



LATROBE CITY COUNCIL

**AGENDA FOR THE
ORDINARY COUNCIL MEETING**

**TO BE HELD IN NAMBUR WARIGA MEETING ROOM
CORPORATE HEADQUARTERS, MORWELL**

**AT 6.00PM ON
10 JULY 2017**

CM503

MISSION

TO PROVIDE
THE BEST POSSIBLE
FACILITIES, SERVICES,
ADVOCACY AND LEADERSHIP
FOR LATROBE CITY, ONE OF
VICTORIA'S FOUR MAJOR
REGIONAL CITIES.

VALUES

- » Providing affordable people focused community services
- » Planning strategically and acting responsibly, in the best interests of the whole community
- » Accountability, transparency and honesty
- » Listening to and working with the community
- » Respect, fairness and equity
- » Open to and embracing new opportunities

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1. OPENING PRAYER

Our Father who art in Heaven, hallowed be thy name. Thy kingdom come, thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us, and lead us not into temptation but deliver us from evil. For the kingdom, the power, and the glory are yours now and forever. Amen.

2. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

I would like to acknowledge the traditional owners upon whose land we are meeting on today, the Gunaikurnai people and pay my respects to their Elders past and present.

If there are other Aboriginal people/Elders present I would also acknowledge them.

3. APOLOGIES AND LEAVE OF ABSENCE

4. DECLARATION OF INTERESTS

5. ADOPTION OF MINUTES

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on 19 June 2017 be confirmed.

6. ACKNOWLEDGEMENTS

Councillors may raise any formal acknowledgements that need to be made at this time, including congratulatory or condolences.

7. PUBLIC QUESTION TIME

Members of the public who have registered before 12.00 Noon on the day of the Council meeting are invited to speak to an item on the agenda or to ask a question of the Council.

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

Date of Council Meeting	Item	Date of Future Council Meeting Report	Resp. Officer
Chief Executive Office			
City Development			
06 November 2013	Latrobe Regional Motorsport Complex	<p>2015 A briefing report and Council report will be presented in April 2016.</p> <p>30 March 2016 A briefing report will be presented in May 2016.</p> <p>26 May 2016 A briefing report will be presented to Councillors at the 30 May 2016 Councillor Briefing.</p> <p>30 May 2016 A report was presented to the Councillor Briefing on 30 May 2016, and a further report will follow in September.</p> <p>20 September 2016 A tour of possible sites for the development of a Motorsport Complex will be organised for early in 2017.</p> <p>26 April 2017 A report to Council is tentatively scheduled for June 2017.</p> <p>05 June 2017 The report to Council has been rescheduled while the Committee's Terms of Reference are drafted.</p>	Shannan Little
29 May 2017	Visitor Information Centre Options for Future Operations Confidential under section 89(2)(c) industrial matters	<p>07 June 2017 A report will be presented to a Councillor Briefing in July 2017.</p>	Michael Bloyce
19 June 2017	Domestic Animal Management Plan 2017	<p>22 June 2017 Draft released for Community consultation to 6 August 2017. Report to be presented no later than 11 September to Council</p>	Andrew Balfour

Date of Council Meeting	Item	Date of Future Council Meeting Report	Resp. Officer
Infrastructure & Recreation			
19 May 2014	<p>East West Link for Traralgon</p> <p>Confidential under section 89(2)(h) a matter which the Council or special committee considers would prejudice the Council or any person</p>	<p>Complete 27 January 2017 A report will be presented to Council in March 2017.</p> <p>04 April 2017 Report presented to Councillor Briefing.</p> <p>26 April 2017 A Council Report will be presented 19 June 2017.</p> <p>26 June 2017 Complete</p>	Kevan Delaney
20 June 2016	Draft Drainage Asset Management Plan 2016	<p>Complete 05 July 2016 Following adoption Officers are reviewing the improvement plan and will discuss Consultation with Communication Department to prepare a plan to consult immediately following the caretaker period.</p> <p>21 September 2016 Consultation will commence once the Caretaker period has finished.</p> <p>23 November 2016 Consultation is arranged for December through to February 2017.</p> <p>27 January 2017 A report will presented to an Ordinary Council Meeting in May 2017 following the conclusion of the community consultation.</p> <p>05 April 2017 A Briefing report will be presented to Council May 2017 in advance of a Council Report in June 2017.</p> <p>03 May 2017 A report will be presented directly to a Council Meeting on 19 June 2017.</p> <p>28 June 2017 Completed</p>	Kevan Delaney

Date of Council Meeting	Item	Date of Future Council Meeting Report	Resp. Officer
12 September 2016	2016/25 - Footpaths in Central Business District and Moe CBD on Street Car Parking	<p>Complete 11 January 2017 Report to Council programmed for the March 2017 Council meeting.</p> <p>28 March 2017 The report on footpath condition has been moved to May 2017. The briefing report on the Moe Angled Parking was presented March 2017.</p> <p>17 May 2017 The briefing report was presented and some feedback received. A report is being prepared for the 19 June 2017 meeting for endorsement.</p> <p>28 June 2017 Complete</p>	Kevan Delaney
12 September 2016	Outdoor Pool Operating Hours 2016/17	<p>20 September 2016 A report will be presented to Council at the end of the outdoor pool season (March 2017).</p> <p>23 April 2017 A report will be presented to Council in July 2017.</p>	Gail Gatt
12 September 2016	<p>Community Cricket Program: On Common Ground</p> <p>Confidential under section 89(2)(e) proposed developments</p>	<p>Complete 30 January 2017 A report will be presented to Councillors at the 20 February 2017 Councillor Briefing.</p> <p>09 February 2017 A report to Council has been deferred from February 2017 to March 2017.</p> <p>15 March 2017 The report to Council has been deferred to April 2017.</p> <p>28 March 2017 The report has been deferred again to May 2017.</p> <p>17 May 2017 This report will be presented to the Ordinary Council Meeting on 19 June 2017.</p> <p>20 June 2017 This report was presented to the Ordinary Council Meeting on 19 June 2017.</p>	Karen Tsebelis

Date of Council Meeting	Item	Date of Future Council Meeting Report	Resp. Officer
13 February 2017	39 Queen Street, Moe - Traffic and Verge Parking	<p>22 February 2017 A report will be presented to Council 3 months after the installation of signage.</p> <p>03 May 2017 Signage is erected and monitoring underway. A report will be presented to Council after 3 months.</p>	Kevan Delaney
27 March 2017	Disposal of Illegally Dumped Rubbish on HVP Plantations Land	<p>28 March 2017 A report will be presented to Council in 2018, at the conclusion of the one year period.</p>	Brian Smith
08 May 2017	Mathison Park – Request for Additional Equipment	<p>17 May 2017 A report will be presented to the Ordinary Council Meeting on 19 June 2017.</p> <p>28 June 2017 The report was presented again to Council following meeting with the Mathison Park Committee. During this time, the play equipment that the committee wanted was no longer available from the Department of Education.</p>	Kat Marshall
29 May 2017	Road Management Plan 2017-21 - Endorsement for Public Consultation	<p>05 June 2017 A report to Council is scheduled for 11 September 2017.</p>	Kevan Delaney
19 June 2017	Recreation Needs Assessment	<p>22 June 2017 Released for public exhibition. Submissions and feedback will be accepted until Friday 28 July 2017.</p>	Karen Tsebelis
19 June 2017	Road Asset Management Plan 2017 – Endorsement for consultation	<p>28 June 2017 Consultation being prepared for July and August for Council report November 2017</p>	Kevan Delaney

Date of Council Meeting	Item	Date of Future Council Meeting Report	Resp. Officer
Community Services			
18 February 2013	Affordable Housing Project – Our Future Our Place	<p>09 March 2016 A report will be presented to a Councillor Briefing in May 2016</p> <p>08 June 2016 The Briefing report has been rescheduled to 27 June 2016.</p> <p>20 July 2016 A briefing report was prepared for the Councillor briefing on 27 June.</p> <p>09 August 2016 A briefing report was presented to the Councillor briefing on 25 July.</p> <p>28 October 2016 Report scheduled in for Councillor Briefing (2) on Monday, 28 November 2016.</p> <p>07 November 2016 Councillor Briefing Report to be presented in Feb 2017.</p> <p>15 March 2017 A report will be presented to Council at the 18 April 2017 meeting.</p> <p>21 April 2017 A further report to a Councillor Briefing is scheduled for 03 July 2017.</p> <p>28 June 2017 A report will be presented to Council at its meeting of 10 July 2017 for decision.</p>	Steve Tong

Date of Council Meeting	Item	Date of Future Council Meeting Report	Resp. Officer
22 August 2016	2016/21 – Hinkler Street Reserve Site	<p>07 November 2016 Councillor Briefing Report to be presented in Feb 2017.</p> <p>15 March 2017 A report will be presented to Council at the 18 April 2017 meeting.</p> <p>21 April 2017 A further report to a Councillor Briefing is scheduled for 03 July 2017.</p> <p>28 June 2017 A report will be presented to Council at its meeting of 10 July 2017 for decision.</p>	Steve Tong
27 March 2017	Tarwin Street Pop-Up Park, Morwell	<p>28 March 2017 A report will be presented to Council on 21 August 2017.</p>	Stuart Simmie
27 March 2017	Future Morwell Revitalisation Plan	<p>31 March 2017 Revitalisation Plan will commence the week commencing the 3 April.</p> <p>A report will be brought back to Council at the conclusion of the community engagement activities.</p> <p>05 June 2017 Future Morwell Revitalisation Plan - Community Engagement results to be tabled at Ordinary Council Meeting on Monday 21 August, 2017.</p>	Sara Rhodes-Ward
Corporate Services			
25 May 2015	<p>MAV Workcare Self Insurance</p> <p>Confidential under section 89(2)(d) contractual matters</p>	<p>2015 A report will be presented to Council in the second half of 2019.</p> <p>14 March 2017 A report to Council is scheduled for the end of the current financial year.</p>	Aven Eddington

Date of Council Meeting	Item	Date of Future Council Meeting Report	Resp. Officer
17 August 2015	Legal Matter - Sale of Council Property Confidential under section 89(2)(f) legal advice	<p>Complete 27 January 2017 A report will be presented to Council in the second half of 2017.</p> <p>02 June 2017 A report has been prepared for the 19 June 2017 Ordinary Council Meeting.</p> <p>20 June 2017 This report was presented to the Ordinary Council Meeting on 19 June 2017.</p>	Henry Morrison
13 February 2017	Proposed Sale of Land – Short Street, Traralgon	<p>16 February 2017 A report will be presented to Council at the conclusion of the Expression of Interest process.</p> <p>15 May 2017 A report is scheduled for the June Ordinary Council Meeting.</p> <p>07 June 2017 The report to Council has been rescheduled to July 2017.</p>	Peter Schulz
13 February 2017	Proposed name change - McPherson Road Newborough	<p>16 February 2017 A report will be presented to Council at the conclusion of the consultation period should any submissions be received. Closing date for submissions is 17 April 2017.</p> <p>01 May 2017 A report is being prepared for consideration at the 29 May 2017 Council Meeting.</p> <p>17 May 2017 This report is included in the 29 May 2017 Ordinary Council Meeting agenda.</p> <p>02 June 2017 A report was presented to the 29 May 2017 Council Meeting.</p> <p>28 June 2017 The administrative process to officially rename McPherson Road Newborough to MacPherson Road Newborough has commenced.</p>	Danielle McKenzie

Date of Council Meeting	Item	Date of Future Council Meeting Report	Resp. Officer
18 April 2017	Draft Council Plan 2017-2021 and Strategic Resource Plan	<p>Complete 20 April 2017 A report will be presented to consider any submissions at the Ordinary Council Meeting on 29 May 2017. The scheduled adoption date is 19 June 2017.</p> <p>26 June 2017 Report was presented to 19 June 2017 Council Meeting</p>	Angelo Saridis
18 April 2017	2017/18 Draft Budget (Including Fees & Charges)	<p>Complete 20 April 2017 A report will be presented to consider any submissions at the Ordinary Council Meeting on 29 May 2017. The scheduled adoption date is 19 June 2017.</p> <p>26 June 2017 Report was presented to 19 June 2017 Council Meeting</p>	Angelo Saridis
18 April 2017	Proposed Lease - The Star Hotel, Peterkin Street, Traralgon	<p>20 April 2017 A report will be presented to Council at the conclusion of the community consultation period, should any submissions be received.</p> <p>30 May 2017 Expression of Interest document currently being prepared, once finalised public advertising to be undertaken seeking submissions from prospective tenants.</p>	Peter Schulz
29 May 2017	2017/07 - Notice of Rescission - Proposal to rename the Tyers Recreation Reserve, Baillie Reserve and name the entrance road to the Tyers Recreation Reserve Community Lane	<p>01 June 2017 A report is being prepared for the 19 June 2017 Council Meeting.</p> <p>23 June 2017 Public notice drafted in LV Express. Closing date for submissions is Monday 31 July 2017.</p>	Henry Morrison

Date of Council Meeting	Item	Date of Future Council Meeting Report	Resp. Officer
29 May 2017	Proposed Lease - Northern Reserve, Newborough	02 June 2016 A report will be presented to an Ordinary Council Meeting, should submissions be received on this matter.	Peter Schulz
29 May 2017	Proposal to rename part of Bradys Road Tyers	02 June 2017 A report will be presented to an Ordinary Council Meeting, should submissions be received on this matter. 23 June 2017 Public notice appeared in LV Express on 22 June 2017. Submissions to be received by 10 July 2017.	Danielle McKenzie
19 June 2017	Proposed Road Renaming – Crinigan Road West, Morwell		Peter Schultz
19 June 2017	Proposal to rename the Tyers Recreation Reserve, Baillie Reserve and name the entrance road to the Tyers Recreation Reserve Community Lane	23 June 2017 Public Notice in LV Express. Closing date for submissions is Monday 31 July 2017.	Danielle McKenzie

Comments provided 28 June 2017. Any further updates after this time will be provided in the next Council Meeting Agenda.

NOTICES OF MOTION

9. NOTICES OF MOTION

*Notices of Motion may be lodged by Councillors with the Chief Executive Officer up until 10.00 am on the Friday prior to an Ordinary Council Meeting.
All Notices of Motion accepted, will be published to the Council website on the same day.*

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

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

Nil reports

CORRESPONDENCE

11. CORRESPONDENCE

Nil reports

PRESENTATION OF PETITIONS

12. PRESENTATION OF PETITIONS

Nil reports

CHIEF EXECUTIVE OFFICE

13. CHIEF EXECUTIVE OFFICE

13.1 Submission to the House of Representatives Standing Committee Inquiry into the Australian Government's role in the development of cities

General Manager

Chief Executive Office

For Decision

EXECUTIVE SUMMARY

This report presents a submission, on behalf of Latrobe City Council to the House of Representatives Standing Committee on Infrastructure, Transport and Cities Inquiry into the Australian Government's role in the development of cities.

Council's submission provides background on Latrobe City, discusses the Australian Government's previous involvement in the development of cities, some regional cities context, some background on strategies for transitioning communities and background on the Latrobe Valley as a region in transition.

In summary, the submission makes the case for a comprehensive national urban settlement policy, supported by significant financial resources and delivered locally to address the challenges posed by the expected doubling of Australia's population by 2075. The submission recommends that the Australian Government:

- Develop a comprehensive national urban settlement policy in collaboration with State and Local Governments and in consultation with key stakeholders;
- Support the implementation of the urban settlement policy with significant financial resources directed to transformational innovation in spatial planning, infrastructure provision and the management of resources;
- Agree to a local delivery model through a collaborative program of engagement and consultation with key stakeholders, with the aim of delivering a package of specific actions and outcomes developed within the context of the national urban settlement policy.

RECOMMENDATION

That Council adopts the Latrobe City Council submission to the House of Representatives Standing Committee on Infrastructure, Transport and Cities Inquiry into the Australian Government's role in the development of cities as detailed in attachment 1.

DECLARATION OF INTERESTS

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

DISCUSSION

On Tuesday 30 May 2017, the Hon Darren Chester MP, Minister for Infrastructure and Transport, asked the House of Representatives Standing Committee on Infrastructure, Transport and Cities, to conduct an Inquiry into the Australian Government's role in the development of cities.

Interested persons and organisations have been invited to make submissions by 31 July 2017.

The Standing Committee has provided the following background:

“With Australia’s population expected to double by 2075, it is important to consider how national policy can foster collaborative and flexible urban planning responses. While recognising the primacy of state, territory and local government in the areas of planning and service provision, the Committee will examine what spatial planning mix (compact city, satellite city, etc.) makes best use of natural resources, brings jobs closer to where people live, and helps ensure a high quality natural and built environment. It will also examine what planning tools, models, indicators and alternate funding options would be required to inform an assessment of the liveability, sustainability and resilience of different scenarios of urban settlement across Australia, and what settlement policy can deliver greater social equity and better health and wellbeing”.

The Standing Committee is undertaking two concurrent sub-inquiries, dealing with these matters in relation to existing cities and new regional cities and towns respectively. It is proposed that Council's submission respond to the second sub-inquiry - 2) *Growing new and transitioning existing sustainable regional cities and towns*

Council's submission provides background on Latrobe City, discusses the Australian Government's previous involvement in the development of cities, some regional cities context, some background on strategies for transitioning communities and some background on the Latrobe Valley as a region in transition. The submission recommends that the Australian Government:

- Develop a comprehensive national urban settlement policy in collaboration with State and Local Governments and in consultation with key stakeholders;
- Support the implementation of the urban settlement policy with significant financial resources directed to transformational innovation in spatial planning, infrastructure provision and the management of resources;
- Agree to a local delivery model through a collaborative program of engagement and consultation with key stakeholders, with the aim of delivering a package of specific actions and outcomes developed within the context of the national urban settlement policy.

STAKEHOLDER CONSULTATION

No community consultation was undertaken during the development of this report and the attached submission.

There was widespread community engagement through the Community Conversation “*Securing our Economic Future – 21 July 2016*” and the development of “*Latrobe City – A Strength Led Transition*”, which has been used in the development of the attached submission.

FINANCIAL AND RESOURCE IMPLICATIONS

This report and the submission have been prepared utilising existing staff resources and existing reports.

RISK IMPLICATIONS

There are not considered to be any risks associated with providing the House of Representatives Standing Committee with a submission in response to their Inquiry. However, if no submission is made with respect to this important issue, there is a risk that Council will be seen as not effectively advocating on behalf of its community.

CONCLUSION

This report proposes that Council make a submission to the House of Representatives Standing Committee Inquiry into the Australian Government’s role in the development of cities.

Council’s submission recommends the development of a comprehensive national urban settlement policy, supported by significant financial resources directed to transformational innovation in spatial planning, infrastructure provision and the management of resources, and delivered locally through a collaborative program of engagement with key stakeholders aimed at delivering a package of specific actions and outcomes.

Lodging a submission to this Inquiry will support Council’s advocacy efforts.

SUPPORTING DOCUMENTS

Local Government Strategies for Transitioning Communities, Churchill Fellowship Report, Agostino J, February 2013
Latrobe City Council – A Strength Led Transition, 2016

Attachments

1. [Submission - Inquiry into the Australian Government's role in the development of cities](#)

13.1

Submission to the House of Representatives Standing Committee Inquiry into the Australian Government's role in the development of cities

- 1 Submission - Inquiry into the Australian Government's
role in the development of cities 29**

LATROBE CITY COUNCIL SUBMISSION

House of Representatives Standing Committee on Infrastructure, Transport and Cities

Inquiry into the Australian Government's role in the development of cities

Introduction

Latrobe City Council thanks the House of Representatives Standing Committee on Infrastructure, Transport and Cities for the opportunity to make this submission.

Council's submission responds to the terms of reference of the second sub-inquiry - 2) *Growing new and transitioning existing sustainable cities and towns*:

Background - Latrobe City

Latrobe City is one of Victoria's four major regional cities, less than two hours from Melbourne. It is home to approximately 74,000 people and the Gippsland regional population exceeds 250,000 people. Latrobe City is resource rich with abundant forests, rich agricultural land, water resources and large deposits of brown coal.

Latrobe City is home to 5,000 businesses and around 26,000 jobs. Its Gross Regional Product is over \$4.1 billion per annum.

Latrobe City:

- generates 85% of Victoria's electricity;
- has Australia's largest integrated pulp and paper mill;
- is home to Australia's largest yoghurt manufacturing facility;
- has Australia's only manufacturer of commercial aircraft; and
- is a centre of public administration, including Latrobe City Council, the Australian Securities & Investments Commission's (ASIC's) Registry and numerous Commonwealth and State Government Departments and agencies.

Latrobe City is known for its excellence in engineering capability, public administration, education and health care - and as a cultural and commercial centre for Gippsland. It is home to a highly skilled and diverse workforce.

Previous Australian Government involvement in the development of cities

In responding to this Inquiry and its terms of reference Council notes that the Australian Government has long played a role in the development of Australia's cities. This has ranged from the Whitlam Government's urban and regional programs of the 1970s, through the *Building Better Cities* program of the early 1990s and the *Our Cities, Our Future* – national urban policy, released in 2011. It is interesting to note that the Commonwealth, State and Territories Governments were actively engaged in the process in the latter two cases cited; following a Special Premier's Conference in 1991 in the case of the *Building Better Cities*



program and the Council of Australian Governments (COAG) in the case of the National Urban Policy in 2011.

Regional Cities - National Context

Population growth in Australia's regional capital cities has outpaced the national average. In ten years there will be additional one million people living in these cities. The challenges posed by the expected doubling of Australia's population by 2075 cannot be addressed through ever expanding the existing metropolitan agglomerations.

Regional capital cities have the capacity to accommodate further growth; these cities are a viable and immediate option to address the crippling congestion issues in the major metro cities. Regional capital cities are well placed to accommodate growth from new migrants. 35% of the population growth in these cities was from new migrant arrivals.

Regional capital cities contribute \$225 billion every year to Australia's economy. This represents approximately 16% of total national economic output. There are 300,000 active businesses located in regional capital cities, which represent 15% of all Australian-based businesses.

Infrastructure Australia puts the cost of addressing the national infrastructure deficit anywhere between \$450 billion and \$700 billion. Federal and State governments cannot afford to allow this gap to widen. As the nation's \$53 billion congestion bill spirals out of control, it is clear Australian businesses also need a new a solution that moves past the capital city thinking that historically has been engrained in our national leadership.

The Regional Australia Institute has found that, for every 100,000 Australians who choose to live in regional capital cities instead of the five big cities, approximately \$50 billion will be released into the national economy over 30 years in reduced congestion costs.

Investments in regional capital cities will undoubtedly ease the squeeze on Australia's largest metropolitan agglomerations as people and business look for liveable and investable alternatives. This investment will also create a level playing field for those Australians who have already made the move.

More than four million Australians live in regional capital cities. An additional four million people in surrounding areas access the services, infrastructure, jobs and education in these cities. Each day eight million Australians rely on regional capital cities for their everyday needs.

Strategies for Transitioning Communities

The attached report – *Local Government Strategies for Transitioning Communities, 2013* – was written following a Churchill study tour to a number of international communities, who, it transpired, were taking innovative steps to transition to a sustainable future.

Key learnings in the *Transitioning Communities* report are:

- Relationships are essential because local government are not generally equipped with the knowledge or resources to deal with every problem in their communities;
- Liveability is extremely important in attracting and retaining people because people want more than a job;
- A big challenge to local governments in transitioning their community tends to be lack of resources. This occurs across the globe, regardless of the size of the local government or its community. This is a key reason why partnerships and collaboration between local government and private sector are becoming more prevalent;
- Universities occupy a unique place in a local economy and can help a community achieve a successful transition. Linking University assets to industry needs can lead to new products, improved processes and expanded services.



The *Transitioning Communities* report concludes:

- Successful sustainable change must come from within the community. Local governments that appreciate local context, culture and an understanding of local drivers have a better chance of delivering sustainable transition strategies that actually work;
- Stakeholders must be involved at the start. Not involving them early opens up government to the risk of producing work that does not achieve outcomes because it is not supported and misses important information;
- It is most important to get the right people for the right task;
- Given tight financial resources, local government needs to look elsewhere for funding. Strategic public/private partnerships should be considered.

The Latrobe Valley: A region in transition

The privatisation of the electricity industry in the 1990's led to a significant reduction in workforce with little or no structural adjustment assistance provided by either the State or Commonwealth Governments. This has led to inter-generational issues and entrenched disadvantage.

The recent closure of the Hazelwood Power Station confirms that the economy of the Latrobe Valley is changing. As with any significant structural change, there is considerable debate about the best ways for this transition to occur. In July 2016 Latrobe City Council held a Community Conversation entitled "*Securing our Economic Future*". Council is now working with the Latrobe Valley community to deliver on the vision and initiatives for transition which emerged from that conversation.

It is clear that this transition must be vastly different to that executed at the time of privatisation. Our view is that the key to success is a community led response which empowers, builds capacity, resilience and optimism within the community. This can only be done through an earnest desire to partner with the community in a process of co-design and collective engagement. Our document, a *Strength-Led Transition*, is a co-designed roadmap produced with our community; rich with many community led ideas and initiatives. It reflects our community's proud industrial heritage, engineering expertise and innovative thinking. A copy of "*Latrobe City: a Strength-Led Transition*" is attached to this submission.

Conclusions and recommendations

The challenges posed by the expected doubling of Australia's population by 2075 cannot be addressed through ever expanding the existing metropolitan agglomerations.


Regional capital cities are well placed to accommodate a large share of this growth.

Australia needs a comprehensive national urban settlement policy which sets vision for our cities to deliver future prosperity and wellbeing for all our communities. Previous experience, notably through the *Building Better Cities* program of the early 1990s, is that to be successful policy must be supported by a high-level of cooperation between the various levels of government, coupled with significant financial resources directed to transformational and innovative spatial planning, infrastructure provision and the management of resources. This needs to be driven from the highest levels of government.

The experience of communities who are in transition to a sustainable future is that this needs to be delivered at the local level through a collaborative, thoughtful and respectful program of engagement and consultation with key stakeholders, principally impacted communities. The outcome can then be a local city vision and a package of specific actions and outcomes developed and implemented within the context of the national urban settlement policy.

It is recommended that the Australian Government:

- Develop a comprehensive national urban settlement policy in collaboration with State and Local Governments and in consultation with key stakeholders;

- 
- Support the implementation of the urban settlement policy with significant financial resources directed to transformational innovation in spatial planning, infrastructure provision and the management of resources;
 - Agree to a local delivery model through a collaborative program of engagement and consultation with key stakeholders, with the aim of delivering a package of specific actions and outcomes developed within the context of the national urban settlement policy.

Latrobe City Council
July 2017

13.2 Latrobe Valley New Energy and Investment prospectus consultation paper

General Manager

Chief Executive Office

For Decision

EXECUTIVE SUMMARY

The Latrobe Valley Authority released the Latrobe Valley New Energy Jobs and Investment prospectus consultation paper following the Latrobe Valley New Energy Technologies roundtable held on 2 June 2017. Submissions in response to the prospectus are due to be lodged by 14 July 2017.

Council's submission provides the following:

- A background on Latrobe City;
- Council's adopted Economic Development Strategy;
- Strategies for transitioning communities;
- The Latrobe Valley – a region in transition;
- Responses to the transition challenge; and
- New Energy, jobs and investment.

Council's submission concludes that the initiatives discussed at the New Energy Technologies Roundtable, and in the consultation paper, would be best progressed within the context of Council's adopted Economic Development strategy and the approaches articulated in Council's a Strength-Led Transition document. That is, effectively facilitating business development and investment in New Energy utilising resources available through the Latrobe Valley Authority, Regional Development Victoria and Council.

RECOMMENDATION

That Council adopts the Latrobe City Council submission in response to the Latrobe Valley New Energy Jobs and Investment prospectus consultation paper as detailed in attachment 1.

DECLARATION OF INTERESTS

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

DISCUSSION

Latrobe City Council's Mayor and Chief Executive Officer attended the Latrobe Valley New Energy Technologies roundtable which was held at the Gippsland Campus of Federation University on 2 June 2017. This well attended event included a case study on Newcastle – a region that has transitioned following the closure of a major industry; discussion on renewable energy, discussion on emerging energy markets

and the review of the National Energy Market by Australia's Chief Scientist; some lessons from Europe and a panel discussion on investing in Gippsland.

The Latrobe Valley Authority subsequently released the consultation paper and asked for submissions in response by 14 July 2017.

The attached submission provides background on Latrobe City, Council's adopted Economic Development Strategy, strategies for transitioning communities, the Latrobe Valley – a region in transition, responses to the transition challenge and New Energy, jobs and investment.

The submission states that New Energy needs to stand alongside traditional energy sources for a sustainable, secure, reliable and cost-effective energy future. It also advises that the Latrobe Valley is very well placed to support New Energy initiatives as it has the necessary support infrastructure including an extensive, robust transmission network, significant engineering support capability and a skilled workforce well used to operating 24 hours a day, 7 days a week, 365 days each year.

The submission concludes that the initiatives discussed at the New Energy Technologies Roundtable, and in the consultation paper, would be best progressed within the context of Council's adopted Economic Development strategy and the approaches articulated in Council's a Strength-Led Transition document. That is, effectively facilitating business development and investment in New Energy utilising resources available through the Latrobe Valley Authority, Regional Development Victoria and Council.

STAKEHOLDER CONSULTATION

No community consultation was undertaken during the development of this report and the attached submission.

There was widespread community engagement through the Community Conversation "*Securing our Economic Future – 21 July 2016*" and the "Latrobe City – A Strength Led Transition" document.

The community were consulted during the development of the Latrobe City Economic Development Strategy (2016 – 2020).

FINANCIAL AND RESOURCE IMPLICATIONS

This report and the submission have been prepared utilising existing staff resources and existing reports.

RISK IMPLICATIONS

There are not considered to be any risks associated with providing the Latrobe Valley Authority with a submission in response to their consultation paper. However, if no submission is made with respect to this important issue, then there is a risk that Council will be seen as not effectively advocating on behalf of its community.

SUPPORTING DOCUMENTS

Latrobe City Council Economic Development Strategy 2016-2020
Latrobe City – A Strength Led Transition, December 2016

Local Government Strategies for Transitioning Communities, Churchill Fellowship
Report, Agostino J, February 2013.

Attachments

- 1 [↓](#). Submission - LV New Energy and Investment prospectus consultation paper

13.2

Latrobe Valley New Energy and Investment prospectus consultation paper

- 1 Submission - LV New Energy and Investment prospectus
consultation paper..... 37**

LATROBE CITY COUNCIL SUBMISSION

Latrobe Valley New Energy Jobs and Investment prospectus consultation paper

Introduction

Latrobe City Council thanks the Latrobe Valley Authority for the opportunity to make this submission.

Council's submission responds to the Latrobe Valley New Energy Jobs and Investment prospectus consultation paper.

Background - Latrobe City

Latrobe City is one of Victoria's four major regional cities, less than two hours from Melbourne. It is home to approximately 74,000 people and the Gippsland regional population exceeds 250,000 people. Latrobe City is resource rich with abundant forests, rich agricultural land, water resources and large deposits of brown coal.

Latrobe City is home to 5,000 businesses and around 26,000 jobs. Its Gross Regional Product is over \$4.1 billion per annum.

Latrobe City:

- generates 85% of Victoria's electricity;
- has Australia's largest integrated pulp and paper mill;
- is home to Australia's largest yoghurt manufacturing facility;
- has Australia's only manufacturer of commercial aircraft; and
- is a centre of public administration, including Latrobe City Council, the Australian Securities & Investments Commission's (ASIC's) Registry and numerous Commonwealth and State Government Departments and agencies.

Latrobe City is known for its excellence in engineering capability, public administration, education and health care - and as a cultural and commercial centre for Gippsland. It is home to a highly skilled and diverse workforce.

Latrobe City Council – Economic Development Strategy

Council's Economic Development Strategy (2016 – 2020) seeks to reposition Latrobe City as Engineering Capital of Australia and includes key objectives to actively pursue diversification of business and industry; and actively pursue long term job security and creation of new employment in Latrobe City.

Latrobe City Council is committed to supporting businesses and industry to start up, grow and prosper. Council is also committed to attracting and developing new industries in the municipality. This is achieved by a focus on diversification of industry so that there is less reliance on the traditional industries and Latrobe City can take advantage of new industry opportunities, such as advanced manufacturing or additive industries.

The Latrobe Valley has a history of innovation and a strong work ethic, particularly around coal extraction and power production industries. A key competitive strength, that is recognised nationally, is the quality of the engineering expertise that exists in 'the valley'. It has been noted on a number of occasions that engineers trained in the Latrobe Valley are often in charge of major engineering projects around Australia. This history and strength of



engineering will be the key focus of industry development and attraction actions. There will be a holistic focus on engineering, including a focus on education, training, brand development and tourism infrastructure as well as the industry development and attraction (*Executive Summary, Latrobe City Council Economic Development Strategy (2016 – 2020)*)

Strategies for Transitioning Communities

The attached report – *Local Government Strategies for Transitioning Communities, 2013* – was written following a Churchill study tour to a number of international communities, who, it transpired, were taking innovative steps to transition to a sustainable future.

Key learnings in the *Transitioning Communities* report are:

- Relationships are essential because local government are not generally equipped with the knowledge or resources to deal with every problem in their communities;
- Liveability is extremely important in attracting and retaining people because people want more than a job;
- A big challenge to local governments in transitioning their community tends to be lack of resources. This occurs across the globe, regardless of the size of the local government or its community. This is a key reason why partnerships and collaboration between local government and private sector are becoming more prevalent;
- Universities occupy a unique place in a local economy and can help a community achieve a successful transition. Linking University assets to industry needs can lead to new products, improved processes and expanded services.

The *Transitioning Communities* report concludes:

- Successful sustainable change must come from within the community. Local governments that appreciate local context, culture and an understanding of local drivers have a better chance of delivering sustainable transition strategies that actually work;
- Stakeholders must be involved at the start. Not involving them early opens up government to the risk of producing work that does not achieve outcomes because it is not supported and misses important information;
- It is most important to get the right people for the right task;
- Given tight financial resources, local government needs to look elsewhere for funding. Strategic public/private partnerships should be considered.

The Latrobe Valley: A region in transition

The privatisation of the electricity industry in the 1990's led to a significant reduction in workforce with little or no structural adjustment assistance provided by either the State or Commonwealth Governments. This has led to inter-generational issues and entrenched disadvantage.

The recent closure of the Hazelwood Power Station confirms that the economy of the Latrobe Valley is changing. As with any significant structural change, there is considerable debate about the best ways for this transition to occur. In July 2016 Latrobe City Council held a Community Conversation entitled "*Securing our Economic Future*". Council is now working with the Latrobe Valley community to deliver on the vision and initiatives for transition which emerged from that conversation.

It is clear that this transition must be vastly different to that executed at the time of privatisation. Our view is that the key to success is a community led response which empowers, builds capacity, resilience and optimism within the community. This can only be done through an earnest desire to partner with the community in a process of co-design and collective engagement. Our document, a *Strength-Led Transition*, is a co-designed roadmap produced with our community; rich with many community led ideas and initiatives. It reflects



our community's proud industrial heritage, engineering expertise and innovative thinking. A copy of "*Latrobe City: a Strength-Led Transition*" is attached to this submission.

Responses to the transition challenge

Council has acknowledged the responses of the Federal and Victorian Governments following the announcement of the closure of the Hazelwood Power Station.

In October 2016 the Victorian Government established a task force, chaired by Premier Daniel Andrews, to plan for the Latrobe Valley's future. In early November 2016 the Prime Minister created a Ministerial Committee to co-ordinate and oversee the Federal Government's response. A joint Commonwealth and State task force was also established to ensure both governments work together in a collaborative way, according to the Prime Minister.

In November 2016 the Premier announced the creation of the Latrobe Valley Economic Growth Zone, the Latrobe Valley Authority and a significant package of support measures. This amounted to an initial \$266 million package.

Also in November 2016 the Federal Government announced a \$43 million assistance package for the Latrobe Valley, which includes \$20 million for new infrastructure projects, \$20 million for the Latrobe Valley under the regional jobs and investment package; and \$3 million for job assistance, retraining and financial services support for affected workers.

As noted at the time, Council saw this as an initial investment into the future of our community and Council was hopeful that future State Federal budgets would contain clear evidence of both Governments' long term commitment to the transition task.

To date, the Latrobe Valley Authority has been established with its CEO and senior management appointed; and the roll out of the announced programs has commenced. There is less clarity about the roll out of the Federal Government programs.

The challenge is to develop and implement a timely, strategic and coordinated response to the challenges of transition. Latrobe City Council argues that for inclusion of local government in decision making process, and for ongoing discussions to be occurring together between all three levels of government to help ensure complimentary rather than competing policy development.

New energy jobs and investment

Latrobe City Council's Mayor and Chief Executive Officer attended the Latrobe Valley New Energy Technologies roundtable which was held at the Gippsland Campus of Federation University on 2 June 2017. This well attended event included a case study on Newcastle – a region that has transitioned following the closure of a major industry; discussion on renewable energy, emerging energy markets and the review of the National Energy Market by Australia's Chief Scientist; some lessons from Europe and a panel discussion on investing in Gippsland.

It is not clear what is meant by "New Energy" from a review of the roundtable held on 2 June 2017 and the discussion paper.

For the purposes of this submission, New Energy is taken to mean all forms of energy, except traditional coal and gas.

As stated in our submission to the Victorian Upper House Economic, Education, Jobs & Skills Committee Inquiry into Community Energy Projects (March 2017), we are not aware of any community energy projects in Victoria that provide the complete answer to a community's energy needs. We are not aware of a community energy project anywhere in the world which is capable of supplying base-load energy to heavy industry. The same holds true for New Energy.

Council's view is that New Energy needs to stand alongside traditional energy sources for a sustainable, secure, reliable and cost-effective energy future. Having said that, the Latrobe Valley is very well placed to support New Energy initiatives as it has the necessary support



infrastructure including an extensive, robust transmission network, significant engineering support capability and a skilled workforce well used to operating 24/7 365 each year.

Conclusions

Our view is that the key to a successful transition is a community led response which empowers, builds capacity, resilience and optimism within the community. This can only be done through an earnest desire to partner with the community in a process of co-design and collective engagement.

There are many structures and processes in place; all aimed at responding to the transition challenge. We contend that local government must be included in the decision making processes, and ongoing discussions must happen together between all three levels of government to help ensure complimentary rather than competing policy development.

Council's view is that the initiatives discussed at the New Energy Technologies Roundtable (2 June 2017), and in the consultation paper, would be best progressed within the context of Council's adopted Economic Development strategy and the approaches articulated in Council's *a Strength-Led Transition* document. That is, effectively facilitating business development and investment in New Energy utilising resources available through the Latrobe Valley Authority, Regional Development Victoria and Council.

Latrobe City Council
July 2017

CITY DEVELOPMENT

14. CITY DEVELOPMENT

14.1 Submission to Victorian Heritage Council - Morwell Power Station and Brikette Factories

General Manager

City Development

For Information

EXECUTIVE SUMMARY

The Morwell Power Station and Brikette Factories are located at 412 Commercial Road, Morwell and until 2014 were used to produce electricity and briquettes by Energy Brix. HRL Limited, the site owner under the name Energy Brix, was placed into voluntary administration in 2015.

On 26 May 2017, the Executive Director of Heritage Victoria made a recommendation to the Heritage Council to include the Morwell Power Station and Brikette Factories as a Heritage Place on the Victorian Heritage Register (VHR). The recommendation was made following an Interim Protection Order issued by Heritage Victoria preventing demolition of the buildings.

HRL Limited is planning to sell the site with the buildings demolished and the site remediated. It is not intending to object to the VHR listing and will apply for demolition of the buildings once the heritage listing process is completed. It should be noted that the listing of the buildings does not prohibit them from being demolished but adds another step in the process.

There is a concern that should the buildings be listed and the application to demolish them be unsuccessful, that the landowner is likely to allow the site to become derelict. This is likely to impact Council resources as time would be spent dealing with enquiries from the public about the state of the site and Council's Municipal Building Surveyor may have to engage in enforcement action to make the site safe. There may be public pressure to take over the site into the future.

Council has the opportunity to make a submission to the Heritage Council regarding the recommended listing on the VHR. Whilst submissions should be confined to whether the place is of cultural heritage significance, it is considered that the future of the site should also be raised as this has the ability to impact on Council operations if demolition of the site is not permitted.

RECOMMENDATION

That Council:

- 1. Endorse the submission to Heritage Council Victoria regarding the recommendation to include in the Victorian Heritage Register the Morwell Power Station and Brikette Factories at 412 Commercial Road, Morwell.**

DECLARATION OF INTERESTS

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

DISCUSSION

In March 2017, a local resident nominated the Morwell Power Station and Briquette factories at 412 Commercial Road, Morwell for inclusion on the Victorian Heritage Register. In response an Interim Protection Order (IPO) was issued by Heritage Victoria to prevent the buildings from being demolished. The IPO was in force for 60 days from 27 March until 26 May 2017. The IPO covered the power station and briquette factories, the spur line off the main regional railway line, the briquette storage and ash pit area, and Power Works Community Museum.

On 26 May 2017, the Executive Director of Heritage Victoria made a recommendation to the Heritage Council to include the Morwell Power Station and Briquette Factories as a Heritage Place on the VHR. The spur line, the briquette storage and ash pit area, and Power Works Community Museum were not included in the recommendation.

See the Assessment of Cultural Heritage Significance and Executive Director Recommendations to the Heritage Council which is an attachment to this report.

Inclusion on the VHR means the heritage place is:

- *Considered to be of special cultural heritage significance to the State of Victoria*
- *Legally protected to help ensure it survives for future generations to appreciate*
- *Eligible for financial assistance from the Heritage fund*

Council has the opportunity to make a submission to Heritage Victoria regarding the inclusion of the Morwell Power Station and Briquette Factories on the VHR. The submission must be made by Monday 24 July 2017. In accordance with section 38(3) of the Heritage Act 1995, a submission must relate only to the issue of whether or not a place or object is of cultural heritage significance or any recommendations regarding permit exemptions. Matters regarding the future use and maintenance of the site can be included in a submission but the Heritage Council is not bound to take those matters into consideration in its decision.

History of the Site

The Morwell Power Station and Briquette Factories were constructed between 1949 and 1959 by the State Electricity Commission of Victoria (SECV). The Heritage Victoria Statement of Cultural Heritage Significance describes it as follows:

It “is a large industrial complex located approximately two kilometres south east from the Morwell Railway Station and includes a power station, two briquette factories, coal transportation systems, storage areas and ancillary buildings. Buildings are constructed using a variety of different methods and materials. The layout of the place is informed by the processes of power generation and the manufacture of briquettes, with coal conveyed into the place from the west, and distributed to either the Power Station or the Briquette Factories. Output in the form of electricity or briquettes occurs at the eastern side of the site.”

Heritage Victoria has assessed the site as being significant for the following reasons: *The Morwell Power Station and Briquette Factories is historically significant as the centrepiece of the Victorian Government’s post-WWII strategy to revitalise Victoria’s economic growth through the development of the Latrobe Valley by the State Electricity Commission of Victoria (SECV) into the state’s principal power and energy producing region. Built between 1949 and 1959, it was the second of Victoria’s large scale power stations (the first being the Yallourn Power Station which started powering Melbourne in 1924). With the demolition of Old Yallourn between 1995 and 1999, Morwell is now the earliest surviving large-scale power station designed to provide electricity to the state electricity network. The Morwell Power Station and Briquette Factories site has remained largely intact since the 1950s and demonstrates the processes of brown coal electricity generation and briquette production which underpinned Victoria’s postwar industrialization...*

The Morwell Power Station and Briquette Factories is rare for containing the only remaining, intact assemblage of briquetting machinery from the mid-twentieth century in Victoria. The boilers used in the production of electricity at the Morwell Power Station are rare examples of water tube boilers which have been specifically adapted for the burning of brown coal...

The Morwell Power Station and Briquette Factories is a highly intact example of a mid-twentieth century power station and briquetting factory. It contains buildings and machinery which demonstrate the ‘start to finish’ production phases related to brown coal electricity generation and transmission, and briquette manufacture. Few substantial alterations have been made since the 1950s and the place demonstrates a high level of integrity, allowing a strong understanding of the industrial processes for which the place was built...”

Existing Planning Controls

The area that has been identified for inclusion on the Victorian Heritage Register is zoned Special Use Zone Schedule 1 – Brown Coal (SUZ1). The purpose of the zone is:

- *To provide for brown coal mining and associated uses*
- *To provide for electricity generation and associated uses*
- *To provide for interim and non-urban uses which protect brown coal resources and to discourage the use or development of land incompatible with future brown coal mining and industry*

The northern tip of the identified heritage area is partly covered by the Environmental Significance Overlay Schedule 1 – Urban Buffer (ESO1). The purpose of the overlay is to provide a buffer between urban settlements and the coal resources areas.

The identified area is also partly subject to the Land Subject to Inundation Overlay (LSIO) and Floodway Overlay (FO) along the area's eastern boundary. These overlays identify areas of flooding and inundation. The site is not largely affected by the LSIO and FO.

Current Heritage Study and Overlays

The Latrobe City Heritage Study 2010 identified the site as one of a number of power generation and brown coal sites to be considered for a heritage overlay as it is a key place associated with power generation. However this was not translated into a heritage overlay for the site with the recommendation that:

Latrobe City Council writes to Heritage Victoria seeking assistance in the preparation of a heritage study of electricity generation in Victoria. This study would be similar to the recent state-wide studies commissioned by Heritage Victoria for places associated with the provision of water supply and for coal mining and may include:

- *A thematic/contextual history of electricity generation in Victoria.*
- *A list of places of potential heritage significance – Appendix A.2.2 provides a list of some of the key places identified by this Study.*
- *Identification of places with high priority for detailed assessment.*

It is understood that this work was not undertaken. The former Yallourn Power Station Administrative Building was the only structure associated with the power stations and coal mines in Latrobe that is subject to the Heritage Overlay in the Latrobe Planning Scheme (the Scheme) to date.

What is the difference between being included as a Heritage Place in the Victorian Heritage Register and being subject to a heritage overlay in the Latrobe Planning Scheme?

Heritage Victoria administers the Heritage Act 1995. The purpose of the Heritage Act is:

- (a) *to provide for the protection and conservation of places and objects of cultural heritage significance and the registration of such places and objects; and*
- (b) *to establish a Heritage Council; and*
- (c) *to establish a Victorian Heritage Register.*

A property is included as a Heritage Place on the VHR when it is of historical significance to the State of Victoria. When a property is included as a Heritage Place on the VHR, Heritage Victoria is responsible for, among other things, assessing permit applications from landowners for modifications including demolition, of the heritage place. Heritage Victoria is therefore also responsible for ensuring compliance with the Heritage Act.

The Heritage Overlay in the Latrobe Planning Scheme applies to places that are of local historical significance. Landowners of places subject to the heritage overlay must apply to Council for a planning permit for modifications including demolition of the place. Places listed on the VHR are identified in the overlay in the Scheme but the overlay schedule advises of their inclusion on the VHR and applicants are directed to Heritage Victoria accordingly. Council is responsible for ensuring compliance with the Latrobe Planning Scheme including the heritage overlay.

How is a property assessed to be included on the Victorian Heritage Register?

To be included on the Victorian Heritage Register, the place is assessed against a number of tests as set out in *The Victorian Heritage Register Criteria and Thresholds Guidelines (2014)*. The following criteria are assessed:

Criterion A - Importance to the course, or pattern, of Victoria's cultural history.

Criterion B - Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

Criterion C - Potential to yield information that will contribute to an understanding of Victoria's cultural history.

Criterion D - Importance in demonstrating the principal characteristics of a class of cultural places and objects.

Criterion E - Importance in exhibiting particular aesthetic characteristics.

Criterion F - Importance in demonstrating a high degree of creative or technical achievement at a particular period.

Criterion G - Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to indigenous people as part of their continuing and developing cultural traditions.

Criterion H - Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

The Morwell Power Station and Briquette Factories was assessed as having satisfied Criteria A, B and D. See attached Assessment of Cultural Heritage Significance and Executive Director Recommendations to the Heritage Council for further details.

What is Heritage Victoria's registration process?

Once a place is nominated for inclusion on the Victorian Heritage Register and the Executive Director, Heritage Victoria recommends it be included in the Heritage Register, 60 days notice is given for interested parties to make a submission supporting or objecting to the nomination. If no submissions are received, the Heritage Council makes a decision to include, partly include or not include the place in the Register. If submission(s) are received, a registration hearing must be held if a 'person with a real and substantial interest in the place' (as defined in the Heritage Act 1995) requests a hearing. If this does not occur the Heritage Council can decide if a hearing is required or not. Following a hearing, the Heritage Council makes a decision to include, include part or not include the place in the Heritage Register. It may also make a recommendation that the place be considered to be included in the local planning scheme in the heritage overlay.

What does registration mean?

When a place is included on the Victorian Heritage Register, it cannot be altered in any way without authorisation from Heritage Victoria. Therefore if the landowner wants to alter or demolish all or part of the heritage place, Heritage Victoria approval is required.

What are the views of the land owner?

The owner of the site, HRL Limited, has been placed into administration. Advice from the company's General Manager Energy Brix Remediation is that it is currently costing \$80,000 a month to ensure the site is maintained and is safe. The site remains closed due to safety risks due to the large amount of hazardous material including asbestos and the risk of falling debris from the derelict buildings. It is understood that HRL Limited do not object to the inclusion of the buildings on the Heritage Register as it is its intention to apply for a demolition permit once the process is completed. If a demolition permit is granted by Heritage Victoria if the site is included on VHR, the cost of demolition and remediation works would be around \$80 million and would occur over two years.

If the site is included on the VHR and a demolition permit is not granted, the administrator has no direction to spend creditors' money on recovering the site and the site is likely to become derelict.

It is noted that a turbine panel from the site has already been relocated to PowerWorks and photographs and 3D imaging will be undertaken should the buildings be demolished. However HRL Limited has no further interest beyond these actions in preserving the heritage values of the site.

It is further noted that HRL Limited placed a notice in the Latrobe Valley Express on 12 June 2017 which advised of the release of a tender for the demolition and removal of the structures associated with the power station facilities on the Energy Brix site. It states "*the work is planned to commence once current site heritage listing processes are complete*".

Council's Heritage Advisor's views

Council's Heritage Advisor believes the power station and briquette factories is clearly a place of State significance and worthy of inclusion on the VHR. He has advised that the preparation of a detailed Conservation Management Plan (CMP) is likely to assist in finding a suitable direction for the site. He has stated the following:

The purpose of a CMP is to determine how a heritage place may be managed. It identifies opportunities and constraints arising not only from significance, but also from all other management considerations such as condition of buildings, ownership, land zoning, etc. It can identify what extent of change may be permitted, and when and how demolition may be permitted. Whilst it may not specify particular uses, it will usually identify the principles that should inform suitable new uses if the old use is no longer viable.

He did not suggest that Council commission a CMP. Instead he recommended the following course of action:

I think the issue of future management and the preparation of a CMP is something that should be pursued by other means - I am aware that following the planned closure of Hazelwood the State Government has made funding available for projects within the Valley. I believe Council should pursue the State Government for funding to guide to the future development and re-use of this complex.

He also advised that a submission to the Heritage Council at this stage should relate only to whether the place or object is of cultural heritage significance or to the recommended extent of registration or permit policy/permit exemptions. He stated that while this does not preclude Council from raising other issues, such as future management, the Heritage Council is not bound to take those matters into consideration.

Future of the site

There are concerns around a potential lack of maintenance of the buildings and plant if the buildings remain on site and an economically viable use is not identified for the site in a timely manner. The site has the potential to fall into a state of dilapidation and become a haven for anti-social behaviour given its size and industrial location.

Structural dilapidation or illegal occupation such as squatters are a possibility and could result in life safety concerns and the need for Council's Building Surveyor to expend resources on enforcement action. The owner would also be required to expend resources on security measures or works.

The potential to find an alternative use for the site is limited given the site's location in an industrial zone in a regional area. Heritage Victoria's publication *Adaptive Reuse of Industrial Heritage: Opportunities and Challenges* (2013) provides examples of the way industrial buildings can be converted to a new use while respecting the heritage value of the site. This allows heritage buildings to be given new life rather than freezing them in a moment in time. Whilst this has been successful mainly in major cities the report acknowledges that "*location and land value also have a large effect on the viability of different kinds of reuse...*" (p. 11) and "*Nonetheless adaptive reuse can be an expensive proposition, especially if sites are contaminated or structures are unsound. In these situations the economic viability of reuse is affected by the value of the property, by land value and other economic contexts. These economic considerations can have a major impact on the viability of one type of reuse over another. It is also important to factor in ongoing maintenance costs to budgets.*" (p. 15)

It is considered that this is the case for the Morwell Power Station and Briquette Factories. The current owner is not concerned with the maintenance of the buildings, and it is unlikely that the buildings would be reused for other purposes given the contaminants and dangerous materials such as asbestos on the site, as well as the additional cost to convert the buildings to an alternative use. Location and land value also play a major part with the location generally unattractive for alternative uses such as offices or apartments.

How is Council affected?

If the site is registered and demolition is not granted, the owner has stated that the site is likely to be left to fall into a state of disrepair. Should this occur, it is envisaged that Council resources would be spent on dealing with calls from the public about the state of the site, involvement of Council's Building Surveyor undertaking enforcement action to make the buildings safe, liaising with Heritage Victoria regarding actions the landowner must take to maintain the buildings so that their conservation value is not threatened, and potential political pressure to purchase and maintain the buildings into the future.

Next Steps

Council has the opportunity to make a submission to the Heritage Council regarding the recommendations by Executive Direction of Heritage Victoria to include the power station and briquette factories on the VHR. Whilst submissions at this point should relate only to whether the place is of cultural heritage significance, it is considered that the future management of the site should also be raised as this has the ability to impact on Council resources into the future.

A draft 'Latrobe City Council Submission to the Heritage Council' has been prepared by Council officers and is attached for Council's consideration.

STAKEHOLDER CONSULTATION

Discussions have been undertaken with HRL Limited, Heritage Victoria, and David Helms Heritage (heritage advisor) in order to gain a better understanding of the proposal as well as internal Council departments including the Building Department and the Property and Statutory Services Department.

Heritage Victoria has undertaken consultation by placing a notice regarding the Executive Director's recommendation in the Herald Sun, and receiving submissions.

FINANCIAL AND RESOURCE IMPLICATIONS

Should the buildings be included on the VHR and demolition of the buildings not be permitted by Heritage Victoria, Council resources may be impacted upon dealing with a derelict site as outlined above. This could range from community enquiries and enforcement action under the Building Act 1993 to taking over the management of the site into the future.

RISK IMPLICATIONS

There is a risk to Council if a submission is not made to the Heritage Council that highlights the potential impacts on Council resources if the buildings are included on the VHR.

CONCLUSION

Based on Council's heritage advice, it is acknowledged that the Morwell Power Station and Briquette Factories are of State heritage significance. However the retention of the buildings is considered to be impractical by the current owners. Should the buildings be listed on the VHR and the owners are unsuccessful in obtaining a demolition permit as is their intent, there is a concern that this is highly likely to impact Council resources. This has the potential to culminate in Council taking over management of the site into the future.

A submission to the Heritage Council regarding the recommended listing of the buildings the VHR has been prepared by Council officers. Whilst submissions should be confined to whether the place is of cultural heritage significance, it is considered that the future of the site should also be raised as this has the ability to impact on Council resources if demolition of the buildings is not permitted.

SUPPORTING DOCUMENTS

Nil

Attachments

- 1 [↓](#). Latrobe City Council submission to Heritage Council
- 2 [↓](#). Executive Report-Morwell-Power Station-Recommendation

14.1

Submission to Victorian Heritage Council - Morwell Power Station and Briquette Factories

- 1 Latrobe City Council submission to Heritage Council 53**
- 2 Executive Report-Morwell-Power Station-
Recommendation..... 57**

Latrobe City Council
***Draft* Registration Submission to**
Heritage Council Victoria
Morwell Power Station & Briquette Factories



July 2017

Introduction

Latrobe City Council (Council) appreciates the opportunity to make a submission to Heritage Council Victoria regarding the Executive Director of Heritage Victoria's recommendation to the Heritage Council to include the Morwell Power Station and Briquette Factories as a Heritage Place on the Victorian Heritage Register (VHR). Whilst Council agrees that the site has special cultural significance to the State of Victoria, it is concerned about the ongoing maintenance and management of the site into the future and therefore objects to the site being placed on the VHR.

Heritage Significance

The Latrobe City Heritage Study 2010 identified the site as one of a number of power generation and brown coal sites to be considered for a heritage overlay as it is a key place associated with power generation. However this was not translated into a heritage overlay for the site with the recommendation by the authors that:

Latrobe City Council writes to Heritage Victoria seeking assistance in the preparation of a heritage study of electricity generation in Victoria. This study would be similar to the recent state-wide studies commissioned by Heritage Victoria for places associated with the provision of water supply and for coal mining and may include:

- *A thematic/contextual history of electricity generation in Victoria.*
- *A list of places of potential heritage significance – Appendix A.2.2 provides a list of some of the key places identified by this Study.*
- *Identification of places with high priority for detailed assessment.*

This work has not been undertaken to date. The former Yallourn Power Station Administrative Building was the only structure associated with the power stations and coal mines in Latrobe that is subject to the Heritage Overlay in the Latrobe Planning Scheme. Nevertheless, Council is supportive of the Executive Director's recommendation to include the Morwell Power Station and Briquette Factories on the VHR as they are clearly of State cultural heritage significance with regard to power generation and its associated societal changes in Victoria.

The Future of the Site

At present the site is closed due to safety risks associated with the large amount of hazardous material including asbestos and the risk of falling debris from the derelict buildings. It is understood that the owner, HRL Limited, is under administration and does not object to the inclusion of the buildings on the VHR as it is its intention to apply for a demolition permit once the process is completed. If the site is included on the VHR and a demolition permit is not granted, the administrator has no direction to spend creditors' money on recovering the site and the site is likely to become derelict.

It is noted that a turbine panel from the site has already been relocated to PowerWorks and photographs and 3D imaging may be undertaken should the buildings be demolished. However HRL Limited has no further interest beyond these actions in preserving the heritage values of the site.

The lack of concern by the owner for the ongoing safeguarding and upkeep of the site if registered and demolition is not permitted raises safety concerns if an economically viable use is not identified for the site in a timely manner. The site has the potential to fall into a state of dilapidation and become a haven for anti-social behaviour given its size and industrial location.

Structural dilapidation or illegal occupation such as squatters are a possibility and could result in life safety concerns and the need for Council's Building Surveyor to expend resources on enforcement action. The owner would also be required to expend resources on security measures or works.

The potential to find an alternative use for the site is limited given the site's location in an industrial zone in a regional area. Heritage Victoria's publication *Adaptive Reuse of Industrial Heritage: Opportunities and Challenges* (2013) provides examples of the way industrial buildings can be converted to a new use while respecting the heritage value of the site. Whilst this has been successful mainly in major cities the report acknowledges that "*location and land value also have a large effect on the viability of different kinds of reuse...*" (p. 11) and

"Nonetheless adaptive reuse can be an expensive proposition, especially if sites are contaminated or structures are unsound. In these situations the economic viability of reuse is affected by the value of the property, by land value and other economic contexts. These economic considerations can have a major impact on the viability of one type of reuse over another. It is also important to factor in ongoing maintenance costs to budgets." (p. 15)

It is considered that this is the case for the Morwell Power Station and Briquette Factories. The current owner is not concerned with the maintenance of the buildings, and it is unlikely that the buildings would be reused for other purposes given the contaminants and dangerous materials such as asbestos on the site, as well as the additional cost to convert the buildings to an alternative use. Location and land value also play a major part with the location generally unattractive for alternative uses such as offices or apartments.

If the site is registered and demolition is not granted, it is envisaged that Council resources would be spent on dealing with calls from the public about the state of the site, involvement of Council's Building Surveyor undertaking enforcement action to make the buildings safe, liaising with Heritage Victoria regarding actions the landowner must take to maintain the buildings so that their conservation value is not threatened, and potential political pressure to purchase and maintain the buildings into the future which would put Council in a problematic and challenging situation. Council does not have the resources for such an undertaking. It is on this basis that Council objects to the site being included on the VHR.

Conclusion

Council recognises that the Morwell Power Station and Briquette Factories have State cultural heritage significance. However Council is concerned about the future of the site and the impact it may have on Council operations. The retention of the buildings is considered to be impractical by the current owners. Should the buildings be listed on the VHR and the owners are unsuccessful in obtaining a demolition permit as is their intent, there is a concern that this is highly likely to impact Council resources. This has the potential to culminate in Council taking over management of the site into the future, an undertaking which Council is not and will not be in a position to consider. Council therefore objects to the Morwell Power Station and Briquette Factories being included on the VHR. Council also requests an opportunity to be heard by the Heritage Council Registrations Committee in relation to its submission.

ASSESSMENT OF CULTURAL HERITAGE SIGNIFICANCE AND EXECUTIVE DIRECTOR RECOMMENDATIONS TO THE HERITAGE COUNCIL



Recommendation to include in VHR

NAME	MORWELL POWER STATION AND BRIQUETTE FACTORIES
LOCATION	412 COMMERCIAL ROAD, MORWELL, LATROBE CITY, VICTORIA 3840
CATEGORY	HERITAGE PLACE
VHR PROV	PROV H2377
NUMBER	
HERMES	200429
NUMBER	



Morwell Power Station and Briquette Factories

Recommendation not to include in VHR

NAME	ANCILLARY LAND SURROUNDING MORWELL POWER STATION AND BRIQUETTE FACTORIES
LOCATION	412 COMMERCIAL ROAD, MORWELL, LATROBE CITY, VICTORIA 3840
CATEGORY	NA
VHR PROV	NA
NUMBER	
HERMES	200673
NUMBER	



Ancillary land surrounding Morwell Power Station and
Briquette Factories

EXECUTIVE DIRECTOR RECOMMENDATIONS TO THE HERITAGE COUNCIL:

- That the Morwell Power Station and Briquette Factories be included as a Heritage Place in the Victorian Heritage Register under section 32 (1)(a) of the *Heritage Act 1995*.
- That the ancillary land surrounding the Morwell Power Station and Briquette Factories NOT be included in the Victorian Heritage Register under section 32 (1)(b) of the *Heritage Act 1995*.

TIM SMITH OAM

Executive Director, Heritage Victoria

Recommendation Date: 26 May 2017

This recommendation report has been issued by the Executive Director, Heritage Victoria under s.32 of the *Heritage Act 1995*. It has not been considered or endorsed by the Heritage Council of Victoria.

BACKGROUND TO RECOMMENDATION

INTERIM PROTECTION ORDER (IPO)

On 27 March 2017 the Heritage Council of Victoria issued an Interim Protection Order (IPO) over the Morwell Power Station, Briquette Factory and SECV Railway Line. The IPO has been in force for 60 days (from 27 March 2017 to Friday 26 May 2017).

EXTENT OF INTERIM PROTECTION ORDER

The area covered by the IPO is outlined in yellow here.



Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

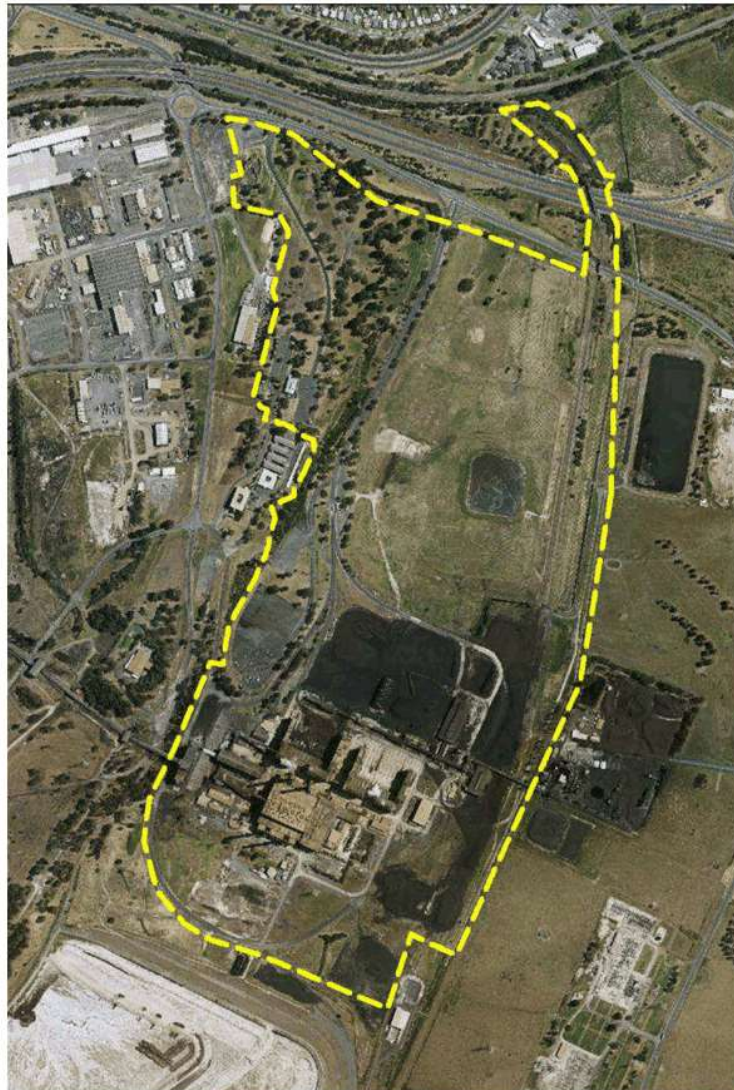
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NOMINATION FOR INCLUSION IN THE VHR

On 20 April 2017 the Executive Director accepted a nomination for the Morwell Power and Briquette Factory (after the IPO had been issued). The nomination included a larger area than that covered by the IPO. The Executive Director has assessed the place based on this larger nominated area.

EXTENT OF 20 APRIL 2017 NOMINATION

The spur line off the main regional railway (for the transport of briquettes out of the site), the old briquette storage and ash pit area (appearing as an empty paddock west of the railway spur), the Morwell Power Station and Briquette Factory proper, and the area now known as Power Works Community Museum Zone, to the west of the old briquette storage and ash pit area.



Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

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EXECUTIVE DIRECTOR RECOMMENDATIONS

The Executive Director recommends the following:

Morwell Power Station and Briquette Factories

- That this place be included in the Victorian Heritage Register.

Ancillary land surrounding the Morwell Power Station and Briquette Factories

- That this place NOT be included in the Victorian Heritage Register.

AERIAL PHOTO SHOWING BOTH RECOMMENDATIONS



Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

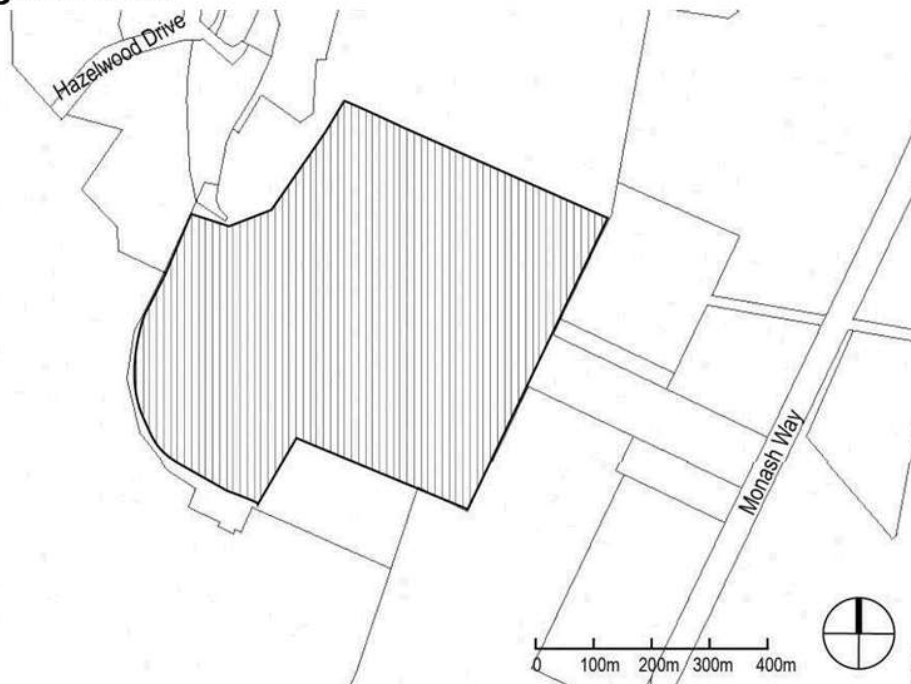
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RECOMMENDED REGISTRATION

Morwell Power Station and Briquette Factories

All of the place shown hatched on Diagram 2377 encompassing Part of Lot 2 on plan of Subdivision 449983, All of Lot 2 on plan of Subdivision 623138, All of Lot 1 on plan of Subdivision 512365, All of Crown Allotment 6G1 Section A Parish of Hazelwood, All of Crown Allotment 6H Section A Parish of Hazelwood, All of Crown Allotment 5F Section A Parish of Hazelwood, part of the road reserve for Ridge Road.

Diagram 2377



The extent of registration of the Morwell Power Station and Briquette Factories in the Victorian Heritage Register affects the whole place shown on Diagram 2377 including the land and buildings.

Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

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RATIONALE FOR EXTENT

Morwell Power Station and Briquette Factories

The recommended extent for the Morwell Power Station and Briquette Factories includes the principal buildings and features required to demonstrate the historical process of power and briquette production at this place. It includes the key elements related to the delivery of brown coal, processing, briquetting, storage, transport, power generation and electricity transmission. The recommended extent allows the place to demonstrate the state level cultural heritage significance values as a power station and briquette factory. The extent is curved on the south western side to follow the alignment of an access roadway which forms a clear boundary to the complex.

Ancillary land surrounding the Morwell Power Station and Briquette Factories

The Ancillary Land Surrounding Morwell Power Station and Briquette Factories, including its structures and features, does not satisfy any of the Heritage Council's criteria for inclusion in the Victorian Heritage Register at the level of state significance. This area is not integral to the demonstration of the historical process of power and briquette production at the Morwell Power Station and Briquette Factories. The state level cultural heritage significance values of the place can be clearly read without this land.

Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

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STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE

MORWELL POWER STATION AND BRIQUETTE FACTORIES

WHAT IS SIGNIFICANT?

The Morwell Power Station and Briquette Factories including the power station, two briquette factories, coal transportation systems, storage areas and ancillary buildings. The interiors of the buildings and all plant and equipment are also of significance.

History Summary

The Morwell Power Station and Briquette Factories was constructed between 1949 and 1959 by the State Electricity Commission of Victoria (SECV). It was the centrepiece of the Victorian Government's postwar strategy to revitalise Victoria's industrial and economic growth through the development of the Latrobe Valley into the state's principal power and energy producing region. The Yallourn Power Station had been established in 1921 and electricity started flowing to Melbourne in 1924. Morwell was the next project to capitalise on the region's brown coal resources. Its purpose was to provide electricity to a rapidly growing population, alleviate power shortages, produce briquettes for industrial and domestic use, and to reduce the reliance of Victoria on black coal from New South Wales. Building on knowledge from Yallourn, the SECV sourced briquetting equipment from Germany and boilers and turbines from Britain. Electricity production at Morwell Power Station commenced in December 1958. The first commercial briquette production commenced in December 1959. It was soon discovered that the brown coal from the Morwell open cut mine was unsuitable for briquetting, and Yallourn coal had to be transported to the Morwell factories. By the early 1960s, Morwell, not Yallourn, had become the nerve centre of the new industrial valley. After Hazelwood Power Station went into operation the proportion of Victoria's electricity supply sourced from brown coal in the Latrobe Valley reached almost 90%. The briquette plant at Morwell was one of the first components of the SECV to be privatised in late 1993 with the creation of Energy Brix Australia. Following declining profits and the impact of fires in 2003 the plant closed in 2014.

DESCRIPTION SUMMARY

The Morwell Power Station and Briquette Factories is a large industrial complex located approximately two kilometres south east from the Morwell Railway Station and includes a power station, two briquette factories, coal transportation systems, storage areas and ancillary buildings. Buildings are constructed using a variety of different methods and materials. The layout of the place is informed by the processes of power generation and the manufacture of briquettes, with coal conveyed into the place from the west, and distributed to either the Power Station or the Briquette Factories. Output in the form of electricity or briquettes occurs at the eastern side of the site.

Registered Aboriginal Party (RAP)

The Morwell Power Station and Briquette Factories is located on the traditional land of the Braiakaulung people of the Gunnaikurnai clan. There is no Registered Aboriginal Party (RAP) for the site. The Gunnaikurnai hold Native Title over this area. A Recognition and Settlement Agreement under the *Traditional Owner Settlement Act 2010* also covers this area.

Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

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HOW IS IT SIGNIFICANT?

The Morwell Power Station and Briquette Factories is of historical significance to the State of Victoria. It satisfies the following criterion for inclusion in the Victorian Heritage Register:

Criterion A Importance to the course, or pattern, of Victoria's cultural history.

Criterion B Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

Criterion D Importance in demonstrating the principal characteristics of a class of cultural places and objects.

WHY IS IT SIGNIFICANT?

The Morwell Power Station and Briquette Factories is significant at the State level for the following reasons:

The Morwell Power Station and Briquette Factories is historically significant as the centrepiece of the Victorian Government's post-WWII strategy to revitalise Victoria's economic growth through the development of the Latrobe Valley by the State Electricity Commission of Victoria (SECV) into the state's principal power and energy producing region. Built between 1949 and 1959, it was the second of Victoria's large scale power stations (the first being the Yallourn Power Station which started powering Melbourne in 1924). With the demolition of Old Yallourn between 1995 and 1999, Morwell is now the earliest surviving large-scale power station designed to provide electricity to the state electricity network. The Morwell Power Station and Briquette Factories site has remained largely intact since the 1950s and demonstrates the processes of brown coal electricity generation and briquette production which underpinned Victoria's postwar industrialisation. [Criterion A]

The Morwell Power Station and Briquette Factories is rare for containing the only remaining, intact assemblage of briquetting machinery from the mid-twentieth century in Victoria. The boilers used in the production of electricity at the Morwell Power Station are rare examples of water tube boilers which have been specifically adapted for the burning of brown coal. [Criterion B]

The Morwell Power Station and Briquette Factories is a highly intact example of a mid-twentieth century power station and briquetting factory. It contains buildings and machinery which demonstrate the 'start to finish' production phases related to brown coal electricity generation and transmission, and briquette manufacture. Few substantial alterations have been made since the 1950s and the place demonstrates a high level of integrity, allowing a strong understanding of the industrial processes for which the place was built. [Criterion D]

Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

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MORWELL POWER STATION AND BRIQUETTE FACTORIES

REASONS FOR RECOMMENDING INCLUSION IN THE VICTORIAN HERITAGE REGISTER

Following is the Executive Director's assessment of the place against the tests set out in *The Victorian Heritage Register Criteria and Thresholds Guidelines (2014)*.

CRITERION A

Importance to the course, or pattern, of Victoria's cultural history.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION A

The place/object has a *CLEAR ASSOCIATION* with an event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history.

Plus

The association of the place/object to the event, phase, etc *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources or oral history.

Plus

The *EVENT, PHASE, etc* is of *HISTORICAL IMPORTANCE*, having made a strong or influential contribution to Victoria.

Executive Director's Response

The Morwell Power Station and Briquetting Factories was constructed between 1949 and 1959. It was a key part of the Victorian Government's strategy after WWII to revitalise Victoria's economic growth through the transformation of the Latrobe Valley into an industrial region for power and energy production. It was built by the State Electricity Commission of Victoria (SECV) to provide electricity to a rapidly growing population, to alleviate power shortages, to produce briquettes for industrial and domestic use, and to reduce the state's reliance on black coal from New South Wales. This historical association is clearly demonstrated in the fabric of the place as well as in documentary evidence and oral histories. The transformation of the Latrobe Valley into a power and energy producing region is a phase of historical importance and made a strong and influential contribution to Victoria. Brown-coal power generation and briquette production was key to the post-war industrialisation of Victoria. The Morwell Power Station and Briquette Factories was one of Victoria's major power station complexes and was integral to the industrialisation of the state during the second half of the twentieth century.

Criterion A is likely to be satisfied.

STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION A

The place/object allows the clear association with the event, phase etc. of historical importance to be *UNDERSTOOD BETTER THAN MOST OTHER PLACES OR OBJECTS IN VICTORIA WITH SUBSTANTIALLY THE SAME ASSOCIATION*.

Executive Director's Response

The Morwell Power Station and Briquette Factories demonstrates better than most other places or objects the Victorian Government's strategy after WWII to revitalise Victoria's economic growth through the transformation of the Latrobe Valley into an industrial region for power and energy production. Since Yallourn Power Stations A, B, C, D and E (1968, 1985, 1985, 1986 and 1989) have been demolished, Morwell is now the earliest surviving large-scale power station designed to provide electricity to the state electricity network. The Morwell Power Station is also the earliest and only surviving site with remaining briquetting factories, with the Yallourn Briquette Works (built with Yallourn A) demolished in 1975. The Morwell Power

Recommendation 1: Morwell Power Station and Briquette Factories

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Station and Briquette Factories displays the principal characteristics of its class and retains a high level of intactness and integrity which allows it to be understood better than most similar places.

Criterion A is likely to be satisfied at the State level.

CRITERION B

Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION B

The place/object has a *CLEAR ASSOCIATION* with an event, phase, period, process, function, movement, custom or way of life of importance in Victoria's cultural history.

Plus

The association of the place/object to the event, phase, etc *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources or oral history.

Plus

The place/object is *RARE OR UNCOMMON*, being one of a small number of places/objects remaining that demonstrates the important event, phase etc,

OR

The place/object is *RARE OR UNCOMMON*, containing unusual features of note that were not widely replicated,

OR

The existence of the *class* of place/object that demonstrates the important event, phase etc is *ENDANGERED* to the point of rarity due to threats and pressures on such places/objects.

Executive Director's Response

The Morwell Power Station and Briquette Factories was constructed between 1949 and 1959. It was a key part of the Victorian Government's strategy after WWII to revitalise Victoria's economic growth through the transformation of the Latrobe Valley into an industrial region for power and energy production. This is a phase of historical importance and made a strong and influential contribution to Victoria. This historical association is clearly demonstrated in the fabric of the place as well as documentary evidence and oral histories.

The Morwell Power Station and Briquette Factories is rare for containing the only mid-twentieth century intact assemblage of briquetting machinery surviving in Victoria. This class of heritage (briquetting machinery) is endangered. While some of the briquetting machinery at Morwell has been gradually disassembled for use as spare parts in the repair of other briquette presses, the briquetting process is able to be read through the extant machines. The boilers used in the production of electricity at the Morwell Power Station are rare examples of water tube boilers which have been specifically adapted for the burning of brown coal. [Criterion B]. These are uncommon and contain unusual features of note that were not widely replicated.

Criterion B is likely to be satisfied.

Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

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STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION B

The place/object is RARE, UNCOMMON OR ENDANGERED within Victoria.

Executive Director's Response

The Morwell Power Station and Briquette Factories is rare in Victoria because it contains the only remaining, intact assemblage of mid-twentieth century briquetting machinery in the state. This class of heritage (briquetting machinery) is endangered. Other examples of briquette factories in Victoria, such as those constructed as part of the Great Morwell Brown Coal Mine (1896), Yallourn Briquette Works (1925-1975) and the Gelliondale Briquette plant (1934-1950), have all been demolished. The boilers used in the production of electricity at the Morwell Power Station are rare examples of water tube boilers which have been specifically adapted for the burning of brown coal. They are uncommon in Victoria.

Criterion B is likely to be satisfied at the State level.

CRITERION C

Potential to yield information that will contribute to an understanding of Victoria's cultural history.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION C

The:

- visible physical fabric; &/or
- documentary evidence; &/or
 - oral history,

relating to the place/object indicates a likelihood that the place/object contains *PHYSICAL EVIDENCE* of *historical interest* that is *NOT CURRENTLY VISIBLE OR UNDERSTOOD*.

Plus

From what we know of the place/object, the physical evidence is likely to be of an *INTEGRITY* and/or *CONDITION* that it *COULD YIELD INFORMATION* through detailed investigation.

Executive Director's Response

It is not likely that the Morwell Power Station and Briquette Factories contains physical evidence of historical interest that is not currently visible or understood, which would contribute to an understanding of Victoria's cultural history. There is extensive documentary evidence regarding the history and operations of this place. While physical investigation of the industrial archaeological evidence at the site may yield information, it is unlikely to be information that is not already accessible through other sources. Sub-surface archaeological investigation may reveal features or deposits that have potential to yield information, however, any information is unlikely to be new or different to that which is already known.

Criterion C is not likely to be satisfied.

Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

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CRITERION D

Importance in demonstrating the principal characteristics of a class of cultural places and objects.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION D

The place/object is one of a *CLASS* of places/objects that has a *CLEAR ASSOCIATION* with an event, phase, period, process, function, movement, important person(s), custom or way of life in Victoria's history.

Plus

The *EVENT, PHASE, etc* is of *HISTORICAL IMPORTANCE*, having made a strong or influential contribution to Victoria.

Plus

The principal characteristics of the class are *EVIDENT* in the physical fabric of the place/object.

Executive Director's Response

The Morwell Power Station and Briquette Factories is one of a class of 'power stations'. The Morwell Power Station and Briquette Factories was a key part of the Victorian Government's strategy after WWII to revitalise Victoria's economic growth through the transformation of the Latrobe Valley into an industrial region for power and energy production. The transformation of the Latrobe Valley into a power and energy producing region is a phase of historical importance that made a strong and influential contribution to Victoria. The principal characteristics of the class 'power stations' are evident in the physical fabric of the place. The place retains a high degree of intactness and integrity with few major alterations made to the plant or operations since it was commissioned. The extant elements and their intact configuration retains the ability to demonstrate the processes involved in brown coal power generation and briquette manufacture. While some changes to technologies/machinery have occurred over its 60 plus years of operation (for example the cooling towers have been demolished and some new supplementary buildings have been constructed) the Morwell Power Station and Briquette Factories (layout, buildings and machinery) is relatively unchanged since its construction.

Criterion D is likely to be satisfied.

STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION D

The place/object is a *NOTABLE EXAMPLE* of the class in Victoria (refer to Reference Tool D).

Executive Director's Response

The Morwell Power Station and Briquette Factories is a notable example of a power station in Victoria. The place is notable for its display of a large number and range of characteristics that are typical of the class. It contains a highly intact collection of buildings and machinery which demonstrates the start to finish production phases related to brown coal electricity generation and briquette manufacture, including conveyors, boilers, turbines, control room and transformer yard, briquetting machines and rail for the transportation of brown coal products. The only phase not represented is the use of the cooling towers, as they have both been demolished. In relation to the rare briquetting machinery, the place is notable for its display of characteristics that are of a higher quality or historical relevance than are typical of places in the class. The Morwell Power Station and Briquette Factories displays the principal characteristics of power stations and allows the class to be readily understood and appreciated. The Morwell Power Station and Briquette Factories displays characteristics of the class that remain mostly unchanged from the historically important period of development or use of the place.

Criterion D is likely to be satisfied at the State level.

CRITERION E

Importance in exhibiting particular aesthetic characteristics.

Recommendation 1: Morwell Power Station and Briquette Factories

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STEP 1: A BASIC TEST FOR SATISFYING CRITERION E

The *PHYSICAL FABRIC* of the place/object clearly exhibits particular aesthetic characteristics.

Executive Director's Response

The Morwell Power Station and Briquette Factories demonstrates particular aesthetic characteristics. The scale, composition, form and materiality of the complex visually expresses the technology, operations and processes used to process and manufacture briquettes from brown coal in the mid-twentieth century, as well as the process of electricity generation.

Criterion E is likely to be satisfied.

STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION E

The aesthetic characteristics are *APPRECIATED OR VALUED* by the wider community or an appropriately-related discipline as evidenced, for example, by:

- *critical recognition* of the aesthetic characteristics of the place/object within a relevant art, design, architectural or related discipline as an outstanding example within Victoria; or
- wide public *acknowledgement of exceptional merit* in Victoria in medium such as songs, poetry, literature, painting, sculpture, publications, print media etc.

Executive Director's Response

The Morwell Power Station and Briquette Factories is a large and striking industrial complex in the landscape. Its aesthetic characteristics may be appreciated by some Victorians. But these aesthetic characteristics have not received critical recognition within a relevant art, design, architectural or related discipline as an outstanding example within Victoria; or wide public acknowledgement of exceptional merit in Victoria in medium such as songs, poetry, literature, painting, sculpture, publications, print media etc.

Criterion E is not likely to be satisfied at the State level.

CRITERION F

Importance in demonstrating a high degree of creative or technical achievement at a particular period.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION F

The place/object contains *PHYSICAL EVIDENCE* that clearly demonstrates creative or technical *ACHIEVEMENT* for the time in which it was created.

Plus

The physical evidence demonstrates a *HIGH DEGREE OF INTEGRITY*.

Executive Director's Response

The Morwell Power Station and Briquette Factories is a standard industrial series of buildings, structures and operations. This was one in a series of power stations constructed by the SECV and does not stand out as creative or technically remarkable when compared with other power stations of the mid to late-twentieth century. Some machinery purchased from Germany and the UK was adapted for use at Morwell but that technology was otherwise standard and bought 'off the shelf'. The complex does not clearly demonstrate physical evidence of creative or technical achievement for the time in which it was created.

Criterion F is not likely to be satisfied.

Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

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CRITERION G

Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to indigenous people as part of their continuing and developing cultural traditions.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION G

Evidence exists of a *DIRECT ASSOCIATION* between the place/object and a *PARTICULAR COMMUNITY OR CULTURAL GROUP*.

(For the purpose of these guidelines, 'COMMUNITY or CULTURAL GROUP' is defined as a sizable group of persons who share a common and long-standing interest or identity).

Plus

The *ASSOCIATION* between the place/object and the community or cultural group is *STRONG OR SPECIAL*, as evidenced by the regular or long-term use of/engagement with the place/object or the enduring ceremonial, ritual, commemorative, spiritual or celebratory use of the place/object.

Executive Director's Response

The Morwell Power Station and Briquette Factories has a direct association with the Latrobe Valley community. The Morwell Power Station closed in 2014. During this time, there has been no public access to the place. There is no evidence of regular engagement with the place since 2014 or any ceremonial, ritual, commemorative, spiritual or celebratory use. In this context, it is difficult to gauge, under the test in the *Victorian Heritage Register Criteria and Threshold Guidelines*, whether there is a strong or special relationship between the Latrobe Valley community and the place.

Criterion G may be satisfied.

STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION G

The place/object represents a *PARTICULARLY STRONG EXAMPLE* of the association between it and the community or cultural group by reason of its *RELATIONSHIP TO IMPORTANT HISTORICAL EVENTS* in Victoria and/or its *ABILITY TO INTERPRET EXPERIENCES* to the broader Victorian community.

Executive Director's Response

If it were established that the Latrobe Valley community had a strong or special association with the Morwell Power Station and Briquette Factories, it is unlikely that this social significance would meet the state level threshold. The Morwell Power Station and Briquette Factories is one of many large former industrial workplaces extant across Victoria. These places are typically regarded as having local level social significance because of their association with local or regional workforces. Since the start of operations at Morwell Power Station and Briquette Factories in 1949 the multi-generational workforce has been drawn largely from the Latrobe Valley, rather than from across Victoria. There is no evidence of the social significance of the Morwell Power Station and Briquette Factories to communities outside the Latrobe Valley.

Criterion G is not likely to be satisfied at the State level.

Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

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CRITERION H

Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION H

The place/object has a *DIRECT ASSOCIATION* with a person or group of persons who have made a strong or influential *CONTRIBUTION* to the course of Victoria's history.

Plus

The *ASSOCIATION* of the place/object to the person(s) *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources and/or oral history.

Plus

The *ASSOCIATION*:

- directly relates to *ACHIEVEMENTS* of the person(s) at, or relating to, the place/object; or
- relates to an *enduring* and/or *close INTERACTION* between the person(s) and the place/object.

Executive Director's Response

The Morwell Power Station and Briquette Factories does not have a direct association with a person or group of persons who have made a strong or influential contribution to the course of Victoria's history. Yallourn Power Station A (1924) was planned and constructed under the direction of Sir John Monash, who died in 1931 well before to the construction of Morwell in 1949. The Morwell Power Station and Briquette Factories were designed by a group of SECV engineers.

Criterion H is not likely to be satisfied.

Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

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MORWELL POWER STATION AND BRIQUETTE FACTORIES PROPOSED PERMIT POLICY

Preamble

The purpose of the Permit Policy is to assist when considering or making decisions regarding works to a registered place. It is recommended that any proposed works be discussed with an officer of Heritage Victoria prior to making a permit application. Discussing proposed works will assist in answering questions the owner may have and aid any decisions regarding works to the place.

The extent of registration of the Morwell Power Station and Briquette Factories on the Victorian Heritage Register affects the whole place shown on in Diagram 2377. Under the Heritage Act 1995 a person must not remove or demolish, damage or despoil, develop or alter or excavate, relocate or disturb the position of any part of a registered place or object without approval. It is acknowledged, however, that alterations and other works may be required to keep places and objects in good repair and adapt them for use into the future.

If a person wishes to undertake works or activities in relation to a registered place or registered object, they must apply to the Executive Director, Heritage Victoria for a permit. The purpose of a permit is to enable appropriate change to a place and to effectively manage adverse impacts on the cultural heritage significance of a place as a consequence of change. If an owner is uncertain whether a heritage permit is required, it is recommended that Heritage Victoria be contacted.

Permits are required for anything which alters the place or object, unless a **permit exemption** is granted. Permit exemptions usually cover routine maintenance and upkeep issues faced by owners as well as minor works. They may include appropriate works that are specified in a conservation management plan. Permit exemptions can be granted at the time of registration (under s.42 of the Heritage Act) or after registration (under s.66 of the Heritage Act).

It should be noted that the addition of new buildings to the registered place, as well as alterations to the interior and exterior of existing buildings requires a permit, unless a specific permit exemption is granted.

Conservation management plans

It is recommended that a Conservation Management Plan is developed to manage the place in a manner which respects its cultural heritage significance.

Aboriginal cultural heritage

If works are proposed which have the potential to disturb or have an impact on Aboriginal cultural heritage it is necessary to contact Aboriginal Victoria to ascertain any requirements under the *Aboriginal Heritage Act 2006*. If any Aboriginal cultural heritage is discovered or exposed at any time it is necessary to immediately contact Aboriginal Victoria to ascertain requirements under the *Aboriginal Heritage Act 2006*.

Other approvals

Please be aware that approval from other authorities (such as local government) may be required to undertake works.

Archaeology

Ground disturbance may affect any archaeological deposits at the place and, subject to the exemptions stated in this document, requires a permit.

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Cultural heritage significance**Overview of significance**

The Morwell Power Station and Briquette Factories is historically significant as the centrepiece of the Victorian Government's post-WWII strategy to revitalise Victoria's economic growth through the development of the Latrobe Valley into the state's principal power and energy producing region. The place is a highly intact example of a mid-twentieth century power station and briquetting factory. The place is rare for containing the only remaining, intact assemblage of mid-twentieth century briquetting machinery in Victoria. The boilers used in the production of electricity at the Morwell Power Station are rare examples of boilers which have been specifically adapted for the burning of brown coal.

Cultural heritage significance

- a) All of the buildings, structures and features listed here are of **primary cultural heritage significance** in the context of the place. A permit is required for most works or alterations.
- Power Station and four chimneys
 - Control Room
 - Mechanical Workshops
 - Boiler Makers Workshop
 - Briquette Factories No.1 and No.2
 - Loading Station
 - Briquette Storage Shed and Storage Areas
 - Raw Coal Bunker
 - Wet Section No.1 and Switch House
 - Transmission Yard
 - Conveyors (throughout the place, entering the site at the west, from raw coal bunker, from switch house, briquette conveyors, collecting and feeding conveyors)
 - North corner and south corner stations
 - Selected machinery/plant within each building or structure (including boilers, burners, turbines, briquette machines, primary and secondary crusher).
- b) Buildings, structures and features listed here are of **contributory cultural heritage significance** in the context of the place. A permit is required for some works or alterations.
- Ancillary/support buildings, including the amenities buildings, riggers shed, switch house control room, chemicals laboratory, water treatment plant, sites of the former cooling towers, lecture room, offices, battery house.
- c) The following buildings and features are of **little or no cultural heritage significance**. Specific permit exemptions are provided for these items:
- Former No.3 Ash Pond, settling ponds, gatehouse, steel sheds.

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MORWELL POWER STATION AND BRIQUETTE FACTORIES

PROPOSED PERMIT EXEMPTIONS (UNDER SECTION 42 OF THE HERITAGE ACT)

It should be noted that Permit Exemptions can be granted at the time of registration (under s.42(4) of the Heritage Act). Permit Exemptions can also be applied for and granted after registration (under s.66 of the Heritage Act)

General Condition 1

All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.

General Condition 2

Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible.

General Condition 3

All works should be informed by Conservation Management Plans prepared for the place. The Executive Director is not bound by any Conservation Management Plan, and permits still must be obtained for works suggested in any Conservation Management Plan.

General Condition 4

Nothing in this determination prevents the Heritage Council from amending or rescinding all or any of the permit exemptions.

General Condition 5

Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the relevant responsible authority, where applicable.

Specific Permit Exemptions

Buildings of primary and contributory significance

- Repair, maintenance and patching like with like. This includes the removal of broken glass, replacement of existing fabric to match original.
- The temporary shuttering of windows and covering of holes as long as this work is reversible and does not impact on heritage fabric.
- Removal of non-original items such as plumbing work, ducting, wiring, fixtures and fittings such as hot water services and taps (excluding plant and machinery associated with power generation and briquetting), and making good in a manner that does not have a detrimental impact on the heritage fabric of the place.
- Painting of previously painted surfaces provided that preparation or painting does not remove original or early painted signage.
- Removal or replacement of hooks, nails, noticeboards, carpets, flexible floor coverings non-original curtain tracks, rods and blinds.
- Erecting, repairing and maintaining signage (safety and directional signage, road signs, and speed signs) where such signage does not have a detrimental effect on the heritage fabric of the place.
- Installation, removal or replacement of electric clocks, public address systems, detectors, alarms, emergency lights, exit signs, luminaires and the like in a manner that does not have a detrimental impact on the heritage fabric of the place.

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- Removal, replacement or installation of fire hydrant services including sprinklers, fire doors and elements in a manner that does not have a detrimental impact on the heritage fabric of the place.
- The erection of temporary security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access or secure public safety which will not adversely affect any building or element.
- Emergency stabilisation necessary to secure safety where a site feature has been irreparably damaged or destabilised and represents a safety risk to its users or the public. Note: Urgent or emergency site works are to be undertaken or supervised by an appropriately qualified heritage specialist such as a structural engineer, or other heritage professional.

Buildings and features of little or no heritage significance (Former No.3 Ash Pond, settling ponds, gatehouse, steel sheds)

- Demolition. A permit is required for any new structure.

Landscape

- Maintenance, removal and planting of vegetation.
- All works to manage possums and vermin (such as rats) which do not have a detrimental impact on the heritage fabric of the place.

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MORWELL POWER STATION AND BRIQUETTE FACTORIES RELEVANT INFORMATION

LOCAL GOVERNMENT AUTHORITY Latrobe City Council

HERITAGE LISTING INFORMATION

- **Heritage Overlay:** NA
- **Heritage Overlay Controls:** NA
- **Other listing:** None

HISTORY

Coal as a source of energy

Coal is a combustible black or brownish-black sedimentary rock usually occurring in rock strata in layers or veins called coal beds or coal seams. It is formed from accumulated vegetable matter that has been altered by decay and by heat and pressure over millions of years. The different types of coal (including black and brown) reflect the stages in the transformation of vegetable material into coal – a fossil fuel – over geological time. The use of coal as a source of energy goes back thousands of years. It became important in the Industrial Revolution of the nineteenth and twentieth centuries, when it was primarily used to power steam engines, heat buildings and generate electricity. Transformed into coke, coal was an essential fuel for blast and reverberatory furnaces needed by the iron and steel industry. By-products from the coking process can be used to make bitumen, chemicals and dyes, and form compounds used to produce high explosives. Coal can also be transformed to fuels such as gas and petrol and diesel fuel.

Australian coal is either high-quality bituminous coal (black coal) or lower-quality lignite (brown coal). Black coal can be found in Queensland and New South Wales, whereas brown coal is found in Victoria. Brown coal is a lesser quality coal, usually with a very high moisture content. But this 'not very good' coal can be economical if mined in large quantities and fed into boilers adjacent to the mine site. Victoria lacks significant deposits of black coal, but there are large deposits of brown coal in the Latrobe Valley. These deposits are close to the surface and are able to be mined by open cut methods.

Coal in Victoria 1900 to WWII

At the turn of the twentieth century, Victoria's main fuel and energy source was black coal imported from New South Wales. Electricity was generated by steam raised from black coal, trains were powered by black coal, and black coal was used in factory furnaces. Supply was always uncertain, interrupted by strikes on the NSW coal fields and in the transport industry. At the time, Victoria's electricity supply was also haphazard, provided by private companies or local councils. To help boost the state's fuel independence, the government began developing Victoria's limited black coal resources, by establishing a state coal mine at Wonthaggi in 1909.

Victoria had another energy resource to exploit: massive deposits of brown coal lying along the Latrobe River in Gippsland. Brown coal was used extensively in Germany for power generation and briquetting. In 1917, a Brown Coal Mine Advisory Committee that had been formed to consider electricity production, acted swiftly to recommend building a power station on the south side of the Latrobe River. In 1918, legislation was passed that determined that electricity generation in Victoria would be provided by a public corporation, and not by private enterprise. This was the genesis of the State Electricity Commission of Victoria (SECV), which would have a mandate to electrify Victoria with a state-wide supply. The man chosen to head the SECV was Melbourne engineer Sir John Monash, one of the most talented of the Allied generals in World

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War One. The task ahead of him was immense: overseeing the development of an open cut mine, power station and briquette factory ten kilometres to the north of Morwell which became known as the Yallourn Power Station. Electricity began flowing to Melbourne from Yallourn in winter 1924 and supplied power throughout the 1930s although expenditure was curtailed by the onset of the Great Depression.

During WWII the demands placed on the SECV were immense. It was supplying munitions factories and other industries involved in the war effort, connecting country areas to the grid to increase food production, and using its own workshops to assist with manufacturing and assembling vitally-needed war equipment. At Yallourn, generating capacity was greatly increased. In 1941-2, 67% of Victoria's electrical energy came from the Yallourn power station, while the briquette factory worked 24 hours a day. During the war years, the SECV was already formulating postwar plans for increasing Victoria's fuel and energy supplies. The state was still reliant on New South Wales coal for about half of its energy needs, in spite of the Yallourn works and the SECV's hydro-electric scheme. On top of this power rationing was introduced in Victoria in 1946 and 1947, and as a consequence a Royal Commission was held to inquire into the situation. The SECV had to prepare for a postwar society that would have dramatic increases in population, industry and energy demands.

Postwar power and energy supply

In its 1947 annual report the SECV revealed plans for massive developments. A new industrial region stretching from Moe in the west to Traralgon in the east, the Latrobe Valley, was to be developed. Coal mining, briquetting and power generation would no longer be restricted to Yallourn. A new open cut would be developed south of Morwell, supplying brown coal to two briquette factories and a power station. In this new region, Morwell, Moe and Traralgon would expand as urban centres with large increases in population. The Victorian Government considered that the state's future was based on the provision of brown coal in the form of briquettes as fuel for industrial and domestic use, and that this would effectively sever Victoria's reliance on black coal from NSW.

Briquettes

During the mid-twentieth century, briquettes were a key source of fuel for domestic heating and cooking and as an industrial energy source in Australia. A 'briquette' is a small compressed block of coal used for fuel. Victoria's initial briquette plant was established at Yallourn during the 1920s to take advantage of the extensive brown coal deposits in the area. The SECV encouraged the use of briquettes as a replacement for imported black coal in subsequent decades. After the introduction of natural gas to the state from the 1950s, briquette usage in Victoria decreased. The Morwell Energy Brix factory continued in operation until August 2014.

The establishment of the Morwell Power Station and Briquette Factories

Work began on the Morwell open cut and briquette factories in 1949 and the SECV's chief engineer, Ernest Bate travelled to Germany and ordered plant for the first two briquette factories as well as dredges and other machinery. In June 1950 Bate visited the United Kingdom and Germany to review progress of the contracts. On his return, he reported that the equipment should be ready for the first factory to be brought into operation in 1953, and the second in 1954. He also advised that further orders would be accepted for additional plant by the suppliers as set out in the overall plan for four briquetting plants. The SECV expected the first factory to start operating in 1953. But by 1952, the whole project had come to a halt. The recession of 1951 with its credit restrictions had resulted in dismissal of half of the workforce, while equipment for the first two factories lay in limbo at the site. Delivery of the further two factories had been deferred.

Four years later, the project was recommenced. The Government's plan, however, was a very different one from that of the late 1940s. Although the SECV decided to persevere with the first two briquette factories, it cancelled the orders for the planned third and fourth. The Morwell project's priorities were now changed from briquetting to electrical power generation. In 1956, the SECV announced that a gigantic new power

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station, the Hazelwood power station, with a capacity for 1000 megawatts, would be built to the south of the open cut.

The briquette factories at Morwell opened in December 1959 but their operation became secondary to power generation. It was unexpectedly discovered that coal from the Morwell open cut with its high alkali and sulphur content was not suitable for briquetting. The briquettes deteriorated quickly and fouled the boilers. Yallourn coal had to be transported to supply the Morwell briquette factories on the interconnecting railway, which was an additional cost. At this time, a decline in demand for briquettes was becoming evident, due to competition from oil, electricity for domestic heating, and several years later, the discovery of natural gas in Bass Strait.

From the 1960s onwards Morwell's primary output was electricity, and it – not Yallourn – had become the nerve centre of the new industrial valley. After Hazelwood Power Station went into operation the proportion of Victoria's electricity supply sourced from brown coal in the Latrobe Valley reached almost 90%. From the late 1970s more brown coal fired power stations were built in the Latrobe Valley: Loy Yang A, B, C, D, (1977 - 1988). Jeeralang A and B opened 1979-80 but is gas-fired.

In 1993, Energy Brix Australia was created as the first new Victorian Government Business Enterprise established under the State Owned Enterprises Act. A fire significantly damaged the plant on Boxing Day 2003, destroying the coal cross-over conveyor that fed B, C & D briquette plants. Following the fire, only A plant continued in operation. The concrete bunker roof in A & B factory was also badly damaged and had temporary repairs carried out to strengthen its supports. Coal supply to the plant was disrupted by the Hazelwood Mine fire in February 2014. These factors and low profits and ageing plant lead to the decision by Energy Brix Australia to cease operations and close the plant in July 2014.

CONSTRUCTION DETAILS

Architect name: Unknown
Architectural style name: Industrial
Construction started date: 1949
Construction ended date: 1958/9

VICTORIAN HISTORICAL THEMES

5.0 Building Victoria's industries and workforce

- 5.1 Processing raw materials
- 5.2 Developing a manufacturing capacity

7.0 Governing Victorians

- 7.5 The role of Government in developing industry

PHYSICAL DESCRIPTION

The Morwell Power Station and Briquette Factories is a large industrial complex located approximately two kilometres south east from the Morwell Railway Station. It is bounded by the Princes Freeway to the north and Monash Way to the east, and by Morwell open cut to the south and west. The Hazelwood Power Station (now closed) and Jeeralang A and B Power Station are located to the south. The Morwell Power Station and Briquette Factories includes the power station, two briquette factories, coal transportation systems, storage areas and ancillary buildings.

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The layout of the Morwell Power Station and Briquette Factories is informed by the processes of power generation and the manufacture of briquettes. The place can be divided as follows:

- The delivery and movement of coal
- The Power Station complex
- The Briquette Factories complex
- Ancillary buildings



(Map source: Energy Brix Australia)

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The following description describes the structures in terms of process, beginning with coal entering the place on the western side, and finishing with output on the eastern side. Each element has a number, which correlates with the numbers on the plan above.

The delivery and movement of coal

Coal for use in the Power Station and Briquette Factories entered on the western boundary and flowed through the site west to east. Surface transport entered the site from the north by road and by rail in separate corridors.

Delivery Conveyors (1)

Coal conveyors are located on the western boundary. They delivered coal from Morwell open cut and Yallourn open cut, to the upper level of the Raw Coal Bunker. The coal from Yallourn was transported to the site via the interconnecting railway.

Raw Coal Bunker (2)

The Raw Coal Bunker is a multi-storied building on a level platform. The coal entered at the upper level and was discharged to a conveyor at the base. The Raw Coal Bunker has two slot bunkers, one for power coal (from Morwell) and one for briquette coal (from Yallourn).



Raw Coal Bunker

Conveyor to the Wet Section Building (3)

This conveyor took the coal to upper levels of the Wet Section Building.

Wet Section Building (4)

The Wet Section building is a multi-storied building with large window panels and a low gabled roof. The function of this building was to prepare the coal by crushing and screening. The flow of coal was organised so coal for the boilers exited via a conveyor to the south while that for the Briquette factory exited via a conveyor to the north.

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Wet Section Building

Collecting and Feeding Conveyors (5)

The Collecting and Feeding Conveyors are located to the north of the No. 1 and No. 2 Briquette Factories. They ran on an east-west axis and moved briquettes east to the briquette loading station, or to the conveyer which took briquettes off the site for industrial use. Alternatively, the briquettes were transferred to conveyors taking them north to the Briquette Storage Areas where they were stored in heaps, or in the Briquette Storage Shed. The collecting and feeding conveyors are located in a steel framed building with brick cladding.

Off-site Conveyor (6)

Immediately to the east of the Morwell Power Station and Briquette Factories were several industries that used briquettes supplied from the factory. The Off-site Conveyor took briquettes from the Collecting and Feeding Conveyors across the railway tracks to the industrial sites.

The Power Station complex

The power station complex comprises the station itself with a boiler and turbine house, mechanical workshops, the control room and the transformer yard. The No. 1 and No. 2 cooling towers have been demolished.

The Power Station (7)

The coal for use in the Power Station was conveyed from the Wet Section to the South Corner Station where the coal was transferred to a conveyor running east to the top of the Power Station. The Power Station is multi-storied building with a flat roof. It is clad in corrugated asbestos cement sheeting laid horizontally. The fenestration is of typical industrial form with iron framed windows running along the building's elevations. The Power Station comprises two functional areas, the boiler house and the turbine house. The boiler house contains eight water tube boilers fed by dried crushed coal, and the turbine house contains four high pressure turbines and a larger lower pressure turbine. The boiler gas is vented by four iron chimneys which are located on the north and south sides of the building, while the ash and dust is extracted by Lurgi dust extractors. A mechanical workshop with a wooden floor is attached to the Power Station.

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Power Station Boiler House



Power Station Turbine House

Control Room (8)

The Control Room is located to the east of the Power Station. Its function was to manage the power generated by the turbines and distribute it to the grid as required. The main control room is dominated by a large semi-circular control panel and control desks, with multiple gauges, switches and indicators.



Control Room

The Transformer Yard (9)

The Transformer Yard is located to the east of the Control Room and is where the power was transformed for distribution to the power grid.

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No 1 Cooling Tower (10) (within the recommended extent but demolished)

Both cooling towers used to cool the steam from the turbines have been demolished. The No.1 Cooling Tower was located to the north of the Briquette Factories and this site lies within the recommended extent. No.2 Cooling Tower was to the south of the Power Station and is located outside the recommended extent.

The Briquette Factories complex

The Briquette Factory complex comprises four production lines for briquettes and associated brown coal handling and preparation equipment, as well as conveyors and storage for briquettes, plus road and rail (broad gauge) loading facilities.

No. 1 and No. 2 Briquette Factories (11)

The coal for use in the Briquette Factories was conveyed from the Wet Section to the North Corner Station where the coal was transferred to a conveyor running east to the factories. No. 1 and No. 2 Briquette Factories are multi-storied buildings with flat roofs. The buildings are steel framed and brick clad but with prominent fenestration in typical industrial form with iron framed windows. The factories are arranged in a U-shape and the briquette production process in each factory mirrors each other. Within each factory, there are two production lines for briquettes. They are called 'B/F A' to 'B/F D'. Each production line contains five briquette presses (plus associated plant to transform the brown coal). Each production line is complete and the overall briquette production line at Morwell is more or less intact.



Briquette Factories

Briquette Storage Shed (12)

The Briquette Storage Shed is a steel framed shed with a corrugated asbestos cement roof and openings filled with cement bricks on their sides.

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Briquette Storage Shed

Briquette Storage Area (13)

The Briquette Storage Areas are large open areas where simply organised heaps of briquettes were stored temporarily.



Briquette Storage Area

Briquette Loading Station (14)

The Briquette Loading Station is a steel framed shed with an upper storey that formerly contained conveyors and hoppers to allow discharge to railway trucks below. There are six broad gauge railway tracks for loading.

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Briquette Loading Station

Ancillary buildings

Located throughout the place, are many buildings and sheds with functions associated with the process of power generation and briquette making. They include laboratories, workshops and amenities blocks and are constructed using a variety of methods and materials.

OBJECTS AND INTERIORS

The plant and machinery within the Morwell Power Station and Briquette Factories is of significance (in particular the briquetting machines, boilers, turbines). The interiors of the operational buildings is also of significance (in particular the Power Station, Boiler House, Turbine House, Control Room, Briquetting floor).

LANDSCAPES, TREES & GARDENS

There are no landscape elements that contribute to the significance of the Morwell Power Station and Briquette Factories.

ARCHAEOLOGY

There is no identified archaeology of state level significance at this place.

INTEGRITY/INTACTNESS

Recognising that the place has been in continuous operation since its establishment (1949), some upgrades and improvements have occurred at the site to maintain the functionality of the site and incorporate some technological upgrades. The cooling towers have been demolished. Despite this, the key buildings and operations of the site are clearly evident in the fabric of the place and key elements of significance have been retained and are broadly intact. [April 2017]

CONDITION

Since the plant's closure in 2014, minimal amounts of maintenance have been undertaken, however, the power station and briquetting factories are generally in good condition, for well-used industrial structures. [April 2017]

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COMPARISONS

Coal fired power stations in the VHR

Yallourn Power Station (VHR H1054) (gazetted in 1994; demolished between 1995 and 1999; removed from the VHR in 2001, apart from the Former Yallourn Power Station Administrative Building VHR H1054, see below).

The State Electricity Commission was formed in 1918 in response to increased demands for electricity and the dependence on erratic New South Wales coal supplies. It was planned to exploit the large deposits of brown coal in the Latrobe Valley. The planning, construction and operation of Yallourn was carried out under the direction of Australia's most famous soldier and engineer, Sir John Monash and the first Yallourn Power Station opened in 1924. Located alongside and operating in conjunction with an extensive open-cut brown coal deposit, the station quickly established brown coal as a viable fuel source and expansion followed with four more stations completed by 1962. From its inception in 1924 until the 1950s, the Yallourn power station was the base-load power station for the Victorian electricity grid. However due to advancing technology, by the late 1980s, it was a relatively insignificant contributor to the grid, ceasing generation altogether in 1989. Throughout its sixty-five years of operation, it was a central element in the state electricity network and pioneered the technological development of large scale brown coal use for energy production in Victoria. Yallourn Power Station was included in the Victorian Heritage Register in 1994. A, B, C D and E Power Stations were demolished between 1995 and 1999, but Yallourn W (built in the 1970s) remains operational.



Yallourn Power Station (VHR H1054) (demolished)

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Former Yallourn Power Station Administrative Building (VHR H1054) (The only building in the VHR relating to the Former Yallourn Power Station).

The only remnant of the earliest period of power generation at Yallourn is the Administrative Building designed in the SEC architectural department under the direction of chief architect AR La Gersch. The two storey brick building in Inter-war Academic Classical style features a portico with giant order Ionic columns. The building was the administrative headquarters of the power station from its construction in 1922-23 until its redundancy in the mid-1980s. It was sold in 1996 and has operated since then mainly as an entertainment venue. The building is in relatively good condition and exhibits a high degree of external integrity.



Former Yallourn Power Station Administrative Building (VHR H1054)

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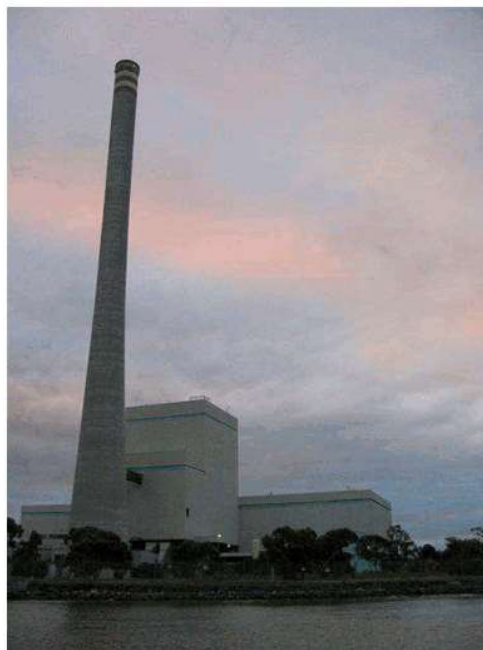
Coal fired power stations not in the VHR

Newport Power Station (not in VHR)

A: 1918/B: 1923/C: 1947 - all now demolished.

D: 1977 - gas fuelled and still operational.

Newport A was established by the Victorian Railways in 1918 for the specific purpose of supplying energy for the electrification of the suburban rail system. Newport B was opened by the SECV in 1923 as a stopgap to supply electricity to Melbourne until the Yallourn power station entered service. Newport C station opened in 1947 by the SECV after wartime delays. The power station boilers were originally fuelled by imported New South Wales black coal, but were converted to burn brown coal briquettes in the 1950s. Use of the plants declined with the opening of newer power stations in the Latrobe Valley, being used only for peak loads in later years. Newport D (gas fuelled) opened in 1977 after much opposition, and with smaller capacity. As a consequence the gas powered Jeeralang Power Station was opened in the Latrobe Valley.



Newport Power Station D (gas fuelled). The earlier stations, A, B and C were coal fired and have been demolished). (Not in the VHR)

Hazelwood Power Station (1964-1971) (not in VHR)

The Hazelwood Power Station is located in the Latrobe Valley and was built between 1964 and 1971. Development of the brown coal reserves at Morwell was started by the State Electricity Commission of Victoria (SECV) in 1949 as the Morwell Project, which included the Morwell open cut mine, and the Morwell briquette works. Hazelwood Power Station was approved in 1959, commenced operations in 1964 and additional capacity was provided when two additional generating units at Hazelwood were commissioned in 1970 and 1971. Hazelwood relied on brown coal deposits from the nearby Morwell open cut mine. The Hazelwood Power Station supplied up to 25% of Victoria's base load electricity and more than 5% of

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Australia's total electricity demand. Hazelwood Power Station was privatised in 1996 and was only meant to be operational until 2005, however its license was renewed, allowing it to continue operating until 2030. In 2005 a report by WWF Australia listed it as one of the most polluting power stations in the world. In 2016, owners ENGIE decided to close Hazelwood Power Station and the final section closed at the end on March 2017.



Hazelwood Power Station (decommissioned, not in the VHR)

Loy Yang Power Station (1980s) (not in VHR)

The Loy Yang Power Station is a brown coal-fired thermal power station located on the outskirts of the city of Traralgon. It was constructed during the 1980s by International Combustion Australia Ltd, who was contracted by the government owned State Electricity Commission of Victoria (SECV). Loy Yang consists of two sections, known as Loy Yang A and Loy Yang B, both of which are supplied by the Loy Yang brown coal mine. Loy Yang B is Victoria's newest and most efficient brown coal-fired power station. Loy Yang is a base load supply station, and produces about one third of Victoria's electricity requirements. It was originally planned that the complex would consist of eight generating units, however privatisation of the SECV resulted in only six generating units being completed, four in Loy Yang A and two in Loy Yang B.

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Loy Yang A and B (not in the VHR)

Other coal-fired power stations in Victoria (not in the VHR)

In addition to the large-scale power stations listed above, several smaller suburban and town-based coal fired power stations in Victoria were established. These were mostly established to supply power for a specific and focussed use, or for suburban or regional areas. These included the station at Ballarat which was established primarily to provide electricity for the tram network, but it also supplied electricity to the town. Spencer Street Power Station, one of the earliest coal fired power stations in Victoria, was constructed in 1894 to supply power to Melbourne city. Most of these power stations have been demolished or are being re-used for other purposes.

Briquette factories in the VHR

Gelliondale Briquette plant (1934-1950) VHR H1058 [Heritage Place, Archaeological Place]

The Gelliondale Brown Coal and Oil Co. commenced operations in 1930 as a non-government private enterprise under the direction and ownership of James T Knox. It started manufacturing briquettes in 1934. The company ceased the production of briquettes in 1944 and was wound up in 1950. The concrete engine footings and machinery remains of the briquette plant form part of an incomplete industrial ruin. The remains of the Gelliondale Briquette plant have an important association with the endeavours of James Knox and the Gelliondale Brown Coal and Oil Co. James Knox attempted to retain the rights of individuals and of private enterprise in the face of active opposition from the State Government. He was also a civil engineer who is noted for promoting the use of concrete in the Australian construction industry. The Gelliondale Briquette plant is also the only remaining site that is representative of non-government operated briquette production facility. The processes and machinery used in the production of briquettes at Gelliondale pre-date and differ to some extent from those used at the later Morwell plant. The Gelliondale Briquette plant is much smaller in scale than the Morwell plant and therefore it is representative of a different approach to the utilisation of resources.

Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

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Gelliondale Briquette plant (1934-1950) VHR H1058

Comparison summary

Of all the comparable places, both included and not included in the VHR, the Morwell Power Station and Briquette Factories is the only place which continues to demonstrate both the end to end processes of coal fired power generation, and of briquette manufacturing. It contains the only remaining, intact assemblage of mid-twentieth century briquetting machinery in Victoria. The Morwell Power Station and Briquette Factories was the centrepiece of the Victorian Government's post-WWII strategy to revitalise Victoria's economic growth through the development of the Latrobe Valley into the state's principal power and energy producing region. It provided electricity to a rapidly growing population, alleviated power shortages, produced briquettes for industrial and domestic use, and reduced the state's reliance on black coal from New South Wales. The Morwell Power Station and Briquette Factories was a key piece of state infrastructure that underpinned Victoria's postwar industrialisation.

Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories

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IMAGES

MORWELL POWER STATION AND BRIQUETTE FACTORIES



Morwell Power Station looking southeast, showing the Briquette Factories and Power Station.



View south to the raw coal bunker and conveyor.

Recommendation 1: Morwell Power Station and Briquette Factories

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View southwest from the top of No.1 Briquette Factory looking at Wet Section No.1 building (foreground) with the raw coal bunker visible (background)



View east from the top of No.1 Briquette Factory looking at the conveyors and North West Corner Station.

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View of the conveyor from North West Corner Station to No.1 Briquette Factory.



View northeast from the top of No.1 Briquette Factory looking at side of the Briquette Factory (right) and the collecting and feeding conveyors (left)

Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories



View of briquette machinery in No.1 Briquette Factory, looking east.



View of conveyors leading from briquette machines to external conveyor, looking east.

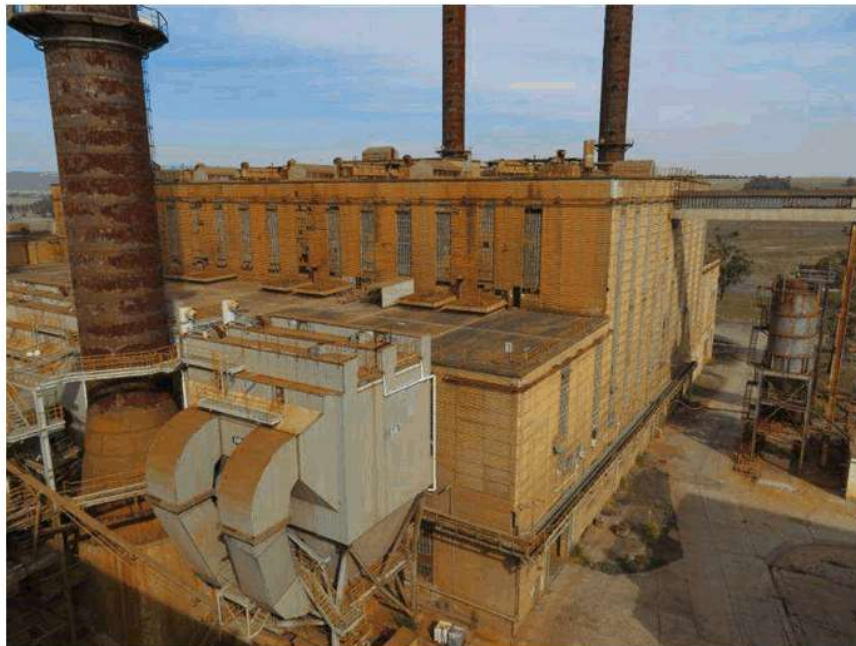
Recommendation 1: Morwell Power Station and Briquette Factories

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View looking west between Briquette Factories (right) and Power Station with chimneys 3 and 4 (left).



View south from the top of No.1 Briquette Factory looking at power station.

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Brown coal fired boiler inside the Power Station.



View inside the Turbine House, looking northeast.

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View inside the Power Station Control Room.



View inside the Mechanical Workshops, looking east.

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View southwest to Briquette Storage Shed.



View east towards the briquette storage area, with the location of the former No.1 cooling tower in the middle, and the briquette storage shed in the background.

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View south to briquette loading station.



View from under the briquette loading station.

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**ANCILLARY LAND SURROUNDING MORWELL POWER STATION AND BRIQUETTE FACTORIES
(NOT RECOMMENDED FOR INCLUSION IN THE VICTORIAN HERITAGE REGISTER)**



Commercial Road railway overbridge, looking northwest.



View north along Commercial Road overbridge to the north.

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Rail siding connecting to Briquette Loading Station, looking southeast.



View southwest of Former No.3 Ash Pond looking towards the Power Station (note the chimneys visible in the background).

Recommendation 1: Morwell Power Station and Briquette Factories

Recommendation 2: Ancillary land surrounding Morwell Power Station and Briquette Factories



View west of Former No.3 Ash Pond looking towards the interface with Commercial Road.

Recommendation 1: Morwell Power Station and Briquette Factories

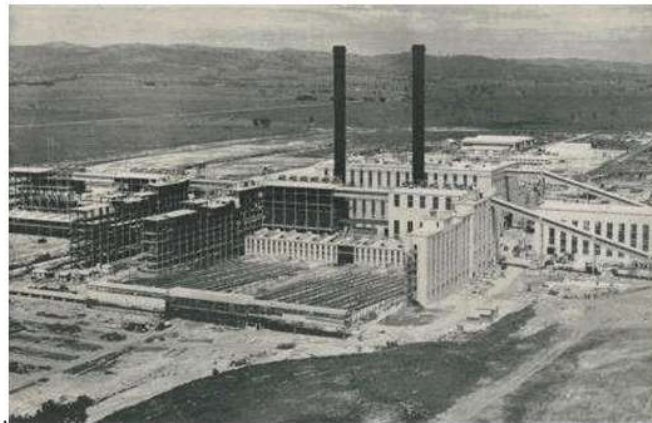
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HISTORICAL IMAGES



Construction of the Briquette Factories, undated.
(Source: <http://ebacdemolition.com.au/about-history/>)



Morwell Briquette Works under construction, 1959.
(Source: Morwell: Power and Fuel Development, SECV)

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Loading briquettes for despatch, 1959.
(Source: Morwell: Power and Fuel Development, SECV)



Briquetting machine at Morwell imported from Germany (2017).



Bernie Briquette was an advertising character created by the SECV.
These signs were once familiar throughout Victoria where briquettes were sold for domestic use.
(Source: Chris Keating, Flickr, https://www.flickr.com/photos/doctor_keats/20861477915)

Recommendation 1: Morwell Power Station and Briquette Factories

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INFRASTRUCTURE AND RECREATION

15. INFRASTRUCTURE AND RECREATION

15.1 2017 Country Football Netball Program

General Manager

Infrastructure and Recreation

For Decision

EXECUTIVE SUMMARY

This report seeks Council endorsement to not submit an application to the 2017 Country Football and Netball Program until the Recreation Needs Assessment project is complete and all outstanding Council recreation infrastructure projects have been assessed by way of the Recreation Infrastructure Funding policy and assessment matrices.

The 2017 Country Football Netball funding program was announced by the Victorian government on the 9 May 2017. Councils can apply for up to \$100,000 per financial year. This can comprise of one large project seeking \$100,000 or up to three smaller projects across different sites.

On 8 May 2017, Council resolved to submit a number of recreation projects to the 2018/19 Community Sport Infrastructure Fund. Council's matching financial commitment to the 2018/19 Community Sport Infrastructure Fund is currently \$720,000.

A number of factors, including Council financial capacity as well as project delivery capacity require consideration prior to Councillors considering if any projects will be submitted to the 2017 Country Football Netball program.

Council's ability to fund future recreation projects has diminished considerably with the introduction of rate capping, as well as a reduction in rate revenue with the closure of the Hazelwood Power Station. Traditionally, funding for recreation projects has been approximately \$2 million each financial year, but with the above constraints, Council's ability to fund to this level is now impacted.

The following options have been developed to provide Council with information about the potential funding of future recreation projects:

- Option 1 – Submit an application to the 2017 Country Football Netball Program
- Option 2 - Submit an application to the Latrobe Valley Authority
- Option 3 – Complete the Recreation Needs Assessment prior to submitting any further funding applications

It is recommended that Council not apply for funding under the 2017 Country Football Netball Program until the completion of the Recreation Needs Assessment project and the assessment and prioritisation of all outstanding recreation projects is completed.

Following the prioritisation of all outstanding recreation projects, a further report will be presented to Council detailing the outcomes for Council to then consider its financial position and discuss the submission of projects to the Latrobe Valley Authority.

RECOMMENDATION

That Council:

- 1. Not submit a funding application to the 2017 Country Football Netball Program; and**
- 2. Provides a further report detailing the assessment of all outstanding recreation infrastructure projects previously identified in a Council endorsed master plan or strategy at the 28 August 2017 Councillor Briefing.**

DECLARATION OF INTERESTS

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

DISCUSSION

On the 9 May 2017 the Victorian government announced the 2017 Country Football Netball Program.

Councils can apply for up to \$100,000 per financial year. This can comprise of one large project seeking \$100,000 or up to three smaller projects across different sites.

Funding applications must be prepared in consultation with the Department of Sport & Recreation Victoria, Netball Victoria and AFL Gippsland. Funding submissions must be lodged by Friday 28 July 2017.

On 8 May 2017, Council resolved to submit a number of recreation projects to the 2018/19 Community Sport Infrastructure Fund.

Table 1 identifies Council's financial commitment to the 2018/19 Community Sport Infrastructure Fund is currently \$720,000 for the following projects. This commitment will need to be reflected during the preparation of the Latrobe City Council budget for 2018/19.

The table below identifies the projects that will be submitted as a project proposal by the 8 June 2017.

Table 1

Program	Project	Total Cost	Proposed State Government Contribution	LCC Contribution	Other Contribution
2018/19 Community Sports Infrastructure Fund – Minor Facilities	Tyers Recreation Reserve Oval Lighting	\$350,000	\$100,000	\$250,000	N/A
2018/19 Community Sports Infrastructure Fund – Minor Facilities	Northern Reserve Newborough Oval Lighting	\$350,000	\$100,000	\$250,000	N/A
2018/19 Community Sports Infrastructure Fund – Cricket Facilities	Traralgon South Recreation Reserve Change facilities	\$300,000	\$100,000	\$200,000	N/A
2018/19 Community Sports Infrastructure Fund – Planning	Traralgon Skate Park Feasibility Study	\$50,000	\$30,000	\$20,000	N/A
TOTAL		\$1,050,000	\$330,000	\$720,000	\$20,000*

In considering if any projects will be submitted to the 2017 Country Football Netball Program, a number of factors, including Councils financial capacity as well as project delivery capacity require consideration.

Council's ability to fund future recreation projects has been affected considerably with the introduction of rate capping, as well as a reduction in rate revenue with the closure of the Hazelwood Power Station. Traditionally funding for recreation projects has been approximately \$2 million each financial year, but with the above constraints, Council's ability to fund to this level is now impacted. The following options have been developed:

Option 1 – Submit an application to the 2017 Country Football Netball Program

Following a thorough review of Council's outstanding recreation projects that have been designed and costed, the following projects have been identified as suitable to submit to the 2017 Country Football Netball Program based upon the Country Football Netball Program guidelines, however Council has not yet met with Netball Victoria or AFL Gippsland to seek their endorsement of any projects.

The Country Football Netball program guidelines require a funding ratio of \$2:\$1 from Council for a maximum grant of \$100,000. An application to the Country Football Netball Program would require a significant matching contribution by Council for all projects identified in the table below.

Council can only submit one (1) application for the maximum funding of \$100,000. Table 2 identifies the projects that are suitable for submission to the 2017 Country Football Netball Program, and the matching funding required from Council to support an application.

Table 2

Project	Total cost	Funding available	Club contribution	Council contribution
Yinnar Recreation Reserve Female Change facility	\$325,000	\$100,000	\$10,000	\$215,000
Monash Reserve Courts & Pavilion	\$3.1 million	\$100,000	N/A	\$3 million
Gaskin Park Multi-Use	\$1.3 million	\$100,000	N/A	\$1.2 million
Ronald Reserve – Upgrade to pavilion	\$2.1 million	\$100,000	N/A	\$2 million

Funding applications must be submitted to Sport & Recreation Victoria by 11.59 pm on Friday 28 July 2017.

Option 2 - Submit an application to the Latrobe Valley Authority- Active Latrobe City funding stream

This funding program was announced by the State government following the announcement of the closure of the Hazelwood Power Station. Funding of up to \$20 million is available to four (4) Gippsland Local governments over the next four (4) years.

The Latrobe Valley Authority's Active Latrobe Valley funding stream will support projects designed to make communities a healthier place to live, concentrating on sport and recreation, including open space improvements for families, residents and visitors to enjoy. Supported projects may include (but are not limited to):

- Parks, playgrounds and passive recreational area development;
- Recreational precinct upgrades;
- Sporting facilities and precincts;
- Rail trails and walking tracks; and
- Bicycle paths

This funding stream currently has a funding ratio of \$3:\$1. Essentially this means that for every dollar of Council funding, the Latrobe Valley Authority will provide three dollars (\$3).

For example for a \$350,000 project, Council would need to provide approximately \$88,000 of matching funding. This matching funding requirement is significantly less than most other State government funding programs, which usually requires a funding ratio of \$2:\$1 or one dollar (\$1) of Council dollars to two dollars (\$2) of State government funding.

Whilst projects are currently being submitted to the Latrobe Valley Authority for this funding stream by sporting clubs and associations, Council will not permit sporting

clubs or organisations to undertake works at Council owned/managed facilities and therefore will not support these applications.

Projects at Council owned and/or managed facilities need to be managed or implemented by Council officers or Council appointed contractors to ensure that projects are completed to the required standard, meeting the building codes requirements and compliance standards.

Unfortunately there are many examples of projects that have completed by sporting clubs and organisations at Council owned/managed facilities which fail to comply with building permits, standards and sporting guidelines.

Option 3 – Complete the Recreation Needs Assessment prior to submitting any further funding applications

The draft Recreation Needs Assessment, draft Recreation Infrastructure Funding Policy and draft assessment matrices is currently open for public exhibition for a period of six (6) weeks, finishing on Friday 28 July 2017.

The Recreation Needs Assessment proposes a process for the assessment of all existing incomplete recreation projects and new recreation projects for future Council and external funding opportunities.

If the draft Recreation Needs Assessment, draft Recreation Infrastructure Funding Policy and draft Assessment Matrices are endorsed by Council in August 2017, all outstanding recreation projects can then be assessed and prioritised.

Councillors will then have a prioritised list of projects, suitable for submission to future Council budgets as well as external funding opportunities, including the Country Football Netball Program or the Latrobe Valley Authority.

Councillors will be able to determine Council's capacity to fund a realistic number of projects according to Council's financial and delivery capacity.

Following the public exhibition period for the draft Recreation Needs Assessment and associated documents, a Councillor Briefing paper will be presented to Councillors on 28 August 2017 to provide a report on the submission and feedback received as well as the interim assessment matrix results/outcomes for all outstanding recreation infrastructure projects.

STAKEHOLDER CONSULTATION

Considerable community engagement has taken place in the development of Council's previously endorsed recreation master plans and strategies.

As part of the development of the Recreation Needs Assessment, further engagement activities are planned in June and July 2017 to seek feedback and submissions in relation to the draft Recreation Needs Assessment, Draft Recreation Infrastructure Funding Policy and the Draft Assessment matrices.

Feedback provided by the community and sporting user groups and association will assist Latrobe City Council to finalise its future direction for the identification, prioritisation and funding of recreation infrastructure projects into the future.

FINANCIAL AND RESOURCE IMPLICATIONS

The ability to support the projects under the 2017 Country Football Netball Program or any other funding program is primarily limited by the amount of available discretionary funds Council has available in its budgets.

At this point the projects identified in Table 1 are not included in the 2017/18 budget. Council would either need to adjust the budget (effectively by removing another project) or fund any contribution from a possible budget surplus at the end of the 2016/17 financial year.

In the longer term Council will need to consider the level of funding it would like to allocate to this and other programs as part of a review of priorities and the long term financial plan.

RISK IMPLICATIONS

No risk implications have been identified in the preparation of this report.

CONCLUSION

The recreation projects identified in this report that may be eligible for submission to the Victorian Government's 2016-2020 Country Football and Netball Program provide an opportunity to deliver significant benefit to the Latrobe City community and improve the quality of the City's recreation facilities and contribute to the sustainability of local recreation venues.

This report takes a strategic approach to the selection of eligible projects within the guidelines of 2017 Country Football and Netball Program, in which the key objective is to increase participation in AFL or Netball and create healthy and active communities.

All projects identified in this report are suitable for submission to the 2017 Country Football and Netball Program. This is based upon each projects readiness (designs, costings etc.), the projects suitability and alignment to the program guidelines and the projects strategic justification.

It is recommended that Council not submit an application for funding under the 2017 Country Football Netball Program until the completion of the Recreation Needs Assessment project and prioritisation of all recreation projects is completed.

Following the public exhibition period (20 June 2017 to 28 July 2017) for the draft Recreation Needs Assessment and associated documents, a Councillor Briefing paper will be presented to Councillors on 28 August 2017 to provide a report on the submissions and feedback received as well as the interim assessment matrix results/outcomes for all existing and outstanding recreation infrastructure projects.

Council could then consider its financial position and discuss the projects with the Latrobe Valley Authority as projects that they could fund.

SUPPORTING DOCUMENTS

Nil

Attachments

1 [↓](#). 2017 Country Football Netball Program guidelines

15.1

2017 Country Football Netball Program

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Country Football and Netball Program

2016 – 2020

Application Guidelines



Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.

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(1705003)

Message from the Minister for Sport, John Eren

The Victorian Government is proud to continue our partnership with funding partners the AFL, AFL Victoria and Netball Victoria through the *Country Football and Netball Program*.

The program is aimed at helping country football and netball clubs, and clubs on the metropolitan fringe, who may be struggling with outdated, overused or non-compliant facilities.

Grants of up to \$100,000 are available for projects that improve facilities, including new or redeveloped change rooms, installation of improved turf, drainage and irrigation, new or upgraded netball courts or installation of sports lighting for courts or ovals.

Better sport and recreation facilities go a long way to encouraging future football and netball players, coaches, officials and supporters of all abilities to participate in their local club and make it easier for the rest of the community to join in the fun and benefit from healthy and active lifestyles.

Better sport and recreation facilities allow clubs to draw bigger crowds, bringing them vital revenue. Having modern facilities also helps clubs attract new players from near and afar.

For many years, country football and netball clubs have been bringing people together to share their love of sport and community.

I'm confident by working together we can bring new life to country football and netball, the heart and soul of regional Victoria.

I look forward to seeing new and exciting projects benefitting even more Victorians as part of the *Country Football and Netball Program*.



John Eren

Hon John Eren MP
Minister for Sport

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Program description and objectives

1. About the Country Football and Netball Program

1.1 What is the Country Football and Netball Program?

The *Country Football and Netball Program* provides funding to assist grassroots country football and netball clubs, associations and umpiring organisations to develop facilities in rural, regional and outer metropolitan locations.

1.2 Why is the Victorian Government, the AFL, AFL Victoria and Netball Victoria funding these grants?

The *Country Football and Netball Program* is a response to the Parliamentary Rural and Regional Services and Development Committee's Inquiry into Country Football Report, tabled in State Parliament in December 2004.

Improving football and netball facilities in rural, regional and outer metropolitan areas will support the regional and rural way of life and ensure the sustainability of country football and netball into the future.

2. Who can apply?

Only rural, regional and outer metropolitan councils can apply directly to Sport and Recreation Victoria.

Country football and netball clubs, associations and umpiring organisations can register their interest in applying for funding by submitting an Expression of Interest to their local council. Clubs and associations are advised to contact their local council about timelines for Expressions of Interest.

Councils then review and select the Expressions of Interest they wish to endorse, and submit full applications to Sport and Recreation Victoria for consideration.

Applications for the 2017-18 funding round open on 9 May 2017. Applications close on 26 July 2017.

Clubs and associations are encouraged to contact their council regarding local arrangements in accepting Expression of Interest.

3. What types of activities might be funded?

Improving participation outcomes is a key objective of the program. Applications must clearly demonstrate how the project will improve participation outcomes. Specifically proposals should demonstrate how the project:

- will increase or maintain participation
- encourages participation by females, juniors, people living in growth areas and communities experiencing disadvantage
- improves the health and wellbeing of the community
- caters for non-traditional participants
- collaborates with AFL Victoria, Netball Victoria or relevant peak bodies
- encourages development of multi-use, shared and co-located facilities
- improves or implements Environmentally Sustainable Design
- applies or demonstrates principles of Universal Design.

Examples of potential projects include:

- modifying existing football and netball facilities to improve usage and access such as:
 - unisex change room facilities and amenities for players and umpires
 - multi-purpose meeting spaces catering for community and education programs.
- development or upgrading football and netball playing surfaces



- development or upgrading of football or netball lighting.

Smaller scale local level projects are encouraged and will be looked at favourably as part of this program.

All project applications will be assessed against the *Country Football and Netball Program* eligibility and assessment criteria.

Councils must discuss their project proposals with a Sport and Recreation Victoria representative before submitting applications.

Other considerations:

- councils must make timely contact with AFL Victoria and Netball Victoria representatives to discuss project ideas, seek their input into the planning and design of facilities and participation/programming initiatives
- projects must meet the relevant standards (for example, lighting projects should comply with Australian standards for the respective sport and playing surface dimensions)
- councils should incorporate Universal Design principles and environmentally sustainable design into projects
- councils are encouraged to explore funding models that demonstrate stakeholder commitment to the project
- facilities planned in functional, self-contained stages are eligible
- projects on private land are eligible, but will be subject to the establishment of a legally binding agreement between the organisation and local council to ensure ongoing public access. Such proposals should demonstrate evidence of a legally binding agreement

- projects on school land are eligible subject to a completed *Community Joint Use Proposal* (to the Department of Education and Training) which is completed by the applicant and the school. (Schools can access this document from the Department of Education and Training website.) Applicants must allow sufficient time to complete this document and obtain the necessary endorsement from the Department of Education and Training at both the regional office and central office
- proposals may include project management fees of up to 5 per cent of the total project cost
- councils wanting to undertake detailed Design and Construct projects are eligible. Councils will need to demonstrate appropriate levels of planning and are still required to submit schematic designs and costings with full applications.

3.1. What will not be funded?

The *Country Football and Netball Program* will not fund the following activities:

- projects where contributions from funding partners are not confirmed
- facilities where tenants are not adhering to the *Victorian Code of Conduct for Community Sport*
- requests for retrospective funding, where projects have commenced or are completed prior to receiving funding approval (includes, but is not limited to, construction, site clearing, earthworks and building works)
- projects that do not strongly meet the assessment and eligibility criteria
- projects that do not meet the objectives of the program
- projects that do not meet the relevant Australian standards (for example, lighting projects)
- applications from organisations other than councils
- the purchase of land

- projects that require ongoing funding or support other than the initial grant
- routine or cyclical maintenance works to existing facilities
- facilities where little or no public access is available
- facilities designated for electronic gaming machine operations. In addition, applications where the recipient organisation/s receive revenue from electronic gaming machines will generally be given a lower priority
- repair of facilities damaged by vandalism, fire or other natural disasters where the damage should be covered by insurance
- requests for ongoing operational costs such as, but not limited to, salaries, electricity, water and other utilities
- requests for the purchase of recreation, entertainment, sporting, maintenance or any other equipment, community transport or any other type of vehicle
- upgrading or redeveloping kitchen facilities and/or toilet facilities, except as part of a larger project that meets the objectives of the funding program
- projects previously funded by Sport and Recreation Victoria, unless applicants can demonstrate additional or new uses resulting in increased or innovative participation/programming outcomes
- the replacement of like-for-like surfaces (for example, netball hard-court replaced with a similar hard-court surface) will not be considered a priority to receive funding unless it can be demonstrated that additional uses are proposed and/or a multi-purpose element is included. Exceptional circumstances may be considered where a safety and/or standard/compliance issue is evident
- projects that do not support the principles of Universal Design and Environmentally Sustainable Design.

3.2. Past performance

In finalising decisions on the allocation of funding for the *Country Football and Netball Program*, Sport and Recreation Victoria will review an applicant's past performance and assess whether this is likely to have an impact on the successful delivery of a future project. Poor past performance will be taken into account when assessing applications and may be reason for projects not being supported.

This assessment will include consideration of whether:

- organisations have taken the appropriate steps to implement any previous projects funded by Sport and Recreation Victoria (within appropriate timeframes)
- organisations have overdue projects funded by Sport and Recreation Victoria and whether they have requested a variation
- organisations have completed projects funded by Sport and Recreation Victoria and whether they have submitted acquittal documentation.

4. Partnership approach

To strengthen the potential outcomes from the *Country Football and Netball Program* for communities, councils are required to engage Sport and Recreation Victoria, AFL Victoria and Netball Victoria as early as possible to develop proposals that strongly align with the fund.

This includes engaging with Sport and Recreation Victoria, AFL Victoria and Netball Victoria in the development of a project, rather than just in the development of an application. Sport and Recreation Victoria will provide guidance on how project ideas or proposals align with the fund prior to developing an application.

Once funded, projects are required to fulfil specific obligations to maintain funding commitments to projects. These obligations are outlined in the Funding Agreements. Project Managers are required to be familiar with these obligations.



5. What are the funding details?

Councils may be successful in receiving up to \$100,000 per financial year. This can comprise of one large project seeking \$100,000 or up to three smaller projects across different sites.

Sport and Recreation Victoria funding towards total project costs (excluding GST) will be based on the following ratios:

Funding available	Local government authority	Funding ratios
Up to \$100,000*** Councils may be successful in receiving the total maximum funding of \$100,000 consisting of up to three applications per financial year.	Greater Dandenong, Kingston, Frankston*	SRV \$1:\$1 local
	Mornington Peninsula, Nillumbik, Yarra Ranges, Ballarat, Bendigo and Geelong	SRV \$1.5:\$1 local
	Cardinia, Casey, Hume, Melton, Mitchell, Whittlesea, Wyndham	SRV \$2:\$1 local
	Rural	SRV \$2:\$1 local

Smaller projects that achieve the objectives of this program are encouraged and will be highly regarded.

***Consideration will be given to claiming in-kind expenses to a maximum of 50 per cent of the total project cost.

*Clubs competing in leagues affiliated with AFL Victoria Country are eligible to apply.

6. What is the application process?

There are some important steps to consider before submitting an application to the Country Football and Netball Program.

6.1. Process for clubs

Only local councils are able to submit applications directly to Sport and Recreation Victoria. Clubs and organisations can seek to access this funding by completing an Expression of Interest for Community Organisations form and forward it to their respective council.

Any clubs wishing to discuss a project should contact their local council who will provide further advice.

6.2. Process for councils

Step 1: Check your eligibility

Only councils can apply directly to Sport and Recreation Victoria for funding.

Step 2: Councils should discuss their activity idea with Sport and Recreation Victoria, AFL Victoria and Netball Victoria representatives

Step 3: Apply using Grants Online

To apply, go to www.sport.vic.gov.au/grants

Make sure you have the information you need to apply on hand, including required documents, and click on **'Apply online'** to submit your application through Grants Online. You will receive an Application Number when you submit an application online. Please quote your Application Number in all correspondence relating to your application.

Submitting your application online through Grants Online ensures it is received by Sport and Recreation Victoria immediately and can be processed in the most efficient way. If you need assistance with applying online, please call the Grants Information Line on 1300 366 356 or email grantsinfo@sport.vic.gov.au between 8.30am – 5pm weekdays.

All supporting documentation can be emailed to cfnp@sport.vic.gov.au copying in your Sport and Recreation Victoria representative.

When you submit your application online using the grants online system you will receive an application number. Please quote your Application Number in the subject line of your email. Attach all documents to one email, zipping the files if required.

You can also send attachments on a CD or USB, quoting your application number, to:

Community Facilities Group
Sport and Recreation Victoria
Department of Health and Human Services
GPO Box 4057
Melbourne, Victoria 3001.



7. How will applications be assessed?

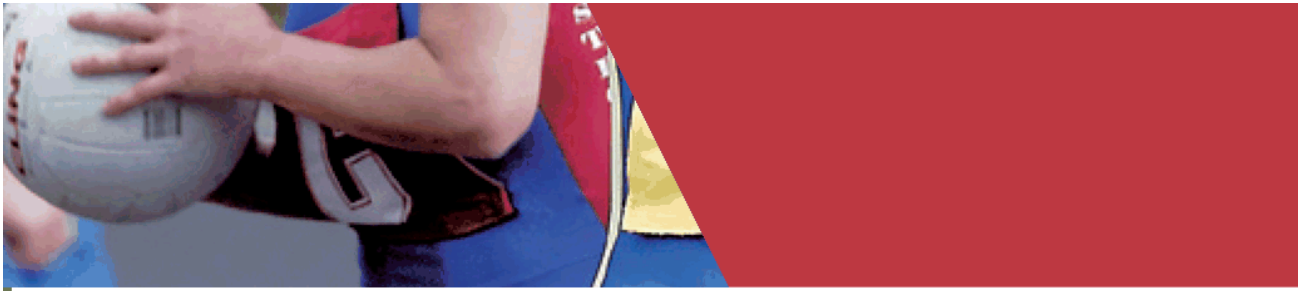
A *Country Football and Netball Program Steering Committee* has been formed to oversee this program including the assessment of applications. The committee comprises representatives from Sport and Recreation Victoria, Regional Development Victoria, Australian Football League (AFL), AFL Victoria and Netball Victoria.

There are a number of common features in successful applications. Good applications are well planned, involve relevant stakeholder consultation and are clear about what they are aiming to achieve. Answering each of the Assessment Criteria questions will help applicants develop a more thorough project proposal.

Grant applications will be assessed against the *Country Football and Netball Program Assessment Criteria* and the required documents set out in this section.

Applications must also provide all the relevant supporting documentation to secure grant funding. The application form asks for a description of the project, response to the assessment criteria and an explanation of the outcomes.

For example, questions about project development, strategic justification, stakeholder engagement and participation outcomes are incorporated under the Assessment Criteria section. The percentage weightings allocated to each criterion represent the importance of the different weighting Sport and Recreation Victoria will use to assess project applications.



7.1 Assessment Criteria

Project Development	
30%	Clearly identify the project scope, methodology and how proposed outcomes will be completed within a prescribed timeframe.
	Include site specific schematic plans (developed with stakeholder input including Sport and Recreation Victoria, Netball Victoria and AFL Victoria) and describe how safety, risk management, Universal Design Principles and Environmentally Sustainable Design has been incorporated into the proposed project.
	Include evidence of project costing, quotations/internal cost estimates.
	Include confirmation of funding sources and contributions (both financial and in-kind) with evidence detailing level and type of in-kind contribution provided.
	Include project costs provided by a certified quantity surveyor, tender price or independent qualified expert for projects with a total project cost of more than \$500,000 (excluding GST).
Strategic Justification	
20%	Why is this project required? Describe how it responds to identified community needs, issues and addresses a gap in local facilities.
	Provide evidence of how the project is strategically supported by local or regional planning and/or AFL Victoria or Netball Victoria planning.
Stakeholder Engagement	
10%	What are the outcomes of the consultation undertaken with project stakeholders including Sport and Recreation Victoria, AFL Victoria, Netball Victoria, clubs/leagues, associations, Regional Sports Assemblies and community groups.
	Will the project be managed by an appropriately qualified team?
Participation Outcomes	
40%	Describe how the project improves (or in certain cases maintains) participation in country football and netball. As a result of the project, what will be the additional participation and programming outcomes? Please provide support letters that clearly state how each partner will benefit from the project.
	Describe any additional programming opportunities identified and planned to increase (or in certain cases maintain) participation.
	How does the project encourage the broadest possible community participation in football and netball activities, social connection and health and wellbeing.
	Considers multi-use and improves the quality and range of football and netball opportunities.
	Demonstrate how this project or the broader facility promotes gender equity through Council policies and facility management plans.



7.2 Information you will need to provide as part of your application

Please submit the following mandatory documentation with your application.

All applications

- Site specific plan/aerial map showing location of proposed project
- Schematic Plans (site specific) developed with AFL Victoria and Netball Victoria, Sport and Recreation Victoria and stakeholder input (generic plans or plans from previous projects will not be accepted)
- Lighting Plans including lux charts that are site specific (for projects incorporating lighting)
- Quotes, internal cost estimates
- Quantity survey, tender price or independent qualified expert report for projects only over \$500,000 (excluding GST)
- Evidence of confirmation of funding sources (e.g. council report confirming contribution, letter from council CEO or club bank statements)
- Completed in-kind and voluntary labour support form (if applicable)
- Letters of support from organisations that clearly indicate how the group will either support or benefit from the project (as described in the 'What' section of the assessment criteria)
- Detailed Schedule of Use
- Project Management Framework
- Letters of support from organisations that clearly indicate how the group will either support or benefit from the project (as described in the 'What' section of the Assessment Criteria).
- Project Management Framework.
- Relevant sections of council reports/plans/strategies/community consultation to support the project (please do not attach entire documents).
- Technical and/or Access Audits (where available).
- Completed Victorian Code of Conduct for *Community Sport Form for Tenants* from all clubs that are tenants of the facility.
- A legally binding land-use agreement for projects located on private land.
- For those projects located on school land, a completed Joint Use Agreement, or a completed Community Joint Use Proposal to enter into a Community Joint Use Agreement, plus a letter from the Department of Education and Training that indicates endorsement of the project at both the regional office and central office level
- Where applicable attach evidence that the *Aboriginal Heritage Act 2006*, Aboriginal Heritage Planning Tool has been completed to determine if a Cultural Heritage Management Plan is required for the project. The Aboriginal Heritage Planning Tool can be accessed at www.dpc.vic.gov.au/index.php/aboriginal-affairs/aboriginal-affairs-overview

8. Conditions that apply to applications and funding

Successful applicants must enter into a Funding Agreement with Department of Health and Human Services. Funding Agreements establish the parties and outline their commitments and obligations to each other, as well as setting out the general funding terms and conditions. It is recommended that applications review the Department of Health and Human Services standard terms and conditions before applying. It is recommended that you view the terms and conditions available at www.sport.vic.gov.au

- A Schedule is required to be executed (signed) by both parties. The Schedule sets out the:
 - activity details
 - funding amounts
 - agreed actions and payments
 - reporting requirements
 - acknowledgement and publicity requirements
 - other activity specific requirements
 - notices.
- Funds must be spent on the project as described in the application and outlined in the Schedule, unless changes are agreed to in writing.
- Successful applicants will have 18 months to complete the project.
- The facility tenant club(s) or association(s) are expected to adhere to the *Victorian Code of Conduct for Community Sport*. The *Victorian Code of Conduct for Community Sport – Forms for Tenants* must be completed and signed by each facility tenant club and submitted with the Full Application to Sport and Recreation Victoria. Applications without this form will not be considered for funding. More information about the *Victorian Code of Conduct for Community Sport* can be obtained from www.sport.vic.gov.au/
- A request to vary the timing or scope of an approved project must be discussed with your Sport and Recreation Victoria representative before submitting your request or commencing new works. Variation approval is at Sport and Recreation Victoria's discretion and may lead to a reduction or cancellation of the grant depending on the change in scope.
- Councils must inform the participating organisation(s), where applicable, of all funding arrangements and obligations in relation to the grant allocation. This includes ensuring the funded project does not commence prior to the endorsement of the Schedule.
- Councils are obliged to liaise with Sport and Recreation Victoria on the progress of funded projects, as requested throughout the life of projects as outlined in the Schedule.
- A local government officer must be designated to manage the project and provide information to the department according to the following key reporting requirements:
 - a Project Management Framework** must be completed and submitted with the application for all projects
 - through a process of appropriate engagement in the governance of a project, councils must secure Sport and Recreation Victoria's endorsement of key documents such as schematic plans and architectural/planning briefs prior to work commencing. Projects must not commence or be tendered until endorsement is provided. Sport and Recreation Victoria may not make milestone payments if endorsement is not secured in a timely manner
 - councils must provide project acquittal documentation as required
 - councils are expected to guarantee the cash flow payments towards works where a community organisation is providing funding contributions for a project.

- Successful applicants will be required to contribute information on activity outcomes for use in outcomes reporting, program evaluation reviews or Department of Health and Human Services publications, 12 months after project acquittal.

**A Project Management Framework is a statement/spreadsheet that includes the name of the local government officer responsible for the project, project activities and project timelines. The Project Management Framework Fact Sheet, along with a basic Project Management Framework template, can be obtained from

www.sport.vic.gov.au/grants

8.1 Acknowledging the government's support and promoting success

Successful applicants need to acknowledge the Victorian Government, the AFL, AFL Victoria and Netball Victoria's support through the provision of a grant from the *Country Football and Netball Program*.

Acknowledgement and publicity guidelines form part of the Funding Agreement and include the requirement that all activities acknowledge Victorian Government, the AFL, AFL Victoria and Netball Victoria's support through logo presentation on any activity-related publications, media releases, promotional material and placement of a permanent Victorian Government endorsed sign/plaque at the site during construction and upon completed of infrastructure activities.

The Minister for Sport is to be given the opportunity to participate in any formal activity associated with the progress or completion of a facility or to officially open or launch the project. Openings and launches of *Country Football and Netball Program* projects are to be coordinated through the Office of the Minister for Sport.

Councils considering staging an opening or launch must give adequate notice.

These guidelines have recently been updated to reflect current expectations of Victorian Government recognition. Acknowledgement and Publicity Guidelines can be found at www.sport.vic.gov.au.

8.2 Payments

Upfront payments for funded projects may be made if/when:

- a Funding Agreement has been signed by both parties and any special conditions have been met
- grant recipients provide reports as required, or otherwise demonstrate that the activity is progressing as expected
- other terms and conditions of funding continue to be met.

For all grants at least 10 per cent of the total funding is paid in arrears on evidence of satisfactory completion of the activity.

9. Resources and additional information

Further information in relation to each of the following items can be found at www.sport.vic.gov.au/grants and select *Country Football and Netball Program*.

Environmentally Sustainable Design

Proposals are encouraged to incorporate Environmentally Sustainable Design initiatives in project designs.

Competitive Neutrality Policy

Under the Council of Australian Governments (COAG) Competition Principles Agreement, Victoria is obliged to apply the COAG Competitive Neutrality Policy.

Capital Replacement Planning

A Capital Replacement Plan is a tool that can help you plan for the maintenance and eventual replacement of facilities. The development of a capital replacement plan is now a standard condition for many Sport and Recreation Victoria grants where facilities need to be periodically replaced or renewed.

Voluntary Labour and In-kind Support

Consideration will be given to claiming in-kind expenses to a maximum of 50 per cent of the total project cost.

Schedule of Use

A Schedule of Use is a list of all the sport and recreation activities, highlighting the extent to which the proposed facility development will be used. The schedule summarises the type and duration of the activity over a period of time and is a valuable tool to measure participation outcomes. Councils can use the Schedule of Use as provided or adapt and/or provide their own.

Victorian Code of Conduct for Community Sport

The facility tenant club(s) are expected to adhere to the Victorian Code of Conduct for Community Sport or related state sporting association code of conduct. Further information can be obtained from www.sport.vic.gov.au/publications-and-resources/community-sport-resources/victorian-code-conduct-community-sport

SunSmart Online Shade Audit Tool

This online tool helps determine whether existing shade at a site is adequate and provides practical recommendations to improve both built and natural shade. For more information www.sunsmart.com.au/shade-audit/

Healthy Choices: policy guidelines for sport and recreation centres.

Guidelines to help sport and recreation centres establish policies that promote health and wellbeing.

Planning Guides

Sport and Recreation Victoria (in collaboration with industry stakeholders) has developed a series of planning guides for sport and recreation facility development which include:

- Female Sports Infrastructure Guidelines
- Community Sporting Facility Lighting Guide
- Artificial Grass for Sport Guide
- Design for Everyone Guide

Copies of these planning guides can be found at www.sport.vic.gov.au/grants

The AFL has developed a Preferred Facilities Requirement document to provide guidance in the development of football facilities. The AFL Preferred Facilities Requirements can be found at www.aflvic.com.au/facility-resources/

Netball Victoria has developed a range of documents to provide guidance on compliance and standards. These documents can be found at vic.netball.com.au/support/facility-development/

Design for Everyone Guide

The guide is a resource that uses the principles of Universal Design to provide users with an understanding of how to apply the philosophy of Universal Design during the design and construction phases of a new building or the redevelopment of a current facility.

The concept of Universal Design is to simplify life for everyone by making the built environment more usable to as many users as possible.

This document can be found at sport.vic.gov.au/design-for-everyone-guide



COMMUNITY SERVICES

16. COMMUNITY SERVICES

16.1 Child Safe Standards

General Manager

Community Services

For Decision

EXECUTIVE SUMMARY

Following the Betrayal of Trust report tabled in parliament in November 2013, the Victorian Government has introduced Child Safe Standards for all organisations that provide services to children to ensure child safe environments.

The Child Safe Standards are a legislative requirement under the Child Safety and Wellbeing Act and support organisations that provide services to children to: prevent child abuse, encourage reporting of any abuse that does occur and improve responses to any allegations of child abuse.

Local Councils are considered a Category 1 organisation with compliance to the Standards required in 2017. Latrobe City Council officers have been working on the development of practices, processes and resources that support the implementation of the seven child safe standards.

The development of a Latrobe City Council Child Safe Policy that outlines Council's commitment to creating a child safe organisation is an integral component of creating and embedding a child safe culture. Along with a summary of the organisations response to the Child Safe Standards, this policy is presented to Council for consideration and adoption.

RECOMMENDATION

That Council adopt the Latrobe City Council Child Safe Policy.

DECLARATION OF INTERESTS

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

DISCUSSION

The Child Safe Standards are a central feature of the Victorian Government's response to the Betrayal of Trust report tabled in parliament in November 2013. One of the recommendations was the introduction of Child Safe Standards in Victoria to ensure child safe environments in organisations that work or have interaction with children.

Victorian organisations that provide services to children are required under the Child Safety and Wellbeing Act to ensure that they implement compulsory child safe standards to protect children from harm.

The standards will be implemented separately for each of the following two groups:

Category 1: organisations currently funded or regulated by government will be required to work towards compliance from 1 January 2016 (with compliance required by 2017).

Examples include: Local Councils, education and care services, children's services etc.

Category 2: the standards will apply to organisations with limited or no funding or regulatory arrangements with government from 1 January 2017.

Examples include: Sporting clubs/associations, charities, not for profit organisations etc.

The Child Safe Standards support organisations that provide services to children to:

- Prevent child abuse
- Encourage reporting of any abuse that does occur
- Improve responses to any allegations of child abuse

Latrobe City Council Child Safe Policy

A draft Latrobe City Council Child Safe Policy has been developed (Attachment 1) for Council's consideration and adoption.

The purpose of this policy is to outline Council's commitment to creating a child safe organisation where protecting children and the prevention and responding to child abuse is embedded in the everyday thinking and practice of all Councillors, employees, contractors and volunteers.

Importantly, it will reflect Council's legislative responsibility in meeting the requirements of the Child Safe Standards.

This Policy will apply to all Councillors, employees (including any person directly employed by Latrobe City Council or employed through an agency or contract basis), and Council's volunteers irrespective of their involvement in child related duties.

Seven Child Safe Standards

The seven child safe standards that Council must comply with are:

Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.

Standard 2: A child safe policy or statement of commitment to child safety.

Standard 3: A code of conduct that establishes clear expectations for appropriate behaviour with children.

Standard 4: Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel.

Standard 5: Processes for responding to and reporting suspected child abuse.

Standard 6: Strategies to identify and reduce or remove risks of child abuse.

Standard 7: Strategies to promote the participation and empowerment of children.

In complying with the child safe standards an applicable entity to which the standards apply must include the following principles as part of their response to each standard:

- Promoting the cultural safety of Aboriginal children
- Promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- Promoting the safety of children with a disability

Latrobe City Council Child Safe Standard Project

Local Government have been identified as a Category 1 organisation. In late 2016, a project working group comprising members from both direct child facing services and non-direct child facing services was established to facilitate the compliance across the seven child safe standards.

To date, the following activities have been undertaken and/or continued to be developed;

Latrobe City Council Child Safe Policy

- Both a Council policy and operational policy have been developed to outline a commitment to creating a child safe environment.
- Please refer to the forthcoming section of this report that provides greater detail in relation to the Child Safe Council Policy.

Child Safe Code of Conduct

- A stand-alone child safe code of conduct has been developed for all staff, volunteers and contractors of Latrobe City Council that outlines the principles and expectations for appropriate behaviour towards and in the company of children.
- This document will also be referenced in the existing Latrobe City Council Employee Code of Conduct and will also form part of the new employee induction process.

Human Resources Practices, Processes, Policies

- A Working with Children's Check (WWCC) policy is being developed to clearly articulate which roles within the organisation require a WWCC. This is important in light of recent changes to the Working with Children's Check Act 2005 whereby the definition of 'direct contact' with children now includes oral, written and electronic communication.
- A child safe statement of commitment to be incorporated in Latrobe City's online recruitment system whereby prospective employees are required to acknowledge during the application process.
- Improved screening processes of prospective employees.

Reporting and Responding Procedures

- Mandatory reporting processes already exist within certain areas of Council i.e. Family Services in relation to suspected or alleged child abuse.

- A reporting procedure has been developed for all staff within the organisation that provides clear direction in terms of what they need to do should a disclosure is made or they witness anything concerning.

Risk Management

- A risk assessment was undertaken on the organisation as a whole which identified current child safety risks.
- However, with the implementation of the child safe standards, these identified risks will be mitigated.

Staff Training

An important part in complying with the standards is embedding an organisational culture of child safety amongst all employees through systems, processes, practices but also awareness and training. This is integral not only to existing employees but also to new employees that join Latrobe City Council in the years to come. As such, an appropriate and rigid training program is required to be incorporated into Council's standard practice and programming.

A risk assessment has been undertaken to identify which areas of Council are perceived to be most at risk in terms of child safety and therefore, which areas of the business require what level of training. Depending on the nature of the role, employees will complete either face to face or online training sessions.

Link to Draft Latrobe City Council Plan 2017-2021

The implantation of the Child Safe Standards indicates a clear and direct link to Objective 5 in the draft Council Plan, that is; *provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens.*

STAKEHOLDER CONSULTATION

Given the implementation of the Child Safe Standards is for internal purposes only at this stage, no external stakeholder was undertaken as part of this project.

Internal engagement occurred with all Divisions and Departments.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no budget implications associated with the adoption of the Child Safe Policy.

RISK IMPLICATIONS

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

Risk	The Child Safe Standards are not implemented.
Outcome	Latrobe City Council will not comply with the Child Safe Standards compliance framework.
Likelihood	Unlikely
Consequence	Major
Risk Rating	Significant
Risk Mitigation	Officers have been working on implementing all aspects of the child safe standards over the last 6 months and are confident actions will comply with framework.

CONCLUSION

The Child Safe Standards are a legislative requirement under the Victorian Child Safety and Wellbeing Act and support organisations that provide services to children to: prevent child abuse, encourage reporting of any abuse that does occur and improve responses to any allegations of child abuse.

Local Councils are considered a Category 1 organisation with compliance required by 2017 and currently, Latrobe City Council officers have been working on the development of practices, processes and resources that support the implementation and compliance of the seven child safe standards.

One of the standards involves the implementation of a child safe policy to outline Council's commitment to creating a child safe organisation. This has been developed for Council's consideration and adoption.

SUPPORTING DOCUMENTS

An overview of the Victorian child safe standards:

<http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards-resources>

Attachments

1 [↓](#). Proposed LCC Child Safe Policy

16.1

Child Safe Standards

- 1 Proposed LCC Child Safe Policy..... 141**



Child Safe Policy

Version 1.0

Approval Date: [Click here to enter text.](#)

Reviewed Date: [Click here to enter text.](#)



Child Safe Policy

DOCUMENT CONTROL

Responsible GM	Click here to enter text.	
Division		
Last Updated (who & when)	Click here to enter text.	2017
DOCUMENT HISTORY		
Authority	Date	Description of change
Administration Update		Creation of new Policy to comply with Victorian Government legislative requirements.
Council		
References	Refer to Section 8 and 9 of this policy	
Next Review Date	Click here to enter text.	
Published on website	Click here to enter text.	
Document Reference No	Not Applicable	

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Responsible Division	Community Services	Approved Date	Click here to enter text.	Review Date	Click here to enter text.
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Child Safe Policy

1. Background

On 17 April 2012, the Victorian Government initiated the Family and Community Development Committee's Inquiry into the Handling of Child Abuse by Religious and Other Organisations (Betrayal of Trust Inquiry).

The Betrayal of Trust report was tabled in Parliament on 13 November 2013 and made 15 recommendations including compulsory minimum standards for creating child-safe environments.

On 26 November 2015, the Victorian Parliament passed the Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (The Act) to introduce Child Safe Standards.

The seven Child Safe Standards support organisations that provide services to children to prevent child abuse, encourage reporting of abuse and increase the effectiveness of responses to allegations of child abuse.

2. Objectives

The purpose of this policy is:

- to outline Council's commitment to child safety by creating and maintaining a child safe city and a child safe workplace that supports the health and wellbeing of all of Latrobe City's children.
- to outline Council's commitment in creating and maintaining a child safe organisation where protecting children and preventing and responding to child abuse is embedded in the everyday thinking and practice of all Councillors, employees, contractors and volunteers.
- to reflect Council's legislative responsibility in meeting the requirements of the Child Safe Standards.

3. Commitment to Child Safety

Latrobe City Council has a zero tolerance to any form of child abuse and is committed to the safety, wellbeing and empowerment of children. We will create and maintain a child safe organisation where protecting children and preventing and responding to child abuse is embedded in the everyday thinking and practice of all employees, volunteers and contractors.

4. Scope

This Policy applies to all Councillors, employees (including any person directly employed by Latrobe City Council or employed through an agency or contract basis), and Council's volunteers irrespective of their involvement in child related duties.

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Responsible Division	Community Services	Approved Date	Click here to enter text.	Review Date	Click here to enter text.
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Child Safe Policy

5. Principles of Management

In complying with the child safe standards an applicable entity to which the standards apply must include the following principles as part of their response to each standard:

- Promoting the cultural safety of Aboriginal children
- Promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- Promoting the safety of children with a disability

Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.

Standard 2: A child safe policy or statement of commitment to child safety.

Standard 3: A code of conduct that establishes clear expectations for appropriate behaviour with children.

Standard 4: Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel.

Standard 5: Processes for responding to and reporting suspected child abuse.

Standard 6: Strategies to identify and reduce or remove risks of child abuse.

Standard 7: Strategies to promote the participation and empowerment of children.

This Policy meets Council's obligations under Standard 2 of the Child Safe Standards – 'A child safe policy or statement of commitment to child safety' and provides the opportunity for Council to improve their existing processes and practices and embed a child safety culture within Latrobe City Council.

6. Evaluation and Review

This policy will be reviewed on request of Council, in the event of significant changes to legislation applicable to the subject matter of the policy or, in any other case, during each Council term (generally four years).

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Responsible Division	Community Services	Approved Date	Click here to enter text.	Review Date	Click here to enter text.
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Child Safe Policy

7. Accountability and Responsibility

It is expected that all Councillors, employees, contractors and volunteers are accountable and responsible in adhering to this Policy, as well as any framework, process or procedure developed to achieve compliance with this policy.

8. Breaches of the Policy

Where an officer fails to comply with this policy or the Child Safe Operational Policy, the issue shall be dealt with in accordance with Latrobe City Council's *Code of Conduct*, and the Counselling, Discipline and Termination Procedure.

Where a Councillor fails to comply with this policy, the issue shall be dealt with in accordance with the Councillor Code of Conduct and *Local Government Act 1989* requirements.

Where a contractor fails to comply with this policy, the issue shall be dealt with in accordance with the contract provisions specified.

9. Definitions

In this policy –

Council	Means Latrobe City Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989
Councillors	Means the individuals holding the office of a member of Latrobe City Council
Aboriginal Child	A person under the age of 18 who is of Aboriginal or Torres Strait Islander descent, identifies as Aboriginal or Torres Strait Islander, and is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.
Child	A person under 18 years of age
Child abuse	Any act committed against a child involving: physical violence, sexual offences, serious emotional or psychological abuse and serious neglect.

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Responsible Division	Community Services	Approved Date	Click here to enter text.	Review Date	Click here to enter text.
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Child Safe Policy

Children from culturally and/or linguistically diverse backgrounds	A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis.
Child related work	Work within one or more of the occupational fields defined in the Act where the contact with children is direct, unsupervised, and part of a person's duties, not incidental to their work.
Child safe organisation	In the context of the child safe standards, a child safe organisation is one that meets the child safe standards by proactively taking measures to protect children from abuse.
Children with a disability	A disability can be any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. A disability can occur at any time in life. Children can be born with a disability or acquire a disability suddenly through an injury or illness. Some disabilities may be obvious while others are hidden.
Cultural safety for children from culturally and/or linguistically diverse backgrounds	An environment which is spiritually, socially and emotionally safe, as well as physically safe for children; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are and what they need. Efforts need to be made to ensure the culturally and/or linguistically diverse children and their families receive information in a culturally sensitive, relevant and accessible manner, including in relevant community languages. ¹
Cultural safety of Aboriginal children	Cultural safety encompasses the child being provided with a safe, nurturing and positive environment where they are comfortable with being themselves, expressing their culture, their

¹ Department of Health and Human Services, *An overview of the Victorian child safe standards*, available at www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies-guidelines-and-legislation/child-safe-standards-resources

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Responsible Division	Community Services	Approved Date	Click here to enter text.	Review Date	Click here to enter text.
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Child Safe Policy

spiritual and belief systems, and they are supported by the carer and family.²

10. Related Documents

- Latrobe City Councillor Code of Conduct
- Latrobe City Staff Code of Conduct
- Child Safe Standards Framework
- Child Safe Standards Code of Conduct
- Child Safe Standards Operational Policy

² Secretariat of National Aboriginal and Islander Child Care, *Cultural Safety*, available at <http://www.supportingcarers.snaicc.org.au/connecting-to-culture/cultural-safety/>

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CORPORATE SERVICES

17. CORPORATE SERVICES

17.1 Authorisation of Council Officers under the Planning & Environment Act 1987

General Manager

Corporate Services

For Decision

EXECUTIVE SUMMARY

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

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

By authorising Jane Lloyd, Coordinator Environment Sustainability; Sean-Paul Smith, Environmental Sustainability Officer; and Xenon Ellis, Environmental Sustainability Officer; for the purposes of administration and enforcement of the *Planning and Environment Act 1987* (Act), this will enable the newly appointed officers to operate and perform their duties with respect to the statutory planning powers and functions of the Council.

RECOMMENDATION

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

- 1. Appoints and authorises Jane Lloyd, Coordinator Environment Sustainability; Sean-Paul Smith, Environmental Sustainability Officer; and Xenon Ellis, Environmental Sustainability Officer; as Authorised Officers for the purposes of the Act and associated regulations; and**
- 2. Delegates and authorises the Chief Executive Officer to sign and seal the Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) as presented which comes into force immediately when the common seal of Council is affixed.**

DECLARATION OF INTERESTS

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

DISCUSSION

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

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

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

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

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

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

STAKEHOLDER CONSULTATION

There is no engagement required as part of this process.

FINANCIAL AND RESOURCE IMPLICATIONS

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

RISK IMPLICATIONS

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

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

CONCLUSION

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

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

SUPPORTING DOCUMENTS

Nil.

Attachments

- 1 [↓](#). S11A Instrument of Appointment & Authorisation - J Lloyd
- 2 [↓](#). S11A Instrument of Appointment & Authorisation - S P Smith
- 3 [↓](#). S11A Instrument of Appointment & Authorisation - X Ellis

17.1

Authorisation of Council Officers under the Planning & Environment Act 1987

- | | | |
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Ellis | 157 |

Maddocks Delegations and Authorisations

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



Latrobe City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)

July 2017

Authorised Officer: **Jane Lloyd**

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

In this instrument "officer" means -

Jane Lloyd

By this instrument of appointment and authorisation Latrobe City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

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

This instrument is authorised by a resolution of the Council on 10 July 2017.

The Common Seal of **LATROBE CITY COUNCIL**
was affixed in accordance with Local Law No. 1
this day of 2017 in the presence of:

Gary Van Driel – Chief Executive Officer

Maddocks Delegations and Authorisations

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



Latrobe City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)

July 2017

Authorised Officer: **Sean-Paul Smith**

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

In this instrument "**officer**" means -

Sean-Paul Smith

By this instrument of appointment and authorisation Latrobe City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

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

This instrument is authorised by a resolution of the Council on 10 July 2017.

The Common Seal of **LATROBE CITY COUNCIL**
was affixed in accordance with Local Law No. 1
this day of 2017 in the presence of:

Gary Van Driel – Chief Executive Officer

Maddocks Delegations and Authorisations

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



Latrobe City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)

July 2017

Authorised Officer: **Xenon Ellis**

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

In this instrument "**officer**" means -

Xenon Ellis

By this instrument of appointment and authorisation Latrobe City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

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

This instrument is authorised by a resolution of the Council on 10 July 2017.

The Common Seal of **LATROBE CITY COUNCIL**
was affixed in accordance with Local Law No. 1
this day of 2017 in the presence of:

Gary Van Driel – Chief Executive Officer

17.2 Council Committee Review Project

General Manager

Corporate Services

For Decision

EXECUTIVE SUMMARY

This report provides an update on the current status of the Council Committee Review Project and seeks Council approval in relation to the continuation of existing special committees established under the *Local Government Act 1989* (the Act) and a proposal to establish a new special committee.

This stage of the review has focussed on the following three entities:

1. Latrobe Regional Airport Board Special Committee
2. Yallourn North Community Housing Special Committee.
3. Morwell Centenary Rose Garden Advisory Committee

Council recently abolished the Mayoral Sponsorship Special Committee.

As a result of the reviews undertaken, it is proposed that the existing special committees - the Latrobe Regional Airport Special Committee and the Yallourn North Community Housing Special Committee continue operating in that form. It is also proposed that the committee for the Morwell Centenary Rose Garden be converted from its current advisory committee status to a special committee on account of that Committee's operations and what it does on a day to day basis which already aligns with the operations of a special committee.

Draft Instruments of Delegation, based on the approved Council template have been prepared for the three relevant committees and are submitted for consideration and Council approval.

It is also proposed that Council call for expressions of interest for community representatives to be appointed to the Yallourn North Community Housing Special Committee and the Morwell Centenary Rose Garden Special Committee. The community representatives on the Airport Special Committee are appointed until July 2018. It is proposed that the current appointments continue and that the Instrument of Delegation operate for a limited time until 31 July 2018, with the intention of bringing the appointments and the Instrument of Delegation into line at that time.

RECOMMENDATION

That Council:

- 1. Approve the Instruments of Delegation for the:**
 - **Latrobe Regional Airport Special Committee, with the delegation to operate until 31 July 2018;**
 - **Yallourn North Community Housing Special Committee; and**
 - **The Morwell Centenary Rose Garden Special Committee; and**
- 2. Require officers to undertake a process seeking expressions of interest for membership of the community positions on the Yallourn North Community Housing Special Committee and the Morwell Centenary Rose Garden Special Committee for submission and future appointment by Council.**

DECLARATION OF INTERESTS

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

DISCUSSION

The Council Committees Review project is being done in a number of stages and some of those stages have already been completed including:

- Council's adoption of the Establishment of Council Committee Policy, completed in 2015;
- endorsement of template terms of reference for advisory committees completed in 2016; and
- instruments of delegation for special committees completed in 2016.

Work remaining in the review includes:

- completion of the committee reviews including special committees of Council,
- further analysis of options for the management of Council and community assets such as Friends Groups and incorporated associations,
- the development of committee guides and a scheduled review of the Policy and templates.

Attached is a Table that provides an indicative timing of the completion of the Committee Review Project (Attachment 4).

The committee review is based on good governance best practice. A state wide audit undertaken by the Local Government Investigations and Compliance Inspectorate in

2013 identified a number of governance shortcomings associated with management of special committees by Councils across the State, including lack of proper monitoring, lack of proper documentation and lack of understanding of obligations imposed on special committees under the Act.

Also taken into consideration was a report of the Victorian Ombudsman published in late 2016 - *Investigation into the Transparency of Local Government Decision Making*, which contained a number of recommendations for consideration in the review of the Local Government Act. The report also contained a number of recommendations directed at local government concerning special committees. The Ombudsman recommended that any Council which has not done so in the last 3 years should review their special committees to determine their level of compliance with the Act and whether the special committee structure is fit for the committee's purpose.

The program for review is being conducted in stages starting with Council approving the overarching Policy – *Establishment of Council Committees Policy 2015*. Reports submitted to Council over the last 18 months have resulted in Council:

- abolishing several committees such as the Procedural Breaches Advisory Committee, Mayoral Sponsorship Special Committee and the Mayoral Investment Attraction Working Group;
- approving template terms of reference for advisory committees and instruments of delegation for special committees; and
- approving the terms of reference for a number of advisory committees where it has been determined that those committees should continue, such as the Latrobe City International Relations Committee, Latrobe City Cultural Diversity Committee and the Rail Freight Working Group.

Work remaining in the review is outlined in the attached Table (Attachment 4) along with an indicative timing for the completion of those tasks within the Committee Review Project. Tasks include the completion of the reviews of committees including special committees of Council, further analysis of options for the management of Council and community assets such as Friends Groups, the development of committee guides and a scheduled review of the Policy and templates.

The power to establish committees is set out in section 86 of the Act. Councils can appoint special committees which operate under delegated powers from Council and are essentially an “extension” of the Council. For that reason, special committees must comply with many of the same requirements in the Act that Councils must comply with, such as meetings being open to the public, keeping minutes of meetings and disclosure of a member's conflict of interests. Councils can also appoint advisory committees but they are limited in their roles. Advisory committees cannot be delegated powers of Council and can only review, investigate, analyse and make recommendations to Council.

There is no “middle ground” under the legislation where committees undertaking simple operational/maintenance type tasks for Council can or should function (from a strict compliance perspective), other than as a special committee. This creates a number of difficulties for some committee members who find the application of the Act’s special committee requirements too onerous. It also creates additional responsibilities for Councils who must ensure that special committees operate within their delegations and comply with the requirements of the Act.

Councillors will be aware of the current review of the *Local Government Act 1989*. The Act Review Directions Paper – “*Act for the Future – Directions for a new Local Government Act*” acknowledges the difficulties created by the current requirements of the Act. It proposes that the current committee approach in the Act be simplified to provide for “administrative” committees to manage halls and reserves, with limited delegated powers including limits on expenditure and procurement.

While Local Government Victoria has advised that a draft Local Government Bill will be available for consultation in late 2017, there is no guarantee that the legislation will proceed or if it does, when it will be in operation.

With the legislative constraints in mind and with input from Council officers having a direct role with Council committees, the review has been considering:

- the functions the committees undertake on Council’s behalf and whether these remain reasonable and appropriate;
- options for “management” of Council assets if the respective committee(s) did not exist, such as incorporated associations and user or friends groups;
- current capacity to sustain membership;
- the ability to comply with the requirements of the Act; and
- how those committees can be accommodated within Council’s template Instruments of Delegation, given their varied operating methods.

As an alternative to appointing special committees, many Councils entered into arrangements with incorporated associations (associations established under the then *Associations Incorporation Act 1981*) to operate sporting grounds, swimming/aquatic centres and multi function facilities. This was used to distance Council from potential Council liability for the activity and also as a way of reducing the need to monitor transferred management functions of Council. It also provided a means by which Councils had arrangements with a legal entity, although committees established by Councils also have a certain legal status and as such are recognised by Council’s insurers.

Amendments made by the *Associations Incorporation (Reform) Act 2012* resulted in increased complexity for small associations (those with assets and income less than \$100,000) with revised structural and reporting requirements to Consumer Affairs Victoria. In many ways some association members consider those requirements no less onerous than those applying to members of special committees.

Council currently has two special committees - Latrobe Regional Airport Special Committee and the Yallourn North Community Housing Special Committee. It is proposed that these two special committees continue.

Latrobe Regional Airport Special Committee

The Latrobe Regional Airport Special Committee is known as a Board. Community representation on the Board results from an expression of interest process undertaken in 2014 with community appointments being for a 4 year term. The existing Board is appointed until July 2018.

The Board is responsible for the Airport which is an important regional resource, it ensures that the Airport achieves the objectives in the Airport Masterplan and that the Airport maintains its licence to operate.

The special committee has been in place for many years and is currently operating under an Instrument of Delegation executed in 2010. Because of the age of the Delegation, many of the powers, limitations and restrictions are inconsistent with the requirements in the Act and the way in which Council operates its business and planning cycle. These include requirements applying to financial and other reporting obligations to Council. While the Board provides regular financial and other reports to Council, the Instrument of Delegation needs to be brought into line with the Act's requirements.

Consultation has occurred with the Chair and Secretary of the Latrobe Regional Airport Board, as well as Council officers supporting the Board. Consideration has been given to the structure, current requirements in the Act and whether there are other more suitable alternatives to the Special Committee model. It has been concluded that the special committee structure and the delegation of functions and powers to it is continues as the most appropriate method for the management and operation of the Airport.

It is proposed that the Board will operate under a new Instrument of Delegation based on Council's approved template. The new Delegation more accurately reflects requirements in the Act, including the requirements about meetings being open to the public and providing notice of meetings.

Yallourn North Community Housing Special Committee

The Yallourn North Community Housing Special Committee has also been in place for many years and provides management and oversight of five units built with funding from the Ministry of Housing in the early 1990's. The units were built by the former Shire of Narracan and funding from the Ministry of Housing came with conditions about how the land was to be managed. The Ministry of Housing has a mortgage on the land and if Council was to sell the units, the Ministry of Housing would require the mortgage to be repaid.

The present status of the committee (a special committee of Council) and its membership (which includes representatives of unit tenants on it), would have been a requirement on the former Shire by the Ministry of Housing at the time the funding was provided. (Many other Councils that also received funding for community housing developments have the same conditions applied to them.)

The current Instrument of Delegation from Council to the Committee requires the Committee to consist of up to 15 members appointed by Council, comprising mostly of community representatives. The Instrument of Delegation is silent on the term of appointment, but there is a requirement for the Committee to elect office bearers in July each year. It is understood that it is difficult to achieve committee membership up to the number specified in the current Instrument of Delegation so it is proposed to reduce committee membership to 7.

Consultation has occurred with the Committee, as well as officers supporting the Committee. Based on this consultation and an understanding of the Ministry of Housing requirements, it is proposed that the Committee continue as a special committee and operate under a new Delegation based on Council's approved template for special committees.

Morwell Centenary Rose Garden Advisory Committee

As part of the review process and consultation that occurred with the Morwell Centenary Rose Garden Advisory Committee (Committee) in late 2016, it was determined and supported by the Committee that it should become a special committee. A number of discussions were held, as well as time given for the Committee to discuss the proposed Delegation amongst the members. It is understood that the Committee support their change in status to a Special Committee and accept the requirements that this places on them.

A proposed Delegation based on Council's approved template been drafted. This is supplemented by a Memorandum of Understanding (MOU) which sets out the agreements and understandings between the Committee and Council concerning their roles and functions at the garden. The MOU is also under review.

The Committee is supported in its tasks by a Friends Group which provides all the volunteers who do the maintenance work and other activities in the garden, such as managing applications to use the garden for weddings.

General comments

The option of transferring Council asset management functions to incorporated associations does not appear to be a viable option for Council's current special committees. The funding agreement with the Ministry of Housing for community housing requires Council oversight through a special committee. The Airport Board is responsible for maintaining a licence to continue to operate the Latrobe Regional Airport. A special committee delegation is a way of ensuring direct Council involvement and awareness of committee matters.

STAKEHOLDER CONSULTATION

Discussion with the three committees about their status as a committee of Council has taken place as outlined above.

FINANCIAL AND RESOURCE IMPLICATIONS

The appointment of special committees and delegation of functions and powers to them has resource implications for Council. It puts an onus on Councils to ensure that those committees are compliant with their delegations and with the requirements of the *Local Government Act*.

RISK IMPLICATIONS

There is a low risk to Council in delegating functions and powers to special committees. There is a need to ensure that special committees are compliant with their delegations, not acting beyond the powers delegated to them and compliant with the requirements of the Act. This risk could be mitigated by an appropriate level of monitoring by Council.

Associated with this monitoring and the management of risk associated with special committees is to undertake regular reviews of their delegations and to monitor committee activities, whether through regular reporting from committees or by Councillor and officer involvement with them.

CONCLUSION

The role of the Latrobe Regional Airport Special Committee and the Yallourn North Community Housing Special Committee and the Instruments of Delegation applying to them are out of date and need review. They need to better reflect the functions undertaken by the Committees, additional conditions applying to them and the requirements of the Act.

The roles and functions of the Morwell Centenary Rose Garden Advisory Committee do not align with the requirements in the Act. The appointment of the rose garden committee as a special committee with an appropriate instrument of delegation in place is a better approach as it brings the committee into line with the requirements in the Act.

It is not advisable to wait until new Local Government Act is enacted to review existing arrangements and replace them with whatever options might be available under new legislation.

There are no other viable options available for management and operation of the assets managed by the current committees. This is partly due to licensing and other conditions applied (by other authorities) to the Latrobe Regional Airport Special Committee and the Yallourn North Community Housing Special Committee.

The three draft Instruments of Delegation for Council's special committees are attached for consideration and approval.

SUPPORTING DOCUMENTS

Nil.

Attachments

- 1 [↓](#). Draft Latrobe Regional Airport Special Committee Instrument of Delegation
- 2 [↓](#). Draft Yallourn North Community Housing Special Committee Instrument of Delegation
- 3 [↓](#). Draft Morwell Centenary Rose Garden Special Committee Instrument of Delegation
- 4 [↓](#). Committee Review Table (Indicative)

17.2

Council Committee Review Project

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3	Draft Morwell Centenary Rose Garden Special Committee Instrument of Delegation	201
4	Committee Review Table (Indicative).....	221

Latrobe Regional Airport Special Committee *Instrument of Delegation*

(FACILITY IMAGE HERE)





Instrument of Delegation

Pursuant to the exercise of the power conferred by section 86(3) of the *Local Government Act 1989*, Latrobe City Council (the Council) hereby delegates to the Latrobe Regional Airport Special Committee (the Board), the powers, duties and functions set out in the Schedules attached and declares that:

1. This Instrument of Delegation is authorised by a resolution of Council passed on [#date#]; and
 - 1.1. The delegation:
 - 1.1.1. Comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 1.1.2. Remains in force until varied or revoked;
 - 1.1.3. Must be exercised in accordance with the attached schedules, and is subject to any conditions and limitations set out in the schedules;
 - 1.1.4. Must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 1.2. Any member of the Board (not being a Councillor) is exempt from provisions of section 81 of the *Local Government Act 1989* for the purposes of providing primary and ordinary returns;
 - 1.3. The Board must report annually to Council concerning decisions made and the Board's finances for the preceding 12 months; and
 - 1.4. Council may remove a member from the Board at any time.

[#Council seal clause#]



Schedule One: Powers, Functions and Duties of the Special Committee (the Board)

1. DEFINITIONS

1.1. In this delegation and schedules, the following words have the meanings given to them unless stated otherwise.

The Board	means the Latrobe Regional Airport Special Committee appointed pursuant to the provisions of section 86 of the <i>Local Government Act 1989</i> .
Council	means Latrobe City Council, being a body corporate constituted as a municipal Council under the Act.
Councillor	means the individual(s) holding the office of a member of Latrobe City Council.
Council officer	means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer.
Public notice	means a notice published in a newspaper generally circulating in the municipal district of the Council chosen for the purpose.
The Airport	means the land and facilities known as the Latrobe Regional Airport highlighted on the attached plan in Schedule Two (2).
Special Committee	means a committee to which the Council delegates a duty, function or power established under section 86 of the <i>Local Government Act 1989</i> .
Management	The maintenance, hire, control, operation, conservation, promotion and/or development of property.

2. OBJECTIVES OF THE BOARD

2.1. The principle objective of the Board is to act as an agent of Latrobe City Council, not as an independent entity, in managing the Airport which is



entrusted in the Board's care and to undertake functions and duties relating to the Airport, in particular:

- 2.1.1. carrying out the day to day management and improvement of the Airport on behalf of Council; and
- 2.1.2. ensuring that the Airport maintains its operating licence and complies with the legislation and standards applying to the operation of airports and airport safety.

3. COMPOSITION OF THE BOARD

- 3.1. The Board will consist of up to 7 members appointed by the Council being:
 - (a) a Latrobe City Councillor;
 - (b) the Chief Executive Officer of the Council who will also be the Chairperson of the Board;
 - (c) 5 independent members from the community.
- 3.2. The appointment of independent members will be in accordance with clause 3.5.
- 3.3. No person nominated may be or act as a member of the Board until their appointment is endorsed by Council.
- 3.4. The General Manager of the Airport will act as Secretary of the Board.
- 3.5. Expression of Interest – Independent Board members
 - 3.5.1. A public notice calling for expressions of interest for Board Members must be published not less than 60 days prior to the expiration of the members' current term of office.
 - 3.5.2. Written nominations for a position as a Board Member must be received (including full name and addresses) within 14 days of the publication of the notice.
 - 3.5.3. The Council reserves the right to appoint a person as a public representative whose name has not been submitted through the above process.
- 3.6. Qualifications for Board – General
 - 3.6.1. Except with the prior approval of the Council, a person cannot be appointed to the Board unless that person is 18 years of age and



resides, owns property or works within the municipality;

- 3.6.2 A person appointed as a member of the Board must possess skills and experience which will make a material contribution to the management and development of the Airport.
- 3.6.3 All Board members must be prepared to comply with the conflict of interest requirements in the *Local Government Act 1989*; and
- 3.6.4 All Board members must complete a *Nominee Declaration Form* to qualify to be a member of the Board.

4. TERM OF OFFICE

- 4.1 All members of the Board will hold office for a period of 4 years commencing on 1 July in the year of appointment.¹
- 4.2 A member appointed to fill a casual vacancy on the Board must retire at the end of the four year term applicable to the member whose inability to complete their term (for whatever reason) caused the vacancy.
- 4.3 A member of the Board is eligible for re-nomination at the expiration of the term of office.

5 VACANCIES

- 5.1 Notwithstanding anything else contained herein, the Council may at any time terminate the office of any or all of the members of the Board.
- 5.2 If a Board member misses 3 consecutive meetings of the Board without submitting their apology prior to the meeting, they will cease to be a member of the Board upon confirmation by Council.
- 5.3 Casual Vacancies

Where a vacancy on the Board occurs through retirement, resignation, death, incapacity or loss of qualification, the Board must within one month of this occurring, advise the Council and nominate a suitable person to Council for appointment to the vacancy for the period remaining of the original tenure.

¹ The current term of the Board will conclude on 1 July 2018.



6 BOARD MEETINGS

6.1 General Provisions

- 6.1.1 The Board must meet at least every 2 months on the dates the Chairperson appoints with the first meeting of the Board to be held within 1 month of the Board's appointment.
- 6.1.2 The Secretary must give public notice of all meetings, including special meetings of the Board.
- 6.1.3 The Secretary must distribute a notice of the meeting to all members of the Board at least 7 days prior to the meeting and must advise Council of any Board meetings.

6.2 Meeting Procedures

- 6.2.1 All requirements of the *Local Government Act 1989* applying to meetings and special meetings of the Board must be complied with.²
- 6.2.2 The Chairperson must take the chair at all meetings at which the chair is present. If the Chairperson is absent the Chairperson's nominated representative must take the chair and if that nominated representative is not present, the members present may appoint one of their numbers to chair the meeting.

6.3 Quorum

- 6.3.1 A meeting of the Board must not proceed if a quorum cannot be obtained within 30 minutes of the published commencement time of the meeting.
- 6.3.2 The quorum is a simple majority of the number of members of the Board.

6.4 Special Meetings

- 6.4.1 The Chairperson may call a special meeting and must call a special meeting if a written request for a special meeting is received from 3 members of the Board and must give notice of the special meeting in accordance with the requirements in this provision.
- 6.4.2 The notice by the Chairperson or the request by the 3 Board members must contain a statement of the purpose of the meeting.

² See Schedule Three for a list of applicable requirements from the *Local Government Act 1989*.



- 6.4.3 The meeting will be held on such dates and at such time as fixed by the Chairperson.
- 6.4.4 In cases where the Chairperson calls a meeting in response to a request from 3 members, the meeting must be held within 21 days of receiving the request. The Chairperson must arrange for notice of the meeting to be given to all Board members.
- 6.4.5 No business other than that specified in the notice must be transacted at that meeting.
- 6.5 Minutes of meetings
- 6.5.1 The Chairperson of the Board must arrange for minutes of each meeting of the Board to be kept.
- 6.5.2 The Chairperson must submit the minutes of a Board meeting to the next meeting of the Board for confirmation. If the minutes are confirmed, the Chairperson at the meeting must sign the minutes and certify that they have been confirmed.
- 6.5.3 The minutes of a meeting of the Board must:
- (a) contain details of the proceedings and resolutions made;
 - (b) be clearly expressed; and
 - (c) be self-explanatory.
- 6.5.4 Relevant reports or a summary of the relevant reports considered in the decision making process must be incorporated in relation to resolutions recorded in the minutes.
- 6.5.5 The Chairperson must ensure that a copy of the minutes of each meeting of the Board is sent to the Council within 7 days of the meeting.
- 6.6 Voting
- 6.6.1 Each member present at a meeting of the Board will have 1 vote on each matter being considered by the Board.
- 6.6.2 In the event that voting on any matter is equal, the Chairperson has a casting vote.
- 6.6.3 A motion before a meeting of the Board is to be determined as follows:
- (a) each member of the Board who is entitled to vote is entitled to one



- vote;
- (b) unless otherwise prohibited by the *Local Government Act 1989*, each member of the Board present must vote;
 - (c) unless the procedures of the Board otherwise provide, voting must be by show of hands;
 - (d) the motion is determined by a majority of the vote;
 - (e) if there is an equality of votes the Chairperson has a second vote.
- 6.6.4 Any decision of the Board which does not relate to a matter delegated to it must not be actioned until approved by Council.
- 6.6.5 In the event of any unresolved dispute arising between Board members, the matter must be submitted to the Council in writing and any decision made by the Council is final.
- 6.6.6 The Board may form sub committees from amongst its members for the purpose of recommending on matters relating to the provisions of this Instrument of Delegation, provided that no decision is made.
- 6.6.7 The Chairperson will be an ex-officio member of all sub committees.
- 6.6.8 A sub committee may only be established by resolution of the Board and may only carry out the functions stated in the resolution.
- 6.7 Conflict of Interest
- 6.7.1 If a member of the Board has a conflict of interest in any matter in which the Board is concerned, the member must comply with the requirements in the *Local Government Act 1989*.
- 6.7.2 The member must disclose the nature of that interest at the meeting at which the matter is to be discussed and must not remain in the room in which the meeting is being held during any discussion or any vote taken on the matter.
- 6.7.3 The minutes must record the member's disclosure of his or her conflict of interest and the time the member left and returned to the meeting.
- 6.8 Meetings open to the Public
- 6.8.1 Any meeting or special meeting of the Board must be open to members of the public.
- 6.8.2 The Board may resolve that the meeting be closed to members of the



public if the meeting is discussing any of the following:

- (a) contractual matters;
- (b) proposed development;
- (c) legal advice;
- (d) matters affecting the security of Council;
- (e) any other matters which the Board considers would prejudice the Council or any person;
- (f) a resolution to close the meeting to members of the public.

6.8.3 If the Board resolves to close the meeting to the public, the reason must be recorded in the Minutes of the meeting.

7 FINANCE

7.1 Financial Administration

7.1.1 The financial year of the Board will be from 1st July to 30th June.

7.1.2 The Board must submit an annual budget for the next financial year to Council for consideration and approval by 30 November.

7.1.3 The Board's operating budget must be applied to the maintenance, operations and improvements (including ongoing charges such as utility charges) of the Airport and any other expenses which may be incurred by the Board in its management of the Airport.

7.1.4 Board members are entitled to be reimbursed through Board funds for any out of pocket expenses incurred while carrying out the functions set out in this delegation as long as a tax invoice is submitted with the claim by the member.

7.1.5 No voting member of the Board is entitled to receive any remuneration or honorarium for carrying out any of his or her duties as a member of the Board without approval from the Council.

7.2 Reporting

7.2.1 The Board must submit an annual report to the Council by 31 August each year containing information about the operations of the Airport for the preceding year which includes financial statements that give an accurate account of the financial position of the Airport at the end of the financial year.



7.3 Determination of charges

7.3.1 The Board must provide Council by 30 November each year with a recommended list of annual fees and charges for the next financial year to use of the Airport each year for approval and inclusion in the Council budget.

7.4 Fundraising

The Board may arrange functions, fixtures or entertainment for the purpose of raising funds subject to complying with any applicable Council Policy.

8 MANAGEMENT OF THE AIRPORT

8.1 General Requirements

The Board will manage the Latrobe Regional Airport by:

- 8.1.1 ensuring that legislative and other requirements applying to the operation of airports are complied with and Council's license to operate the Airport is maintained;
- 8.1.2 promoting the development of the Airport through the attraction of aviation/ aerospace industry and operations which are compatible with the Airport Masterplan and Marketing and Business Development Strategy;
- 8.1.3 implementing the matters identified in the Airport Masterplan or any requirements under the Latrobe City Planning Scheme applying to use and development of the Airport; and
- 8.1.4 carrying out other functions and powers that are incidental to or ancillary to the Board's functions under this Delegation.

8.2 In undertaking its management function, the Board will:

- 8.2.1 promote the use of the Airport by developing and making non operational parts of the Airport available for lease to people or companies for compatible purposes;
- 8.2.2 convene a committee of airport users and tenants to ensure that they have an opportunity to identify to the Board matters which the Board should be aware of in relation to the operation of the Airport and as tenants;



- 8.2.3 ensure that the Airport is available to agencies providing health and emergency services;
 - 8.2.4 propose policies or rules applying to the use of the Airport by other users of the Airport and the community;
 - 8.2.5 ensure that any requirements imposed by Council Policy or Local Laws that apply to the management and operation of the Airport are complied and any breaches are reported to the Council for compliance;
 - 8.2.6 ensure that tenants and users do not undertake activities or uses that may impact on the continuation of the license for the Airport or the valid operation of Council's insurance of the Airport;
 - 8.2.7 monitor the physical condition of the Airport, including buildings and other assets to ensure that they are maintained in a safe condition and continue to be fit for the purpose;
 - 8.2.8 enter into contracts for the carrying out of any works or undertakings required in relation to the development and operation of the Airport, subject to complying with the Council's Procurement Policy and the Airport Masterplan;
 - 8.2.9 assess risk arising from the use and operation of the Airport and ensure that the requirements of the Council's Risk Management Operational Policy are complied with;
 - 8.2.10 make recommendations to the Council about any matter it considers necessary including the development of future capital works and the provision of future facilities and amenities to ensure the continued operation and viability of the Airport.
 - 8.2.11 the Board may seek advice, assistance and expertise from the Council as is necessary for the proper and efficient management of the Airport within the constraints of the budget. The Board must liaise with Council and its staff to ensure continuing co-operation and co-ordination of the Airport.
- 8.3 Planning and Reporting
- 8.3.1 The Board must develop and provide to the Council:
 - (a) a Masterplan for the Airport which will be approved by Council³

³ Council approved the Latrobe Regional Airport Masterplan in May 2016



- and will manage the implementation of the Masterplan with support from the Council. The Plan must be reviewed at least once every five (5) years;
- (b) an Annual Plan identifying priorities for the management and use of the Airport;
 - (c) a quarterly report on the operations of the Board which includes financial reports for the same period.
- 8.3.2 The Board must, in conjunction with Council officers, develop an annual Capital Works Program, which is submitted for consideration by Council.
- 8.4 Undertaking Works and Maintenance
- 8.4.1 The Board must not proceed with any works, development or construction at the Airport or appoint any architect or consultant, without obtaining Council's prior approval.
 - 8.4.2 The Board may undertake tasks associated with general maintenance and upkeep of the Airport but must when engaging contractors, ensure that they are accredited with Council. Volunteers must complete a *Volunteer Registration* form.
 - 8.4.3 The Board must not carry out or authorise any capital works, extensions, additions or materially alter the buildings or surrounds without obtaining Council's prior written approval.
 - 8.4.4 The Board must ensure that any proposed alterations or works undertaken at the Airport by tenants or other users are discussed with Council. All appropriate approvals must be obtained in writing prior to any such works being commenced.
 - 8.4.5 The Board may employ and pay a person or company (with Council approval) to undertake the maintenance and upkeep of the Airport and the performance of any other matters required to be done for the proper management and control of the Airport.
- 8.5 Entering into Commercial Arrangements
- Subject to complying with Council's Procurement Policy the Board may enter into contracts or other agreements associated with the management and operation of the Airport with the prior consent of Council.



9 GENERAL REQUIREMENTS

9.1 General

- 9.1.1 The Board must not delegate any of the powers delegated to it by the Council.
- 9.1.2 Subject to prior consultation with Council, the Board may obtain legal advice.
- 9.1.3 The Board must ensure the any requirements of the Council's Planning Scheme and Local Laws are complied with by tenants and users of the Airport.
- 9.1.4 Any requests and directions or financial rules, policies or requirements made by the Council must be complied with by the Board.

9.2 Communications

The Board must comply with any Council Policy applying to public relations, communications and the use of social media.

9.3 Disputes

- 9.3.1 If there is a dispute between the Board and any tenant, the dispute resolution procedures in the lease will apply.
- 9.3.2 If there is a dispute between the Board and any other person the matter will be referred to the Council for resolution.

9.4 Indemnity

The Council will indemnify members of the Board against any action, liability, claim or demand on account of any matter or thing done by them on behalf of the Board when they are acting in accordance with this Instrument of Delegation in the honest and reasonable belief or under a mistake of law that the member was properly exercising any function or power of the Board.

9.5 Powers Excluded

- 9.5.1 The Board is not empowered by this Instrument of Delegation to enter into a contract for an amount that exceeds the value prescribed in the Council's Procurement Policy.

9.6 Changes to Schedules or Delegation

- 9.6.1 No alteration to this Delegation or the schedules will be effective unless first approved by the Council.



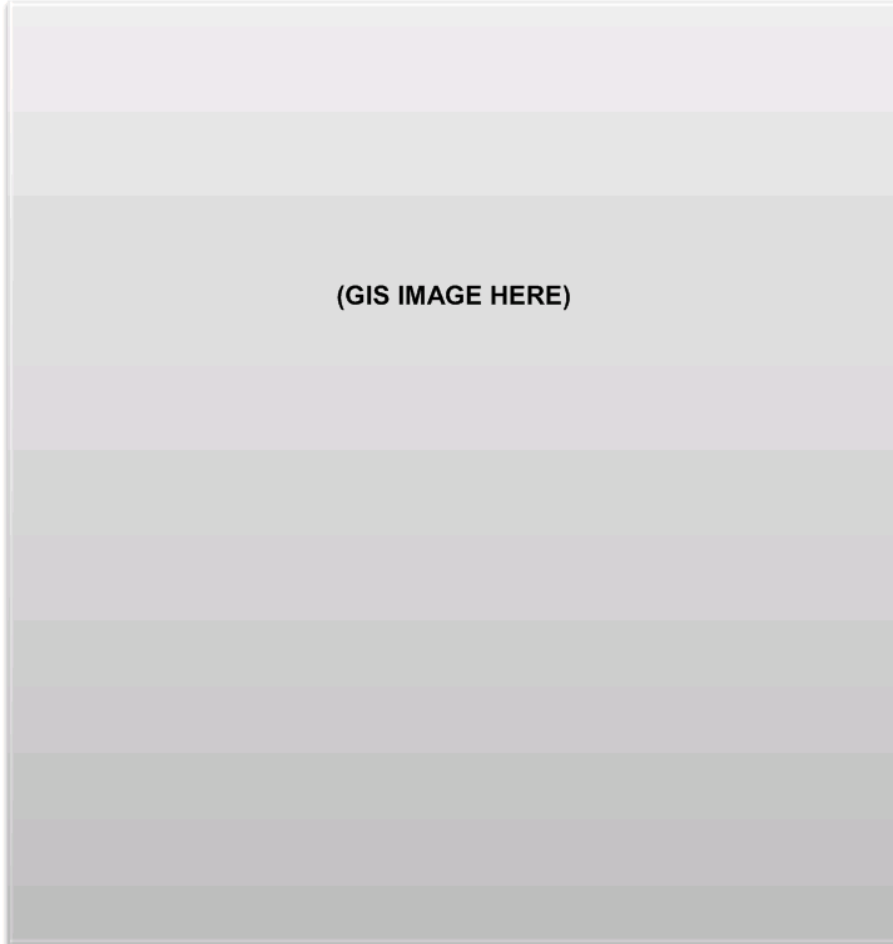
9.7 Revocation

- 9.7.1 This Instrument of Delegation may be revoked at any time by Council, if in the view of Council, the Board is not managing the Airport in the best interest of Council, the community and users.

review draft



Schedule 2: GIS Imagery of managed land





Schedule 3: Applicable Local Government Act requirements

review draft

Yallourn North Community Housing (Special Committee) *Draft Instrument of Delegation*

(FACILITY IMAGE HERE)





Instrument of Delegation

Pursuant to the exercise of the power conferred by section 86(3) of the *Local Government Act 1989*, Latrobe City Council (the Council) hereby delegates to Yallourn North Community Housing Special Committee (the Committee of Management), the powers, duties and functions set out in the Schedules attached and declares that:

1. This Instrument of Delegation is authorised by a resolution of Council passed on [#date#]; and
 - 1.1. The delegation:
 - 1.1.1. Comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 1.1.2. Remains in force until varied or revoked;
 - 1.1.3. Must be exercised in accordance with the attached schedules, and is subject to any conditions and limitations set out in the schedules;
 - 1.1.4. Must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 1.2. Any member (not being a Councillor) of the Committee is exempt from provisions of section 81 of the *Local Government Act 1989* for the purposes of providing primary and ordinary returns;
 - 1.3. The Committee must annually report to Council concerning decisions made during and finances of the Committee for the preceding 12 months; and
 - 1.4. Council may remove a member from the Committee at any time.

[#Council seal clause#]



Schedule One: Powers, Functions and Duties of the Special Committee

1. DEFINITIONS

1.1. In this delegation and schedules, the following words shall have the following meanings:

The Committee	means the Yallourn North Community Housing Special Committee appointed pursuant to the provisions of section 86 of the <i>Local Government Act 1989</i> .
Council	means Latrobe City Council, being a body corporate constituted as a municipal Council under the Act.
Councillor	means the individual(s) holding the office of a member of Latrobe City Council.
Council officer	means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer.
The Units	means the land and buildings known as Yallourn North Community Housing and as highlighted on the attached plan in Schedule Four (4) that is subject to this delegation.
Public notice	means a notice published in a newspaper generally circulating in the municipal district of the Council.
Special Committee	means a committee to which the Council delegates a duty, function or power established under section 86 of the <i>Local Government Act 1989</i> .
Management	includes maintenance, control, operation, undertaking improvements and leasing of the Units.

2. OBJECTIVES OF THE SPECIAL COMMITTEE

2.1. The principle objective of the Committee is to act as an agent of Latrobe City Council, not as an independent entity, in managing the Units which is entrusted in the Committee's care and to undertake functions and duties relating to the Units, in particular:



- 2.1.1 carrying out the day to management and improvement of the Facility;
and
- 2.1.2 ensuring that the Units operate in compliance with any relevant legislation, Council Local Laws and Policy, any Ministry of Housing requirements and consistent with the community's housing and cultural needs.

3. COMPOSITION OF COMMITTEE

- 3.1. Membership
- 3.2. The Committee will consist of up to 7 members appointed by the Council being:
 - (a) a Latrobe City Councillor;
 - (b) up to 6 community representatives, one of whom will be a resident of the Units.
- 3.3 The appointment of community representatives will be in accordance with clause 3.5.
- 3.4 No person nominated may be or act as a member of the Committee until their appointment is endorsed by Council.
- 3.5 Expression of Interest – Independent Board members
 - 3.5.1 A public notice calling for expressions of interest for Committee members must be published not less than 60 days prior to the expiration of the members' current term of office.
 - 3.5.2 Written nominations for a position as a Board Member must be received (including full name and addresses) within 14 days of the publication of the notice.
 - 3.5.3 The Council reserves the right to appoint a person as a public representative whose name has not been submitted through the above process.
- 3.5 Qualifications for Committee - General
 - 3.5.1 Except with the prior approval of the Council, a person cannot be appointed to the Committee unless that person is 18 years of age and resides, owns property or works within the municipality;
 - 3.5.2 all Committee members must be prepared to comply with conflict of



Interest requirements in the *Local Government Act 1989*; and

- 3.5.3 all Committee members must complete a *Nominee Declaration Form* to qualify to be a member of the Committee.

4 TERM OF OFFICE

- 4.3 All members of the Committee will hold office for a period of three (3) years commencing from the date of their appointment by Council.
- 4.4 A member appointed to fill a casual vacancy on the Committee must retire at the end of the three year term applicable to the member whose inability to complete their term (for whatever reason) caused the vacancy.
- 4.5 A member of the Committee is eligible for re-nomination at the expiration of the period of office.

5 VACANCIES

- 5.3 Notwithstanding anything else contained herein, the Council may at any time terminate the office of any or all of the members of the Committee.
- 5.4 If a Committee member misses three (3) consecutive meetings of the Committee without submitting their apology prior to the meeting, they will cease to be a member of the Committee upon confirmation by Council.
- 5.5 Casual Vacancies
- 5.5.1 Where a vacancy on the Committee occurs through retirement, resignation, death, incapacity or loss of qualification, the Committee must within one month of this occurring, advise the Council and nominate a suitable person to Council for appointment to the vacancy for the period remaining of the original tenure; and
- 5.5.2 Any vacancy caused by the resignation of a community representative, must only be filled by Council via an expression of interest process.

6 COMMITTEE MEETINGS

- 6.3 General Provisions
- 6.3.1 The Committee must hold at least 3 meetings during the year on the dates the Chairperson appoints with the first meeting of the Committee to be held within one (1) month of the Committee's appointment.
- 6.3.2 The Secretary must give public notice of all meetings including special meetings of the Board.

Comment [HP1]: Current Instrument of Delegation says the Committee can meet as and when required but there will not be a lapse of more than 2 months between meetings. 1/4ly meetings is probably adequate especially as a special meeting can be called if needed.



6.3.3 The Secretary must distribute a notice of the meetings to all members of the Committee at least 7 clear days prior to the meeting and must advise the Council of any Committee meetings.

6.4 Meeting Procedures

6.4.1 All requirements of the *Local Government Act 1989* applying to meetings and special meetings must be complied with.¹

6.4.2 The Chairperson must take the chair at all meetings at which the chair is present. If the chair is absent the members present may appoint one of their numbers to chair the meeting.

6.5 Quorum

6.5.1 A meeting of the Committee must not proceed if a quorum cannot be obtained within 30 minutes of the published commencement time of the meeting.

6.5.2 The quorum must be a simple majority of the number of members of the appointed Committee.

6.6 Annual Meeting

6.6.1 The Committee meeting to be held in July each year will be the Annual General Meeting of the Committee at which office bearers will be elected to the positions of Chairperson, Secretary, Treasurer and other positions determined by the Committee as being necessary for the efficient functioning of the Committee.

6.6.2 At this meeting the Committee will also receive:

6.6.3 the annual report;

6.6.4 a report on the program of planned activities proposed for the next year; and

6.6.5 receive the annual financial statements.

6.7 Special Meetings

6.7.1 The Chairperson may call a special meeting and must call a special meeting if a written request for a special meeting is received from 2 members of the Committee and must give notice of the special meeting

¹ For ease of reference, these are in Schedule XXXXX



- in accordance with the requirements of this provision.
- 6.7.2 The notice by the Chairperson or the request by the 2 Committee members must contain a statement of the purpose of the meeting.
- 6.7.3 The meeting will be held on such dates and at such time as fixed by the Chairperson.
- 6.7.4 In cases where the Chairperson calls a meeting in response to a request from 2 members, the meeting must be held within 21 days of receiving such request. The Chairperson must arrange for notice of the meeting to be given to all Committee members.
- 6.7.5 No other business shall be transacted at that meeting except that specified in the notice.
- 6.8 Minutes of meetings
- 6.8.1 The Chairperson of the Committee must arrange for minutes of each meeting of the Committee to be kept.
- 6.8.2 The Chairperson must submit the minutes of a Committee meeting to the next meeting of the Committee for confirmation. If the minutes are confirmed the Chairperson at the meeting must sign the minutes and certify that they have been confirmed.
- 6.8.3 The minutes of a meeting of the Committee must:
- contain details of the proceedings and resolutions made;
 - be clearly expressed; and
 - be self-explanatory.
- 6.8.4 Relevant reports or a summary of the relevant reports considered in the decision making process must be incorporated in relation to resolutions recorded in the minutes.
- 6.8.5 The Chairperson must ensure that a copy of the minutes of each meeting of the Committee is sent to the Council within 28 days of the meeting.
- 6.9 Voting
- 6.9.1 Each member present at a meeting of the Committee will have 1 vote on each matter being considered by the Committee.
- 6.9.2 In the event that voting on any matter is equal, the Chairperson has a



- casting vote.
- 6.9.3 A motion before a meeting of the Committee is to be determined as follows:
- 6.9.3.1 each member of the Committee who is entitled to vote is entitled to 1 vote;
 - 6.9.3.2 unless otherwise prohibited by the *Local Government Act 1989*, each member of the Committee present must vote;
 - 6.9.3.3 unless the procedures of the Committee otherwise provide, voting must be by show of hands;
 - 6.9.3.4 the motion is determined by a majority of the vote;
 - 6.9.3.5 If there is an equality of votes the Chairperson has a second vote.
- 6.9.4 Any decision of the Committee which does not relate to a matter delegated to it cannot be actioned until approved by Council.
- 6.9.5 In the event of any unresolved dispute arising between Committee members the matter must be submitted to the Council in writing and any decision made by the Council is final.
- 6.9.6 The Committee may form sub Committees from amongst its members for the purpose of recommending on matters relating to the provisions of this Instrument of Delegation, provided that no decision is made.
- 6.9.7 The Chairperson will be an ex-officio member of all sub committees.
- 6.9.8 A sub committee may only be established by resolution of the Committee and may only carry out the functions stated in the resolution.
- 6.10 Conflict of Interest
- 6.10.1 If a member of the Committee has a conflict of interest in any matter in which the Committee is concerned, the member must comply with the requirements in the *Local Government Act 1989*.
 - 6.10.2 The member must not remain in the room in which the meeting at which the matter is to be discussed and must not remain in the room in which the meeting is being held during any discussion or any vote taken on the matter.



6.10.3 The minutes must record the member's disclosure of his or her conflict of interest and the time the member left and returned to the meeting.

6.11 Meetings open to the Public

6.11.1 Any meeting or special meeting of the Committee must be open to members of the public.

6.11.2 The Committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following:

6.11.2.1 Contractual matters;

6.11.2.2 Proposed development;

6.11.2.3 Legal advice;

6.11.2.4 Matters affecting the security of Council;

6.11.2.5 Any other matters which the Committee considers would prejudice the Council or any person;

6.11.2.6 A resolution to close the meeting to members of the public.

6.11.3 If the Committee resolves to close the meeting to the public, the reason must be recorded in the Minutes of the meeting.

7 FINANCE

7.3 Financial Administration

7.3.1 The Financial Year of the Committee will be from 1 July to 30 June next.

7.3.2 The Committee is required to ensure the effective financial control of the Units and must submit an annual budget to Council for consideration and approval by 30 November in each year for the next financial year.

7.3.3 All monies received on behalf of the Committee must be banked within fourteen (14) days of receipt in a bank account in the name of the Committee.

7.3.4 All money received by the Committee must be applied to the maintenance, operations, future developments and improvements of the Units and any other expenses which may be incurred by the Committee in its management of the units.

7.3.5 Council must have the ability at all times to access details of Committee



- bank accounts.
- 7.3.6 All invoices over \$50 (including GST) must be paid by cheque which must be signed by two (2) Committee members or by electronic funds transfer (EFT).
- 7.3.7 The Treasurer must list all invoices received for payment to each meeting of the Committee and report on the state of the Committee's finances and must make such recommendations as he or she considers necessary which must be recorded in the Minutes of the meeting.
- 3.2.1. Monies held by the Committee must not exceed \$80,000 at the end of the financial year unless otherwise approved by Council. Funds in excess of that amount must be transferred to Council to be paid into a Trust Account in the name of the Committee that is maintained by the Council.
- 7.3.8 Committee members are entitled to be reimbursed from Committee funds for any out of pocket expenses incurred while carrying out the functions set out in this Delegation as long as a tax invoice is provided.
- 7.3.9 No voting member of the Committee is entitled to receive any remuneration or honorarium for carrying out any of his other duties as a member of the Committee without approval from the Council.
- 7.3.10 On dissolution of the Committee, the outgoing Committee must close all accounts and transfer the remaining funds to Council and provide evidence of such.
- 7.4 Annual Statements and Reports
- 7.4.1 The Committee must on or before the 10th day of July in each year ensure the accounts of the Committee are balanced up to the close of the financial year (30 June) and forward it's annual Financial Statements to Council.
- 7.4.2 The Treasurer must present an operating statement and statement of accounts at the conclusion of each financial year for presentation to the Annual which will be based on a standard template provided by Council.
- 7.4.3 In addition to the statement of accounts, the Committee must provide an Annual Report to Council on the operation of the Units.



7.5 Determination of rent

The Committee must determine the rent to be paid by the tenants having regard to the current Ministry of Housing basis for setting rents.

8 MANAGEMENT OF THE UNITS

8.3 General Requirements

The Committee will manage the Units by:

- 8.3.1 ensuring that Units are monitored and that the physical condition of the assets are generally kept in a safe and clean condition and are fit for purpose;
- 8.3.2 ensuring that maintenance of the Units is undertaken to Council's standards and that the tenants in the Units maintain their units in accordance with their agreements;
- 8.3.3 selecting tenants for the Units from eligible applicants in accordance with any guidelines or policies that may prescribe the criteria for eligibility;
- 8.3.4 identifying any policy or rules that applying to occupation of the Units;
- 8.3.5 ensure the effective financial control of the Units to meet the objectives of Council and the Committee by collecting rentals to off set the operating costs incurred as far as possible; and
- 8.3.6 being an advisory and liaison body between the Council and the tenants who occupy the Units;
- 8.3.7 administering the Units in compliance with any relevant legislation, Council Local Laws and Policies and reporting any breaches that occur to the Council;
- 8.3.8 making recommendations to the Council on the development of future capital works and the provision of future facilities and amenities to the Units; and
- 8.3.9 to do all things necessary and incidental to achieve the objectives in this Delegation.

- 8.4 The Committee may seek advice, assistance and expertise from the Council as is necessary for the proper and efficient management of the Facility within the constraints of the budget and including the ability to invite persons to the meetings of the Committee as observers or advisers.



- 8.5 The Committee may incur expenditure up to \$80,000 annually to undertake its functions and powers but must comply with Council's Procurement Policy and must obtain Council's prior written approval before incurring any expenditure in excess of that amount.
- 8.6 Planning
- 8.6.1 A Plan identifying activities for the maintenance and management of the Units for the next 3 years must be prepared by the Committee and must be reviewed annually at the annual meeting of the Committee.
- 8.6.2 The Committee must at least once a year inspect the Units and develop a schedule of works, prioritising the maintenance and works that need to be undertaken..
- 8.7 Undertaking Works and Maintenance
- 8.7.1 The Committee must not undertake major capital works², development or construction of the Units or appoint any architect or consultant, without obtaining Council's prior written approval but may undertake tasks associated with general maintenance and upkeep of the Units.
- 8.7.2 Subject to complying with Council's Procurement Policy, the Committee may employ a person to carry out maintenance and upkeep of the Units and any other matters required to be done for the proper management and control of the Units but when engaging contractors, must ensure that they are accredited with Council. Volunteers must complete a *Volunteer Registration* form.
- 8.7.3 The Committee must monitor any risk as part of its annual inspection and scheduled maintenance program and report to the next Committee meeting any risk or damage that has occurred to the Units.
- 8.8 Rental Agreements
- The Committee may enter into rental agreements with tenants of the Units.
- 9 GENERAL REQUIREMENTS**
- 9.3 General
- 9.3.1 The Committee must not delegate any of the powers delegated to it by

² Major capital works means works in excess of \$10,000.



- the Council.
- 9.3.2 The Committee must not borrow or obtain funds by way of overdraft or loan.
- 9.3.3 Subject to prior consultation with Council, the Board may obtain legal advice.
- 9.3.4 Any requests or directions, financial rules, policies or requirements made by the Council which relate to the management and operation of the Units must be complied with by the Committee.
- 9.4 Communications
- The Board must comply with any Council Policy applying to public relations, communications and the use of social media.
- Disputes
- 9.4.1 In the event of any dispute between the Committee and any tenant, the dispute resolution procedures in the lease will apply first instance. If the dispute is not able to be resolved the Committee will have regard to any other dispute mechanisms available under the *Residential Tenancies Act 1997*.
- 9.4.2 If there is a dispute between the Committee and any other person, the matter will be referred to Council for resolution.
- 9.5 Indemnity
- 9.5.1 The Council will indemnify members of the Committee against any action, liability, claim or demand on account of any matter or thing done by them on behalf of the Committee when they are acting in accordance with this Instrument of Delegation in the honest and reasonable belief or under a mistake of law that the member was properly exercising any function or power of the Committee.
- 9.6 Powers Excluded
- 9.6.1 The Committee is not by this Instrument of Delegation empowered to do any of the following things without the written approval of the Council:
- 9.6.1.1 Enter into contracts, exceeding a value of \$10,000 per annum.
- 9.6.1.2 Borrow money.



9.6.1.3 Incur any banking overdraft.

9.7 Changes to Schedules or Delegation

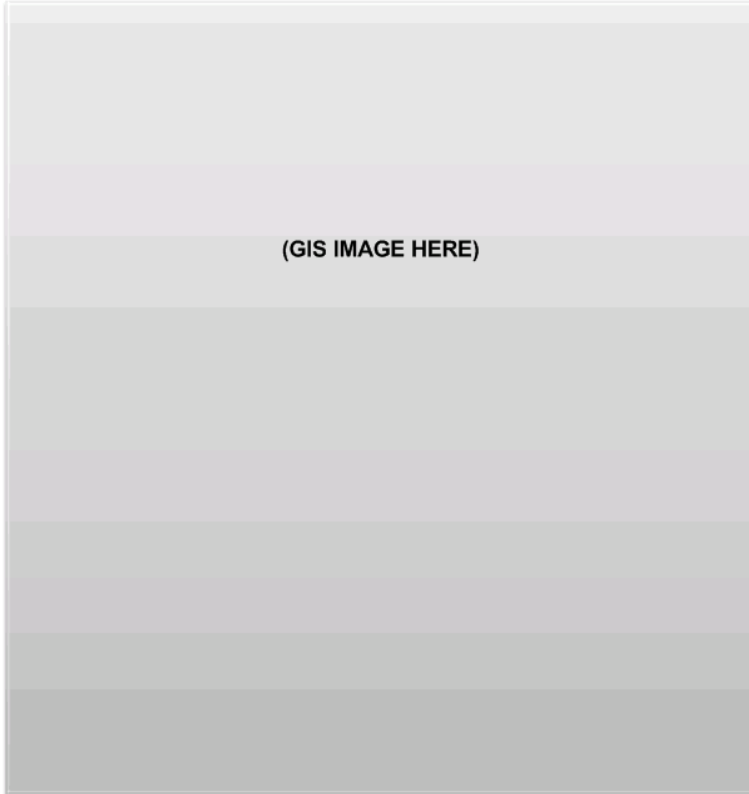
9.7.1 No alteration to this delegation or the schedules will be effective unless first approved by the Council.

9.8 Revocation

9.8.1 This Instrument of Delegation may be revoked at any time by Council, if in the view of Council the Committee is not managing the Units in the best interest of the tenants, the community and Council.



Schedule 2: GIS Imagery of managed land





Schedule 3: Applicable Local Government Act provisions

review draft

Morwell Centenary Rose Garden

Special Committee

Instrument of Delegation

(FACILITY IMAGE HERE)





Instrument of Delegation

Pursuant to the exercise of the power conferred by section 86(3) of the *Local Government Act 1989*, Latrobe City Council (the Council) hereby delegates to Morwell Centenary Rose Garden Special Committee, (the Committee), the powers, duties and functions set out in the Schedules attached and declares that:

1. This Instrument of Delegation is authorised by a resolution of Council passed on [#date#]; and
 - 1.1. The delegation:
 - 1.1.1. Comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 1.1.2. Remains in force until varied or revoked;
 - 1.1.3. Must be exercised in accordance with the attached schedules, and is subject to any conditions and limitations set out in the schedules;
 - 1.1.4. Must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 1.2. Any member (not being a Councillor) of the Committee is exempt from provisions of section 81 of the *Local Government Act 1989* for the purposes of providing primary and ordinary returns;
 - 1.3. The Committee must report annually to the Council concerning decisions made and the Committee's finances for the preceding 12 months; and
 - 1.4. The Council may remove a member from the Committee at any time.

[#Council seal clause#]



Schedule One: Powers, Functions and Duties of the Special Committee

1. DEFINITIONS

1.1. In this delegation and schedules, the following words shall have the following meanings:

The Committee	means the Morwell Centenary Rose Garden Special Committee appointed pursuant to the provisions of section 86 of the <i>Local Government Act 1989</i> .
Council	means Latrobe City Council, being a body corporate constituted as a municipal Council under the Act.
Councillor	means the individual(s) holding the office of a member of Latrobe City Council.
Council officer	means the Chief Executive Officer or staff of Council appointed by the Chief Executive Officer.
Public notice	means a notice published in a newspaper generally circulating in the municipal district of the Council chosen for the purpose.
The Rose Garden	means the Morwell Centenary Rose Garden being the areas located within the median and verges of Maryvale Crescent, Avondale Road, Commercial Road and the Jane Street Bridge Morwell and its immediate environs as depicted in Schedule Two (2).
Special Committee	means a Committee to which the Council delegates a duty, function or power established under section 86 of the <i>Local Government Act 1989</i> .

2. OBJECTIVES OF THE SPECIAL COMMITTEE

2.1. The principle objective of the Committee as a special committee of Latrobe City Council is to manage and maintain the Rose Garden to ensure that the original



aims when the Rose Garden was first established are continued, these being:

- maintaining the Rose Garden at a high standard of excellence capable of achieving recognition by State and National horticultural associations; and
- that the Rose Garden is readily accessible to the public for their pleasure, enjoyment and education in the culture of roses and horticulture in general.

3. COMPOSITION OF COMMITTEE

3.1. Membership

The Committee will consist of 9 members appointed by the Council, being:

- (a) A Councillor of the Latrobe City Council;
- (b) Not more than 8 community representatives.

3.2. Appointment to the Committee

- 3.2.1. A public notice calling for expressions of interest for Committee members must be published not less than 60 days prior to the expiration of the members' current term of office.
- 3.2.2. Written nominations for a position as a Committee member must be received (including full name and addresses) within 14 days of the publication of the notice.
- 3.2.3. The Council reserves the right to appoint a person as a community representative whose name has not been submitted through the above process.

3.3. Qualifications for membership of the Committee

- 3.3.1. Except with the prior approval of the Council, a person cannot be appointed to the Committee unless such person has attained the age of eighteen (18) years and resides, owns property or works within the municipality;
- 3.3.2. A person submitting an expression of interest to be a member of the Committee must demonstrate that they have a specialist expertise and knowledge of the history of the Rose Garden and of the culture of



roses.

- 3.3.3. All Committee members must be prepared to comply with conflict of interest provisions in the *Local Government Act 1989*; and

4. TERM OF OFFICE

- 4.1. All members of the Committee will hold office for a period of 3 years from the date of their appointment by Council.
- 4.2. A member appointed to fill a casual vacancy on the Committee will retire at the end of the three-year period applicable to that member whose inability to complete their term (for whatever reason) caused the vacancy.
- 4.3. A member of the Committee is eligible for re-nomination at the expiration of the period of office.

5. VACANCIES

- 5.1. Notwithstanding anything else contained herein, the Council may at any time terminate the office of any or all of the members of the Committee.
- 5.2. If any Committee member misses 3 consecutive meetings of the Committee without submitting their apology prior to the meeting they will cease to be a member of the Committee upon confirmation by Council.
- 5.3. Casual Vacancies
- 5.3.1. Where a vacancy on the Committee occurs through retirement, resignation, death, incapacity or loss of qualification, the Committee must within one month of this occurring, advise the Council and nominate a suitable person to Council for appointment to the vacancy for the period remaining of the original tenure; and
- 5.3.2. The Council may determine that a vacancy arising as a result of the circumstances in clause 5.3.1 may only be filled after a public notice calling for an expression of interest in the position.

6. OFFICE BEARERS

- 6.1. At the expiry of three years from the appointment of the Committee by Council, the term of Committee members expires and all members must be appointed by the Council to the Committee following the completion of the process in clause 3.2.
- 6.2. The Committee must then appoint office bearers to hold office for a period of



twelve (12) months and thereafter annually make those appointments:

- Chairperson
- Deputy Chair
- Treasurer
- Secretary
- other positions determined by the Committee as being necessary for the efficient functioning of the Committee.

- 6.3. There must be segregation of duties amongst office bearers whereon no one person may hold more than one office bearing position. In special circumstances one person may, with the approval of Council hold both the positions of Treasurer and Secretary.
- 6.4. The Committee must provide all nomination forms and notify the Council of the name and address of each Committee member and office bearer within seven (7) days of the person's appointment.

7. COMMITTEE MEETINGS

7.1. General Provisions

- 7.1.1. The Committee must meet on the days and times determined at the annual meeting but must meet at least 6 times a year, with the first meeting of the Committee to be held within one (1) month of the Committee's appointment by the Council.
- 7.1.2. The Secretary must give public notice of all meetings, including special meetings of the Board.
- 7.1.3. The Secretary must distribute notice of the meeting to all members at least seven (7) clear days prior to the meeting and must advise Council of any Committee meetings.

7.2. Meeting Procedures

- 7.2.1. All requirements applying to meetings of special committees in the *Local Government Act 1989* must be complied with. ¹

¹ For ease of Reference these are contained in Schedule XXX



- 7.2.2. The Chairperson must take the chair at all meetings at which the chair is present. If the chair is absent the members present must appoint one of their members to chair the meeting.
- 7.3. Quorum
- 7.3.1. A meeting of the Committee must not proceed if a quorum cannot be obtained within thirty minutes of the published commencement time of the meeting.
- 7.3.2. A quorum is a simple majority of the members of the Committee.
- 7.4. Business of the Annual Meeting
- 7.4.1. In August each year the Committee members will hold a meeting that will:
- (a) elect members to the positions listed in clause 6.2;
 - (b) Receive and consider Committee's annual report;
 - (c) Receive and consider a report on the program of activities proposed for the next year; and
 - (d) receive and adopt the annual financial statements.
- 7.5. Special Meetings
- 7.5.1. The Chairperson may call a special meeting and must call a special meeting if a written request for a special meeting is received from three members of the Committee and must give notice of the special meeting in accordance with the requirements in this provision.
- 7.5.2. A special meeting may also be called by the Council providing that notice of the special meeting is issued 48 hours prior to its commencement.
- 7.5.3. The notice by the Chairperson or the request by the three Committee members must contain a statement of the purpose of the meeting.
- 7.5.4. The meeting will be held on the date and at the time fixed by the Chairperson.
- 7.5.5. In cases where the Chairperson calls a meeting in response to a member request, the meeting must be held within 21 days of receiving the request. The Chairperson must arrange for notice of the meeting to



be given to all Committee members.

7.5.6. No other business must be transacted at that meeting except that specified in the notice.

7.6. Minutes of meetings

7.6.1. The Chairperson of the Committee must arrange for minutes of each meeting of the Committee to be kept.

7.6.2. The Chairperson must submit the minutes of a Committee meeting to the next meeting of the Committee for confirmation. If the minutes are confirmed the Chairperson must sign the minutes and certify that they have been confirmed.

7.6.3. The minutes of a meeting of the Committee must:

- contain details of the proceedings and resolutions made;
- be clearly expressed; and
- be self-explanatory.

7.6.4. In relation to resolutions recorded in the minutes, relevant reports or a summary of the relevant reports considered in the decision making process must be incorporated.

7.6.5. The Chairperson must ensure that minutes of all meetings of the Committee are kept by the Secretary or person acting in that position and a copy is sent to the Council within 7 days of the meeting.

7.7. Voting

7.7.1. Each member present at a meeting of the Committee will have one vote on each matter being considered by the Committee.

7.7.2. In the event that voting on any matter is equal, the Chairperson shall have a casting vote.

7.7.3. A motion before a meeting of the Committee is to be determined as follows:

7.7.3.1. Each member of the Committee who is entitled to vote is entitled to one vote;

7.7.3.2. Unless otherwise prohibited by the *Local Government Act*



- 1989, each member of the Committee present must vote;
- 7.7.3.3. Unless the procedures of the Committee otherwise provide, voting must be by show of hands;
- 7.7.3.4. The Motion is determined by a majority of the vote;
- 7.7.3.5. If there is an equality of votes the Chairperson has a second vote.
- 7.7.4. Any decision of the Committee which does not relate to a matter delegated to the Committee cannot be actioned until approved by Council.
- 7.7.5. In the event of any unresolved dispute arising, the matter must be submitted to Council in writing and any decision made by the Council is final.
- 7.7.6. The Committee may form sub committees from amongst its members for the purpose of making any recommendation on matters relating to the provisions of this Instrument of Delegation, provided that no decision is made.
- 7.7.7. The Chairperson will be an ex-officio member of all sub committees.
- 7.7.8. A sub committee may only be established by resolution of the Committee and must only carry out the functions stated in such resolution.
- 7.8. Conflict of Interest
- 7.8.1. If a member of the Committee has a conflict of interest in any matter in which the Committee is concerned, the member must disclose the nature of that interest at the meeting at which the matter is discussed.
- 7.8.2. The member must not remain in the room in which the meeting is being held during discussion or voting on the matter.
- 7.8.3. The Minutes must record the Conflict of Interest and the time the member left and returned to the meeting.
- 7.9. Meetings open to the Public
- 7.9.1. Any ordinary meeting or special meeting of the Committee must be open to members of the public.



- 7.9.2. The Committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following:
 - 7.9.2.1. Contractual matters;
 - 7.9.2.2. Proposed development;
 - 7.9.2.3. Legal advice;
 - 7.9.2.4. Matters affecting the security of Council;
 - 7.9.2.5. Any other matters which the Committee considers would prejudice the Council or any person;
 - 7.9.2.6. A resolution to close the meeting to members of the public.
- 7.9.3. If the Committee resolves to close the meeting to the public, the reason must be recorded in the Minutes of the meeting.

8. FINANCE

8.1. Financial Administration

- 8.1.1. The Financial Year of the Committee will be from 1 July to 30 June.
- 8.1.2. The Committee must ensure the effective financial control of the Committee and must submit reports to each meeting of the Committee that accurately represents the financial position of the Committee at that time.
- 8.1.3. The Committee must not borrow or obtain funds by way of overdraft or loan.
- 8.1.4. All monies received on behalf of the Committee must be banked within fourteen (14) days of receipt.
- 8.1.5. All monies received from grants, other than from the Council as part of its Grants Program, and any donations received by the Committee for the use of the rose garden must be paid into a Trust Account in the name of the Committee that is maintained by the Council.
- 8.1.6. All monies received by the Committee must be applied to the maintenance and operation of and improvements to the Rose Garden and any other expenses incurred by the Committee in carrying out its functions.
- 8.1.7. Committee members are entitled to be reimbursed from Committee



funds for any out of pocket expenses incurred while carrying out the functions set out in this Delegation subject to a tax invoice being provided by the member.

- 8.1.8. No member of the Committee is entitled to receive any remuneration or honorarium for carrying out any of his or her duties as a member of the Committee without approval from the Council.

8.2. Annual Statements and Reports

- 8.2.1. The Committee member elected as Secretary or Treasurer must present an operating statement and statements of financial position at the conclusion of each financial year for presentation to the designated meeting of the Committee.
- 8.2.2. The Committee must on or before the 10 July in each year ensure the accounts of the Committee are balanced (up to the 30th day of June proceeding) and forward its annual Financial Statement to Council.
- 8.2.3. Council will provide a standard template and information document to assist the Committee with the preparation of its annual financial statement.
- 8.2.4. As well as an annual financial statement, the Committee must provide an annual report to Council its operations for the preceding year..

8.3. Grants and Fundraising

- 8.3.1. The Committee may apply for grants subject to consultation with the Council and obtaining Council's prior consent which must not be unreasonably withheld.

9. MANAGEMENT OF FACILITIES

- 9.1 The Committee will manage the Rose Garden by:
 - 9.1.1. coordinating the specialised maintenance of the Rose Garden;
 - 9.1.2. acting as an advisory body to the Council about the Rose Garden;
 - 9.1.3. encouraging public interest in the Rose Garden, including fostering and coordinating the Friends of the Morwell Centenary Rose Garden;
 - 9.1.4. making the Rose Garden accessible to the community and visitors; and
 - 9.1.5. carrying out such other functions objectives, matters and things



incidental to and in furtherance of the Committee's objectives.

- 9.2. In undertaking its management function, the Committee will:
 - 9.2.1 undertake the scope of works agreed in the Memorandum of Understanding between Latrobe City Council and the Committee;
 - 9.2.2 foster and co-ordinate the Friends of the Morwell Centenary Rose Garden to assist the Committee in performing its functions;
 - 9.2.3 Identify and prioritise projects to continuously improve the Rose Garden;
 - 9.2.4 promote the Rose Garden in conjunction with special events and public demonstrations;
 - 9.2.5 propose to the Council any rules or policies applying to the use of the Rose Garden by the public;
 - 9.2.6 continually assess risks to public safety and report potential risks to Council as soon as they are identified;
 - 9.2.7 work with Council officers on asset maintenance and development plans;
 - 9.2.8 ensure that any conditions or requirements of use imposed by Council's Local Laws and policies and State and Federal Laws are observed and any breaches which occur are reported to Council;
 - 9.2.9 recommend proposals to Council for the development of and any future capital works considered appropriate for the Rose Garden.
- 9.3 The Committee may seek advice, assistance and expertise from the Council as necessary for the proper and efficient management of the Rose Garden within the constraints of the budget, including the ability to invite persons to the meetings of the Committee as observers or advisers.
- 9.4 The Committee must liaise with Council and its staff to ensure continuing co-operation and co-ordination of the Rose Garden.
- 9.5 The Committee must ensure that health and safety requirements applicable to the management of the Rose Garden are complied with.
- 9.6 The Committee and any person or body assisting the Committee must not commit or permit to be carried out, any act which will render the operation of Council's insurance policies invalid.
- 9.7 The Committee must require all users to agree to comply with any conditions of



use or any rules made by the Committee.

9.8 Undertaking Works and Maintenance

- 9.8.1 The Committee must not proceed with any works (other than maintenance), development or construction of anything in the Rose Garden or appoint any architect or consultant, without obtaining the prior approval of Council.
- 9.8.2 The Committee may undertake tasks associated with the maintenance and upkeep of the Rose Garden but when engaging contractors, must ensure that they are accredited with Council and that all volunteers must complete a *Volunteer Registration* form.
- 9.8.3 The Committee must not carry out or authorise any capital works, extensions, additions or materially alter the Rose Garden without prior written approval from Council.

10 GENERAL CONDITIONS

10.2 General

- 10.2.1 The Committee must not delegate any of the powers or functions delegated to it by Council.
- 10.2.2 Subject to prior consultation with Council, the Board must not obtain legal advice.
- 10.2.3 The Committee must comply with any applicable policies, requirements, directions or financial rules made by Council.
- 10.2.4 The Committee must permit the Council and its officers and agents to enter the Rose Garden at all reasonable times to

10.3 Communications

- 10.3.1 The Council and the Committee will work together to develop a harmonious relationship that takes into account the needs and wants of stakeholders.
- 10.3.2 As such, Schedule Four 'Communications Protocol' will form the basis for communicating between the Committee and the Council.

10.4 Disputes

- 10.4.1 In the event of any dispute between the Committee and any



organisation, club, sporting body or other party, any party to the dispute may refer it to the General Manager Infrastructure and Recreation for determination and in such event, the dispute process will be in line with any existing tenancy agreement.

10.4.2 In the absence of any agreement, the General Manager Infrastructure and Recreation decision will be final.

10.5 Indemnity

10.5.1 The Council will indemnify members of the Committee against any action, liability, claim or demand on account of any matter or thing done by them on behalf of the Committee when they are acting in accordance with this Instrument of Delegation by that member of the Committee in the honest and reasonable belief or under a mistake of law that the member was properly exercising any function or power of the Committee.

10.6 Powers Excluded

10.6.1 This Instrument of Delegation does not delegate the following functions and powers to the Committee without the written approval of Council:

10.6.1.1 Enter into contracts, exceeding a value of \$5,000 p.a.

10.6.1.2 Borrow money.

10.6.1.3 Incur any banking overdraft.

10.6.1.4 Make any alterations or additions to the Facility without written consent of Council.

10.7 Changes to Schedules or Delegation

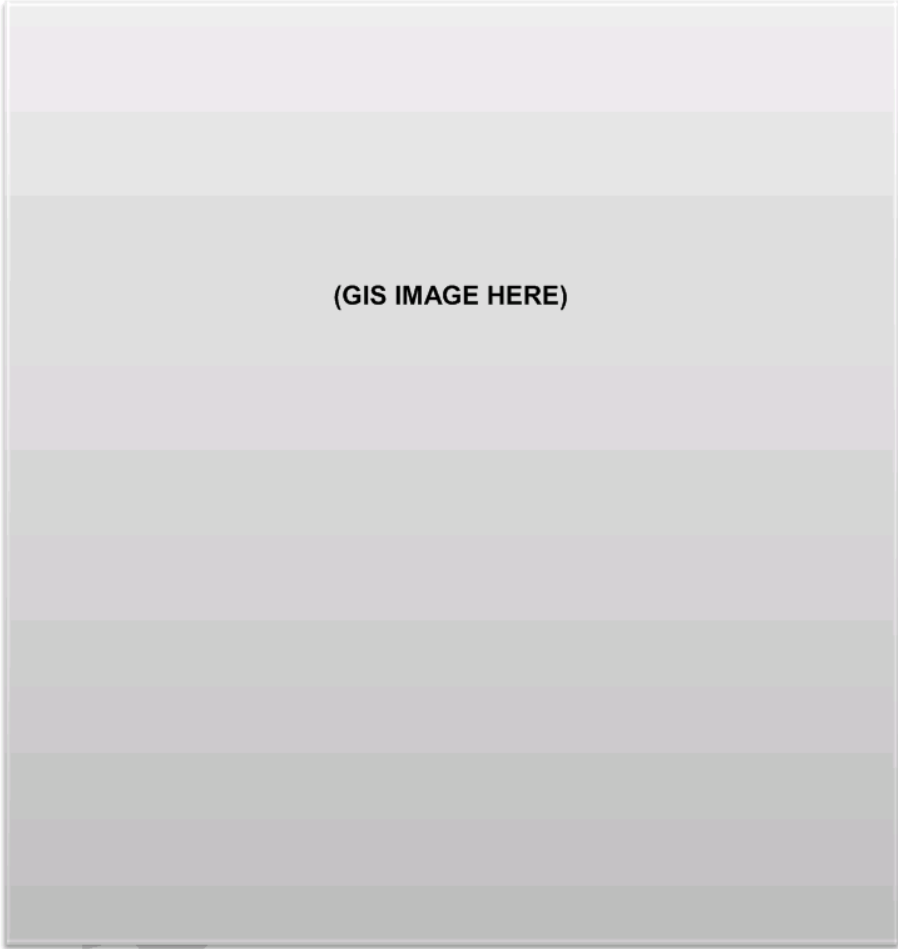
10.7.1 No alteration to this delegation or the schedules is effective unless first approved by the Council.

10.8 Revocation

10.8.1 This Instrument of Delegation may be revoked at any time by Council, if in the view of Council; the Committee is not managing the Rose Garden in the best interest of user groups, the community and Council.



Schedule 2: GIS Imagery of managed land





Schedule 3: User Group Representation

The following user groups may be represented on the Committee of Management:

- < User Group >
- < User Group >
- < User Group >

review draft



Schedule 4: Communications Protocol

Latrobe City Council is committed to working in an open and harmonious way with the community. As such Council will:

- Seek to manage service delivery to meet the expectations of the community within the resources available; and
- Be open and transparent in its dealings with its community.

This protocol seeks to define how Latrobe City Council and the Committees of Management of Council facilities will communicate.

Council will:

- Consult with Committees of Management in the development and implementation of capital works and maintenance programs.
- Consult with Committees of Management in developing and administering maintenance schedules.
- Provide Committees of Management with maintenance schedules and programs annually or prior to the commencement of the seasons whichever is applicable.
- Advise the nominated Committees of Management representative of any variations to maintenance schedules and programs where they will interfere with the operation of the Council facility within 24 hours of the variation occurring.
- Respond to maintenance requests and letters from Committees of Management within fourteen working days.
- Advise Committees of Management of any decisions or matters that will restrict or impinge on the use of their facilities within 24 hours of the decision.
- Provide Committees of Management with a list of designated Council Officers authorised to be the contact person for specific matters and concerns annually.
- Meet with Committees of Management formally once per year to discuss matters of interest and concern to both parties.
- Explain clearly any decisions made that effect Committees of Management



in respect to maintenance, capital works and the like.

- Regularly inspect the facilities to ensure it is being maintained in a proper condition in accordance with any service specifications and the like.

Committees of Management will:

- Assist Council in ensuring that facilities are presented in the best possible condition taking into account the prevailing conditions.
- Advise the Recreation Liaison team annually of a nominated Committee of management representative, together with their address and phone numbers, who will be the Committee of management's contact person for Council for that year.
- Raise directly with the relevant, designated Council Officer any concerns or matters regarding contractor performance or any matters or concerns relating to maintenance schedules and programs.
- Not seek to direct Council contractors or Council staff when carrying out their duties at the facility.
- Discuss with the relevant, nominated Council Officer all requests for services that are beyond scheduled service provision. Such requests are to be made in writing where possible at least two weeks prior to the service requested being required.
- When requesting maintenance work, provide a preferred time schedule, which Officers will confirm subject to the availability of trades people and previous commitments.
- Refer any requests for capital works or projects to the Recreation Liaison team no later than October each year with concept plans, costing and methods of funding to ensure that the project can be considered and a case prepared for the following year's budget.
- In the first instance discuss any matters regarding lease conditions or commercial issues with the Recreation Liaison team.
- Refer any enquires regarding facility hire from other users to the Recreation Liaison team.

If Committees of management are dissatisfied with the service provided they



may, in the first instance, lodge a complaint with the Manager Recreation.

If the Committee is unsatisfied with that outcome they can then write to the:

Chief Executive Officer

Latrobe City Council

PO Box 264

Morwell Victoria 3840

review draft

COUNCIL COMMITTEE REVIEW PROJECT – INDICATIVE PROGRAM TIMELINE

Task	Current status	Proposed Action	When By
Section 86 - Special Committee Review			
Latrobe Regional Airport	Reviewed	Current status as a special committee to be retained. Revised Instrument of Delegation to be submitted for Council feedback.	May/June 2017
Yallourn North Community Housing Committee	Reviewed	Current status as a special committee to be retained. Revised Instrument of Delegation to be submitted for Council feedback.	
Morwell Centenary Rose Garden Advisory Committee	Reviewed	Draft Instrument of Delegation to be submitted for Council feedback Proposed status upgrade to Special committee.	
Mayoral Sponsorship Committee	Abolished by Council April 2017.		
Advisory Committees Review - Following Committee reviews underway.	<ul style="list-style-type: none"> • Mathison Park Advisory Committee • Victory Park Precinct Advisory Committee. • Friends of Traralgon Railway Reserve Conservation Reserve Committee 	Preliminary Terms of Reference drafting underway. Preliminary Terms of Reference drafting underway. Preliminary Terms of Reference drafting underway Need to determine appropriate	July/Aug 2017

Task	Current status	Proposed Action	When By
	<ul style="list-style-type: none"> • Crinigan Bushland Reserve Committee of Management • Edward Hunter Heritage Bush Reserve Committee of Management • Ollerton Ave Bushland Reserve Committee of Management • Various User Groups under review 	<p>structure given different functions, sustainability and capacities. Crown land ownership may also limit approach so review of relevant legislation to be undertaken.</p> <p>Need to examine possible insurance implications. Review against the Grants Program and determine any impacts, including how money given is accounted for. Develop appropriate documentation. Submit for Council amendment/approval.</p>	July/Aug 2017
<p>Advisory Committees Review - Following Committee reviews to commence.</p>	<ul style="list-style-type: none"> • Braiakaulung Advisory Committee. Appears to have not functioned since 2014. Terms of Reference dated 2011 • Churchill & District Community Hub Advisory Committee. Terms of Reference dated 2012. • Early Years Reference Committee. Terms of 	<p>Review and decision required on Committee retention & status.</p> <p>Review and decision required on Committee retention & status. Draft documentation prepared as necessary.</p> <p>Review and decision required on Committee retention & status.</p>	<p>July/Aug 2017</p> <p>July/Aug 2017</p> <p>July/Aug 2017</p>

Task	Current status	Proposed Action	When By
	<p>Reference dated 2011.</p> <ul style="list-style-type: none"> • Latrobe City Industry Advisory Committee. Has Terms of Reference dated 2014. Needs to be reviewed to assess amalgamation potential with Gippsland Carbon Transition <p>AND</p> <ul style="list-style-type: none"> • Gippsland Carbon Transition Advisory Committee. Terms of Reference dated 2014. <p>AND</p> <ul style="list-style-type: none"> • Timber Umbrella Group. Has Terms of Reference dated 2015. <ul style="list-style-type: none"> • War Memorials Advisory Committee. <ul style="list-style-type: none"> • Jumbuk and Yinnar South Timber Traffic Reference Group. Has Terms of Reference dated 2009. MOU exists. <ul style="list-style-type: none"> • Morwell CBD Safety Group. Current position 	<p>Review and decision required on Committee retention & status Proposals concerning these committees.</p> <p>Report to be submitted to proposed abolition and revised approach.</p> <p>Review of role & function and Terms of Reference to be reviewed.</p> <p>Establish need for current arrangements and determine/draft appropriate documentation for committee review if necessary. Decision will alter "done date".</p> <p>Establish need for current arrangements and determine/draft</p>	<p>July/Aug 2017</p> <p>July/Aug 2017</p> <p>July/Aug 2017</p> <p>July/Aug 2017</p> <p>July/Aug 2017</p>

Task	Current status	Proposed Action	When By
	<p>unclear. No Council appt.</p> <ul style="list-style-type: none"> <li data-bbox="741 520 1010 619">• Sale of Goods from Council properties. Has terms of Reference dated 2011. <li data-bbox="741 667 1010 766">• Social Planning for Well Being Committee. Has terms of Reference dated 2011. <li data-bbox="741 813 1010 912">• Traralgon Aquatic Facility Working Party. Has terms of Reference dated 2011. <li data-bbox="741 986 1010 1129">• Warren Terrance Hazelwood North Recreation Reserve Advisory Committee. Has Terms of Reference dated 2010. 	<p>appropriate documentation for committee review if necessary. Decision will alter "done date".</p> <p>No Council appt. Current position unclear. Needs to be discussed in the context of the General Local Law and other arrangements in place.</p> <p>Establish need for current arrangements and determine/draft appropriate documentation for committee review if necessary. Decision will alter "done date".</p> <p>No Council appt. Current position unclear. Establish need for current arrangements and determine/draft appropriate documentation for committee review if necessary.</p> <p>No Council appt. Current position unclear. Establish need for current arrangements and determine/draft appropriate documentation for committee review if necessary.</p>	<p>July/Aug 2017</p> <p>July/Aug 2017</p> <p>July/Aug 2017</p> <p>July/Aug 2017</p>

Task	Current status	Proposed Action	When By
Advisory Committee Guide	Draft Guide has been reviewed and amended as required. Is with other Council areas for "testing	To be finalised having regard to potential LGA amendments to be considered.	Aug 2017
Friends Group Model	Submitted as an alternate to the special committee/advisory committee approach. Review Cardinia Coalition approach. Review model Guides available from other sources.	Determine suitability and efficiency of a Friends Group model for LCC purposes based on outcomes of advisory committee reviews.	July 2017
Review Establishment of Council Committee Policy & Templates	Current Establishment of Council Committee Policy dated July 2015 requires review by July 2017. Review Templates for Instrument of Delegation to Special Committee and Terms of Reference for Advisory Committees	Review against potential changes to LGA & benchmark against other Councils. Draft Policy and to be submitted Executive and Council. Completed. Draft to be submitted amended Policy to Executive and Council.	July 2017 July 2017

17.3 Assemblies of Councillors

General Manager

Corporate Services

For Information

EXECUTIVE SUMMARY

Section 80(A)2 of the *Local Government Act 1989* requires:

The Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable - (a) reported at an ordinary meeting of the Council; and (b) incorporated in the minutes of that Council meeting.

Since the Ordinary Council Meeting on 19 June 2017, the following Assembly of Councillor records have been submitted to be presented to Council:

Date	Assembly Details	In Attendance	Confidential	Declarations of Interest
01 June 2017	Victorian Farmers Federation & Latrobe City Council Working Group	Councillors Cr Alan McFarlane, Cr Darrell White, Cr Darren Howe, Cr Dan Clancey Officers Martin Teplik, Jane Lloyd	Not confidential	Nil
05 June 2017	Councillor Briefing	Councillors Cr McFarlane, Cr Middlemiss, Cr White, Cr O'Callaghan, Cr Howe, Cr Clancey, Cr Law Officers Gary Van Driel, Sara Rhodes-Ward, Steven Piasente, Phil Stone, Angelo Saridis, Matthew Rogers, Brett McCulley, Amy Phillips, Fiona Warne, Michael Bloyce	Confidential under 89(2) (a) personnel matters (d) contractual matters (e) proposed developments (h) any other matters which the Council or special committee considers would prejudice the Council or any person	Cr O'Callaghan – Interest Declaration
05 June 2017	Early Years Reference	Councillors Cr Kellie O'Callaghan, Cr	Not Confidential	Nil

Date	Assembly Details	In Attendance	Confidential	Declarations of Interest
	Committee	Dan Clancey Officers Jodie Pitkin, Nicky Lapin, Carole Ayres		
05 June 2017	Municipal Emergency Management Planning Committee	Councillors Cr Darren Howe, Cr Bradley Law Officers Lance King, Rebecca Johnson, Henry Morrison, Robyn Duffy, Heather Farley	Not confidential	Nil
05 June 2017	CEO REM Committee Meeting	Councillors Cr Graeme Middlemiss, Cr Kellie O'Callaghan, Cr Dan Clancey, Cr Sharon Gibson Officers Gary Van Driel	Confidential under Section 89 (2)(a)(d) Personnel Matters and Contractual Matters	Nil
05 June 2017	CEO Performance Review Briefing	Councillors Cr Alan McFarlane, Cr Graeme Middlemiss, Cr Darrell White, Cr Kellie O'Callaghan, Cr Darren Howe, Cr Dan Clancey, Cr Bradley Law, Cr Sharon Gibson Officers Gary Van Driel	Confidential under Section 89 (2)(a)(d) Personnel Matters and Contractual Matters	Nil
13 June 2017	Chief Executive Officer Performance and Remuneration Review Advisory Committee	Councillors Cr Graeme Middlemiss, Cr Kellie O'Callaghan, Cr Dan Clancey, Cr Sharon Gibson Officers Gary Van Driel, Angelo Saridis	Confidential under Section 89 (2)(a)(d) Personnel Matters and Contractual Matters	Nil

Date	Assembly Details	In Attendance	Confidential	Declarations of Interest
	Meeting			
13 June 2017	Churchill & District Community Hub Joint User/Advisory Committee meeting & hub Advisory committee Meeting	Councillors Cr Darrell White Officers Edith Heiberg, Carole Ayres	Not confidential	Nil
14 June 2017	Morwell Town Common Development Plan Project Control Group	Councillors Cr Graeme Middlemiss Officers Simon Clark	Not confidential	Nil
15 June 2017	Traralgon CBD Safety Committee	Councillors Cr Darren Howe Officers Andrew Legge, Steve Tong	Not Confidential	Nil

RECOMMENDATION

That Council receives and notes the Assemblies of Councillors records submitted which have been held within the period 01 – 15 June 2017.

DECLARATION OF INTERESTS

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

Attachments

1. Victorian Farmers Federation & LCC Working Group 01 June 2017
2. Councillor Briefing 05 June 2017
3. Early Years Reference Committee 05 June 2017
4. Municipal Emergency Management Planning Committee 05 June 2017
5. CEO REM Committee Meeting
6. CEO Performance Review Briefing
7. CEO Performance and Remuneration Review
8. Churchill & District Community Hub Joint User / Advisory Committee meeting & Hub Advisory Committee Meeting

9. [Morwell Town Common Development Plan Project Control Group 14 June 2017](#)

10. [Traralgon CBD Safety Committee](#)

17.3

Assemblies of Councillors

1	Victorian Farmers Federation & LCC Working Group 01 June 2017	231
2	Councillor Briefing 05 June 2017	233
3	Early Years Reference Committee 05 June 2017	235
4	Municipal Emergency Management Planning Committee 05 June 2017	237
5	CEO REM Committee Meeting	239
6	CEO Performance Review Briefing	241
7	CEO Performance and Remuneration Review	243
8	Churchill & District Community Hub Joint User / Advisory Committee meeting & Hub Advisory Committee Meeting	244
9	Morwell Town Common Development Plan Project Control Group 14 June 2017	246
10	Traralgon CBD Safety Committee	248



Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Victorian Farmers Federation & LCC Working Group
Date:	01/06/2017
Time:	7:00pm - 8:05pm
Assembly Location:	Nambur Wariga Meeting Room, Morwell HQ

In Attendance

Councillors: Arrival / Departure Time:	<input checked="" type="checkbox"/> Cr Alan McFarlane	<input type="checkbox"/> Cr Graeme Middlemiss	<input checked="" type="checkbox"/> Cr Darrell White
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Darren Howe
	<input checked="" type="checkbox"/> Cr Dan Clancey	<input type="checkbox"/> Cr Bradley Law	<input type="checkbox"/> Cr Sharon Gibson
Officer/s:	Martin Teplik Jane LLOYd		
Matters discussed:	Silage wrap and netting wrap disposal and recycling Rural road maintenance - sight distance, drainage, tree maintenance Bridge and floodplain management, Yinnar/Morwell Road Processes around rezoning of land from farming to residential, and associated rate changes Farm rate differential Coal overlay		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
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Record Completed by: Jane LLoyd, Coordinator Environment Sustainability





Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Councillor Briefing
Date:	5 June 2017
Time:	7.00 pm - 8:54 pm
Assembly Location:	Nambur Wariga

In Attendance

Councillors:	<input checked="" type="checkbox"/> Cr Alan McFarlane	<input checked="" type="checkbox"/> Cr Graeme Middlemiss	<input checked="" type="checkbox"/> Cr Darrell White
Arrival / Departure Time:	<input type="checkbox"/> Cr Dale Harriman	<input checked="" type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Darren Howe
	<input checked="" type="checkbox"/> Cr Dan Clancey	<input checked="" type="checkbox"/> Cr Brad Law	<input type="checkbox"/> Cr Sharon Gibson
	Officer/s: Gary Van Driel, Sara Rhodes-Ward, Steven Piasente (from 7:16 pm), Phil Stone, Angelo Saridis, Matthew Rogers (until 8:00 pm), Brett Mc Culley, Amy Phillips, Fiona Warne, Michael Bloyce (7:33 pm - 8:18 pm)		
Matters discussed:	<p>Tonight's Presentations - confidential under section 89(2)(e) proposed developments</p> <p>Future Presentations - confidential under section 89(2)(h) any other matter which the Council or special committee considers would prejudice the Council or any person</p> <p>Transition Briefing - confidential under section 89(2)(h) any other matter which the Council or special committee considers would prejudice the Council or any person</p> <p>Traralgon to Morwell Shared Path Project</p> <p>Moe, Morwell and Traralgon Stations Upgrades Update - confidential under section 89(2)(e) proposed developments</p> <p>Local Batonbearer 2018 Commonwealth Games Baton Relay - confidential under section 89(2)(a) personell matters and (d) contractual matters</p> <p>Policy Review Program Update</p> <p>2017/18 Draft Budget, Council Plan and Strategic Resource Plan - Consideration of Submissions</p> <p>Proposed Australian Paper Environmental Significance Overlay</p>		



	<p>Outcome of Expressions of Interest for Activation of the Traralgon Court House and Next Steps - confidential under section 89(2)(h) any other matter which the Council or special committee considers would prejudice the Council or any person</p> <p>Consideration of submissions to the Lake Narracan Foreshore Landscape Plans</p> <p>West Gippsland Floodplain Management Strategy - Public Exhibition of Draft Country Football Netball Program 2017</p> <p>Future Involvement with the Latrobe City Trust - confidential under section 89(2)(h) any other matter which the Council or special committee considers would prejudice the Council or any person</p> <p>Airlie Bank Homestead, Morwell</p> <p>Overview of Proposed Public and Shared Housing Reforms</p> <p>Haigh Street, Newborough Development Plan - Consideration of Submissions</p> <p>Outstanding Issues - confidential under section 89(2)(h) any other matter which the Council or special committee considers would prejudice the Council or any person</p> <p>Strategic Issues for Future Briefings - confidential under section 89(2)(h) any other matter which the Council or special committee considers would prejudice the Council or any person</p>
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Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?

Yes **No**

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
Cr O'Callaghan - Interest Declaration	Yes

Record Completed by: Amy Phillips, Coordinator Governance





Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Early Years Reference Committee
Date:	Monday 5 June 2017
Time:	1.00pm to 2.35pm
Assembly Location:	Meeting Room 6, LCC Headquarters

In Attendance

Councillors:	<input type="checkbox"/> Cr Alan McFarlane	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Darrell White
	<input type="checkbox"/> Cr Dale Harriman	<input checked="" type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Darren Howe
	<input checked="" type="checkbox"/> Cr Dan Clancey	<input type="checkbox"/> Cr Bradley Law	<input type="checkbox"/> Cr Sharon Gibson
Arrival / Departure Time:			
Officer/s:	Jodie Pitkin, Nicky Lappin, Carole Ayres		
Matters discussed:	Municipal Early Years Plan update, Early Years Reference Committee Terms of Reference review, EYRC composition of members/EOIs, 2017 Childrens Expo Planning update, Best Start Program update, School incursions/Excursions, Morwell Learning Village project update, Preschool enrolments 2018 update, First 1,000 Days program update, Municipal Public Health & Wellbeing Plan community consultation, Protected Behaviours Board meeting date, Child Safety Standards - numbers of LCC staff trained to date.		



Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?

Yes No

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Carole Ayres, Executive Assistant Community Services.





Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Municipal Emergency Management Planning Committee
Date:	05 June 2017
Time:	10am -12.10pm
Assembly Location:	MacFarlane Burnet Room

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Alan McFarlane	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Darrell White
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Darren Howe
	<input type="checkbox"/> Cr Dan Clancey	<input checked="" type="checkbox"/> Cr Bradley Law	<input type="checkbox"/> Cr Sharon Gibson
Officer/s:	Lance King, Rebecca Johnson, Henry Morrison, Robyn Duffy, Heather Farley		
Matters discussed:	Correspondence Morwell Community Based Emergency Management Planning (EMV) Reports LEAP Reports MECC Activations Training and Exercises MEMP Audit and Review Sub Plan Reviews CERA Update General Business		

Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?

Yes No

Please list the confidentiality reasoning next to the matter discussed, as per the example in the





guidance notes.

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Rebecca Johnson





Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	CEO REM Committee meeting
Date:	5 June 2017
Time:	4.00PM - 5.00PM
Assembly Location:	Morwell HQ, Commercial Road

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Alan McFarlane	<input checked="" type="checkbox"/> Cr Graeme Middlemiss 4.00PM - 5.00PM	<input type="checkbox"/> Cr Darrell White
	<input type="checkbox"/> Cr Dale Harriman	<input checked="" type="checkbox"/> Cr Kellie O'Callaghan 4.00PM - 5.00PM	<input type="checkbox"/> Cr Darren Howe
	<input checked="" type="checkbox"/> Cr Dan Clancey 4.00PM - 5.00PM	<input type="checkbox"/> Cr Bradley Law	<input checked="" type="checkbox"/> Cr Sharon Gibson 4.00PM - 5.00PM

Officer/s:	GARY VAN DRIEL VINCE HAINING (INDEPENDENT COMMITTEE MEMBER)
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Matters discussed:	CEO PERFORMANCE REVIEW CEO KPI DEVELOPMENT FOR 2017-18 PROCESS FOR COMPLETING THE CEO PERFORMANCE REVIEW Confidential under Section 89 (2)(a)(d) Personnel Matters and Contractual Matters
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Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?

Yes **No**

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No





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Record Completed by: ANGELO SARIDIS, GM CORPORATE SERVICES





Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	CEO PERFORMANCE REVIEW BRIEFING
Date:	5 June 2017
Time:	5.00PM - 7.00PM
Assembly Location:	Morwell HQ, Commercial Road

In Attendance

Councillors:	<input checked="" type="checkbox"/> Cr Alan McFarlane	<input checked="" type="checkbox"/> Cr Graeme Middlemiss	<input checked="" type="checkbox"/> Cr Darrell White
	5.00PM - 7.00PM	5.00PM - 7.00PM	5.00PM - 7.00PM
	<input type="checkbox"/> Cr Dale Harriman	<input checked="" type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Darren Howe
Arrival / Departure Time:		5.00PM - 7.00PM	5.00PM - 7.00PM
	<input checked="" type="checkbox"/> Cr Dan Clancey	<input checked="" type="checkbox"/> Cr Bradley Law	<input checked="" type="checkbox"/> Cr Sharon Gibson
	5.00PM - 7.00PM		5.00PM - 6.30PM
Officer/s:	GARY VAN DRIEL VINCE HAINING (INDEPENDENT COMMITTEE MEMBER)		
Matters discussed:	CEO PERFORMANCE REVIEW CEO KPI DEVELOPMENT FOR 2017-18 PROCESS FOR COMPLETING THE CEO PERFORMANCE REVIEW Confidential under Section 89 (2)(a)(d) Personnel Matters and Contractual Matters		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No



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Record Completed by: ANGELO SARIDIS, GM CORPORATE SERVICES





Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Chief Executive Officer Performance and Remuneration Review Advisory Committee Meeting
Date:	13 June 2017
Time:	1.05 PM - 3.15 PM
Assembly Location:	Corporate Headquarters - 141 Commercial Road, Morwell

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Alan McFarlane	<input checked="" type="checkbox"/> Cr Graeme Middlemiss 1.05 PM - 3.15 PM	<input type="checkbox"/> Cr Darrell White
	<input type="checkbox"/> Cr Dale Harriman	<input checked="" type="checkbox"/> Cr Kellie O'Callaghan 1.05 PM - 3.15 PM	<input type="checkbox"/> Cr Darren Howe
	<input checked="" type="checkbox"/> Cr Dan Clancey 1.05 PM - 3.15 PM	<input type="checkbox"/> Cr Bradley Law	<input checked="" type="checkbox"/> Cr Sharon Gibson 1.05 PM - 3.15 PM
Officer/s:	Gary Van Driel, Chief Executive Officer Angelo Saridis, Acting General Manager Corporate Services Vince Haining (Independent Committee Member)		
Matters discussed:	<ol style="list-style-type: none"> Chief Executive Officer Performance Review - confidential under Section 89(2)(a)(d) Personnel Matters and Contractual Matters Chief Executive Officer KPI Development for 2017-2018 - confidential under Section 89(2)(a)(d) Personnel Matters and Contractual Matters 		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Bianca James, Executive Assistant Corporate Services



Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Churchill & District Community Hub Joint User/ Advisory Committee meeting & Hub Advisory Committee meeting
Date:	Tuesday 13 June, 2017
Time:	4.00pm to 6.00pm
Assembly Location:	Meeting Room, Churchill & District Community Hub

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Alan McFarlane	<input type="checkbox"/> Cr Graeme Middlemiss	<input checked="" type="checkbox"/> Cr Darrell White
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Darren Howe
	<input type="checkbox"/> Cr Dan Clancey	<input type="checkbox"/> Cr Bradley Law	<input type="checkbox"/> Cr Sharon Gibson
Officer/s:	Edith Heiberg - Executive Officer Carole Ayres - Executive Assistant Community Services (secretariat)		
Matters discussed:	<ol style="list-style-type: none"> 1. Composition of Advisory committee members. 2. Terms of Reference Review 3. Funding opportunities for Churchill/Hub expansion 4. Petition at Library counter 5. Airlock front door 6. Placement numbers at Child Care and local Preschools 		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
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Record Completed by: Carole Ayres, Executive Assistant Community Services





Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Morwell Town Common Development Plan Project Control Group
Date:	14 June 2017
Time:	5:03pm
Assembly Location:	BRATAUALOONG MEETING ROOM LATROBE CITY COUNCIL CORPORATE HEADQUARTERS COMMERCIAL ROAD, MORWELL

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Alan McFarlane	<input checked="" type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Darrell White
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Darren Howe
	<input type="checkbox"/> Cr Dan Clancey	<input type="checkbox"/> Cr Bradley Law	<input type="checkbox"/> Cr Sharon Gibson
Officer/s:	Simon Clark		
Matters discussed:	<p>Discussion was conducted regarding any future new Development/Management Plan to be presented to Council. Max asked Simon if the Committee were permitted by Council to seek funding for any proposed projects. Cr Middlemiss recommended that the Committee should formulate plans or ideas in preparation for potential funding opportunities. Cr Middlemiss suggested that the Committee put together a one page list of "Go To" projects comprising three or four preferred projects. Committee members are asked to send any ideas to Simon so he can formulate the list for the next meeting.</p> <p>Simon informed the meeting that an independent play space consultant would undertake an inspection of the timber playground in January 2018 to estimate its future life expectancy and provide that advice to Council officers.</p> <p>Discussion was conducted on the security of the playgrounds with concerns being raised by parents regarding the front gate and the carpark gate on White Street. Simon to have the front gate altered so that it will automatically shut once opened similar to a pool gate mechanism. Cr Middlemiss suggested that the Committee meet onsite for the August</p>		



	<p>meeting and conduct an inspection of the facility with Judy offering the Band Hall for the remainder of the meeting that day. Simon to put on the next meeting Agenda.</p> <p>Simon reported that there were no insurance claims or incident reports since the last meeting. Simon said that the Council's monthly Playground audits were an internal document and not for public information however any urgent or important matters from those reports would be presented to the Committee.</p> <p>Keith spoke of the Chapel Street carpark being very full on a daily basis. Cr Middlemiss to ask Council's Local Laws team if a four hour parking zone could be established at the carpark.</p>
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Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?

Yes No

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Simon Clark





Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Traralgon CBD Safety Committee
Date:	Thursday 15 June 2017
Time:	8.00 am - 9.00 am
Assembly Location:	Dal Monda Café Traralgon

In Attendance

Councillors:	<input type="checkbox"/> Cr Alan McFarlane	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Darrell White
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Darren Howe
	<input type="checkbox"/> Cr Dan Clancey	<input type="checkbox"/> Cr Bradley Law	<input type="checkbox"/> Cr Sharon Gibson
Arrival / Departure Time:	8.00 am = 9.00 am		
Officer/s:	Andrew Legge, Steve Tong		
Matters discussed:	Traralgon CBD Safety Committee frequency of meetings, day, time and location. Agency Reports from LV Bus Lines, Traralgon Taxis, Victoria Police, Stockland Plaza and The Traralgon Community Development Association Inc.		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No





Record Completed by: Andrew Legge 26/06//2017



URGENT BUSINESS

18. URGENT BUSINESS

Business may be admitted to the meeting as urgent business in accordance with clause 26 of the Meeting Procedure Local Law by resolution of the Council, if it relates to a matter which has arisen since distribution of the agenda and:

- 1. cannot safely or conveniently be deferred until the next Ordinary meeting; or*
- 2. involves a matter of urgent community concern.*

MEETING CLOSED TO THE PUBLIC

19. MEETING CLOSED TO THE PUBLIC

Section 89(2) of the *Local Government Act 1989* enables the Council to close the meeting to the public if the meeting is discussing any of the following:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property;
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

RECOMMENDATION

That Council closes this Ordinary Meeting of Council to the public to consider the following items which are of a confidential nature, pursuant to section 89(2) of the *Local Government Act 1989* for the reasons indicated:

- 19.1 PRESENTATION OF THE AUDIT AND RISK COMMITTEE MINUTES**
Agenda item 19.1 *Presentation of the Audit and Risk Committee Minutes* is designated as confidential as it relates to a matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)
- 19.2 REQUEST TO EXTEND AN INDEPENDENT MEMBER APPOINTMENT TO THE AUDIT AND RISK COMMITTEE**
Agenda item 19.2 *Request to Extend an Independent Member Appointment to the Audit and Risk Committee* is designated as confidential as it relates to a matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)
- 19.3 LCC-406 SUPPLY AND DELIVERY OF QUARRY PRODUCTS**
Agenda item 19.3 *LCC-406 Supply and Delivery of Quarry Products* is designated as confidential as it relates to contractual matters (s89 2d)
- 19.4 CHIEF EXECUTIVE OFFICER PERFORMANCE AND REMUNERATION REVIEW**
Agenda item 19.4 *Chief Executive Officer Performance and Remuneration Review* is designated as confidential as it relates to contractual matters (s89 2d)

Confidential business may be admitted to the closed meeting as urgent business in accordance with clause 26 of the Meeting Procedure Local Law by resolution of the Council, if it relates to a matter which has arisen since distribution of the agenda and:

- 1. cannot safely or conveniently be deferred until the next Ordinary meeting; or*
- 2. involves a matter of urgent community concern.*