 was applied to the whole of the property area.

When approved, the plan will be endorsed and will then form part of this permit.

16. Appropriate measures must be implemented throughout the construction stages of development to rectify and/or minimise mud, crushed rock or other debris being carried onto roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.
17. Prior to the occupancy of the development, or by such time as approved by the Responsible Authority in writing, the following works must be completed to the satisfaction of the Responsible Authority:
 - a) All drainage systems must be constructed in accordance with the approved site drainage plan;
 - b) 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) All redundant vehicle crossings must be removed and reinstated with footpath, nature strip and kerb and channel.
18. Car spaces, vehicle access lanes and driveways must be kept available for these purposes at all times.
19. All car parking spaces and internal circulation roads are to be designed and constructed in accordance with AS2890.1-1993.

Expiry of Permit

20. This permit will expire if one of the following circumstances applies:
 - a) The development has not commenced 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 afterward.

Planning Permit Notes

- Note 1.** Unless exempted by the Responsible Authority, an Asset Protection Permit must be obtained prior to the commencement of any proposed building works (as defined in Local Law No.3). The Responsible Authority must be notified in writing at least seven days prior to the buildings works commencing or materials/equipment being delivered to the site.
- Note 2.** A Stormwater Connection Permit must be obtained prior to the connection of any new stormwater drainage into the stormwater drainage system. All new stormwater drainage connections must be inspected by the Responsible Authority before any backfilling of the connection is undertaken.
- Note 3.** The location of the legal point of discharge into the stormwater drainage system can be obtained by completing a Legal Point of Discharge form available from www.latrobe.vic.gov.au/services/roads/worksperrmits
- Note 4.** A Vehicle Crossing Permit must be obtained prior to the commencement of any works that include the construction, installation, alteration or removal of any vehicle crossing. The relevant fees, charges and conditions of the Vehicle Crossing Permit will apply even if the vehicle crossing works have been approved within this Planning Permit.
- Note 5.** Vehicle crossings must be provided with minimum clearances to other infrastructure in accordance with the Latrobe City Council's Vehicle Crossing Policy, including clearances to property boundaries, any adjacent side entry pits, 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 shall be at the expense of the operator of this permit.
- B.** That Council consider a separate heritage citation for 41 Queens Parade as part of any future review of the Heritage Overlay.

Moved: Cr Lougheed

Seconded: Cr White

That the Recommendation be adopted.

For the Motion

NIL

Against the Motion

Councillor/s O'Callaghan, Vermeulen, Kam, Middlemiss, Lougheed, Harriman and White

The Mayor confirmed that the Recommendation had been LOST

Following the council decision to not adopt the recommendation on planning permit application 2010/381 – Construction of 40 dwellings on a lot at 39 Queens Parade Traralgon, a request was made for the CEO to present a further report at the next ordinary council meeting with grounds for refusal of this planning permit application.

ATTACHMENTS

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ATTACHMENT 1
History of Application

| DATE | EVENT |
|------------------|---|
| 24 November 2010 | Application received by Responsible Authority. |
| 13 December 2010 | A request for additional information was forwarded to the applicant to address. |
| 4 April 2011 | The required information was provided addressing the concerns raised by Council. |
| 6 April 2011 | The permit applicant was advised in writing that their neighbourhood and site description addressed the requirements of Clause 55.01-1 of the Latrobe Planning Scheme. |
| 15 April 2011 | Independent heritage advice was sought by Council. |
| 30 June 2011 | Heritage Advice was initially received by Council. |
| 1 July 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, and display a sign on each road frontage of the site for 14 days. One notice was also published in the 14 July 2011 edition of the Latrobe Valley Express. Internal referrals were undertaken and notice was provided in accordance with Section 52(1)(d) of the Act to SP AusNet Pty Ltd and Gippsland Water. |
| 28 July 2011 | Two submissions in the form of objections were received to the application. |
| 29 July 2011 | A third submission in the form of an objection was received to the application. |
| 1 August 2011 | A statutory declaration was received from the applicant advising that notice had occurred as per the direction of Council officers. |
| 2 August 2011 | A fourth submission in the form of an objection was received to the application. |
| 10 August 2011 | The permit applicant provided a submission in response to the objections, which was circulated to all objectors. |

ATTACHMENT 2
Relevant Ordinance of the
Latrobe Planning Scheme

LATROBE PLANNING SCHEME

State Planning Policy Framework

- Clause 11.01 'Activity Centres'
- Clause 11.02 'Urban Growth'
- Clause 11.05 'Regional Development'
- Clause 15.01 'Urban Environment'
- Clause 15.03 'Heritage'
- Clause 16.01 'Residential Development'
- Clause 18.01 'Integrated Transport'
- Clause 18.02 'Movement Networks'

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 – Mixed Use Zone

The subject land is located within a Mixed Use Zone.

Overlay – Heritage Overlay

The subject land is located within a Heritage Overlay (heritage precinct).

Particular Provisions

Clause 55 'Two or More Dwellings on a Lot and Residential Buildings'

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



ATTACHMENT 4
Proposed Plans

QUEENS PARADE

COLLINS STREET

MEREDITH STREET

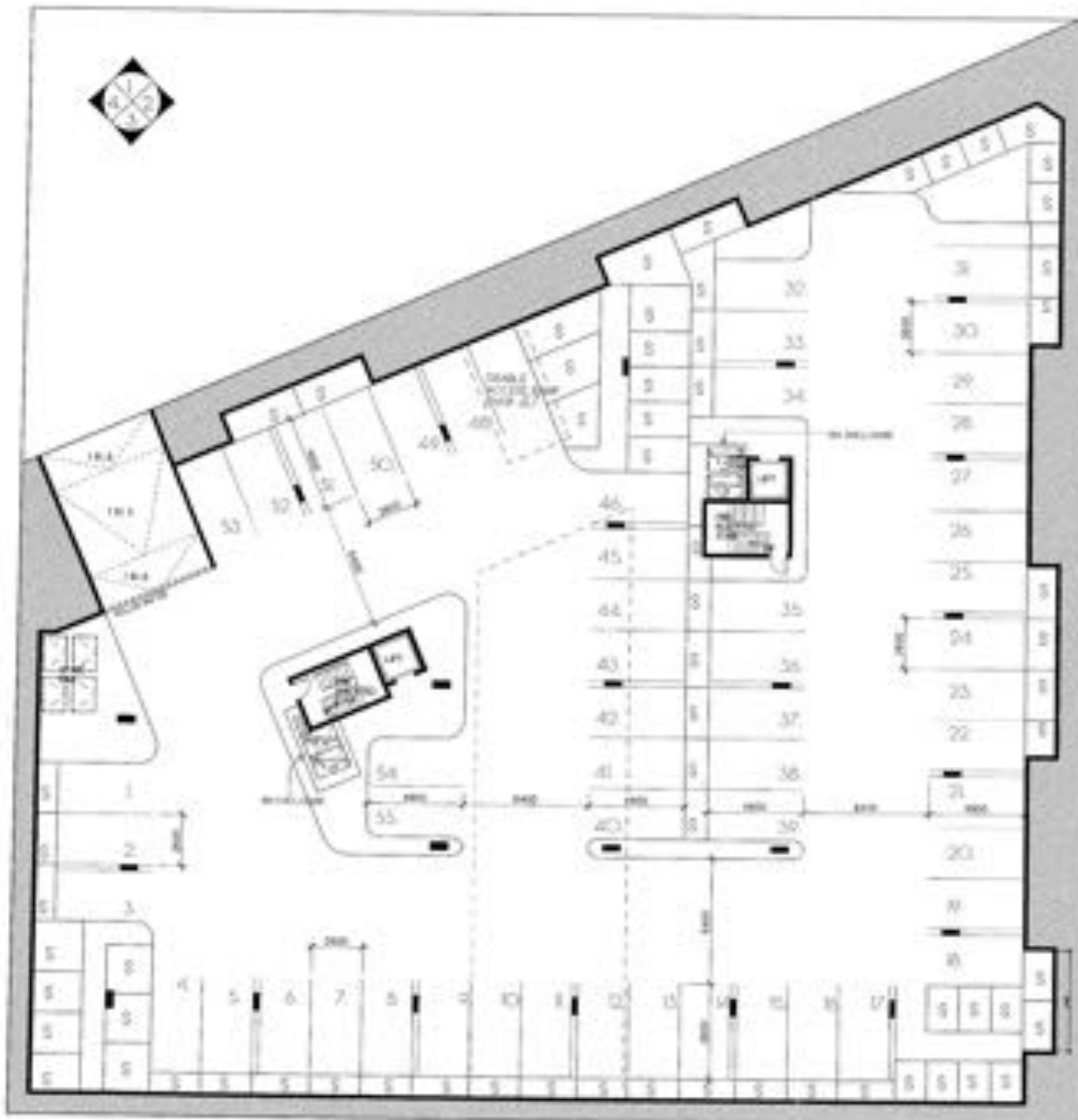
SHAKESPEARE STREET

SITE DEVELOPMENT PLAN

GENERAL NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CURRENT BUILDING CODES.
 3. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
 4. THE SITE SHALL BE PREPARED AND GRADUATED TO THE FINISHED GRADE SHOWN.
 5. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED.
 6. THE CLIENT SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES.
 7. THE SITE SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
 8. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL AUTHORITY.
 9. THE CLIENT SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL EXISTING STRUCTURES AND UTILITIES.
 10. THE SITE SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION AT THE END OF CONSTRUCTION.



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| PROJECT NO. | DATE | SCALE | BY | CHKD |
| 10001 | 10/2024 | 1:500 | AT | AT |
| PROJECT NAME | | | CLIENT | LOCATION |
| 1234567890 | | | ABC DEF | GHI JKL |



BASEMENT FLOOR PLAN



| | | | |
|------------------------|--|-------------------------|--|
| PROJECT: [REDACTED] | | DATE: [REDACTED] | |
| DRAWN BY: [REDACTED] | | SCALE: [REDACTED] | |
| CHECKED BY: [REDACTED] | | SHEET NO: [REDACTED] | |
| DATE: [REDACTED] | | SHEET TOTAL: [REDACTED] | |

| UNIT NO. | GROUND FLOOR | FIRST FLOOR | SECOND FLOOR | TOTAL |
|----------|--------------|-------------|--------------|-------|
| UNIT 101 | 100.0 | 100.0 | 100.0 | 300.0 |
| UNIT 102 | 100.0 | 100.0 | 100.0 | 300.0 |
| UNIT 103 | 100.0 | 100.0 | 100.0 | 300.0 |
| UNIT 104 | 100.0 | 100.0 | 100.0 | 300.0 |



QUEENS APARTMENTS

| UNIT NO. | GROUND FLOOR | FIRST FLOOR | SECOND FLOOR | TOTAL |
|----------|--------------|-------------|--------------|-------|
| UNIT 101 | 100.0 | 100.0 | 100.0 | 300.0 |
| UNIT 102 | 100.0 | 100.0 | 100.0 | 300.0 |
| UNIT 103 | 100.0 | 100.0 | 100.0 | 300.0 |
| UNIT 104 | 100.0 | 100.0 | 100.0 | 300.0 |

GROUND FLOOR PLAN



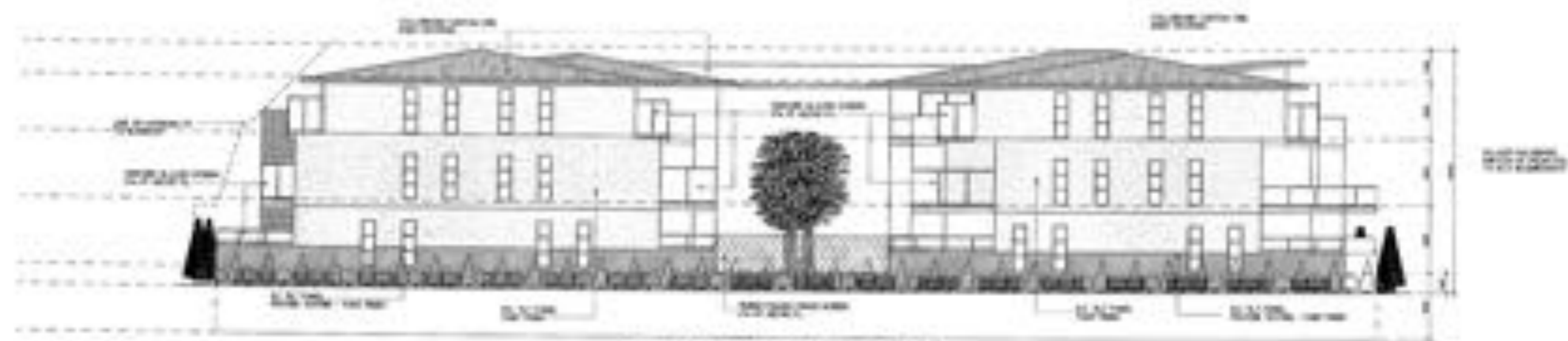
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| DATE | 10/10/2023 |
| SCALE | 1:100 |
| DRAWN BY | SKILL |
| CHECKED BY | SKILL |
| PROJECT NO. | 1001 |
| CLIENT | SKILL |
| LOCATION | SKILL |
| DATE | 10/10/2023 |



FIRST FLOOR PLAN



| | | | |
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| DRAWN BY: [illegible] | | SCALE: [illegible] | |
| CHECKED BY: [illegible] | | SHEET NO: [illegible] | |
| DATE: [illegible] | | PAGE NO: [illegible] | |



ELEVATION 1 - SOUTH



ELEVATION 2 - WEST



ELEVATION 2 1/4 - WEST INTERNAL



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| DATE: 11/11/11 DRAWN BY: 11111111111111111111 CHECKED BY: 11111111111111111111 SCALE: 1:100 | SHEET NO: 11111111111111111111 TOTAL SHEETS: 11111111111111111111 PROJECT NO: 11111111111111111111 DRAWING NO: 11111111111111111111 |






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|--|--|-----------------------|



SHADOW DIAGRAM, 9 AM

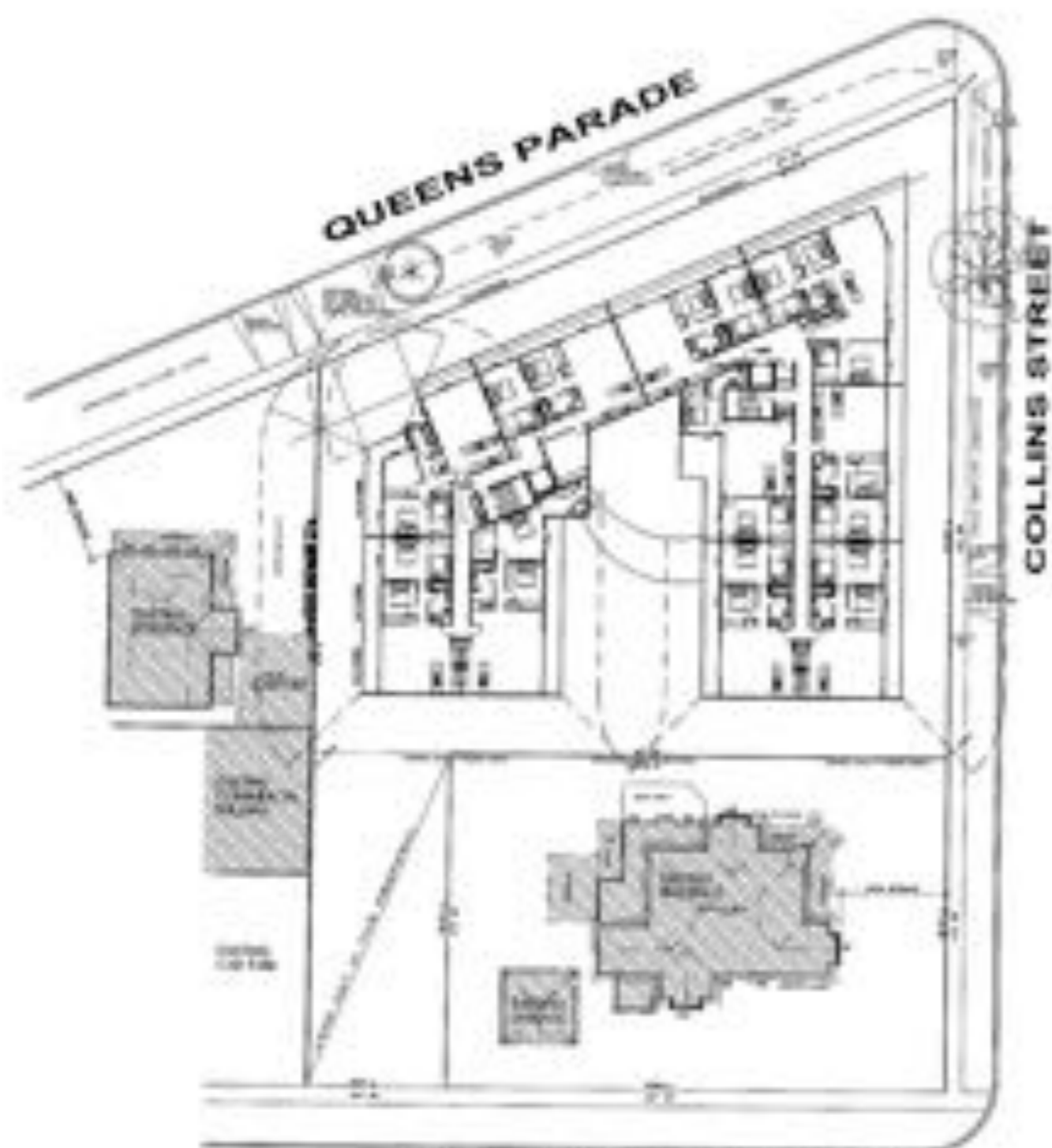


SHADOW DIAGRAM, 3 PM

| | |
|---|------------------------|
|  | 1.0m shadow at 9 AM |
|  | 1.0m shadow at 9 AM |
|  | 1.0m shadow at 3 PM |



| | | |
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| CLIENT: [unreadable] | | SCALE: 1:100 |
| DESIGNER: [unreadable] | DATE: 01/10/10 | NO: 1.0000 |
| CHECKED: [unreadable] | DATE: 01/10/10 | NO: 1.0000 |
| DRAWN: [unreadable] | | NO: 1.0000 |



OVERLOOKING DIAGRAM - SECOND FLOOR



OVERLOOKING DIAGRAM - FIRST FLOOR



| | | |
|---|-------------------------------------|---|
| PREPARED BY: [Name] DRAWN BY: [Name] CHECKED BY: [Name] DATE: [Date] | | SCALE: 1:100 SHEET NO: [Number] TOTAL SHEETS: [Total] |
| PROJECT NO: [Number] CLIENT: [Name] | LOCATION: [Address] CITY: [City] | DRAWING NO: [Number] DATE: [Date] |



4/28/22

B1







1/18/2018











ATTACHMENT 5
Copy of Submissions

28.07.2011

Shane and Sharlene Guiding

[REDACTED]

Traalgon VIC 3844

LATROBE CITY COUNCIL
INFORMATION MANAGEMENT

RECEIVED

02 AUG 2011

| | |
|--|---------|
| R/O | Doc No: |
| Comments/Queries Directed to: | |
| <input type="checkbox"/> Day assessed in Draft/284 <input type="checkbox"/> Items to be added to records | |

To Whom it may concern,

We would like to make a formal objection to the construction of 40 Units at

39 Queens Parade, Traalgon.

Planning Permit Application Number 2010/281

Our objection is not to the development of the block itself, but to the density of the housing, and the lack of parking facilities in the area.

The proposal currently suggests that there is currently on street car parking for approximately 8 cars in Collins Street. This is not the case. There is no longer any car parking available during the week in Collins Street due to the opening of the new clinic on the corner of Collins Street and Shakespeare Street. This is frustrating for the residents of the street who no longer have parking outside their own homes, and the access to Shakespeare Street from Collins Street has become dangerous with high traffic and extremely low visibility. Those who are unable to find a park in Collins Street often park on both sides of Meredith Street, without leaving enough room for residents of Meredith Street to actually enter or exit the street at that end!

Potentially, a development of 40 units combining 1, 2 and 3 bedrooms could require parking spaces well in excess of what is currently being proposed, and current legislation shows that this development is already 2 spaces short of the minimum car spaces required.

A three storey development in a heritage listed area is not in keeping with the current surrounds.

As we stated, we do not object to the development of this site at all, only number of units proposed, and the impact that this would have on both the residents with regarding to current issues with parking, traffic and access to our homes.

Kind Regards

Shane and Sharlene Guiding

Christine Sindt & Henry Sindt
[REDACTED]

Traralgon VIC 3844

27 July 2011

Planning Section
Latrobe City Council
PO Box 264
Morwell VIC 3840

To Whom It May Concern,

Objection to Application 2010/381

We object to the construction of 40 dwellings on a Lot at 39 Queens Parade, Traralgon by Prime Development Enterprises Pty Ltd.

As owners of the adjoining property at [REDACTED], our concerns are:

- Our view of the huge flowering gum in Collins Street would be obscured
- Overshadowing and reduction of sunlight to the property
- Loss of privacy with a three storey development overlooking our property
- The arrival and departure of 52 cars daily from the proposed underground car park would be disruptive to the current tranquility of our family home

We also advise that the area of land for which the permit has been requested forms part of the "Golden Triangle" which is the area of land bounded by Queens Parade, Shakespeare Street and Collins Street, Traralgon. A proposal for a feasibility study for a Gippsland Regional Aquatic Facility to be established in the Golden Triangle has been submitted by us to the Latrobe City Council *Traralgon Activity Centre Plan* and also to the Member for Morwell, Russell Northe, and the Minister for Sport and Recreation.

The "Golden Triangle" is now under review by the Department of Planning and Community Development (DPCD) for the possible siting of the Gippsland Regional Indoor Aquatic Facility in Traralgon, retaining heritage properties on the site. DPCD has advised that they can assist with brokering discussions for a steering committee to help progress this proposal and ensure that it meets the requirements of the billion dollar Regional Growth Fund.

We have been advised that the 'Project Planning' component of the *Putting Locals First Program* can provide funding towards the development of a feasibility plan for the Gippsland Regional Indoor Aquatic Facility.

The *Local Government Infrastructure Program* is designed to provide funding directly to regional and rural councils for projects nominated in their Forward Capital Works Plan. The Gippsland Regional Indoor Aquatic Facility, Traralgon, proposal is consistent with community development plans for the municipality of Latrobe City Council.

Dr Christine Sindt, [REDACTED], Traralgon, VIC 3844
Telephone [REDACTED], Mobile [REDACTED]
christine@christinesindt.com
www.christinesindt.com

Page 1 of 3

"Latrobe 2026: The Community Vision for Latrobe Valley" states

Recreation - 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

"Council Plan 2011-2015 – Latrobe City Council's response to Latrobe 2026: The Community Vision for Latrobe Valley" responds

Latrobe City Council will work towards achieving the Recreation Community Vision with a range of strategic directions which are supported by major initiatives and services to be implemented by Council over the next four years

Strategic Directions

- Foster the health and wellbeing of the community by promoting active living and participation in community life
- Assess and evaluate recreational trends and opportunities to address community aspirations for passive and active recreational activities
- Align open space requirements of the community with useable public open space
- Promote and maximise the utilization of recreational, aquatic and leisure facilities and services to ensure they meet the needs of the community
- Provide diverse and accessible recreational, leisure and sporting facilities, that are financially sustainable
- Develop and maintain high quality recreational, leisure and sporting facilities in accordance with community aspirations
- Support and develop partnerships and collaboration with user groups, friends of and committees of management for recreational, aquatic, public open spaces, parks and gardens
- Continue to develop and enhance recreation and leisure facilities in order to attract and facilitate events of regional, national and international significance

All eight strategic directions of the Latrobe City Council are consistent with the establishment of an iconic world-class Gippsland Regional Indoor Aquatic Facility. Furthermore, the **Community Facility Funding Program** under the suite of Sport and Recreation Grants may also be able to provide funding towards the development of this major sport and recreation facility.

We have been advised that the proposal needs to flesh out the role of the buildings in the "Golden Triangle" in establishing a connection and a sense of place in Traralgon and the region and that there are also a number of **heritage grants/funding sources** which may be able to assist with or determine the viability of a heritage status for the proposed buildings. Possible stakeholders who have been identified to assist with the development of this project proposal include:

- Latrobe City Council
- Latrobe City Business Tourism Association Inc
- Traralgon Business (formerly Traralgon Chamber of Commerce and Industry)
- Sport & Recreation Victoria

Dr Christine Sindt, [REDACTED] Traralgon, VIC 3844
Telephone [REDACTED], Mobile [REDACTED]
christine@christinesindt.com
www.christinesindt.com

Page 2 of 3

- Heritage Victoria
- Monash University Gippsland
- Local Historical Societies

We also wish to affirm that at the Council Meeting of 23 May 2011 (CM 348), "in respect to the Traralgon Indoor Aquatic and Leisure Centre Feasibility Study 15 July 2010", 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

Since DPCD has urged that "Dr Sindt look to creating steering committees", we are now in the process of working with DPCD to create a Steering Committee for a Gippsland Regional Indoor Aquatic Facility on the Golden Triangle which may include all of the above groups as well as other interested parties. Other parties may include those 27 community members who made submissions to the Extraordinary Meeting of Latrobe City Council held on Monday 11 April 2011.

The first step for the steering committee will be a request for funds from the 'Project Planning' component of the *Putting Locals First Program* of the billion dollar Regional Growth Fund towards the development of a feasibility plan for the Gippsland Regional Indoor Aquatic Facility on the Golden Triangle.

In summary, we object to Application 2010/381 for the construction of 40 dwellings on a Lot at 39 Queens Parade, Traralgon by Prime Development Enterprises Pty Ltd.

Our objections are threefold:

- It will impact on our family home at [REDACTED] in the Golden Triangle
- The Victorian Government Department of Planning and Community Development (DPCD) has a strategic interest in the development of a Gippsland Regional Indoor Aquatic Facility funded by the billion dollar Regional Growth Fund in the Golden Triangle.
- Our objection to Application 2010/381 has been discussed with DPCD and it is considered appropriate at this stage.

Yours sincerely,

Arne Christine Sindt

Henry Wilhelm Sindt

At Traralgon, Victoria

Wednesday 27 July 2011

Lalorbe City Council
PO Box 264
Mornell VIC 3840

| | |
|--|---|
| LALORBE CITY COUNCIL | |
| INFORMATION MANAGEMENT | |
| RECEIVED | |
| 28 JUL 2011 | |
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| <input type="checkbox"/> Only approved in Database | <input type="checkbox"/> more forwarded to 400044 |

Torrington
VIC 3844.

27 July 2011.

RE: 39 Queens Parade proposed development

I object to council approving the development due to:

- very high density nature of proposal and reduced 'car park' request.

As a nearby resident, it concerns as it will cause traffic congestion especially at nights when parking is already an issue (overflowing from sports centre).

Concern regarding development attracting large scale lower socioeconomic tenants which may increase crime in nearby vicinity.

The building proposed is multi-level in an area that is made up of historically relevant homes that are near exclusively single storey.

The overall demand for such accommodation is questionable and the ongoing maintenance issues surrounding such a large development is concerning.

Overall this style of development is not in sync with current gazet nature of area.

Yours sincerely,

ROONEY GILHAM.

OBJECTION TO GRANT OF PLANNING PERMIT

WHO IS OBJECTING?

I/We (name in block letters) JOAN EDNEY & GRANT DEHARL
 Of (Address) [REDACTED]
TRARALGON Fax No: _____
 Postcode 3844 Telephone No. [REDACTED] (Home) _____ (Work) _____
 E-mail admin@cloneworld.com.au

WHAT APPLICATION DO YOU OBJECT TO?

WHAT IS THE PERMIT APPLICATION NUMBER? 2010/381
 WHAT IS PROPOSED? Construction of 40 Dwellings on a lot
 WHAT LAND IS PROPOSED TO BE USED OR DEVELOPED? 39 Queens Parade
Traralgon 3844
 WHO HAS APPLIED FOR THE PERMIT? PAINE DEVELOPMENT ENTERPRISES
PTY LTD

WHAT ARE THE REASONS FOR YOUR OBJECTIONS?

See Attached page 1 + 2

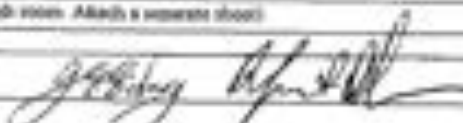
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| COMMUNICATIONS DIVISION | |
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HOW WILL YOU BE AFFECTED BY THE GRANT OF A PERMIT?

See Attached page 2.

(If there is not enough room Attach a separate sheet)

Signature



Date 27/7/11

IMPORTANT NOTES ABOUT OBJECTIONS TO PERMIT APPLICATIONS

1. This form is to help you make an objection to an applicant in a way which complies with the *Planning and Environment Act 1987*, and which can be readily understood by the responsible authority. There is no requirement under the act that you use any particular form.
2. Make sure you clearly understand what is proposed before you make an objection. You should inspect the application at the responsible authority's office.
3. To make an objection you should clearly complete the details on this form and lodge it with the responsible authority as shown on the Public Notice-Application for Planning Permit.
4. An objection must:
 - *state the reason for your objection; and
 - *State how you would be affected if a permit is granted.
5. The responsible authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
6. Any person may inspect an objection during office hours.
7. If your objection related to an effect on property other than at your address as shown on this form, give details of that property and of your interest in it.
8. To ensure the responsible authority considers your objection, make sure that the authority receives it by the date shown in the notice you were sent or which you saw in a newspaper or on the site.
9. If you object before the responsible authority makes a decision, the authority will tell you its decision.
10. If despite your objection the responsible authority decides to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Administrative Appeals Tribunal) and accompanied by the prescribed fee. A copy must be given to the responsible authority. The closing date for appeals is 21 days of the responsible authority giving notice of its decision.
11. If the responsible authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.

ATTACHMENT TO: Planning & Environment Act 1987OBJECTION TO GRANT OF PLANNING PERMITPERMIT APPLICATION NO: 2010/381WHAT ARE THE REASONS FOR YOUR OBJECTIONS?

We believe that a proposal to house up to 155 tenants will cause potential parking and traffic congestion problems, particularly when coupled with the Council's proposed Traralgon Station Master Plan to incorporate parking for another 200 vehicles.

- The above proposed plan states that it is providing the minimum car park spaces per the ratio of number of bedrooms plus visitors.
It also proposes that the "local area will" absorb any "extra" requirements.
 - a. Queens Pde and Collins Street are the boundary streets to this Proposed Development, therefore being the first parking places sought.
 - b. Both streets are narrow with safe parking already a concern.
 - c. The entry to this proposed building is off the South side of Queens Pde which is a regulated No Parking Zone - therefore leaving the North side to offer the closest parking. When cars are parked anywhere along Queens Pde, the traffic is reduced to single lane.
 - d. Cleaners World Gippsland is situated at 34-38 directly opposite the proposed site on the North side of Queens Pde. Being a wholesale business it has as many as 60 deliveries/pickups /customers per day - ranging from cars/vans/ tow-trailers to semi-trailers. Often longer vehicles and towing vehicles frequently require access to park and/or turn from either side of the Cleaners World's Entrance on Queens Parade.
 - e. We are very concerned that as this side is the closest area it will be the targeted area for off street parking by the tenants and their visitors.
 - f. Also local residents regularly attend the Indoor Sporting Complex situated at Queens Pde and during busy times (after school hours particularly) the street is very congested and parking is a premium.
 - g. Safe parking in Collins St is also difficult now as a practising medical clinic means that clients park in this street. One side of the street is already residential so visitors cars do access this parking regularly.
- Other "local areas" is referring to the Council's Traralgon Station Precinct Proposal which will increase parking facilities by 200 spaces for train commuters and students who will access the new TAFE Complex on Princes Highway. If this is so we believe that all of this will lead to the next problem of Traffic Congestion in both Queens Pde & Collins St.
- Should this plan for 40 units go ahead there will be an introduction of up to 150 potential residents in a confined area, all requiring some mode of transport to and from Queens Pde. With the number of car parks proposed there will be at least for 55 vehicles having to access already congested streets.

Add this to the councils proposed Traralgon Station Precinct Plan of 200 extra carspaces, the streets will have potential for more than double the present traffic flow making it difficult for local residents, local businesses, customers and commuters who will be meeting train times.

Keeping the heritage feel of the area is also a concern for us. With the small cottages to the East of the proposed development, the atmosphere feels very wrong for the area to have a 3 story building that will house an intense population. This does not meld with the general area of this area where so many of the houses & cottages display heritage overlays.

HOW WILL YOU BE AFFECTED BY THE GRANT OF PERMIT?

We, Joan Edney and Graet Derham, own Cleaners World Gippsland, situated at [REDACTED] and believe that we will be affected in the following ways:

- 1 More parking and traffic congestion along Queens Parade will affect the daily running of our business as delivery drivers and customers will not be able to safely and comfortably access Queens Parade or our business entrance.
- 2 The long term effect will be that our sales will drop as customers stop coming due to our business when access becomes cumbersome.
- 3 Should the planning permit be granted, because of the narrow access, we also envisage great interruption and chaos to our daily business during its construction.

Please Note: We have lived in a block of 21 flats, each with their appropriate off street parks, and we have struggled with the fact that there is **never anywhere** that other family members can get a park on the street in front of the premises so our fears for our business are very real.

J Edney + Graet Derham

ATTACHMENT 6
Applicants' Response to Submissions

Beveridge Williams

REF: 1000629
OFFICE: MELBOURNE

10 August 2011

Tom Vercos
Latrobe City Council
PO Box 264
MORWELL VIC 3840

Dear Tom,

RE: 39 QUEENS PARADE, TRARALGON (COUNCIL REF: 2010/381)
PUBLIC NOTIFICATION – RESPONSE TO OBJECTIONS

We refer to the above application and your recent advice confirming the receipt of four (4) objections to the proposed development. We wish to provide the following comments in response to the issues raised.

Background

The subject site is ideally located in the mixed use zone and within close proximity to the Traralgon railway station. Before lodging an application the applicant undertook pre-lodgement discussions to determine the type of development intended in this area. Council indicated that increased densities are sought in close proximity to the railway station, with reduced car parking to encourage public transport patronage. This formed the basis of the development design.

This intent has been reiterated in Council's Traralgon Station Precinct Masterplan which identifies the opportunity for 'complementary redevelopment of the southern side [of the station] for higher density or residential use'. The Masterplan intends to achieve the objectives of Council's 'Transit Cities' policy which seeks transit precincts to 'contain higher-density housing to foster walking for shorter trips, improve access to jobs, shops and services, and support local businesses'.

The proposed development seeks to balance these objectives with the context of the area. It is considered that the development reflects a suitable design outcome by adopting contemporary design which is of an appropriate scale and siting on the subject site.

Objector Concerns

Overshadowing & Overlooking

The proposed development complies with the overshadowing and overlooking objectives contained within Clause 55 of the Latrobe Planning Scheme. Drawing No. A8 submitted with the application shows the overshadowing at the times specified by Standard B21 of the planning scheme and confirms that the development shows strong compliance with ResCode requirements. Drawing No. A9 shows potential overlooking from the proposed



Beveridge Williams
& Co Pty Ltd

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Morwells

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development. It is evident that there is limited opportunity for overlooking. The development has also sought to reduce the potential by incorporating screening and window glazing in appropriate locations.

Car Parking

As indicated the intent of high density development in close proximity to the railway station is to promote public transport patronage. An assessment of parking demand is provided in the Traffic Engineering Report prepared by TTM and submitted as part of our information request response dated 31 March 2011. This indicates the resident car parking demand for the proposed development will be approximately 41 car parks. To this end, it is considered there is sufficient justification to support the proposed car parking arrangement for the development.

Traffic

The Traffic Engineering Report indicates that the proposed development will generate 200 vehicle movements per day. Queens Parade and Collins Street are both local streets with widths over 10 metres and are capable of catering for the development on the basis of existing vehicle movements. Based on the traffic assessment provided, the proposal will have minimal impact on the operation of the surrounding road network.

Aquatic Centre Planning

Having reviewed the Traralgon Indoor Aquatic and Leisure Centre Feasibility Study there does not appear to be any reference to an indoor aquatic centre in this locality. We submit that the proposed residential development is more suitable in this locality in light of Traralgon Transit City objectives. To this end, we do not believe this objection can be substantiated.

We trust this provides response to some key issues raised. We request that Council continue with their assessment of the application and look forward to advice of the date for consideration at a Council meeting.

If you have any queries regarding the above matter, please do not hesitate to contact the undersigned on 9528 4444.

Yours faithfully,
BEVERIDGE WILLIAMS & CO PTY LTD

A handwritten signature in black ink, appearing to read 'Gemma Robinson', written over a horizontal line.

Gemma Robinson
Planner

ATTACHMENT 7
Heritage Advice

HERITAGE ASSESSMENT

9 September 2011

Development of Land for 40 dwellings in a Three Storey Building on a vacant site at
39 Queens Parade Traralgon,
in the Heritage Precinct

Traralgon Railway Residential Heritage Overlay HO 85

Coates, Collins, Curran, Meredith, Morrison and Shakespeare streets and Queens Parade, Traralgon



Subject site, shaded green, is Not Significant

Prepared for the Latrobe City

By
LORRAINE HUDDLE
B. Architecture (Hons) (Melf), ICOMOS

Director:
Heritage Intelligence Pty Ltd, A.C.N. 698 613 971
Architectural Historians: Professional Heritage and Design Consultants

Report Distribution Record

| Issue No | Issue Date | Description | Recipients | Notes |
|----------|------------|---------------------|------------|---|
| 1 | 15 June 11 | First Draft Report | Tom Vercor | |
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1 Purpose of the report

This report details the heritage matters associated with the proposed development on the subject site and the impact the proposal will have upon the character and significance of the heritage overlay precinct in which the site is located.

2 Instructions and Acknowledgments

I was engaged by Tom Vercoe, Statutory Planner at Latrobe City Council to assess the impact the proposed development would have on the heritage values of the Traralgon Railway Residential precinct.

I have used the relevant documentation provided in the Latrobe City Heritage Study, C14 Amendment, July 2010 by Context Pty Ltd, particularly Volume 3, Heritage Place and Precinct Citations. I have not been instructed to carry out any additional historical research.

I did a site visit and took my own photos of the site and precinct.

I carried out this report from the beginning and formed my own opinion, which is in this report.

3 Sources of Information

In preparing this report, I have:

- Reviewed the planning application and associated documents.
- **A key document is the Heritage Schedule HO 85 Precinct – Traralgon Railway Residential citation.**
- As required by the Victorian government
Local governments must assess applications for building and works to identified heritage places in accordance with the provisions of Clause 43.01 of every Victorian planning scheme - http://www.dse.vic.gov.au/planningschemes/savpp/43_01.pdf
In addition, Heritage Victoria and the Department of Planning and Community Development publish The Heritage Overlay: Guidelines for Assessing Planning Permit Applications - <http://www.heritage.vic.gov.au/Forms-Guidelines/Heritage-overlay-guidelines.aspx>. This is a non-binding guidance document which covers recommended policy for assessing a range of development proposals, including demolition, alterations and additions, change of use, and so on.

I have used the relevant documents including:-

- Heritage Victoria. Design Guidelines for Places Covered by an Individual HO
- Heritage Victoria. The Heritage Overlay Guidelines 5. New Buildings in an Area Heritage Overlay.
- Latrobe City Council Planning Scheme, local heritage policy, Clauses
 - Heritage conservation 15.03-1
 - Cultural Identity and neighbourhood character 15.01-4
 - Neighbourhood and subdivision design 15.01-3
 - Urban Design Principles 15.01-2

4 Declaration

I have made all the enquiries that I believe are desirable and appropriate and that no matters of significance, which I regard as relevant, have to my knowledge been withheld from the Tribunal.

5 Professional Assessment and Opinions

In summary, I find the proposed planning permit application to be unacceptable with regard to heritage considerations, for the following reasons:



Heritage Character:

A) The heritage character of the precinct is predominantly composed of architecturally modest single storey free standing houses on allotments of varying sizes, whereas the proposed development consists of a bulky 3.5 storey building comprising 40 apartments on an allotment which is the equivalent of about 6 varying sized allotments with individual free standing houses.



Substantial Heritage Neighbours :

B) Furthermore it is adjacent to two of the most substantial heritage places in the precinct, one is a single storey Federation era Significant house c1910 and the other is a single storey Victorian era Contributory house. The latter house looks unoccupied, as it has a tired appearance which is primarily due to a lack of recent maintenance. The chimneys are in good condition, the roof is square. The verandah roof requires attention, and the whole house requires painting, but it is an outstanding authentic heritage house, and I am surprised it was not given the status of Significant in this precinct. The Federation era house, on the other hand, has been well maintained and it is currently used by many businesses, and, constructed of brick and slate. It is a very fine example of this architectural style.

Prominent Location:

- It is surrounded by heritage places within the precinct boundaries, (orange line), visually connected to one Significant house in Shakespeare St, three Contributory houses along the Collins St boundary, as well as the Significant and Contributory houses adjacent to the subject site.

It is acknowledged that the sides of two of these face the subject site because they are on corner sites, but the proposed development will be in the same view lines as the front of these houses.



“A Significant place is a single heritage place that has cultural heritage significance independent of its context. These places may also contribute to the significance of a heritage precinct.

Significant places will usually have a separate citation and statement of significance, which should be considered in addition to the precinct citation.

A Contributory place contributes to the significance of a heritage precinct, but would not be significant on their own.

Non-contributory places do not contribute to the significance of a heritage precinct. In some instances, a Significant place may be considered Non-contributory within a precinct. For example, an important Modernist house within a Victorian era precinct.

A Significant Feature is any feature (building, tree, structure etc.) that the Latrobe City Heritage Study 2010 identifies as contributing to the significance of a heritage place.”

Choice:

- D) It is important for Traralgon to provide a choice of homes, for existing and new residents, but this includes heritage places as well as new places. 'Heritage-style' places, such as the recent terrace houses in Meredith St, are not authentic heritage. Authentic heritage has original fabric, craftsmanship, and a genuine history which is integrally connected with the history of Traralgon. Heritage property in Heritage Overlay areas in Melbourne are popular and expensive real estate. Many people relocating from Melbourne seek affordable genuine heritage houses in country towns.

Rarity in Lalrobe City

- E) The Traralgon Railway Residential precinct is notable for including houses from both before and after the First World War. Other precincts in Traralgon mostly comprise housing exclusively from before OR after the First World War, but not both. It is also one of the largest precincts in Lalrobe City. The HO map below illustrates how few, small and scattered the rest of heritage places are in the town.



F) Representative:

Individually, most of the houses are typical rather than remarkable architecturally, but together, they create a well defined character and tell the story of the early development and style of homes which were popular in Traralgon's earlier days. The houses are all single storey and free standing on their own allotments, but they vary in style, detail and size, which provides choice today. The restoration of them, and sensitive extensions, creates a charming area for families to live comfortably, with yards for children to play, and the convenience of being near the station.

Scale:

- G) The location of the extra large (consolidated) site, on a corner in the precinct, together with the excessive height and bulk of the proposed building, means that it will be seen from many parts of the precinct and overwhelm the single storey heritage places and the precinct as a whole.



The applicant's drawing (above) has been modified by this author with colours showing the close proximity of the heritage places (blue) which are located adjacent and opposite to the subject site (green) within the western end of the heritage precinct.

It also illustrates the footprints of the free standing individual heritage houses compared with footprint of a large building with 15 units units at ground level (and nearly as many on each of the second and third levels). The ratio of land to floor area is grossly out of scale with the heritage character of the precinct.

Statement of Cultural Significance

10

What is significant?

The Traralgon Railway Residential precinct comprises a group of streets to the south of Traralgon Railway Station including Coates, Collins, Curran, Meredith, Morrison & Shakespeare streets and Queens Parade. The places that contribute to the precinct are:

- Coates Street - 2, 4, 6 - Collins Street - 12 - Morrison Street 2, 4 and 6 - Queens Parade (odd, south side) 11, 13, 17, 19, 23, 25, 27, 29, 31, 33, 35, 37, 39 (Etheldale)* and 41. - Shakespeare Street (odd) 35, 37, 39, 43, 45 (Erwington)* and 47, 49 & 51, (even) 32, 34, 36, 38, 40-2, 44, 46, 48 and 50*
- The original form and detailing and the consistency of scale and siting of houses contributes to the significance of the precinct. The predominantly low height of front fences is also contributory as it allows the appreciation of the historic character of the houses within the precinct.

*These places are individually significant and have a separate citation in this Study.

The Traralgon Railway Residential precinct is of local historic and architectural significance to Lalrobe City.



Why is it significant?

The Traralgon Railway Residential precinct is of historic significance as an area that is associated with an important phase of development of Traralgon in the early to mid twentieth century that began the transfer of the railway depot to Traralgon in 1903, which led to increased demand for accommodation for railway workers in proximity to the station and stimulated the development of Traralgon as a regional centre.

The precinct provides tangible evidence of the consequent fine brick residence at the corner of Durbar Road was constructed c.1910 for the locally prominent Wigg family, who owned one of the local brickworks. Other early Shakespeare Street houses include the transitional Edwardian villa at No. 44, constructed c.1905 for Kathleen Agnes Seaton [12], and the Inter-War bungalow at No. 50, constructed c.1925 for Louis Grosvenor Hay Ball, a clerk of Traralgon [13].

SOURCES Context Pty Ltd & Dr Meredith Fletcher, 'Latrobe City Heritage Study, Volume 1: Thematic Environmental History', 2008

[1] Traralgon Heritage Study 1992 cites Traralgon rate books [2] Plan of the township at Traralgon and adjacent lots, A. L. Jones 1858 [3] Suburban and Town Lots Traralgon, 1871 [4] Survey plan of Gippsland Railway, 1873 [5] Plan of Township of Traralgon, Dept. Lands and Survey 1954 [6] Land Victoria, Certificates of Title Vol. 1334 Fol. 694, Vol. 1487 Fol. 377 [7] Land Victoria, Certificate of Title Vol. 3108 Fol. 488 [8] Land Victoria, Certificate of Title Vol. 3263 Fol. 468 [9] Land Victoria, Certificates of Title Vol. 1709 Fol. 753, Vol. 3643, Fol. 525 [10] Land Victoria, Certificate of Title Vol. 3359 Fol. 761 [11] Land Victoria, Certificate of Title Vol. 1161 Fol. 077, LP 2750 [12] Land Victoria, Certificate of Title Vol. 2967 Fol. 226 [13] Land Victoria, Certificate of Title Vol. 4979 Fol. 735 [14] Mrs Edna Couchman's sister pers. comm., (THS, 1992)

Creation Date Associations c.1890-1940

Change Dates Local Themes

7. BUILDING SETTLEMENTS & TOWNS

7.1 Establishing settlements and towns from the nineteenth century

7.3 Developing towns and regional centres in the twentieth century

Latrobe City Heritage Study Context Pty. Ltd. Updated: 17/07/2010 53

LEVEL

Local significance expansion of the town beyond its originally surveyed boundaries to the south of the railway. (RNE criteria A.4 and D.2)

It has architectural significance as a representative example of a twentieth century residential precinct that provides evidence of the evolution and development of domestic architecture in Traralgon (RNE criterion D.2).

Heritage Significance of Contributory Places

l)



- The above map of the heritage overlay area, graphically illustrates the following important points:
 - The CONTRIBUTORY sites are the critical component of the heritage precinct.
 - The precinct consists of 53 allotments plus the subject site (green).
 - 3 allotments are Significant (blue)
 - 39 allotments are Contributory (hatched)
 - 11 allotments are NOT significant (white) plus the subject site (green)
 - The subject site has recently been consolidated into a larger site.
 - The subject site (green) is:
 - Wedged between two substantial heritage places. One is significant (blue) and one is Contributory (hatched) and opposite 3 Contributory places.
 - Visually connected to at least 16 heritage places. 12 of these are Contributory and two are Significant.
 - Although the subject site has no item of heritage significance on it, it is located in a visually pivotal position in the Railway Residential heritage precinct H085.

"A Contributory place contributes to the significance of a heritage precinct, but would not be significant on their own." Latrobe City Planning Scheme Amendment C14, July 2010. Therefore, if the 40 unit, 3.5 storey large building is built, it will visually isolate the contributory building at 41 Queens Parade, thus putting it under threat of not meeting the definition of Contributory building in the heritage precinct.

Views of the Height and Bulk of the Proposed Development



Looking south-east from the Drill Hall, opposite the c1900 Contributory house in Queens Parade towards the Significant c1910 house in Collins Street. These two large and impressive homes will be visually isolated from each other and overwhelmed by the proposed development. This will occur because the footprint area of each of the historic places rises to the height of only one floor and the rest of it tapers along steep roofs to narrow ridge lines above that level.



View looking west from Meredith Street with a Contributory house on the left and Significant house on the far left.

6 Summary and Key Points

Heritage Controls are the 'management of change'.

The scale and design of this development will permanently overwhelm the precinct heritage values because the height and setbacks of the bulk of the 3 storey development, are all out of character with the evidence demonstrated by the vast majority of detached single storey heritage places that make up that character. These variations have been combined to form a very large solid three-storey building block which is so massive, that it will be seen from most of the heritage precinct.

KEY POINTS:-

- Overall, the development is inappropriate because the HEIGHT - the 42 heritage houses are single storey free standing buildings on allotments of varying sizes, whereas the proposed development consists of a very large bulky 3.5 storey building comprising 40 attached apartments on an allotment which is the equivalent of about 6 varying-sized allotments with individual free standing heritage houses.
- The subject property is at one end of the precinct, and the question may be asked, why was it included in the precinct at all? The reason, is to encourage development on this land which is not so BULKY as to isolate the important heritage houses on either side of it and opposite it from the visual context of the rest of the precinct.
- It is acknowledged that the building is a very pleasing design, with good articulation of form and surface, but the minimal SETBACKS used in this design mean that it simply is not appropriate on this site as it is out of character with the free standing heritage places in the precinct. If it was located on the other side of Queen Street, between the railway and the heritage precinct, where there are some large bulky buildings, it would be a fine development.
- HEIGHT:
 - It is also acknowledged that the height of the proposed development is about the same as the ridge line of "Etheldale", the significant brick house adjacent to it. This would be reasonable justification for a new development to be that height, if the square metre of coverage at this level was also about the same as "Etheldale", however, the new development covers approximately 80% of the square metre area at this level, whereas, "Etheldale" tapers up to cover about 5% at this level.
 - None of the heritage places have more than one floor of habitable space above ground, whereas this development has three floors. It would be reasonable to include a second level within the roof space of "Etheldale" and therefore a two storey development could be designed to be compatible with the heritage character if the second floor was set back and at least partly within the roof

space.

- Above the ground floor ceiling level of the heritage buildings, there are steeply pitched roofs which allow views, light, sky and air between the dwellings, and this creates a picturesque skyline, whereas the proposed development is predominantly solid for two more levels above the heritage places. Furthermore, the roof of the proposed development has a very low pitch and it is so high above the ground level, that, from many angles, the development appears as a three storied flat roof apartment block.
- There are three allotments in the precinct with 'new' two storey homes which are also out of character, but they were built prior to the Heritage Overlay. Even so, they are considerably less visually intrusive than the proposed development because, unlike the proposed development, they are mostly viewed at an oblique angle, as they are not on corner allotments, they are not three storey, they are not set forward of adjacent significant heritage houses and they face into the rear yards of other houses.
- **BULK:**
 - The building is monolithic in scale compared to all of the significant heritage places in this precinct. It is acknowledged that there has been a genuine attempt to reduce the bulk of the building by considerable stepping back of each level and variation and articulation of the facades, however, it is an impossible task to accommodate a 40 unit development on this site and not destroy the heritage character of the precinct.
 - The impact of overdeveloping the site, by attempting to build 40 houses, which would only have 4 houses if they were built with the same floor area and set backs as the two significant places adjacent to the site, is inappropriate. Even if the smaller allotment and house sizes of other parts of the precinct are used as a guide, there would only be 8 houses built.
- **SETBACKS**
 - All the heritage places are detached dwellings, with open space around them, whereas the proposed development consists of attached apartments.
 - The apartment development is set forward of the heritage places, making the new development more dominant in the street.
 - Located on a large corner allotment, adjacent to single storey houses, all four sides of the large apartment block will be clearly seen from many points in the heritage precinct.

7 Recommendations

7.1 Guidelines (General) - Larrobe Heritage Study, Context Pty Ltd.

In order to conserve the heritage significance of this precinct, it is policy to, as appropriate:

1. Conserve the fabric of the features (building, structure, tree, fence etc.) that contribute to the significance of the precinct and in particular to:
 - Conserve significant features on places shown as Significant or Contributory on the relevant precinct map.
 - Encourage the accurate restoration or reconstruction of missing or modified features on the basis of available evidence.
 - Encourage the removal of non-significant or intrusive elements, particularly where this would assist in revealing or interpreting the significance of the precinct.
- 2a. Encourage a contextual approach to new development that is complementary in form, scale detailing and materials to the Significant or Contributory building/s or other features, but is clearly contemporary in design.
- 2b. Avoid new development that distorts the historic evidence by simply copying or reproducing historic styles or detailing.
3. Ensure that new development does not become a visually dominant element in the precinct as a result of its scale, form or siting: i.e. it should appear as a secondary element when compared to the Significant or Contributory building/s.
- 4a. Discourage the demolition of significant buildings or features such as fences on places shown as Significant or Contributory on the relevant precinct map except where it can be demonstrated that:
 - the building is structurally unsound and cannot feasibly be repaired, or
 - any repairs would require the replacement of significant fabric to such an extent that the integrity of the building would be so reduced that it would no longer contribute to the precinct.
- 4b. Demolition of part of a Significant or Contributory building may be considered when it can be demonstrated to the satisfaction of the responsible authority that its demolition or removal will not adversely affect the significance of the place or precinct and, as appropriate:
 - It will remove a non-significant alteration or addition, particularly where this would assist in revealing the significance of the place, or
 - It will assist in the long term conservation or maintenance of the place, or
 - It will support the viability of the existing use of the place or will facilitate a new use that is compatible with the on-going conservation of the building, or
 - It will upgrade the building to meet contemporary living standards such as improving energy efficiency.
5. Allow the demolition or removal of buildings or features on places identified as Non-contributory on the relevant precinct map, or are situated on a Significant or Contributory place and are identified as not significant by the relevant statement of significance for the place. (Note: For a Significant place you should first consider the individual citation and then the precinct citation).
6. Conserve or reveal the visual relationship between the significant features in the precinct in order to demonstrate the historic use and/or development of the precinct.

7. Conserve significant trees or other plantings (see below), and maintain a visual relationship between the plantings and other significant features within the precinct.
8. Conserve or reveal views that contribute to the significance of the precinct.
9. In the case of subdivision of Significant or Contributory places within the precinct, encourage the retention of the significant features on one lot.

7.2 Best Practice Management of Change

The heritage study provides the means for council and the community to manage change, so that the 'baby is not thrown out with the bath water' during those changes.

Changes have occurred to this property. For example, subdivisions. It would be ideal if the vacant land was developed with single storey, free standing houses of various sizes, and this is a realistic option.

However it would be reasonable for higher density unit development, to occur in those parts of the site that are not visible from the heritage precinct. It is also feasible for the places to have a second storey within the roof space as the roofs of the adjacent significant houses are quite high.

However, using the principles, practices and processes of the Burra Charter it is possible to carry out future changes that are sympathetic to the heritage character, thus enhancing these heritage assets and providing a win-win outcome.

7.3 Specific Recommendations

The proposed 40 unit development is a very attractive design and it would be an asset to Traralgon, particularly if it is built on land near the Station, but this must be achieved without destroying this delightful, historic and rare heritage precinct in Traralgon.

It is suggested to construct the proposed development on the 'industrial' land on the north side of Queens Parade, which is outside the Residential Heritage Precinct but still has the same advantages of location near the railway station, and so on.

It is suggested to design approximately 10 free standing two storey townhouses on the subject site which are in character, but not pretending to be 'historic' places, (this is twice the number of houses that is the preferred on this site, in order to be consistent with the heritage ratio of footprint to open land) however, this increased density is possible if the townhouses are carefully designed. However, as the two heritage houses adjacent to the development site have high roofs, it is reasonable to have two storey development, at least within the roof space and set back from the street frontages. Using these design parameters of height, and second floor set backs, as well as greater set backs from the street frontage, it would possibly enable a 24 dwelling development on the site.

Note, the former Drill Hall, is an heritage place, with a Conservation Management Plan prepared by Authentic Heritage Services Pty Ltd, in 2001. This building could be converted into apartments or preferably, some other purpose which makes good use of the large interior space.

If Council are of a mind to allow the proposed 40 unit building, the house at 41 should be given an individual Heritage Overlay prior to works commencing.



41 Queens Parade is a substantial house which is a Contributory heritage place in the precinct.
(My professional opinion is that this place is a Significant heritage place.)

It is a circa 1900 picturesque large timber house, with a high degree of authenticity, with 4 tall decorative red brick chimneys, extensive bull nose verandah and timber fretwork verandah brackets. It is in good condition, albeit in need of basic maintenance, such as painting.

APPENDICES

- 1 Heritage Study - Definitions
- 2 HO85 Precinct – Traralgon Railway Residential - details
- 2 Traralgon Railway Residential Statement of Cultural Significance
- 3 Lorraine Huddle CV

8 Heritage Planning Scheme Matters

8 Evidence regarding the heritage significance of this site is provided in the following:

- 8.1 Latrobe City Heritage Study.
- 8.2 Latrobe City Planning Scheme Amendment C14, July 2010
- 8.3 Site Visit Evidence

8.1 Latrobe City Heritage Study.

Latrobe City Heritage Study. VOLUME 3: HERITAGE PLACE & PRECINCT CITATIONS
Amendment C14 July 2010

The following definitions apply to places within heritage precincts:

Significant
Contributory Non-contributory
Significant feature

8.2 Latrobe City Planning Scheme Amendment C14, July 2010

Definitions

"A Significant place is a single heritage place that has cultural heritage significance independent of its context. These places may also contribute to the significance of a heritage precinct.

Significant places will usually have a separate citation and statement of significance, which should be considered in addition to the precinct citation.

A Contributory place contributes to the significance of a heritage precinct, but would not be significant on their own.

Non-contributory places do not contribute to the significance of a heritage precinct. In some instances, a Significant place may be considered Non contributory within a precinct. For example, an important Modernist house within a Victorian era precinct.

A Significant Feature is any feature (building, tree, structure etc.) that the Latrobe City Heritage Study 2010 identifies as contributing to the significance of a heritage place."

This document was added as an incorporated document listed in Clause 81 of the Latrobe Planning Scheme by Amendment C14, which was adopted by Latrobe City Council on 21 June 2010.

Definitions

These are places that are worth keeping because they enrich our lives – by helping us to understand the past; by contributing to the richness of the present environment; and because we expect them to be of value to future generations. (The Burra Charter)

The heritage place citations provide a description of the history of the heritage place and its surviving fabric (including buildings, trees, fences, etc.) and, on this basis, provide an assessment of the significance of the place.

The purpose is to assist Council, property owners and managers and other key stakeholders in making decisions about the future use, development or management of the place by providing information about the significant heritage values that should be considered when preparing a development application in accordance with the Lalorbe Planning Scheme.

What is significant? This includes a statement that describes the features that contribute to the significance of the place. It may also include a statement to specify features that do not contribute to the significance of a place. Some citations may also include a summary of the history of the place or precinct.

How is it significant? This is a short statement that identifies the values – historic, aesthetic, architectural, technical, scientific, social or spiritual – that are associated with the place or precinct, and whether it is of local or State significance.

Why is it significant? This provides statement/s for each of the values listed in 'How' with specific reference back to the features described in 'What'. The statement/s describe how the place or precinct is considered to meet relevant RNE criteria, which are listed at the end of each statement.

8.3 Site Visit Evidence

Existing physical evidence noted by the author during a site visit on 20 May 2011.
I took photographs of the site, precinct and places outside the precinct located on the other side of Queen St.

Heritage Schedule HO 88 Precinct – Traralgon Railway Residential

ADDRESS: 1-3 & 2 - 6 Coates St, 10-12 Collins St, 6-8 Curran St, 1-13 & 4 Meredith St, 2-6 Morrison St, 32-50 & 35-51 Shakespeare St, and 11-41 & 32 Queens Parade

DESCRIPTION

Traralgon HO No.

The Traralgon Railway Residential precinct comprises properties to the south of Traralgon Railway Station in Queens Parade and Coates, Curran, Collins, Morrison and Shakespeare Streets. It is a residential precinct that adjoins a number of institutional and civic buildings on the north side of Queens Parade including the former Victorian Railway Industry Hall (now a church), the former Army Drill Hall (later the La Mode factory) and the large reserve surrounding the Traralgon Railway Station complex (Please refer to the separate citations in this Study for these places).

The houses within the precinct predominantly comprise late Edwardian and Inter-War weatherboard cottages and bungalows with some late Victorian houses scattered throughout. The majority of the houses have similar siting (detached, setback) and scale (single storey). Roof forms are a mixture of hip and gable, usually in corrugated iron. There are relatively intact groups of houses on the east side of Coates Street, on both sides of Shakespeare Street between Collins and Morrison Streets, and on the south side of Queens Parade.

The precinct contains a number of individually notable houses. 'Etheldale', a fine Queen Anne brick house occupies a landmark position on the corner of Shakespeare and Collins Street, and is probably the best example of this style in the Lalrobo Valley. Another historically important house is the former 'Ewington' hospital at No.35 Shakespeare Street, while the houses at nos. 45 and 50 Shakespeare Street are fine examples of inter-war architecture. 'Hazel-Lyn' at No.5 Shakespeare Street is just outside of the precinct, but related historically to it (Please refer to individual citations in this Study for these places).

Other places that contribute to the precinct are:

- Coates Street - 2, 4, 6 - Collins Street - 12 - Morrison Street 2, 4 and 6 - These houses are of similar design (suggesting that they were constructed by the same builder) and are very intact. - Queens Parade (north side) The former Army Drill Hall, Victorian Railways Institute Hall and adjacent tennis courts, and the former Traralgon Railway Station complex. - Queens Parade (south side) 11, 13, 17, 19, 23, 25, 27, 29, 31, 33, 35, 37, and 41 on the south side of Queens Parade. - Shakespeare Street (odd) 35, 37, 39, 43, 45, 47, 49 & 51, (even) 32, 24, 36, 38, 40-42, 44, 46, 48 & 50

This large precinct illustrates the development of Traralgon in the early decades of the twentieth century and is notable for including houses from both before and after the First World War. Other precincts in Traralgon mostly comprise housing exclusively from before OR after the First World War, but not both. It is also one of the largest precincts in Lalrobo City.

Good Condition

Threats : Designer, Redevelopment

Integrity Key elements: Buildings Fence / Gate / Wall Garden Tree / s

HISTORY

THEMATIC CONTEXT Traralgon's origins date from the early pastoral period. Edward Hobson occupied the Traralgon run in 1844 and an accommodation house near Traralgon Creek provided shelter for travellers on the route between Melbourne and Sale. The town was surveyed in 1858 and a census in 1861 revealed there were 36 residents. However, it was the construction of the railway line between Sale and Melbourne, which was completed in 1879, that was a major impetus to the town and most development thereafter took place on the western side of the creek to the north of the station (Context, 2008:42).

In 1880, the Traralgon became the centre of the Shire of Traralgon, which separated from the Shire of Rosedale. The construction of a branch railway line from Traralgon to Stratford by 1886 further consolidated the role of Traralgon as a legal, administrative and educational centre for the surrounding hinterland where dairying and saw milling were developing as major industries. In the 1880s four brickyards were operating, substantial public buildings were constructed in the town and new subdivisions provided land for housing. The importance of Traralgon as a regional

centre was illustrated by the construction of the new post office and courthouse in 1886 (Context, 2008:42).

Traralgon's importance as a railway town increased when it became a service depot in 1903 employing over 90 workers, which boosted development and created a demand for housing. Consequently the town began to expand beyond the 1858 boundaries. To the south of the railway many railway workers moved into cottages in new subdivisions including the Queen's Parade (formerly Railway Parade) area and the combination of houses and railway buildings in this precinct reveal the integration of work and community. To the north the subdivision and sale from 1907 onwards of the former Traralgon Park estate enabled the town boundaries to extend beyond Grey Street creating Moore Street and Campbell Street (now Gordon Crescent). The commercial centre continued to grow, extending along the length of Franklin Street between the station end and the post office and courthouse. Imposing new two story commercial buildings were constructed including the Gippsland Trading Company in 1903, and Layton's Stores in 1907. Traralgon's growth continued after World War One before the on-set of the Great Depression. In the early 1920s after a period of inactivity after the war, Traralgon experienced a 'building boom' as a number of new houses were built including Wigg's brick house in Hickox Street (Context, 2008:42).

PRECINCT HISTORY

The historic development of this precinct is strongly linked to two key periods in the development of the Gippsland Railway: its survey and development leading during the mid to late 1870s leading to the opening in 1879 and the transfer in 1903 of the Railway Depot to Traralgon, which established it as a major centre on the Gippsland line and led to an increase in the number of railway employees living in the town. It is said that many railway employees 'naturally chose to live in this area' because of its proximity to the station. [1]

The 1858 township survey of Traralgon shows this precinct as a single large allotment [2] as does the 1871 survey [3]. The railway alignment was surveyed in 1873 [4] when twenty-one acres were set aside within the railway reserve [5]. The land to the south of the line was divided into allotments of between 1 and 3 acres and most of the land within this precinct between the railway line and what later became known as Shakespeare Street was contained within Crown Allotment 82C, Township & Parish of Traralgon (for which Kyren Curran obtained the Crown Grant for £12 in 1882) and CA 82D (which was purchased by Catherine Curran - his wife? - for £12 in 1883).

Kyren Curran died in 1887 and the land owned by the Currans was then not subdivided until 1903 (the same year as the creation of the Traralgon Railway Depot), by which time it had reverted to the ownership of one Michael Curran. The 1903 subdivision created Meredith, Curran and Coates Streets, as well as allotments on the south side of Queens Parade, and the north side of Shakespeare Street. Title records show that the lots sold quickly from 1903-05 with most lots sold by 1909. [6]

In Queens Parade, Catherine Curran regained ownership in 1906 of an allotment, which now contains the cottages at Nos. 27-29. The exact date of these cottages is not known, but Catherine did take out a mortgage over the property in 1912, before selling to William Penland in 1915, which gives an indication of a construction date between these dates. [7] The house at No. 37 was possibly built for William MacDonald who purchased the land in 1908. He later sold to John Todd, a railway employee, in 1919. [8] West of Collins Street, Frederick Grubb, builder and contractor, built a fine weatherboard villa c.1910 at No. 41 for local watchmaker, Charles Welch. [9]

Coates Street was named for George and Albert Coates, local builders, who in 1909 purchased all of the land on the east side of the street. One lot, now No. 2 Coates Street, was sold in 1913 to another local builder Thomas Downie who built a weatherboard cottage on the site. [10] Thomas Downie was born in Traralgon in 1883, and returned there after travelling to New Zealand where he met his wife. He was a builder all of his working life and built many Traralgon houses. He died c.1963 at the age of eighty. [14]

Meanwhile on the south side of Shakespeare Street, a large allotment of 19 acres was purchased by Andrew Templeton, Walhalla Mail contractor in 1879. He sold ten years later to James Gray and Alexander Milligan who subdivided the land, creating suburban allotments along the south side of Shakespeare Street. These were sold over the next decade, although some were not sold until as late as the interwar period. [11] The majority of the lots were not developed until the early twentieth century and many were associated with prominent families in Traralgon. 'Ewington' at No. 35 was constructed c.1900 for the Pentland family, who later moved in the more substantial brick villa 'Eitheldale', on the diagonally opposite corner of Collins Street, in 1914. 'Ewington' was converted to a private hospital after World War I by Agnes Pentland. Meanwhile 'Hazel-Lyn', a

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RECOMMENDATIONS Heritage Register Listings

Register Reference
Latrobe Planning Scheme HC85

Zoning

Status

Recommended

Extent To the extent of properties as shown on the Traralgon Railway Residential precinct plan.

Heritage Schedule

External Paint Controls: Internal Alteration Controls: Tree Controls: Outbuildings or Fences:

Description:

Conservation Management

No No No No None specified

VHR Ref No: No

Incorporated Plan Details None specified

On VHR: No Prohibited Uses: No Aboriginal Heritage Place: No Incorporated

Plan: No

REVIEW OF SIGNIFICANCE & POLICY While every effort has been made to ensure that the information contained in this citation is accurate, it is possible that more detailed investigation may reveal further information about the significance of the place. For example, in most cases an internal inspection was not made of buildings at the time of initial assessment. In the time since the place was first assessed it is also possible that the condition of buildings or trees may have changed.

The information contained in this citation should therefore be reviewed at the time that it is proposed to make changes to the property. This would likely require a more detailed assessment of any significant or contributory element that is affected by any proposed buildings or works. Once this more detailed assessment has been made, a review of the significance of the place and the conservation policy should be carried out by Council's Heritage Adviser or an appropriately qualified professional.

Extra Research None specified

BIBLIOGRAPHY Context Pty Ltd, (2008). Latrobe City Heritage Study. Latrobe City Council, Morwell

9 Policy

9.1 Heritage Schedule HO 85 Precinct – Trawlgon Railway Residential

Coates, Collins, Curran, Meredith, Morrison and Shakespeare streets and Queens Parade, Trawlgon

| | |
|---|--|
| External Paint Controls: | NO |
| Internal Alteration Controls: | NO |
| Tree Controls: | NO |
| Outbuildings or Fences: | NO |
| VHR Ref No: | NO |
| On VHR: | NO |
| Prohibited Uses: | NO |
| Name of Incorporated Plan under CI 43.01-2: | Lalorbe City HO Permit Exemptions & Application Requirements |
| Aboriginal Heritage Place: | NO |

9.2 Heritage Schedule Individually listed places visually connected to the development site.

| | |
|--------|--|
| HO7 | Trawlgon Engine Shed and Turntable Queens Parade, Trawlgon |
| HO129 | Trawlgon Railway Station complex 14-16 Queens Parade, Trawlgon |
| HO130 | Drill Hall (former) 40-50 Queens Parade, Trawlgon |
| HO131 | House 14 Roseneath Street, Trawlgon |
| HO 133 | Danora (former) 135 Seymour Street, Trawlgon |
| HO133 | Hazel-lyn 5 Shakespeare Street, Trawlgon |

9.3 Heritage Strategy in 15.01-2 Urban Design Principles

Heritage

- New development should respect, but not simply copy, historic precedents and create a worthy legacy for future generations.

Consolidation of sites and empty sites

- New development should contribute to the complexity and diversity of the built environment.
- Site consolidation should not result in street frontages that are out of keeping with the complexity and rhythm of existing streetscapes.
- The development process should be managed so that sites are not in an unattractive, neglected state for excessive periods and the impacts from vacant sites are minimised.

9.4 Heritage Strategy in 15.01-3 Neighbourhood and subdivision design

Creating a strong sense of place because neighbourhood development emphasises existing cultural heritage values, well designed and attractive built form, and landscape character.

9.5 Heritage Strategy Cultural Identity and neighbourhood character

Objective

To recognise and protect cultural identity, neighbourhood character and sense of place.

Strategies

- • •
- Ensure development responds and contributes to existing sense of place and cultural identity.
- Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.
- Ensure development responds to its context and reinforces special characteristics of local environment and place by emphasising:
 - The underlying natural landscape character.
 - The heritage values and built form that reflect community identity.
 - The values, needs and aspirations of the community.

9.6 Heritage in Heritage conservation 15.03-1

Objective

To ensure the conservation of places of heritage significance.

Strategies

- Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.
- Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity.
- Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.
- Ensure development responds and contributes to existing sense of place and cultural identity.
- Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.
- Ensure development responds to its context and reinforces special characteristics of local environment and place by emphasising:
 - Encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations.
 - Retain those elements that contribute to the importance of the heritage place. Encourage the conservation and restoration of contributory elements. Ensure an appropriate setting and context for heritage places is maintained or enhanced. Support adaptive reuse of heritage buildings whose use has become redundant.

Policy guidelines

Planning must consider as relevant: • The findings and recommendations of the Victorian Heritage Council.

APPENDIX 2

10 STATEMENT OF CULTURAL SIGNIFICANCE.



STATEMENT OF SIGNIFICANCE

What is significant?

The Traralgon Railway Residential precinct comprises a group of streets to the south of Traralgon Railway Station including Coates, Collins, Curran, Meredith, Morrison & Shakespeare streets and Queens Parade. The places that contribute to the precinct are:

- Coates Street - 2, 4, 6 - Collins Street - 12 - Morrison Street 2, 4 and 6 - Queens Parade (odd, south side) 11, 13, 17, 19, 23, 25, 27, 29, 31, 33, 35, 37, 39 (Etheldale)* and 41. - Shakespeare Street (odd) 35, 37, 39, 43, 45 (Ewington)* and 47, 49 & 51, (even) 32, 34, 36, 38, 40-2, 44, 46, 48 and 50*

The original form and detailing and the consistency of scale and siting of houses contributes to the significance of the precinct. The predominantly low height of front fences is also contributory as it allows the appreciation of the historic character of the houses within the precinct.

*These places are individually significant and have a separate citation in this Study.

The Traralgon Railway Residential precinct is of local historic and architectural significance to Latrobe City.

Why is it significant?

The Traralgon Railway Residential precinct is of historic significance as an area that is associated with an important phase of development of Traralgon in the early to mid twentieth century that began the transfer of the railway depot to Traralgon in 1903, which led to increased demand for accommodation for railway workers in proximity to the station and stimulated the development of Traralgon as a regional centre. The precinct provides tangible evidence of the consequent

fine brick residence at the corner of Dunbar Road was constructed c.1910 for the locally prominent Wigg family, who owned one of the local brickworks. Other early Shakespeare Street houses include the transitional Edwardian villa at No. 44, constructed c.1905 for Kathleen Agnes Seaton [12], and the Inter-War bungalow at No. 50, constructed c.1925 for Louis Grosvenor Hay Ball, a clerk of Traralgon [13].

SOURCES Context Pty Ltd & Dr Meredith Fletcher, 'Latrobe City Heritage Study, Volume 1: Thematic Environmental History', 2008

[1] Traralgon Heritage Study 1992 cites Traralgon rate books [2] Plan of the township at Traralgon and adjacent lots, A. L. Jones 1858 [3] Suburban and Town Lots Traralgon, 1871 [4] Survey plan of Gippsland Railway, 1873 [5] Plan of Township of Traralgon, Dept. Lands and Survey 1954 [6] Land Victoria, Certificates of Title Vol. 1334 Fol. 694, Vol. 1487 Fol. 377 [7] Land Victoria, Certificate of Title Vol. 3108 Fol. 488 [8] Land Victoria, Certificate of Title Vol. 3263 Fol. 468 [9] Land Victoria, Certificates of Title Vol. 1709 Fol. 753, Vol. 3643, Fol. 525 [10] Land Victoria, Certificate of Title Vol. 3389 Fol. 761 [11] Land Victoria, Certificate of Title Vol. 1161 Fol. 077, LP 2750 [12] Land Victoria, Certificate of Title Vol. 2967 Fol. 226 [13] Land Victoria, Certificate of Title Vol. 4979 Fol. 735 [14] Mrs Edna Couchman's sister pers. comm., (THS, 1992)

Creation Date Associations

c.1890-1940

Change Dates Local Themes

7. BUILDING SETTLEMENTS & TOWNS 7.1 Establishing settlements and towns from the nineteenth century

7.3 Developing towns and regional centres in the twentieth century

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LEVEL

Local significance

expansion of the town beyond its originally surveyed boundaries to the south of the railway. (RNE criteria A.4 and D.2)

It has architectural significance as a representative example of a twentieth century residential precinct that provides evidence of the evolution and development of domestic architecture in Traralgon (RNE criterion D.2).

RECOMMENDATIONS Heritage Register Listings

Register Reference
Latrobe Planning Scheme HC85

Zoning

Status

Recommended

Extent To the extent of properties as shown on the Traralgon Railway Residential precinct plan.

Heritage Schedule

External Paint Controls: Internal Alteration Controls: Tree Controls: Outbuildings or Fences:

Description:

Conservation Management

No No No No None specified

VHR Ref No: No

Incorporated Plan Details None specified

On VHR: No Prohibited Uses: No Aboriginal Heritage Place: No Incorporated Plan: No

GUIDELINES (GENERAL) In order to conserve the heritage significance of this precinct, it is policy to, as appropriate:

1. Conserve the fabric of the features (building, structure, tree, fence etc.) that contribute to the significance of the precinct and in particular to:

- Conserve significant features on places shown as Significant or Contributory on the relevant precinct map. - Encourage the accurate restoration or reconstruction of missing or modified features on the basis of available evidence. - Encourage the removal of non-significant or intrusive elements, particularly where this would assist in revealing or interpreting the significance of the precinct.

2a. Encourage a contextual approach to new development that is complementary in form, scale, detailing and materials to the Significant or Contributory building/s or other features, but is clearly contemporary in design.

2b. Avoid new development that distorts the historic evidence by simply copying or reproducing historic styles or detailing.

3. Ensure that new development does not become a visually dominant element in the precinct as a result of its scale, form or siting; i.e. it should appear as a secondary element when compared to the Significant or Contributory building/s.

4a. Discourage the demolition of significant buildings or features such as fences on places shown as Significant or Contributory on the relevant precinct map except where it can be demonstrated that:

APPENDIX

11 Curriculum Vitae 2011 Lorraine Huddle

**Curriculum Vitae 2011 Lorraine Huddle
(Abbreviated)**

Lorraine Huddle

B. Architecture (Hons) MArch, FMICOMOS.

**Director
Heritage Intelligence Pty Ltd**

Lorraine Huddle

Director: Heritage Intelligence Pty Ltd

Bachelor of Architecture (Honours) University of Melbourne.

Lorraine has over thirty years experience, specialising in heritage and conservation projects as well as lecturing in these subjects at Deakin University. She is experienced in heritage assessment of individual places and has been a principal for over ten heritage studies for seven rural Shires.

Numerous projects for conservation management plans, design of interpretative plaques, principles of building conservation, architectural design and heritage advisory roles within local government.

Name, Qualifications and Experience

My name is Lorraine Huddle and I am the director of Heritage Intelligence Pty Ltd, Architectural Historians: Professional Heritage and Design Consultants

My qualifications; professional practice, research and teaching at tertiary level has concentrated on architecture, building construction and cultural heritage. I have a Bachelor of Architecture degree with Honours from the University of Melbourne in which I majored in architecture and cultural heritage. (A copy of my curriculum vitae is in Appendix 1.)

My experience; As a consultant heritage practitioner, my experience has spanned more than thirty years. This experience covers research, physical analysis, reports, teaching and practical advice regarding the assessment and care of culturally significant places in Victoria and China. In the early 1990s I was appointed a member of the Historic Buildings Council of Victoria (now Heritage Victoria) and was also appointed a member of the Permits B Committee and the Rose Craddock Permit Committee. I held these positions until I resigned to work overseas. My research and teaching at tertiary level has focussed on architectural and building construction history, and assessment and conservation of cultural heritage. I have worked as a Heritage Advisor to many municipal councils over the past fourteen years and I am currently the Heritage Advisor for five councils.

My area of expertise; This is currently in a professional practice as a heritage advisor to local councils, and to private clients. I have practised as an officially appointed Heritage Advisor for Local Government in rural cities and towns, for over fifteen years. I am currently the Heritage Advisor for the Pyrenees Shire, Baw Baw Shire, Mornington Peninsula Shire, East Gippsland Shire, and Wellington Shire. I have also worked in this capacity for the City of Bendigo, City of Greater Geelong, the Shire of Macedon Ranges, Mitchell Shire, Campaspe Shire, Moira Shire, and the City of Ballarat.

My expertise to make this report is based on the following: I have had considerable experience in carrying out and administering heritage studies for local councils and written thousands of Statements of Significance as part of those studies. Heritage studies in which I was the Principal Consultant include the Moira Shire Stage Two Heritage Study 2007, the Mitchell Shire Stage Two Heritage Study 2006, and the Golden Plains Stage One Heritage Study, Moira Shire Stage One Heritage Study 2005, Review of Heritage Precincts for The City of Yarra, as well as the Shire of Mitchell Stage One Heritage Study. I was one of the principal consultants in the recent Campaspe Shire Heritage Gaps Study 2006, and each of three large heritage studies, Shire of Pyrenees Heritage Precincts Study 2002, Geelong West 1986, Shire of Bellarine 1996, Geelong Outer Areas 2000 and City of Greater Geelong Outer Areas Study 2000. These studies recommended Heritage Overlays of Commercial and Residential areas and individual places for inner urban suburbs and numerous country

towns. I was also part of an Australian team of experts who spent one month in Tianjin, China, assessing the cultural heritage of the former western concession areas in 1991.

I have acted as an expert witness at previous V.C.A.T. and Panel hearings regarding heritage places in Echuca, Castlemaine, Portland, Nillumbik Shire, Mornington Peninsula Shire and, when I was called by the City of Greater Geelong for the case in Roebuck Street, Newtown, and at a Panel Call In regarding 13 Yuille Street, Geelong West. Further, I was the heritage consultant for the development of the Port Fairy Design Guidelines, and for the Corangamite Shire Urban Design Framework for the rural town of Skipton, together with Urban Designers David Lock Associates for the Shire of Moyne, and as the Cultural Heritage Consultant for the Armstrong Creek Urban Growth Plan, City of Greater Geelong.

As a former Director of Authentic Heritage Services I have been responsible, along with Dr David Rowe, for numerous Conservation Management Plans of individual places such as privately owned homes, business developments of cement works, and government owned Mechanics Institutes, drill halls and so on.

During my eleven years as a tenured lecturer at the School of Architecture and Building, Deakin University, I co-authored and taught an off-campus post-graduate unit for Deakin University, entitled, *Cultural Heritage: The Barra Charter and its Applications* 1995 for use by the Faculty of Arts, School of Australian and International Studies, Cultural Heritage Centre for Asia and the Pacific, in their post-graduate courses. Furthermore, I taught undergraduate students, architectural conservation, history of architecture and building construction as well as cultural heritage, to on and off campus students in Australia, Singapore and Hong Kong, over a period of eleven years.

Education 1980 Bachelor of Architecture (Hons) (Melb)

Employment

| | |
|-------------|--|
| 2011 - 2005 | Director, Heritage Intelligence Pty Ltd. ABN. 660 9861 3971 |
| 2005 - 2001 | Director, Lorraine Huddle Pty Ltd. ABN. 660 9861 3971 |
| 2001 - 1999 | Co-Director Authentic Heritage Services Pty Ltd ABN 81 068 389 851 |
| 1999 - 1998 | Partner, Authentic Heritage Services |
| 2011 - 1980 | Private Consultant: Architectural Historian; Heritage consultant |
| 2011 - 1996 | Heritage Advisor: Baw Baw Shire 2009+ Wellington Shire 2008+ East Gippsland Shire 2007+ Mornington Peninsular Shire 2006+ Pyrenees Shire 2001+ Indigo Shire 2007 - 2009 Campaspe Shire 2004 - 2008 Moorabool Shire 2005 - 2008 |

| | |
|-------------|---|
| | City of Whitehorse 2006-7 (temporary) |
| | City of Greater Bendigo 2005 -6 (temporary) |
| | Mitchell Shire 2000 - 2004 |
| | City of Ballarat 1998 - September 2002, 2008 (temp.) |
| | City of Greater Geelong 1996 -1999 |
| | Shire of Macedon Ranges 1997 -1998 |
| | Mornington Peninsular Shire 1997-1998 |
| 1998 - 1994 | Helen Lardner Conservation and Design |
| 1998 - 1987 | Lecturer, (50% Fractional and tenured) Architectural Conservation, architectural history and building history. Design thesis supervision. School of Architecture and Building, Deakin University |
| 1980 | Research Assistant, Urban Studies Department, Footscray Institute |
| 1980 | Darien Cassidy, Architect, Hawthorn, Victoria. |
| 1976 | Smit, Postma Hjian, Architects, Rotterdam, Holland. |
| 1973 | Bailey and Associates, Architects, York, England. |

Honorary Appointments

| | |
|-------------|---|
| 2008 - 2005 | Member National Trust Cemeteries Committee |
| 1994 - 1992 | Member Historic Buildings Council -Crown appointment - Architectural Historian Now known as the Heritage Council |

Membership of Professional Organisations

| | |
|-------------|--|
| 2011 - 1982 | Australia ICOMOS International Council on Monuments and Sites. Full Member. |
| 1996 - 1988 | SAHANZ Society of Architectural Historians Australia and New Zealand SAHANZ Executive member (1992 - 1994) |

Membership of Community Associations

| | |
|-------------|---|
| 2011 - 2005 | Rotary International - President of the Rotary Club of Hampton International Director 2005-6 Club Service Director 2006-7 |
| 2010 - 2002 | Mechanics' Institutes of Victoria. (Committee member) |

Selected Published Works

| | |
|-------|--|
| 2007. | Huddle, L (author) Heritage Intelligence Pty Ltd. Major contributor Ian Wight Planning and Heritage Strategies, Moira Shire Stage TWO Heritage Study. (Five volumes and Database on CD Rom.) |
| 2005 | 'A Taste of 100 Years of Geelong Bayside Public Art' Rotary Club of Bayside Geelong Centenary Walking Trail 1905-2005. |

Expert Witness

| | |
|-------|---|
| 2011 | Planning Panel Hearing, Nillumbik Shire. |
| 2010 | Planning Panel Hearing, Mornington Peninsula Shire |
| 2008 | Planning Panel Hearing, Mornington Peninsula Shire. |
| 2007. | Planning Panel Hearing Nillumbik Shire. |

Heritage Expert as part of Large Project Teams

- 2007 - 2005 Armstrong Creek Urban Growth Plan, City of Greater Geelong, David Lock Associates
- 2005 - 2004 Campaspe Shire Heritage Gaps Study with Robyn Ballinger (in progress)
- 2001. Skipton Urban Design Framework, David Lock Associates.
- 2000 - 2001 Port Fairy Design Guidelines, David Lock Associates.

Major Area Heritage Studies

- 2007 - 2005 Moira Shire, Stage Two Heritage Study, Cobram.
- 2006 - 2004. Mitchell Shire, Stage Two Heritage Study, Broadford.
- 2004- 2003 Moira Shire, Stage One Heritage Study, Cobram Vic
- 2004- 2003 Golden Plains Shire, Stage One Heritage Study, Bannockburn, Vic
- 2001 - 2002 City of Yarra Review of Heritage Precincts', Melbourne.
- 2001 - 2002 Mitchell Shire, Stage One Heritage Study, Broadford, Vic
- 2001 - 2002 Shire of Pyrenees Heritage Precincts Study
- 2000-1999 'City of Greater Geelong Outer Areas Heritage Study Stage One and Two.' City of Greater Geelong.
- 1996 'Bellarine Heritage Study', City of Greater Geelong, Four volumes
- 1986 'City of Geelong West Urban Conservation Study' Five volumes (jointly with Richard Aitken and Louise Horman)

Recent Presentations, Public Lectures, Workshops and Tours

- 2011 **Making the Most of your Heritage Advisor, Seminar,** Heritage Victoria, Melbourne and Bendigo.
Judges Panel and Presentation of Heritage Awards: National Trust and Mornington Peninsula Shire.
- 2008 **Maintenance and Repair of Limestone Buildings, Nepean Historical Society Sorrento.**
- 2008 **Presentation of Heritage Awards, Indigo Shire, Yackandandah.**
- 2007 Presentation to the Councillors and Management at Campaspe Shire with Jim Gaedrez, 'New Design in Heritage Areas,' August 2006.
- 2006 Public Lecture. "Geelong Great Heritage Places" Celebrating 30 years of the National Trust of Australia (Victoria). Deakin University, Geelong, October 2006.
- 2006 Presentation to the Moira Shire Councillors re "Assessing planning applications in heritage areas".
- 2005 Presentation of the outcomes of the Moira Shire Heritage Study to the Councillors.
- 2004 Presentation of the outcomes of the Golden Plains Shire Heritage Study to the Councillors.
- 2004. 'Architecture of Mechanics Institutes' Mechanics' Worldwide Conference, Melbourne September 2004.
- 2003. Kilmore Historical Society.
- 2003 National Trust Geelong
- 2003 Bayside Geelong Rotary Club
- 2002. Seymour Historical Society. (September) "Planning and Heritage: Mitchell Shire Heritage Database".

- 2002. Ballarat Rotary Club,
- 2002. Ballarat Grammar School, (August) "Careers in Heritage"
- 2002. Pyrenees Shire Council (July); The historic urban Design of the Beaufort public park.
- 2002. Buninyong Historical Society (June) "Planning and Heritage".
- 2000. City of Greater Geelong; "Federation Heritage Walk",
- 2001. City of Greater Geelong, " Federation Architecture in Geelong Lecture,".
- 2000. City of Ballarat, Designing in a Heritage City
- 2001. City of Ballarat, Heritage Engineering Infrastructure
- 2001. Mitchell Shire, Heritage Training Seminar (with Ian Wight)

ATTACHMENT 8
Traffic Impact Assessment

TTM Consulting (Vic) Pty Ltd



**PROPOSED RESIDENTIAL DEVELOPMENT
39 QUEENS PARADE, TRARALGON
TRAFFIC ENGINEERING REPORT**

Prepared By

**TTM Consulting (Vic) Pty. Ltd.
Suite 9,
70-80 Wellington Street,
Collingwood Vic 3066**

For

**Beveridge Williams
Suite 6,
115 Hawthorn Road,
Castfield North Vic 3161**

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4 APR 2011

1. INTRODUCTION

TTM Consulting (Vic) Pty. Ltd. was retained by Beveridge Williams to investigate the traffic engineering implications of a proposed residential apartment development at 39 Queens Parade, Traralgon.

In the course of preparing this report we have inspected the subject site and its environs, examined plans of the proposed development, collected available traffic data and observed traffic operations on the surrounding road network.

2. EXISTING CONDITIONS

The subject site is located on the southwest corner of the intersection of Queens Parade and Collins Street, as shown in the following locality plan.



LOCALITY PLAN

The subject site is currently vacant. It has frontages to Queens Parade and Collins Street of approximately 58 metres and it has two existing driveway crossovers, one to each roadway.

Queens Parade in the vicinity of the site consists of a sealed roadway approximately 10 metres in width, located within a 20 metres wide road reserve. There is a wider verge of 6 metres on the south side adjacent to the subject site.

Queens Parade is a local street which parallels the railway line on the south side of the Traralgon Activity Centre. Abutting land uses are predominantly residential on the south side. An indoor sports and aquatic centre is located at the western end with some commercial uses and the railway station located on the north side. Queens Parade is a no through road east of Collins Street.

Collins Street is also a local street abutting the subject site and consists of a sealed roadway approximately 13 metres in width, located centrally within a 20 metres wide road reserve.

The following photographs show views of Queens Parade and Collins Street taken from the frontages of the site.



QUEENS PARADE TO THE EAST



QUEENS PARADE TO THE WEST



COLLINS STREET LOOKING NORTH

The most significant road in the vicinity of the site is Shakespeare Street which is an arterial road linking to an underpass of the railway line and a signalized intersection on the Princes Highway.

Enquiries with Latrobe City revealed the following most recent traffic count data collected in the vicinity of the site.

Shakespeare Street (2008)

- 100 metres east of Whittakers Road (7 day average)
Westbound = 4,138 vehicles per day
Eastbound = 4,723 vehicles per day
- 80 metres west of High Street (7 day average)
Westbound = 3,518 vehicles per day
Eastbound = 3,675 vehicles per day
- 30 metres west of McNairn Road (7 day average)
Westbound = 904 vehicles per day
Eastbound = 981 vehicles per day

Queens Parade (2010)

- 130 metres west of Collins Street (7 day average)
Westbound = 237 vehicles per day
Eastbound = 346 vehicles per day

* Note that the data for Queens Parade was only available for 5 of the 7 days.

The subject site is located within the Traralgon Activity Centre. It is well located with respect to public transport with bus routes passing adjacent to the Traralgon Railway Station within 200 metres walking distance of the site.



3. PROPOSED DEVELOPMENT

It is proposed to construct a total of forty residential apartments on the site. Twenty nine apartments are of two bedrooms, two are of one bedroom only and the remaining nine apartments are of three bedrooms. It should be noted that five of the two bedroom apartments have enclosed studies.

The plans show a total of fifty five on-site parking spaces are to be provided in a basement with vehicular access via a 5.5 metres wide ramp connecting to a proposed driveway crossover to Queens Parade adjacent to the western site boundary.

4. CAR PARKING CONSIDERATIONS

4.1 PLANNING SCHEME REQUIREMENTS

The requirements of Clause 52.06 of the Latrobe Planning Scheme do not apply to this application as the land is zoned Mixed Use and the proposed development is less than four storeys, excluding a basement.

Clause 55.03-11 Standard B16 of the Latrobe Planning Scheme requires that on site parking be provided at a rate of one space per one or two bedroom dwelling, two spaces per three bedroom dwelling and visitor spaces at a rate of one space per five apartments. Studies or studios that are separate rooms must be counted as bedrooms.

The parking requirement based upon Clause 55.03-11 is as follows :-

| Apartments | No. | Rate | Parking Spaces |
|-------------------|-----------|---------------------------|----------------|
| 1 Bedroom | 2 | 1.0 space per dwelling | 2 |
| 2 Bedroom | 24 | 1.0 space per dwelling | 24 |
| 2 Bedroom + study | 5 | 2.0 spaces per dwelling | 10 |
| 3 Bedroom | 9 | 2.0 spaces per dwelling | 18 |
| Visitor | | 1.0 space per 5 dwellings | 8 |
| Total | 40 | | 62 |

The above table indicates that the standard planning scheme requirement is 54 resident parking spaces and 8 visitor parking spaces.

The development plans show a proposed provision of 55 parking spaces in a single basement.

The planning scheme identifies a number of decision guidelines to be considered before deciding an application.



Decision Guidelines

- The reduction in the demand for on-site parking in rental housing, managed by not for profit organisations, intended for residents likely to have a low level of car ownership.
- The number, type and size of dwellings.
- The availability of public transport and on-street parking.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- The reduction of on-street car parking spaces associated with the provision of car parking on the site, particularly for lots of less than 300 square metres.
- Local traffic and parking management plans and safety considerations.
- Any relevant local planning policy or parking precinct plan.

4.2 Empirical Analysis of Resident Parking Demand

Car ownership data has been obtained from the Australian Bureau of Statistics for the Traralgon postcode 3844. The data is from the 2006 Census and car ownership is as follows :-

Australian Bureau of Statistics
2006 Census of Population and Housing
Postal Area (POA) - 3844
Dwelling Structure (STRD) - Apartment

| Number of Bedrooms in Private Dwelling (BEDD) | Number of Motor Vehicles (VEHD) | | | | | | | Car Ownership |
|---|---------------------------------|-----|----|---|---|---|-------|---------------|
| | 0 | 1 | 2 | 3 | 4 | 5 | Total | |
| None (includes bedsiters) | 16 | 6 | 0 | 0 | 0 | 0 | 22 | 0.27 |
| 1 bedroom | 118 | 58 | 10 | 3 | 0 | 0 | 229 | 0.55 |
| 2 bedrooms | 94 | 275 | 62 | 8 | 0 | 0 | 439 | 0.96 |
| 3 bedrooms | 11 | 59 | 32 | 5 | 0 | 0 | 107 | 1.29 |
| 4 bedrooms | 0 | 3 | 5 | 0 | 0 | 0 | 8 | 1.63 |
| 5 bedrooms | 0 | 0 | 3 | 3 | 0 | 0 | 6 | 2.50 |

Based on the car ownership census data for Traralgon this development could be expected to generate the following resident parking demand :-

| | 1 bedroom | 2 bedroom | 3 bedroom | Total |
|-----------------------|-------------|--------------|--------------|--------------|
| No. of Apartments | 2 | 29 | 9 | 40 |
| ABS Car Ownership | 0.55 | 0.96 | 1.29 | |
| Parking Demand | 1.10 | 27.84 | 11.61 | 40.55 |

The above data suggests that the future resident parking demands will be less than the planning scheme requirements. In this regard it suggests that only one in three residents of three bedrooms or two bedrooms plus study apartments is likely to own two vehicles. On this basis it is likely that there will be surplus parking spaces available in the basement suitable for use by visitors.

Notwithstanding this, there is adequate on street parking available in the vicinity of the site, including a capacity for six vehicles to park along the kerb in Collins Street adjacent to the site frontage. This availability has been recorded by Cardno in recent parking surveys carried out for Council.

It is concluded that Council has adequate justification to waive any further requirement for visitor parking on the site based on an expected underutilization of the proposed car park and the availability of on street parking in the vicinity.

5. DRIVEWAY AND BASEMENT RAMP

The driveway from Queens Parade is shown on the application plan at 5.5 metres wide.

The ramp gradients are in accordance with relevant standards, with transitions at the top and bottom. The grading of the ramp results in an overhead clearance at the entry to the basement of 2.2 metres.

A satisfactory sight triangle is provided adjacent to the western boundary which will enable an adequate view of pedestrians on the footpath for exiting vehicles.

6. PARKING AREA DIMENSIONS

The layout of car parking and the dimensions of the basement parking area are in accordance with Table B2 of Clause 55.03-11 of the Latrobe Planning Scheme.

They also comply with relevant Australian Standards for resident user classes.

7. TRAFFIC IMPACT

Surveys conducted by TIM Consulting (Vic) Pty. Ltd. and others at large apartment complexes consisting of a range of dwellings generally allocated one parking space indicate typical traffic generation rates of 4 vehicle movements per apartment per day and six vehicle movements per three bedroom apartment per day with peak hourly traffic movements of about 10 percent of the daily total.

On this basis the proposed development in total is estimated to generate of the order of 200 vehicle movements per day.

Peak hourly traffic movement is estimated to be 20 vehicle movements per hour in total, predominantly outbound in the morning and inbound in the evening.

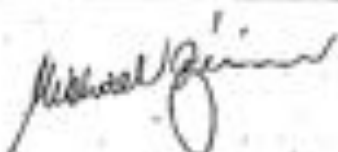


This level of traffic movement will have a minimal impact on traffic operations in Queens Parade and the surrounding road network.

8. CONCLUSION

As a result of our investigation, it is concluded that there are no traffic engineering grounds to warrant refusal of the planning application.

TIM Consulting (Vic) Pty. Ltd.



Michael O'Brien



RECREATION, CULTURE & COMMUNITY INFRASTRUCTURE

**11.4.1 INAPPROPRIATE STREET TREE REMOVAL AND
REPLACEMENT PROGRAM 2011/12**

AUTHOR: General Manager Recreation Culture and Community
Infrastructure

(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present to Council for consideration a proposed list of street tree replacements planned under the '*Inappropriate Street Tree Replacement Program*' for the 2011/12 financial year.

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

Latrobe City Council Plan 2011 - 2015

Strategic Direction – Built Environment

Enhance the quality and sustainability of streetscapes and parks across the municipality through the provision and maintenance of trees that are appropriate to their surroundings.

Service Provision – Infrastructure Maintenance

Provide cyclic and reactive maintenance services for Latrobe City's road, drainage, footpath and tree networks.

Legislation – Local Government Act 1989

Policy – Tree Work Notification Policy 09 POL-3

The purpose of this policy is to detail processes for the notification of significant tree works prior to the works being undertaken.

4. BACKGROUND

A report on the identification of inappropriate street trees and suggested replacement species was presented to Council and adopted on 17 October 2005.

The Council report identified a program to remove and replace inappropriate street trees which until then, had been replaced on an ad hoc basis. Council in 1997/98 engaged a consultant to survey all urban street trees and, of the 38,300 street trees surveyed, approximately 17,000 were identified as being inappropriate.

An inappropriate tree may be either:

- Inappropriately located – e.g. either a tall tree species with structural defects or under power lines, or a tree that causes major damage to underground services. It may be affecting other assets or producing excessive fruit or berries.
- A toxic tree containing toxins within the vegetation that have been proven to cause death or major illness to either humans or animals.
- An allergy causing tree that have been proven to cause major health effects by allergic reaction/s in humans.

The initial program undertaken in 2005/06 addressed the majority of the highest priority trees, including entire streets of toxic/high allergy trees and commenced removal of the large trees under power lines.

The first program featured on site consultation with affected residents and in the majority of cases, there was either overwhelming support for the program, or indifference.

A second program to remove and replace inappropriate street trees covering two financial years was approved by Council on 6 November 2006.

Reports were presented to Council on 15 December 2008 recommending the adoption of the 2008/09 and 2009/10 inappropriate street tree removal and replacement plans and on 18 October 2010 recommending the adoption of the 2010/11 program.

In total over 3,000 inappropriate street trees have been removed and replaced since commencement of this program.

5. ISSUES

There is differing attitude of residents, often within the same street, about the need for removal of trees and the preferred replacement street tree species. This is particularly the case for large trees where the majority opinion in a street often changes over several years as property ownership changes and when aging residents encounter difficulty in clearing up leaves and tree litter.

The benefits to Council and the community in proceeding with this program are as follows:

- Reducing the risks to the public due to power lines being brought down by trees;
- Reducing the risk to staff and contractors when pruning around power lines;
- Compliance with the Code of Practice for Power Line Clearance (a regulatory requirement);
- Reducing the complaints about trees blocking street lights;
- Reducing the number of power outages caused by street trees;
- Reducing the complaints about encroachment over private property, including leaf and litter drop;
- Reducing the number of claims against Council for personal injury and property damage due to trees;
- Improving the amenity of streets – inappropriate trees which have to be severely pruned to meet power line clearance regulatory requirements or which damage roads or footpaths create visual amenity problems;
- Removing the community risk associated with toxic/allergy threat of some tree species;
- Reducing damage and repair costs to infrastructure, including footpaths, kerb and channel, stormwater and sewerage pipes.

The street trees selected for removal as shown in the attachment do not appear in the Latrobe City Heritage Study or the register compiled by the Latrobe City Council Infrastructure Maintenance arborists, of the more important and significant trees in the municipality.

6. FINANCIAL AND RESOURCES IMPLICATIONS

There is an allocation of \$200,000 in the 2011/12 recurrent Planned Tree Works budget for inappropriate tree removal and replacements.

The 2011/12 proposed work program plans to remove and replace 443 trees.

7. INTERNAL / EXTERNAL CONSULTATION

Engagement Method Used:

In accordance with Council's *Tree Work Notification Policy 09 POL-3*, consultation will take place using the following process:

- Letters will be delivered to households in the affected street, advising of the proposed tree replacement works and seeking input into the selection of replacement species. This letter will offer consultation (on site if desired) with a Council arborist.
- All household opinions from that street are taken into account.
- If the majority of households in the street object, the works will not proceed, but be deferred and further consultation carried out.
- If a petition is forwarded by residents it will be presented to Council in accordance with the processes of Local Law Number 1. It is suggested that if petitions are received, that they be dealt with on a street-by-street basis and not for the whole program.

Details of Community Consultation / Results of Engagement:

If the majority of households in a particular street object to the tree removals and/or cannot agree on replacement species, then works in those affected streets will be deferred for further consultation.

- If not resolved a report will be presented to Council for a decision.

- If the ultimate decision of Council is to defer works in a specific street then an alternative street will be substituted into the works program.

The outcome of the consultation is advertised in the Latrobe Valley Express.

8. OPTIONS

Options available to Council include:

1. Approve the list and implement Council Policy.
2. Amend the list/modify the program.
3. Abolish the program.

9. CONCLUSION

This report proposes continuing the inappropriate street tree removal and replacement program. The attachment to this report proposes a list of trees for the 2011/12 program.

It is recommended that Option 1 be adopted as the preferred method and the process be carried out on a street by street basis, whereby if there is not majority agreement to the removal and replacement species, the particular street will be deferred from the program to allow further consultation and be referred to Council.

10. RECOMMENDATION

1. **That Council adopts the list of inappropriate street trees as listed in the attachment as the removal and replacement program for the 2011/12 financial year.**
2. **That all proposed works are undertaken in accordance with the *Tree Work Notification Policy 09 POL-3*.**

Moved: Cr Lougheed

Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

.

Inappropriate Street Tree Removal

Replacement Program 2011-2012

The following table is a list of **443** street trees for removal and replacement within the 2011-2012 financial years of inappropriate street trees:

Moe/Newborough – 148 Morwell – 0, Traralgon – 295

Key – P/L is playground, V/B is vacant block.

TRARALGON

| ADDRESS | SPECIES TO BE REPLACED |
|---|-------------------------------|
| 3 Wirilda Crescent in Boola Court | Melaleuca armillaris |
| 4 Boola Court | Melaleuca armillaris |
| 69 Grubb Avenue in Rangeview Drive x2 | Melaleuca linarifolia |
| 4 Range View Drive | Melaleuca linarifolia |
| 6 Range View Drive | Melaleuca linarifolia |
| 8 Range View Drive | Melaleuca linarifolia |
| 12 Range View Drive | Melaleuca linarifolia |
| 18 Range View Drive | Melaleuca linarifolia |
| 22 Range View Drive | Melaleuca linarifolia |
| 28 Range View Drive | Melaleuca linarifolia |
| On naturestrip outside school Range View Drive x3 | Melaleuca linarifolia |
| 28 Range View Drive in Sterling Avenue | Melaleuca styphelioides |
| 39 Grubb Avenue | Lophostemon confertus |
| 43 Grubb Avenue | Lophostemon confertus |
| 45 Grubb Avenue | Lophostemon confertus |
| 49 Grubb Avenue | Lophostemon confertus |
| 53 Grubb Avenue | Lophostemon confertus |
| 57 Grubb Avenue | Lophostemon confertus |
| 59 Grubb Avenue | Lophostemon confertus |
| 63 Grubb Avenue | Lophostemon confertus |
| 67 Grubb Avenue | Lophostemon confertus |
| 69 Grubb Avenue | Lophostemon confertus |
| 73 Grubb Avenue | Lophostemon confertus |
| 77 Grubb Avenue | Lophostemon confertus |
| Out front of Council P/L Grubb Avenue | Lophostemon confertus |
| 83 Grubb Avenue | Lophostemon confertus |
| 85 Grubb Avenue | Lophostemon confertus |
| 89 Grubb Avenue | Lophostemon confertus |
| 2/91 Grubb Avenue | Lophostemon confertus |
| Out front of Council P/L Grubb Avenue x3 | Lophostemon confertus |
| 93 Grubb Avenue | Lophostemon confertus |

| ADDRESS | SPECIES TO BE REPLACED |
|--------------------------------------|---|
| 95 Grubb Avenue | Lophostemon confertus |
| 28 Grubb Avenue | Lophostemon confertus |
| 24 Grubb Avenue | Lophostemon confertus |
| 22 Grubb Avenue | Lophostemon confertus |
| 14 Grubb Avenue | Lophostemon confertus |
| 8 Grubb Avenue | Lophostemon confertus |
| 5 Rural Drive | Melaleuca linarifolia |
| 9 Rural Drive | Melaleuca linarifolia |
| 13 Rural Drive | Melaleuca linarifolia |
| 68 Swallow Grove in Rural Drive | Melaleuca linarifolia |
| 1/14 Rural Drive | Melaleuca linarifolia |
| 68 Swallow Grove | Lophostemon confertus |
| 64 Swallow Grove | Lophostemon confertus |
| 1 Rialto Court in Swallow Grove x2 | Melaleuca styphelioides & Lophostemon confertus |
| 2/60-62 Swallow Grove | Melaleuca styphelioides |
| 54 Swallow Grove | Lophostemon confertus |
| 63 Swallow Grove | Lophostemon confertus |
| 59 Swallow Grove | Melaleuca linarifolia |
| 47 Swallow Grove | Melaleuca styphelioides |
| 45 Swallow Grove | Lophostemon confertus |
| Reserve between 41 &43 Swallow Grove | Melaleuca linarifolia |
| 39 Swallow Grove | Melaleuca linarifolia |
| 33 Swallow Grove | Lophostemon confertus |
| 29 Swallow Grove | Lophostemon confertus |
| 15 Swallow Grove | Melaleuca armillaris |
| 13 Swallow Grove | Lophostemon confertus |
| 34 James Parade x2 | Lophostemon confertus |
| 23 James Parade | Lophostemon confertus |
| 19 James Parade | Lophostemon confertus |
| 15 James Parade | Lophostemon confertus |
| 28 James Parade | Lophostemon confertus |
| 30 James Parade | Lophostemon confertus |
| 26 Cross's Road | Lophostemon confertus |
| 12 Cross's Road | Melaleuca armillaris |
| 8 Cross's Road | Melaleuca armillaris |
| 16 West Court | Melaleuca linarifolia |
| 15 West Court x2 | Melaleuca linarifolia |
| 8 West Court | Melaleuca linarifolia |
| Out front Council P/L West Court | Melaleuca linarifolia |
| 2 West Court | Melaleuca linarifolia |
| 19 Holden Crescent | Melaleuca linarifolia |
| 15 Holden Crescent | Melaleuca linarifolia |
| 11 Holden Crescent | Melaleuca linarifolia |
| 3 Holden Crescent | Melaleuca linarifolia |
| 1 Holden Crescent | Melaleuca linarifolia |
| 9 Wallace Court | Melaleuca linarifolia |

| ADDRESS | SPECIES TO BE REPLACED |
|---------------------------------------|-------------------------------|
| 9 Willis Crescent | Liquidamber styraciflua |
| 12 Willis Crescent | Liquidamber styraciflua |
| 8 Willis Crescent | Liquidamber styraciflua |
| 4 Willis Crescent | Liquidamber styraciflua |
| 2 Willis Crescent | Melaleuca styphelioides |
| 14 Gillies Crescent | Syzygium oleosum |
| 1 Watson Court | Lophostemon confertus |
| 6 Watson Court | Lophostemon confertus |
| 17 Pollock Avenue | Lophostemon confertus |
| 1 Simpson Court | Lophostemon confertus |
| 9 Simpson Court | Lophostemon confertus |
| 3 Gepp Court | Lophostemon confertus |
| 8 Gepp Court | Lophostemon confertus |
| 162 Kay Street | Lophostemon confertus |
| 4/102 Kay Street in Churchill Street | Eucalyptus ficifolia |
| 1A Churchill Street | Eucalyptus ficifolia |
| 22 Chenhall Crescent | Cinnamomum camphora |
| 18 Chenhall Crescent | Cinnamomum camphora |
| 10 Chenall Crescent | Cinnamomum camphora |
| 13 Foxlease Avenue | Syzygium oleosum |
| 5 Foxlease Avenue | Syzygium oleosum |
| 3 Pax Road | Lophostemon confertus |
| 5 Pax Road | Lophostemon confertus |
| 8 Pax Road | Lophostemon confertus |
| 12 Pax Road | Lophostemon confertus |
| 13 Gilwell Avenue | Syzygium oleosum |
| 9 Gilwell Avenue | Syzygium oleosum |
| 5 Gilwell Avenue | Syzygium oleosum |
| 1 Gilwell Avenue | Syzygium oleosum |
| 9 Mafeking Road | Melia azedarach |
| 1-4/5-7 Mafeking Road | Melaleuca styphelioides |
| 7 Pax Road in Pearce Link | Lophostemon confertus |
| 66 Gordon Street in Pearce Link | Melaleuca linarifolia |
| 8 Barker Crescent in Ryan Street x2 | Lophostemon confertus |
| 1 Ryan Street | Cinnamomum camphora |
| 3 Ryan Street | Lophostemon confertus |
| 5 Ryan Street | Lophostemon confertus |
| 9 Ryan Street | Cinnamomum camphora |
| 11 Ryan Street | Cinnamomum camphora |
| 15 Ryan Street | Cinnamomum camphora |
| 17 Ryan Street | Cinnamomum camphora |
| 45 Barker Crescent | Melaleuca styphelioides |
| 46 Barker Crescent | Melaleuca linarifolia |
| 42 Barker Crescent | Lophostemon confertus |
| Out front Council P/L Barker Crescent | Eucalyptus maculata |
| 10 Barker Crescent | Eucalyptus maculata |
| 6 Barker Crescent | Lophostemon confertus |
| 2 Barker Crescent | Lophostemon confertus |

| ADDRESS | SPECIES TO BE REPLACED |
|-------------------------------------|-------------------------------|
| 3 Barker Crescent | Lophostemon confertus |
| 3 Brown Street | Melia azedarach |
| 13 Brown Street | Melia azedarach |
| 5 Norman Street | Lophostemon confertus |
| 7 Norman Street | Eucalyptus leucoxydon |
| 11 Norman Street | Lophostemon confertus |
| 15 Norman Street | Lophostemon confertus |
| 91 Gordon St in Norman Street | Lophostemon confertus |
| 89 Gordon St in Norman Street | Lophostemon confertus |
| 69 Moore Street in Burns Street | Melaleuca linarifolia |
| 78 Grey Street in Byron Street | Melaleuca styphelioides |
| 6 Firmin Street | Eucalyptus ficifolia |
| 50 Firmin Street | Lophostemon confertus |
| 12 Erica Court | Melaleuca styphelioides |
| 5 Erica Court | Melaleuca styphelioides |
| 2 Erica Court | Melaleuca styphelioides |
| 1/68 Davidson Street in Erica Court | Melaleuca styphelioides |
| 70 Davidson Street in Erica Court | Melaleuca styphelioides |
| 78 Davidson Street in Gould Court | Melaleuca styphelioides |
| 80 Davidson Street in Gould Court | Melaleuca styphelioides |
| 1 Gould Court | Melaleuca linarifolia |
| 1,2,3,4/3 Gould Court | Melaleuca styphelioides |
| 4 Gould Court | Melaleuca styphelioides |
| 5 Gould Court | Lophostemon confertus |
| 11 Gould Court | Melaleuca linarifolia |
| 88 Davidson Street in Pettit St x2 | Melaleuca styphelioides |
| 1 Pettit Street | Melaleuca species |
| 5 Pettit Street | Liquidamber styraciflua |
| 7 Pettit Street | Melaleuca styphelioides |
| 9 Pettit Street | Agonis flexuosa |
| 11 Pettit Street | Liquidamber styraciflua |
| 13 Pettit Street | Melaleuca styphelioides |
| 1,2,3/15 Pettit Street | Liquidamber styraciflua |
| 17 Pettit Street | Liquidamber styraciflua |
| Out Front Council P/L George Street | Melaleuca styphelioides |
| Out Front Council P/L George Street | Melaleuca linarifolia |
| Out Front Council P/L George Street | Melaleuca styphelioides |
| Out Front Council P/L George Street | Melaleuca linarifolia |
| Out Front Council P/L George Street | Melaleuca styphelioides |
| 64 Argyle St | Robinia pseudoacacia |
| 66 Argyle St | Robinia pseudoacacia |
| 10 McMahon Street | Melaleuca linarifolia |
| 12 Riggall Road in McMahon Street | Melaleuca linarifolia |
| 12 Riggall Road | Melaleuca styphelioides |
| 13 Riggall Road | Melaleuca styphelioides |
| 126 Argyle Street in Riggall Road | Melaleuca styphelioides |
| 34 Allen Crescent in Evelyn Street | Melaleuca styphelioides |
| 32 Allen Crescent in Evelyn Street | Melaleuca linarifolia |

| ADDRESS | SPECIES TO BE REPLACED |
|--|---|
| 1 Evelyn Street | Eucalyptus leucoxydon |
| 19 Allen Crescent in Evelyn Street | Melaleuca linarifolia |
| 21 Allen Crescent in Evelyn Street | Melaleuca linarifolia |
| 23 Lyndon Crescent | Fraxinus excelsior 'Aurea' |
| Out front Council P/L in Lyndon Cres | Fraxinus excelsior 'Aurea' |
| 44 Allen Crescent in Lyndon Crescent | Fraxinus excelsior 'Aurea' |
| 31 Allen Crescent in Lyndon Crescent | Fraxinus excelsior 'Aurea' |
| 1 McNairn Road in Shakespeare Street | Melaleuca linarifolia |
| 170 Shakespeare Street | Melaleuca styphelioides |
| 164 Shakespeare Street | Agonis flexuosa |
| 158 Shakespeare Street | Melaleuca styphelioides |
| 154 Shakespeare Street | Melaleuca styphelioides |
| 152 Shakespeare Street | Melaleuca styphelioides |
| 1 Lyndon Crescent in Shakespeare St | Melaleuca styphelioides |
| 146 Shakespeare Street | Melaleuca linarifolia |
| 132 Shakespeare Street | Eucalyptus species |
| 130 Shakespeare Street | Melaleuca linarifolia |
| 126 Shakespeare Street | Melaleuca linarifolia |
| 54 Allen Crescent in Brereton Street | Agonis flexuosa |
| Out front of Council P/L Brereton St | Agonis flexuosa |
| 67 Newman Crescent in Brereton St | Agonis flexuosa |
| 74 Allen Crescent in Brereton St | Melaleuca styphelioides |
| 9 Whitakers Road | Lophostemon confertus |
| 11 Whitakers Road | Lophostemon confertus |
| Out front Council P/L T'gon Football Ground Whitakers Road | Lophostemon confertus |
| Out front Council P/L T'gon Football Ground Whitakers Road | Melaleuca styphelioides |
| 143 Liddiard Road in Monash St x2 | Melaleuca styphelioides |
| 4 Monash Road | Melaleuca styphelioides |
| 8 Monash Road | Melaleuca styphelioides |
| 14 Monash Road | Melaleuca linarifolia |
| 26 High Street in Monash Road | Melaleuca styphelioides |
| 157 Liddiard Road in Tanjil Street | Melaleuca styphelioides |
| 21-29 Landsdowne Road | Melaleuca styphelioides |
| 19 Landsdowne Road x2 | Lophostemon confertus & Melaleuca styphelioides |
| 15 Landsdowne Road x2 | Lophostemon confertus & Melaleuca styphelioides |
| 11 Landsdowne Road x4 | Lophostemon confertus x2 & Melaleuca styphelioides x2 |
| 9 Landsdowne Road | Lophostemon confertus |
| 7 Landsdowne Road | Melaleuca styphelioides |
| 5 Landsdowne Road x2 | Lophostemon confertus & Melaleuca styphelioides |
| 3 Landsdowne Road x2 | Melaleuca styphelioides |
| 1 Landsdowne Road x3 | Lophostemon confertus & Melaleuca |

| ADDRESS | SPECIES TO BE REPLACED |
|---|---|
| | stypheleoides x2 |
| 8 Dyer Court | Lophostemon confertus |
| 4 Dyer Court | Eucalyptus species |
| 3 Dyer Court | Eucalyptus species |
| 1 Cowell Court | Eucalyptus species |
| 2 Cowell Court | Eucalyptus species |
| 4 Cowell Court | Eucalyptus species |
| 5 Cowell Court | Eucalyptus species |
| 6 Cowell Court | Eucalyptus species |
| 7 Cowell Court | Eucalyptus species |
| 8 Cowell Court | Eucalyptus species |
| 4 Watkins Court | Lophostemon confertus |
| 6 Watkins Court | Eucalyptus species |
| 6 McDonald Court | Melaleuca linarifolia |
| 7 McDonald Court x2 | Melaleuca linarifolia |
| 8 McDonald Court | Melaleuca linarifolia |
| 9 McDonald Court x2 | Melaleuca linarifolia & Eucalyptus leucoxydon |
| 10 McDonald Court | Melaleuca linarifolia |
| 2 Priestly Court | Cotoneaster species |
| 3 Priestly Court | Lophostemon confertus |
| 4 Priestly Court x2 | Lophostemon confertus |
| 5 Priestly Court | Lophostemon confertus |
| 21 Furlonger Street | Melaleuca linarifolia |
| 19 Furlonger Street | Melaleuca stypheleoides |
| 11 Furlonger Street | Melaleuca stypheleoides |
| 11 Tierney Court in Furlonger Street | Melaleuca stypheleoides |
| 1 Tierney Court in Furlonger Street | Melaleuca stypheleoides |
| 17 McEntree Court in Furlonger Street | Melaleuca stypheleoides |
| 13 Furlonger Street | Melaleuca stypheleoides |
| 79 Maskrey Street in Furlonger Street | Melaleuca stypheleoides |
| Opposite 2 Furlonger Street <small>beside flats</small> | Melaleuca stypheleoides |
| 4 Tierney Court | Melaleuca stypheleoides |
| 3 Tierney Court | Melaleuca stypheleoides |
| 2 Miles Street | Lophostemon confertus |
| 4 Miles Street | Lophostemon confertus |
| 14 Miles Street | Lophostemon confertus |
| 7 Little Crescent in Miles Street | Lophostemon confertus |
| 1/9 Widdis Place | Melaleuca armillaris |
| 7 Farren Close tree in Widdis Place | Lophostemon confertus |
| 22 Ormond Road | Lophostemon confertus |
| 1 Thexton Street | Melaleuca linarifolia |
| 3 Thexton Street | Melaleuca linarifolia |
| 15 Thexton Street | Melaleuca linarifolia |
| 17 Thexton Street | Melaleuca linarifolia |
| Out front Council P/L Thexton Street | Melaleuca linarifolia |
| 21 Thexton Street | Melaleuca linarifolia |

| ADDRESS | SPECIES TO BE REPLACED |
|--------------------------------------|-------------------------------|
| 23 Thexton Street x2 | Melaleuca linarifolia |
| 8 Farrington Parade in Thexton St x2 | Melaleuca linarifolia |
| 15 Cooper Street | Allocasuarina species |
| 3 Cooper Street | Allocasuarina species |
| 3 Murphy Crescent | Melaleuca armillaris |
| 19 Murphy Crescent | Melaleuca armillaris |
| 21 Murphy Crescent | Melaleuca armillaris |
| 31 Murphy Crescent | Melaleuca armillaris |
| 20 Murphy Crescent | Melaleuca armillaris |
| 39 Murphy Crescent | Melaleuca armillaris |
| 41 Murphy Crescent x2 | Melaleuca armillaris |

MOE / NEWBOROUGH

| ADDRESS | SPECIES |
|-------------------------------------|------------------------|
| Opposite 2 King Street | Lophostemon confertus |
| Opposite 6 King Street | Lophostemon confertus |
| 7 King Street in Edward Street | Lophostemon confertus |
| 26-28 Abbott Street in Watsons Road | Eucalyptus ficifolia |
| 39 Abbott Street in Watson Road Sth | Melaleuca linarifolia |
| 12 Trentham Street | Eucalyptus ficifolia |
| 4 Trentham Street | Eucalyptus ficifolia |
| 43 John Street in Trentham Street | Agonis flexuosa |
| 29 Stirling Street | Melaleuca linarifolia |
| 33 Stirling Street | Melaleuca linarifolia |
| 6 Randall Crescent | Melaleuca stypheliodes |
| 8 Randall Crescent | Melaleuca linarifolia |
| 12 Randall Crescent | Melaleuca linarifolia |
| 16 Randall Crescent | Melaleuca stypheliodes |
| 20 Randall Crescent | Melaleuca linarifolia |
| 26 Randall Crescent | Melaleuca stypheliodes |
| 28 Randall Crescent | Melaleuca linarifolia |
| 32 Randall Crescent | Melaleuca linarifolia |
| 42 Randall Crescent | Melaleuca linarifolia |
| 2 Nadine Street in Randall Crescent | Melaleuca stypheliodes |
| 2 Nadine Street | Melaleuca linarifolia |
| 3 Nadine Street | Melaleuca linarifolia |
| 6 Nadine Street | Melaleuca linarifolia |
| 63 Watson Road South in Nadine St | Melaleuca linarifolia |
| 46 Prince Street | Lophostemon confertus |
| 48 Prince Street | Agonis flexuosa |
| 50 Prince Street | Lophostemon confertus |
| 52 Prince Street | Agonis flexuosa |
| 56 Prince Street | Agonis flexuosa |
| 1 Kerin Street | Syzygium oleosum |
| 5 Kerin Street | Syzygium oleosum |
| 9 Kerin Street | Syzygium oleosum |

| ADDRESS | SPECIES |
|--|--|
| 13 Kerin Street | Syzygium oleosum |
| 17 Kerin Street | Syzygium oleosum |
| 21 Kerin Street | Syzygium oleosum |
| 29-31 Kerin Street | Syzygium oleosum |
| 35 Kerin Street | Syzygium oleosum |
| 37-39 Kerin Street | Syzygium oleosum |
| 23 Lisle Street | Syzygium oleosum |
| 19 Lisle Street | Syzygium oleosum |
| 15-17 Lisle Street | Syzygium oleosum |
| 7 Lisle Street | Syzygium oleosum |
| 3 Lisle Street | Syzygium oleosum |
| 3 Kerin Street in Lisle Street | Syzygium oleosum |
| 5 Purvis Street in Lisle Street | Syzygium oleosum |
| Out front of Council P/L Jeeralang Avenue x2 | Melaleuca linarifolia, Melaleuca stypheliodes |
| Units 1 & 2/1 Jeeralang Avenue | Melaleuca stypheliodes |
| 17 Southwell Avenue | Acer negundo 'variegatum' |
| 13 Southwell Avenue | Acer negundo 'variegatum' |
| 9 Southwell Avenue | Acer negundo 'variegatum' |
| 5 Southwell Avenue | Acer negundo 'variegatum' |
| 1 Southwell Avenue | Acer negundo 'variegatum' |
| On naturestrip beside Primary School Southwell Avenue x3 | Acer negundo 'variegatum' |
| 56 Newark Avenue | Agonis flexuosa |
| 52 Newark Avenue | Agonis flexuosa |
| 44 Newark Avenue | Agonis flexuosa |
| 40 Newark Avenue | Agonis flexuosa |
| 34 Newark Avenue | Agonis flexuosa |
| 30 Newark Avenue | Agonis flexuosa |
| 17 Trent Street in Newark Avenue | Agonis flexuosa |
| 2 Avon Court | Acer negundo 'variegatum' |
| 6 Avon Court | Acer negundo 'variegatum' |
| 16 Avon Court | Acer negundo 'variegatum' |
| 18 Avon Court | Acer negundo 'variegatum' |
| 20 Avon Court | Acer negundo 'variegatum' |
| 21 Avon Court | Acer negundo 'variegatum' |
| 23 Avon Court | Acer negundo 'variegatum' |
| 25 Avon Court | Acer negundo 'variegatum' |
| 26 Avon Court x3 | Acer negundo 'variegatum' |
| 26 Trent Street in Avon Court | Acer negundo 'variegatum' |
| 1 Boolarra Avenue | Cinnamomum camphora |
| 39 Boolarra Avenue | Cinnamomum camphora |
| 43 Boolarra Avenue | Cinnamomum camphora |
| 47 Boolarra Avenue | Cinnamomum camphora |
| 51 Boolarra Avenue | Cinnamomum camphora |
| 59 Boolarra Avenue | Cinnamomum camphora |
| 67 Boolarra Avenue | Cinnamomum camphora |
| 71 Boolarra Avenue | Cinnamomum camphora |

| ADDRESS | SPECIES |
|---|---|
| 66 Eastern Avenue in Boolarra Ave | Cinnamomum camphora |
| 19 Koornalla Street in Boolarra Ave | Cinnamomum camphora |
| 33 Monash Road in Tyers Street | Fraxinus excelsior 'Aurea' |
| 4 Tyers Street | Fraxinus excelsior 'Aurea' |
| 2 Tyers Street | Photinia rubusta |
| 24 Chamberlain Road in Tyers St | Fraxinus excelsior 'Aurea' |
| 78 Chamberlain Road, Kendon Street x2 | Fraxinus excelsior 'Aurea' & Photinia rubusta |
| 2 Kendon Street | Photinia rubusta |
| 22 Shanahan Parade | Fraxinus excelsior 'Aurea' |
| 15 Joy Street | Syzygium oleosum |
| 11 Joy Street | Syzygium oleosum |
| 7 Joy Street | Syzygium oleosum |
| 1-2/3 Joy Street | Syzygium oleosum |
| 1A Joy Street | Syzygium oleosum |
| 4 Belvedere Court | Cotoneaster glacophyllus |
| 8 Belvedere Court | Cotoneaster glacophyllus |
| 18 Heather Grove | Cotoneaster glacophyllus |
| 20 Heather Grove | Cotoneaster glacophyllus |
| 22 Heather Grove | Cotoneaster glacophyllus |
| 28 Heather Grove | Cotoneaster glacophyllus |
| 24 Balfour Street in Eastleigh Court | Syzygium oleosum |
| 1 Eastleigh Court | Syzygium oleosum |
| 3 Eastleigh Court | Syzygium oleosum |
| 5 Eastleigh Court | Syzygium oleosum |
| 11 Eastleigh Court | Syzygium oleosum |
| 25 Murray Road in Rutland Street | Fraxinus excelsior 'Aurea' |
| 7 Rutland Street | Fraxinus excelsior 'Aurea' |
| 1 Tasman Street | Fraxinus excelsior 'Aurea' |
| 2 Durham Road | Acer negundo 'variegatum' |
| 6 Durham Road | Acer negundo 'variegatum' |
| 10 Durham Road | Acer negundo 'variegatum' |
| 14 Durham Road | Acer negundo 'variegatum' |
| 18 Durham Road | Acer negundo 'variegatum' |
| 26 Durham Road | Acer negundo 'variegatum' |
| 41 Cross Street in Mason Street | Cotoneaster glacophyllus |
| 3 Powell Street | Fraxinus excelsior 'Aurea' |
| 38 Smallburn Avenue | Syzygium oleosum |
| 34 Smallburn Avenue | Syzygium oleosum |
| 30 Smallburn Avenue | Syzygium oleosum |
| 26 Smallburn Avenue | Syzygium oleosum |
| 22 Smallburn Avenue | Syzygium oleosum |
| 18 Smallburn Avenue x2 | Syzygium oleosum, Melaleuca stypheliodes |
| Out front of Council P/L Smallburn Avenue | Syzygium oleosum |
| 14 Smallburn Avenue | Syzygium oleosum |
| 12 Smallburn Avenue | Syzygium oleosum |

| ADDRESS | SPECIES |
|--------------------------------------|-------------------------|
| 4 Smallburn Avenue | Syzygium oleosum |
| 2 Smallburn Avenue in Erica St | Syzygium oleosum |
| 3 Hyland Street | Ulmus parviflora |
| 11 Hyland Street | Ulmus parviflora |
| 15 Hyland Street | Ulmus parviflora |
| 19 Hyland Street | Ulmus parviflora |
| 23 Hyland Street | Ulmus parviflora |
| 2 Northern Ave | Liquidamber styraciflua |
| 18 Northern Ave | Liquidamber styraciflua |
| 24 Northern Ave | Liquidamber styraciflua |
| 28 Northern Ave | Liquidamber styraciflua |
| 32 Northern Ave | Liquidamber styraciflua |
| Beside 32, Vacant block Northern Ave | Liquidamber styraciflua |
| 38 Northern Ave | Liquidamber styraciflua |
| 40 Northern Ave | Liquidamber styraciflua |
| 46 Northern Ave | Liquidamber styraciflua |
| 48 Northern Ave | Liquidamber styraciflua |
| 54 Northern Ave | Liquidamber styraciflua |
| 58 Northern Ave | Eucalyptus species |
| 60 Northern Ave | Liquidamber styraciflua |

GLOSSARY OF TREES

| Tree to be removed | Common Name | Reason for Replacement |
|----------------------------|------------------------------------|----------------------------------|
| Acer negundo 'variegatum' | Japanese Maple | Under power lines |
| Agonis flexuosa | Willow Leaf Myrtle | Under power lines |
| Allocasuarina species | She Oak | Under power lines |
| Cinnamomum camphora | Camphor Laurel | Under power lines |
| Cotoneaster glacophyllus | Cotoneaster | Declared weed species |
| Cotoneaster species | Cotoneaster | Declared weed species |
| Eucalyptus ficifolia | Flowering Gum | Under power lines |
| Eucalyptus leucoxyton | Red Flowering Gum | Under power lines |
| Eucalyptus maculata | Spotted Gum | Under power lines |
| Fraxinus excelsior 'Aurea' | Golden Ash | Under power lines |
| Liquidamber styraciflua | Sweet Gum | Under power lines |
| Lophostemon confertus | Queensland Box | Under power lines |
| Melaleuca armillaris | Bracelet Honey Myrtle Paperbark | Under power lines/poor structure |
| Melaleuca linarifolia | Snow In Summer Paperbark | Under power lines/poor structure |
| Melaleuca species | Paperbark | Under power lines/poor structure |
| Melaleuca styphelioides | Prickly Paperbark | Under power lines/poor structure |

| Tree to be removed | Common Name | Reason for Replacement |
|---------------------------|----------------------|---|
| Melia azedarach | White Cedar | Under power lines |
| Photinia rubusta | Photinia | Under power lines |
| Robina pseudoacacia | Black Locust Robinia | Under power lines |
| Syzygium oleosum | Lilly Pilly | Under power lines / sheds excessive fruit |
| Ulmus parviflora | Chinese Elm | Under power lines |

| Replacement tree offered | Common Name |
|---|---------------------------|
| Acer buergerianum | Trident Maple |
| Acer rubrum 'Autumn Blaze' | Canadian Maple |
| Brachychiton populaneus | Kurrajong |
| Callistemon citrinus | Crimson Bottlebrush |
| Callistemon 'Kings Park Special' | Bottlebrush |
| Callistemon salignus | Pink Tip Bottlebrush |
| Cercis silquatum 'Atropurpurea' | Judus Tree |
| Cercis chinensis | Judus Tree |
| Eucalyptus macrandra | Long Flowered Marlock Gum |
| Eucalyptus scoparia | Wallangarra White Gum |
| Gleditsia tricanthos var. inermis 'Ruby Lace' | Honeylocust |
| Hakea laurina | Pincushion Hakea |
| Hakea salicifolia | Willow Leaf Hakea |
| Lagerstroemia fauriei 'Fantasy' | Crepe Myrtle |
| Lagerstroemia indica x L. fauriei 'Lipan' | Crepe Myrtle |
| Lagerstroemia indica x L. fauriei 'Natchez' | Crepe Myrtle |
| Lagerstroemia indica x L. fauriei 'Sioux' | Crepe Myrtle |
| Leptospermum pattersonii | Lemon scented Tea Tree |
| Magnolia grandiflora 'Little Gem' | Little Gem Magnolia |
| Prunus cerasus 'New Red' | Flowering Cherry |
| Prunus 'Kanzan' | Flowering Cherry |
| Prunus serrulata 'Mt Fuji' | Flowering Cherry |
| Pyrus fauriei 'Westwood' | Ornamental Pear |
| Sorbus aucuparia | European mountain Ash |
| Tristaniopsis laurina | Water Gum |
| Ulmus parvifolia 'Todd' | Chinese Elm |

COMMUNITY LIVEABILITY

11.5.1 LAND ACQUISITION TRARALGON SOUTH

AUTHOR: General Manager Community Liveability
(ATTACHMENTS – YES)

1. PURPOSE

The purpose of this report is to present, for Council consideration, a proposal to purchase from Hancock Victoria Plantations (HVP) a 3.3 hectare parcel of land that adjoins the Traralgon South Township.

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 - Recreation

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 – Our Community

Facilitate and support initiatives that strengthen the capacity of the community.

Legislation – Local Government Act 1989, Section 187.

187. Acquisition and compensation

(1) A Council may purchase or compulsorily acquire any land which is or may be required by the Council for or in connection with, or as incidental to, the performance of its functions or the exercise of its powers.

Policy - Council does not have a policy in relation to the purchase of land.

4. BACKGROUND

Following the 2009 bushfires Latrobe City coordinated community consultation through a series of workshops for the community to develop a Recovery Action Plan for the Traralgon South and District.

The plan incorporates a range of priorities identified by the community, with one of the priorities being the purchase of a parcel of land abutting the northern side of the Traralgon South township.

The land is part of a larger parcel which is owned by HVP, formally known as Grand Ridge Plantation (GRP). (Attachment 1). The plantation timber on the land has been harvested and replanting has not been undertaken by HVP.

Extensive community consultation has taken place commencing in May 2010 between the Traralgon South and District Community Recovery Committee, HVP and Latrobe City Council. The community considered the parcel of land as a potential fire hazard to the residential township of Traralgon South. As discussions progressed investigation into other options for the ownership of this land were considered, including an exchange with Loy Yang Power, but this required an independent third party taking over ownership of a lease agreement. The agreed outcome was for Latrobe City Council to purchase this land for public open space.

5. ISSUES

The land abuts existing cleared land and the Traralgon South and District community determined that the parcel of land would support recovery projects, including the provision of walking tracks, open passive space and future recreational space.

There is community support for the land to be incorporated into the Traralgon South Recreation Master Plan. This additional land of 3.3 hectares is adjacent to 7.8 hectares of existing Council owned and cleared land, making a total of 11.1 hectares.

HVP is supportive of the proposal and have offered to sell the land to Council by private treaty subject to the following conditions (refer attachment 2):

1. Purchase price of \$50,000
2. The plan of subdivision to be prepared and registered at the cost of Latrobe City
3. Any fencing required on the new boundary is to be erected at Latrobe City's expense
4. That there will be a restrictive covenant (or other appropriate instrument) registered on the title to the lot that Latrobe City will purchase in favour of the lot that HVP will retain, that will prohibit the owner of the lot from:
 - a. Further subdividing the lot
 - b. Afforesting the lot
 - c. Building a residence on the lot
5. That HVP's legal costs arising from the subdivision and putting in place the restrictive covenant be met by Latrobe City.

At this stage there are no plans to fence the area. There has been an allocation of an additional \$100,000 from the Victorian Bushfire Appeal Fund to support the redevelopment of this parcel of land.

6. FINANCIAL AND RESOURCES IMPLICATIONS

CJA Lee Property Valuers have estimated the land value at \$50,000, (Attachment 3). Subdivision costs are estimated to be approximately \$15,000.

The purchase of the land and the associated subdivision costs can be met through external funding allocated to the Bushfire Recovery Program.

The cost to rehabilitate and establish this area as future recreation space is unknown and will be subject to the Traralgon South Recreation Plan.

It is estimated that an annual maintenance cost of \$4,500 will be required for this 3.3 hectares of land once it is established, which will need to be met by Latrobe City.

7. INTERNAL / EXTERNAL CONSULTATION

Engagement Method Used:

Internal discussions have been held with the following departments: Statutory Planning, Natural Environment Sustainability, Governance, and Corporate Strategy.

External discussions have been held at individual and community consultation meetings, with the Traralgon South and District Association and Hancock Victoria Plantations.

Details of Community Consultation / Results of Engagement:

Traralgon South and District Association supports the acquisition of the land, which would result in an increase in public open space on the northern boundary of the Traralgon South Township and the opportunity for connecting walking trails and recreational area.

8. OPTIONS

Council has the following options available:

- Reject the offer of sale by HVP; or
- Purchase the land from HVP.

9. CONCLUSION

The purchase of HVP land will contribute to the recovery of the Traralgon South and district community from the 2009 bushfires. It is proposed to be incorporated into the township open space and provide the community with the opportunity to undertake environmental programs to revitalise the natural environment and to provide connecting walking trails.

Funds are available from the Bush Fire Recovery Program for the land purchase and associated costs.

10. RECOMMENDATION

1. **That Council resolves to purchase a 3.3 hectare parcel of land from Hancock Victoria Plantations being part of Lot 2 on Plan of Subdivision PS 307415 as detailed in the letter of offer from Hancock Victoria Plantations dated 30 June 2011.**

2. That the Chief Executive Officer be authorised to enter into a contract of sale and sign and seal Transfer of Land documents when prepared.

Moved: Cr Vermeulen

Seconded: Cr Lougheed

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENTS

.

ATTACHMENT 1



ATTACHMENT 2

June 30, 2011

Mr. Michael Edgar
General Manager – Community Liveability
Latrobe City Council
PO Box 264
Morwell VIC 3840

| | |
|---|--|
| LATROBE CITY COUNCIL | |
| INFORMATION MANAGEMENT | |
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| Comments/Copies Circulated to: | |
| <input type="checkbox"/> Copy registered in DataWorks | <input type="checkbox"/> Invoice forwarded to accounts |



Dear Michael Edgar;

Re: 3.3 ha Part Lot 2 on PS 307415 Traralgon South

Grand Ridge Plantations (GRP) would like to offer to sell to Latrobe City Council (LCC) 3.3 hectares of the above Lot located on the north side of Traralgon South. As you are aware, GRP has been in discussion with local residents and LCC with respect to concerns regarding fire risk associated with plantations located on this parcel of land. At this point in time, the plantation on this land has been harvested and the land is in fallow.

GRP suggests that the sale of this land (approximate location shown on the attached document) to LCC would address the concerns expressed by the residents of Traralgon South.

The conditions on the offer to sell are:

1. Price of \$50,000
2. The plan of subdivision should be prepared and registered at LCC's cost;
3. Any fencing required on the new boundary is to be erected at Council's expense;
4. That there will be a restrictive covenant (or other appropriate instrument) registered on the title to the lot that LCC will purchase in favour of the lot that GRP will retain that will prohibit the owner of that lot from:
 - a. further subdividing their lot;
 - b. afforesting their lot;
 - c. building a residence on their lot; and
5. that GRP's legal costs arising from the subdivision and putting in place the restrictive covenant be met by Council.

I look forward to your response.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Owen Trumper'.

Owen Trumper
General Manager, Gippsland

Grand Ridge Plantations Pty Ltd

50 Northways Road
Churchill VIC 3842

PO Box 385
Churchill VIC 3842

Tel. +61 3 5122 0600
Fax. +61 3 5122 0680

www.hvp.com.au
ABN: 56 004 285 705

ATTACHMENT 3



Head Office
66 Church Street
P.O. Box 1050
Traralgon 3844
Ph: 03 5171 1000
Fax: 03 5171 1050
cjalee@cjalee.com.au
www.cjaleeproperty.com.au

CERTIFICATE OF VALUATION ASSESSED FOR LATROBE CITY COUNCIL

| | |
|--|---|
| Property Description: | Proposed Firebreak Traralgon South |
| Instructions: | Market Value Assessment (assuming separate Certificate of Title) |
| Instructing Party: | Latrobe City Council |
| Date of Inspection & Valuation: | 1 st February 2011 |
| Land Parcel: | Part Lot 2 on PS 307415 |
| Zoning: | <ul style="list-style-type: none">• Farming Zone Latrobe Planning Scheme• Wildfire Management Overlay |
| Services: | Unserviced |
| Description: | <p>Cleared, undulating vacant land located immediately north of the Traralgon South Township residential precinct.</p> <p>The land subject to valuation has an assumed area of 3.3 hectares.</p> |
| Valuation Assumptions: | <ul style="list-style-type: none">• Valuation assumes a separate title for the subject parcel, or consolidation with the adjoining parcel to the west• Land area of 3.3 hectares• No native titles or cultural heritage issues. <p>The estimated market value has not been made strictly in accordance with the <i>Valuation of Land Act 1960</i>, but has been made, wherever possible, with the provision of the Act in mind.</p> |

GOVERNANCE

11.6.1 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

| | |
|----------|--|
| 2011/188 | Section 173 Agreement under the Planning and Environment Act 1987 between Latrobe City Council and Euralink Pty Ltd as the Owner of land described in Certificate of Title Volume 8130 Folio 451 being Lot 3 on PS 32486 situated at 11 Allard Street, Traralgon pursuant to Condition 5 of Planning Permit No.2011/188 for a 2-lot subdivision issued 27/07/11 providing that: a) garages and/or carports built on the allotment are not to be setback closer to the street than the primary dwelling on site; and b) the garage/carport must not exceed 50% of the frontage of any building, except within the written consent of the Responsible Authority. |
| 2009/56 | Section 173 Agreement under the Planning and Environment Act 1987 between Latrobe City Council and AD & JL Holdings Pty Ltd as the Owner of land described in Certificate of Title Volume 10971 Folio 649 being Lot 52 on PS 512349 situated at 8 Carlyle Court, Morwell pursuant to Condition 3 of Planning Permit No.2009/56 for a 2-lot subdivision issued 16/07/10 providing that on each lot to be created, buildings must be constructed more than 6 metres back from the front boundary of the lots, as shown on the endorsed plans of this permit. |

3. RECOMMENDATION

- 1. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement under the Planning and Environment Act 1987 between Latrobe City Council and Euralink Pty Ltd as the Owner of land described in Certificate of Title Volume 8130 Folio 451 being Lot 3 on PS 32486 situated at 11 Allard Street, Traralgon pursuant to Condition 5 of Planning Permit No.2011/188 for a 2-lot subdivision issued 27/07/11.**
- 2. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement under the Planning and Environment Act 1987 between Latrobe City Council and AD & JL Holdings Pty Ltd as the Owner of land described in Certificate of Title Volume 10971 Folio 649 being Lot 52 on PS 512349 situated at 8 Carlyle Court, Morwell pursuant to Condition 3 of Planning Permit No.2009/56 for a 2-lot subdivision issued 16/07/10.**

Moved: Cr Lougheed

Seconded: Cr Harriman

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

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 19 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 17 August 2011 and 19 September 2011:

| Date: | Assembly Details / Matters Discussed: | In Attendance: | Conflicts of Interest Declared: |
|-------------------|---|---|--|
| 17 August 2011 | Traralgon East Community Centre Redevelopment Project Reference Group Traralgon East Community Centre Redevelopment progress, Community meeting held on Wednesday 10 August 2011, mosaic art project, Newsletter development and distribution. | Cr Vermeulen Krysten Forte- Community Development Officer, Luke McGrath- Major Projects Officer | NIL |
| 8 September 2011 | Victorian Farmers Federation and Latrobe City Council Working Group VFF Minutes and discussion items | Cr White, Cr Kam, Cr Gibson, Cr Vermeulen Deirdre Griepsma, Manager Natural Environment Sustainability | NIL |
| 19 September 2011 | The Latrobe Valley Advantage Fund and Industry and Employment Roadmap Councillor briefing The Latrobe Valley Advantage Fund and Industry and Employment Roadmap | Cr White, Cr Lougheed, Cr Middlemiss, Cr Harriman and Cr Gibson Paul Buckley, Allison Jones and Julia Agostino | 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

This form **MUST** be completed by the attending Council officer and returned **IMMEDIATELY** to the Council Operations Team for filing.

Assembly details: Traralgon East Community Centre Redevelopment Project Reference Group

Date: August 17, 2011 **Time:** 10.00 am

Assembly Location: Traralgon East Community Centre, Cameron Street Traralgon East.

In Attendance:

Councillors: Cr Ed Vermeulen

Officer/s: Krysten Forte- Community Development Officer, Luke McGrath- Major Projects Officer

Matter/s Discussed: Traralgon East Community Centre Redevelopment progress, Community meeting held on Wednesday 10 August 2011, mosaic art project, Newsletter development and distribution.

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: Krysten Forte

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: Victorian Farmers Federation and Latrobe City Council Working Group

Date: 8 September 2011 **Time:** 7.00pm – 9.00pm

Assembly Location: Latrobe City Headquarters Office, Morwell

In Attendance:

Councillors: Cr Darrell White, Cr Sandy Kam, Cr Sharon Gibson, Cr Ed Vermeulen

Officer/s: Deirdre Griepsma, Manager Natural Environment Sustainability

Matter/s Discussed: VFF Minutes and discussion items

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: Deirdre Griepsma

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 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: The Latrobe Valley Advantage Fund and Industry and Employment Roadmap Councillor briefing

Date: Monday, 19 September 2011

Time: 5.30 pm

Assembly Location: Latrobe City Council Corporate Headquarters, 141 Commercial Road, Morwell

(e.g: Town Hall, *TOWN*, No. xx *ADDRESS*, Latrobe City Council Offices).

In Attendance:

Councillors: Cr Darrell White, Cr Bruce Lougheed, Cr Graeme Middlemiss, Cr Dale Harriman and Cr Sharon Gibson (who arrived at 5.35 pm)

Officer/s: Paul Buckley, Allison Jones and Julia Agostino

Matter/s Discussed: The Latrobe Valley Advantage Fund and Industry and Employment Roadmap

(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: Not applicable

Officer/s: Not applicable

Times that Officers / Councillors left/returned to the room: Not applicable

Completed by: Julia Agostino

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:

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- 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
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Brief Explanation:

Some examples of an *Assembly of Councillors* will include:

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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.

**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 COUNCILORS | (h) other |
| 15.4 | SALE OF PROPERTY FOR OUTSTANDING RATES AND CHARGES | (b) personal hardship |
| 15.5 | ITT 12975 - PROVISION OF A KERBSIDE WASTE AND RECYCLABLES COLLECTION SERVICE | (d) contractual matters |
| 15.6 | ITT 13011 - DEMOLITION AND CONSTRUCTION OF THE PAVILION AT OLYMPIC RESERVE MOE | (d) contractual matters |
| 15.7 | ITT 13014 - MAINTENANCE AND APPLICATION OF PAVEMENT MARKINGS AND PROVISION OF SURFACE RETEXTURING SERVICES | (d) contractual matters |
| 15.8 | ITT 13010 - SUPPLY AND DELIVERY OF QUARRY PRODUCTS | (d) contractual matters |

Moved: Cr Lougheed

Seconded: Cr Harriman

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

Meeting Closed to the Public

The Meeting closed to the public at 8.40 PM.

14. TEA BREAK**Adjournment of Meeting**

The Mayor adjourned the Meeting at 8.40 PM for a tea break.

Resumption of Meeting

The Mayor resumed the Meeting at 8.55 PM.

**THERE BEING NO FURTHER BUSINESS THE MEETING WAS DECLARED
CLOSED AT 9.05 PM.**

**I CERTIFY THAT THESE MINUTES COMPRISE OF 541 PAGES IN TOTAL
AND THAT THEY HAVE BEEN CONFIRMED.**

MAYOR: _____

DATE: _____