



LatrobeCity
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LATROBE CITY COUNCIL

MINUTES OF ORDINARY COUNCIL MEETING

HELD IN THE
NAMBUR WARIGA MEETING ROOM,
CORPORATE HEADQUARTERS, MORWELL
AT 7:00 PM ON 21 JULY 2008

PRESENT:

Cr Bruce Lougheed, Mayor - Tanjil Ward
Cr Doug Caulfield - Gonyah Ward
Cr Sandy Kam - Galbraith Ward
Cr Susan Lloyd - Burnet Ward
Cr Graeme Middlemiss - Rintoull Ward
Cr Lisa Price - Farley Ward
Cr Darrell White - Firmin Ward
Cr David Wilson - Dunbar Ward
Cr Anthony Zimora - Merton Ward
Paul Buckley, Chief Executive Officer
Michael Edgar, Acting General Manager City Services
Caroline Flake, Manager Governance - Legal Counsel
Katie Garlick, Governance & Legal Administration Officer
Allison Jones, Executive Manager Economic Development
Philip Marsh, Acting General Manager Corporate Services
Peter Quigley, General Manager City Marketing & Development

CM 273

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NIL

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NIL

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CLOSED

1. Opening Prayer

The Opening Prayer was read by the Mayor.

Recognition of Traditional Landholders

The Recognition of Traditional Landholders was read by the Mayor.

2. Apologies for Absence

Nil.

3. Declaration of Interests

Cr Wilson declared an Interest in Item 11.6.1 – Proposed Road Name Change – Brodribb Road and Yinnar Road, Hazelwood as he is an employee of International Power Hazelwood.

4. Adoption of Minutes

Moved: Cr Price

Seconded: Cr Middlemiss

That the Minutes of the Ordinary Council Meeting, relating to those items discussed in open Council, held on 7 July 2008 (CM 272) be adopted.

CARRIED UNANIMOUSLY

PUBLIC QUESTION TIME

5.1 TYRE MARKETING PRACTICES OF PARKING OFFICERS

Mr Harvey Pynt, President, Traralgon Chamber of Commerce and Industry Inc. asked the following question:

Question

This is a three-part question concerning parking officer practices in Traralgon:

1. Has the number of parking officers in Traralgon increased from the two previously advised? (We have received several reports to say that four have been observed patrolling the streets at the same time.)
2. Are they now doing (at least some) patrols with two parking officers together?
(This has also been reported to the Chamber. At first it was thought that this could be just “training” but it has now been going on for at least two weeks which seems more than sufficient training time.)
3. Has Council policy/practices changed in relation to marking of tyres, and if rear tyres are being marked, how does this fit in with Council’s statement that parking enforcement is intended to keep traffic moving?
(It has been reported that Parking Officers are now [at least some of the time] marking rear tyres, instead of front tyres of vehicles. This could be a safety [OH&S] concern if they are walking behind vehicles, rather than between vehicles, to do this. People who have reported it have been of the opinion that is done purely for revenue-raising purposes – by trying to fool people into thinking they can safely leave their vehicles for longer – as it does nothing to encourage people to move on if they don’t see the tyre markings.)

Answer

The Mayor paraphrased the question and responded that the question will be taken on notice with the answers provided in writing and also included in the Minutes of this meeting (see below).

Our Ref: DataWorks: 324431
BL:PF

24 July 2008

Mr Harvey Pynt
President
Traralgon Chamber of Commerce and Industry Inc.
PO Box 79
TRARALGON VIC 3844

Dear Mr Pynt

PUBLIC QUESTION TIME – TYRE MARKING PRACTICES OF PARKING OFFICERS

Thank you for your questions submitted to the ordinary council meeting of 21 July 2008 regarding the tyre marking practices of Latrobe City Council parking officers. I respond to your questions as follows:

- 1. Has the number of parking officers in Traralgon increased from the two previously advised? (*We have received several reports to say that four have been observed patrolling the streets at the same time*).**

Two parking officers are rostered to patrol the Traralgon CBD Monday to Friday. However over the past two weeks due to staffing levels, there have been days when only one parking officer has patrolled this area.

- 2. Are they now doing (at least some) patrols with two parking officers together? (*This has also been reported to the Chamber. At first it was thought that this could be just "training" but it has now being going on for at least two weeks which seems more than sufficient training time*).**

On four days (26 hours total) over the past three weeks training has been undertaken in the Traralgon CBD. This training has included experienced officers giving instruction to other staff in the use of PDAs (electronic infringements). It is not a common practice for officers to work in pairs unless training, working in isolated areas eg. enclosed car parks, or when there is a possibility of a dangerous situation.

3. Has Council policy/practices changed in relation to marking of tyres, and if rear tyres are being marked, how does this fit in with Council's statement that parking enforcement is intended to keep traffic moving? *(It has been reported that Parking Officers are now [at least some of the time] marking rear tyres, instead of front tyres of vehicles. This could be a safety [OH&S] concern if they are walking behind vehicles, rather than between vehicles, to do this. People who have reported it have been of the opinion that is done purely for revenue-raising purposes – by trying to fool people into thinking they can safely leave their vehicles for longer – as it does nothing to encourage people to move on if they don't see the tyre markings).*

Officers have the choice to mark either the front or rear tyre. It is a matter of preference to the individual officer. Officers can also use the valve stemming method which does not require a mark to be placed on the tyre. However, it should be understood that in the interest of keeping traffic moving and endeavouring to free up parking spaces, it is not an intention to leave a tyre mark that can be easily identified. The existence or non existence of a chalk mark should not be used as a guide by motorists. It is the responsibility of the motorist to ensure that their vehicle is moved within the allocated time limit.

Yours sincerely



BRUCE LOUGHEED
Mayor

The Mayor sought Council's consent to bring forward Item 11.3.2 – Planning Permit Application 2008/69 – Development of two dwellings and two-lot subdivision at 3 Jefferson Close, Traralgon.

Moved: Cr Middlemiss

Seconded: Cr Kam

That Item 11.3.2 be brought forward for consideration.

CARRIED UNANIMOUSLY

Suspension of Standing Orders

Moved: Cr Zimora

Seconded: Cr Middlemiss

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

CARRIED UNANIMOUSLY

Standing Orders were suspended at 7.04 pm

Fay Marsh, Wayne Smith, Garry Clavarino, Natalie Estandarle, Scott Syme, Robert Marsh, Carolyn Johnston and Trevor Rogers, addressed Council in relation to Item 11.3.2 – Planning Permit Application 2008/69 – Development of two dwellings and two-lot subdivision at 3 Jefferson Close, Traralgon.

The Mayor thanked Fay Marsh, Wayne Smith, Garry Clavarino, Natalie Estandarle, Scott Syme, Robert Marsh, Carolyn Johnston and Trevor Rogers for addressing Council and for their submissions.

Resumption of Standing Orders

Moved: Cr Middlemiss

Seconded: Cr Zimora

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

Standing Orders were resumed at 7.41 pm

11.3.2 PLANNING PERMIT APPLICATION 2008/69 - DEVELOPMENT OF TWO DWELLINGS AND TWO-LOT SUBDIVISION AT 3 JEFFERSON CLOSE, TRARALGON

AUTHOR: General Manager City Marketing & Development
(ATTACHMENT - YES)

1. PURPOSE

The purpose of this report is to determine Planning Permit Application 2008/69 for the development of two dwelling units and a two lot subdivision of land at 3 Jefferson Close, Traralgon.

2. POLICY IMPLICATIONS

The provisions of the *Planning and Environment Act 1987* and the Latrobe Planning Scheme apply to this application.

This report is consistent with Council's Latrobe 2021 vision document and the Council Plan 2008-2012.

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Sustainability

To promote the responsible and sustainable care of our diverse built and natural environment for the use and enjoyment of the people who make up the vibrant community of the Latrobe Valley. To provide leadership and to facilitate a well connected, interactive economic environment in which to do business.

Built Environment - Strategic Action

By developing clear directions and strategies through consultation with the community ensuring sustainable and balanced development.

Strive to ensure all proposed developments enhance the liveability and sustainability of the community.

3. BACKGROUND

3.1 SUMMARY

Land: 3 Jefferson Close, Traralgon, known as Lot 157 PS 527849
Proponent: T J Shaw

Zoning: Residential 1 Zone (R1Z)
Overlay: None

A Planning Permit is required for the development of the land for two dwellings in accordance with Clause 32.01-4 of the Residential 1 Zone. A Planning Permit is required for the subdivision of the land in accordance with Clause 32.01-2 of the Residential 1 Zone.

3.2 **PROPOSAL**

The application is for the development of two detached dwellings at 3 Jefferson Close, Traralgon, and the subdivision of the land into two lots, each containing a dwelling. Jefferson Close is a court running south from Bradman Boulevard and lies about 160m west of the Breed Street extension.

Both of the proposed dwellings will be single-storied and constructed of brick veneer with pitched tiled roofs. Double garages are attached to the dwellings.

The proposed dwellings will blend in with the existing dwellings in the court, which are predominantly brick construction with pitched tiled or profiled steel roofs.

The subdivision will create a separate lot for each dwelling. There is no common property. The density of the development will be about 1 dwelling per 400m².

(Refer attached plans)

Subject Land:

The subject land is a vacant, cleared residential lot on the north side of the court at a bend in the road. The lot has an area of 836m². The area is part of a developing residential estate. A number of lots in the court are still vacant; however the court is slowly developing with single storied brick dwellings.

Surrounding Land Use:

North: Built up residential.
South: Built up residential.
East: Vacant lot/residential.
West: Built up residential.

3.3 HISTORY OF APPLICATION

The application was received on 29 February 2008. Notice of the application was served on 9 April 2008 and an objection was received in the form of a petition signed by 15 parties. A Planning Mediation Meeting (PMM) was held on 12 June 2008 and no resolution was reached, requiring a decision by Council.

3.4 LATROBE PLANNING SCHEME

State Planning Policy Framework

The State Planning Policy Framework of the Latrobe Planning scheme has several policies relevant to this application, namely:

Clause 12.03 – ‘Networks with the regional cities’ has an objective to develop Metropolitan Melbourne and the surrounding regional cities as a network of cities to provide a choice of places to live, set up business and find a job.

Among the strategies are:

- *‘Planning and supporting regional centres of Geelong, Ballarat, Bendigo and the towns of the Latrobe Valley that are close to Metropolitan Melbourne as viable alternative urban locations to Metropolitan Melbourne.*
- *Ensuring that infrastructure services are in place so that Geelong, Ballarat, Bendigo and the towns of the Latrobe Valley and their surrounding regions are able to take advantage of opportunities for growth that will accrue from improved linkages to Metropolitan Melbourne.*
- Encouraging planning for regional areas and cities that:
 - *Delivers an adequate supply of land for housing and industry to meet forecast growth.*
 - *Limits the impact of urban development on non-urban areas and supports development in those areas that can accommodate growth.’*

Clause 14.01 – ‘Planning for urban settlement’ has objectives to ensure that a sufficient supply of land is available for residential and other land uses, and to facilitate the orderly development of urban areas. The scheme also states that for the general implementation of this objective:

- *'Planning authorities should plan to accommodate projected population growth over at least a 10 year period, taking account of opportunities for redevelopment and intensification of existing urban areas as well as the limits of land capability and natural hazards, environmental quality and the costs of providing infrastructure.'*

Clause 15-12 – 'Energy Efficiency' has an objective to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions. To implement this objective the responsible authority should promote energy efficient building and subdivision design.

Clause 16.02 – 'Medium Density Housing' has an objective to encourage the development of well-designed medium-density housing which:

- *'Respects the neighbourhood character.'*
- *Improves housing choice.*
- *Makes better use of existing infrastructure.*
- *Improves energy efficiency of housing.'*

The scheme states that for the general implementation of this objective, responsible authorities should use Clause 54 and Clause 55 in considering applications for medium-density housing.

Clause 19.01 – 'Subdivision' has an objective to control the subdivision and consolidation of land and the removal and variation of easements and restrictions through planning schemes, within the framework of the *Planning and Environment Act 1987* and the *Subdivision Act 1988*.

Clause 19.03 – 'Design and built form' has an objective to achieve high quality urban design and architecture that reflects the particular characteristics, aspirations and cultural identity of the community; enhances liveability, diversity, amenity and safety of the public realm and promotes attractiveness of towns and cities within broader strategic contexts.

The scheme states that, for the general implementation of this objective, development should achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

Local Planning Policy Framework

Municipal Strategic Statement (Clause 21)

Clause 21.01 (Municipal Profile): Clause 21.01-3, 'Urban settlement and form.' Traralgon is one of the three main urban settlements of Moe, Morwell and Traralgon which are located along a linear spine of the main transport corridor formed by the Princes Freeway and the Melbourne railway line.

Clause 21.02 (Key Influences): In the paragraph on Housing (Clause 21.02-2), a key influence states that social and economic trends should increase the need for a more diverse housing stock in urban areas, with an increasing need for well designed medium density accommodation. The Clause also goes on to state that – *'the provision of housing stock needs to change considerably from 'family' stock to more accurately reflect demand from older persons, singles and youth to match demographic.'*

Clause 21.03 (Vision – Strategic Framework): The La Trobe Strategy Plan (Clause 21.03-3) has been prepared under the MSS and sets out a number of strategies, for "Urban and Rural Settlement", one of which is to:

- *'Consolidate development within and around the existing towns and villages and avoid unnecessary urban expansion and rural subdivision.'*

Clause 21.04 (Objectives/Strategies/Implementation): Clause 21.04-1 has a 'Containment' objective (Element 2) to encourage a contained urban development within distinct boundaries and maximise the use of existing infrastructure. Strategies to implement this objective include:

- *'Encourage consolidation of urban settlement within the urban zoned boundaries;*
- *To have regard to the local structure plans which identify the development opportunities in well serviced locations within and around the existing towns; and*
- *Strongly discourage urban growth outside the urban development boundaries designated in the relevant local structure plan.'*

Local Planning Policy (Clause 22)

Clause 22.06 (Urban Residential Land Development Policy): One of the main principles behind this policy is to contain and consolidate the urban areas. Relevant objectives are:

- 'To create a high quality living environment recognising environmental sustainability
- To increase the choice and availability of housing for a broad range of ages.'

Zoning

The land is zoned Residential 1 Zone (R1Z).

The 'Purpose' of the Residential 1 Zone is:

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

Overlay

There are no overlays.

Particular Provisions

Clause 52.01 'Public Open Space Contribution and Subdivision;' The subdivision is exempt from the provisions of this Clause, and in any case the contribution was met as part of the original subdivisional development.

Clause 55 'Two or More Dwellings on a Lot:'
The development has been assessed against the Standards of this Clause and the standards are met.

Clause 56 Residential Subdivision:
The development has been assessed against the Standards of this Clause and the standards are met.

Decision Guidelines (Clause 65):
This is an important provision in the Latrobe Planning Scheme, in that it obliges the Council as a Responsible Authority to decide whether or not the proposal will produce an acceptable outcome.

Among the Design Guidelines to be considered in the context of the application before the Council are:

- 'The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The amenity of the area.'

Incorporated Documents (Clause 81):
There are no incorporated documents relative to this development.

4. **INTERNAL/EXTERNAL CONSULTATION**

Engagement Methods Used:

Notification:

The application was advertised by sending notices to adjoining landowners and occupiers pursuant to section 52(1)(a) of the *Planning and Environment Act 1987* (the Act).

External:

The application did not require referral according to section 55 of the Act.

Internal:

The application was referred to Council's Project Services team who recommended a number of conditions.

Details of Community Consultation following Notification:

Following notification of the application, a submission was received in the form of a petition signed by 15 parties.

A Planning Mediation Meeting (PMM) was held on 12 June 2008 attended by the applicant and the petitioners.

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

5. **ISSUES**

Strategic direction of the State and Local Planning Policy Frameworks:

As mentioned in paragraph 3.4, the general implementation clause of the Housing section (16.02) states that responsible authorities should use Clause 54 and Clause 55 in considering applications for medium-density housing. Clause 54 would apply where small lots existed (i.e. less than 300m² in area.)

The proposed development has been assessed against the provisions of Clause 55 ('Two or more dwellings on a lot') and the Standards are met.

The proposed development has been assessed against the provisions of Clause 56 ('Residential subdivision') and the Standards are met.

'Purpose' and 'Decision Guidelines' of the Residential 1 Zone:

Apart from implementing the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and Local Planning Policies, the 'Purpose' of the Residential 1 Zone is:

- *'To provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households.*
- *To encourage residential development that respects the neighbourhood character.'*

It is considered that the development complies with the purpose, the intent and the Decision Guidelines of the Residential 1 Zone.

Clause 65 (Decision Guidelines):

It is considered that the application complies with the appropriate 'Decision Guidelines' and in particular:

- The purpose of the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.

Submissions:

The application received a petition in the form of objections. The issues raised were:

1. *The development will create increased traffic, traffic congestion and a traffic hazard, especially to children.*

Comment:

The development will generate an additional 20 VPD (vehicle trips per day). It is considered that, in the context of the street, this addition is minor and will not lead to congestion. The traffic volume can easily be accommodated by the street – see also Issue 4 below. The traffic movements generated by each proposed dwelling is no different to the traffic generated by the existing dwellings on the street.

2. *The development will create too many units in the area.*

Comment:

The question of multi-unit development density has been addressed by the Victorian Civil and Administrative Tribunal (VCAT) on a number of occasions, often with differing outcomes or decisions. The Tribunal has held that there are innumerable ways of assessing density, only one of which is to compare the number of units and the number of dwellings. In *Rapita v City of Broadmeadows*, [1990, 5 AATR 114] VCAT held that the possible change to the visual character of the area was of greater concern than the density of use. It is considered that in this case there will be no change to the character of the area.

From an assessment of the area, there are four units at the Jefferson Close court entrance. This would amount to about 22% of the court's building stock. The remaining single dwellings amount to about 44% of the court's building stock. About 34% of the lots are vacant. If the proposed dwelling units are approved, it will take the unit density in the court to about 33% at this stage.

3. *Lack of on-site parking for visitor car parking*

Comment:

The proposed units are designed with double garages to accommodate two cars. This provision meets the requirements of Standard B16 of Clause 55 of the Scheme. On-site parking for visitors need not be provided unless the development comprises five or more dwellings. However one additional vehicle can park on the proposed driveway of each dwelling and within the property boundary. This should reduce the need to park on street.

4. *Jefferson Close cannot accommodate additional traffic generation.*

Comment:

According to Latrobe City's adopted road hierarchy and the 'Decision Guidelines for Subdivisional Development, Urban and Rural Road and Drainage Construction, and Traffic Management Projects,' Jefferson Close is functioning as a minor access street where traffic speed and volume are low and pedestrian and bicycle movements are facilitated. The designed traffic volume is 500 VPD (vehicle trips per day). Based on the existing number of dwellings, the present volume would be about 90-100 VPD. If the proposed dwelling units applied for are approved and constructed they will add about 20 VPD to the street, which is well under the designed volume described above. The court will therefore accommodate the estimated traffic generation and the impact of the additional lot will not be significant.

6. **FINANCIAL AND RESOURCES IMPLICATIONS**

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

7. **OPTIONS**

Council has the following options in regard to this application:

- Issue a Notice of Decision to Grant a Permit
- Issue a Refusal to Grant a Permit

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

8. CONCLUSION

The proposal is considered to be:

- Consistent with the strategic direction of the State and Local Planning Policy Frameworks;
- Consistent with the 'Purpose' and 'Decision Guidelines' of the Residential 1 Zone;
- Consistent with Clause 55 and Clause 56;
- Consistent with Clause 65 (Decision Guidelines); and
- The objections received have been considered against the provisions of the Latrobe Planning Scheme and the relevant planning concerns have been considered. It is considered that the objections do not form planning grounds on which the application should be refused.

9. RECOMMENDATION

That Council DECIDES to issue a Notice of Decision to Grant a Permit for the Development of Two Dwellings and a Two Lot Subdivision of the land at 3 Jefferson Court, Traralgon, (being Lot 157 PS 527849) with the following conditions:

1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. All stormwater and surface water discharging from the site, buildings and works must be conveyed separately for each dwelling to the legal point of discharge by underground pipe drains all to the satisfaction of Coordinator Project Services. No effluent or polluted water of any type must be allowed to enter the Council's stormwater drainage system.
Prior to the commencement of any works hereby permitted, a site drainage plan must be submitted to Council's Coordinator Project Services for approval. The plan must show a drainage scheme providing for the conveying of the stormwater to the legal point of discharge. When approved, the plan will be endorsed and will then form part of the permit.

NOTE:

Any drainage connection into a Council stormwater drain requires the approval of Council's City Infrastructure division prior to the works commencing. The applicant must obtain a Council Works permit for new connections to Council drains and these works are to be inspected by an officer from Council's City Infrastructure division.

3. Before the occupation of the development allowed by this permit, or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
4. The driveway crossovers must be constructed to Council Design Guidelines – Urban Standards.
5. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.
6. The layout of the subdivision as shown on the endorsed plan must not be altered without the permission of the Responsible Authority.
7. The following conditions are required by Latrobe City Council pursuant to Clause 66.01 of the Scheme:
 - a) The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
 - b) All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
 - c) The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with section 8 of that Act.

8. This permit will expire if:
- a) the plan of subdivision is not certified within 2 years of the date of this permit; or
 - b) the registration of the subdivision is not completed within 5 years of certification.

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

NOTE:

The commencement of the subdivision is regarded by Section 68(3A) of the *Planning and Environment Act 1987* as the certification of the plan, and completion is regarded as the registration of the plan.

NOTE:

Prior to the commencement of works, the Council's Asset Protection Unit must be notified in writing, of any proposed building work [as defined by Council's Local Law No. 3 (2006)] at least 7 days before the building work commences, or materials or equipment are delivered to the building site by a supplier; and unless otherwise exempted by Council, an Asset Protection Permit must be obtained.

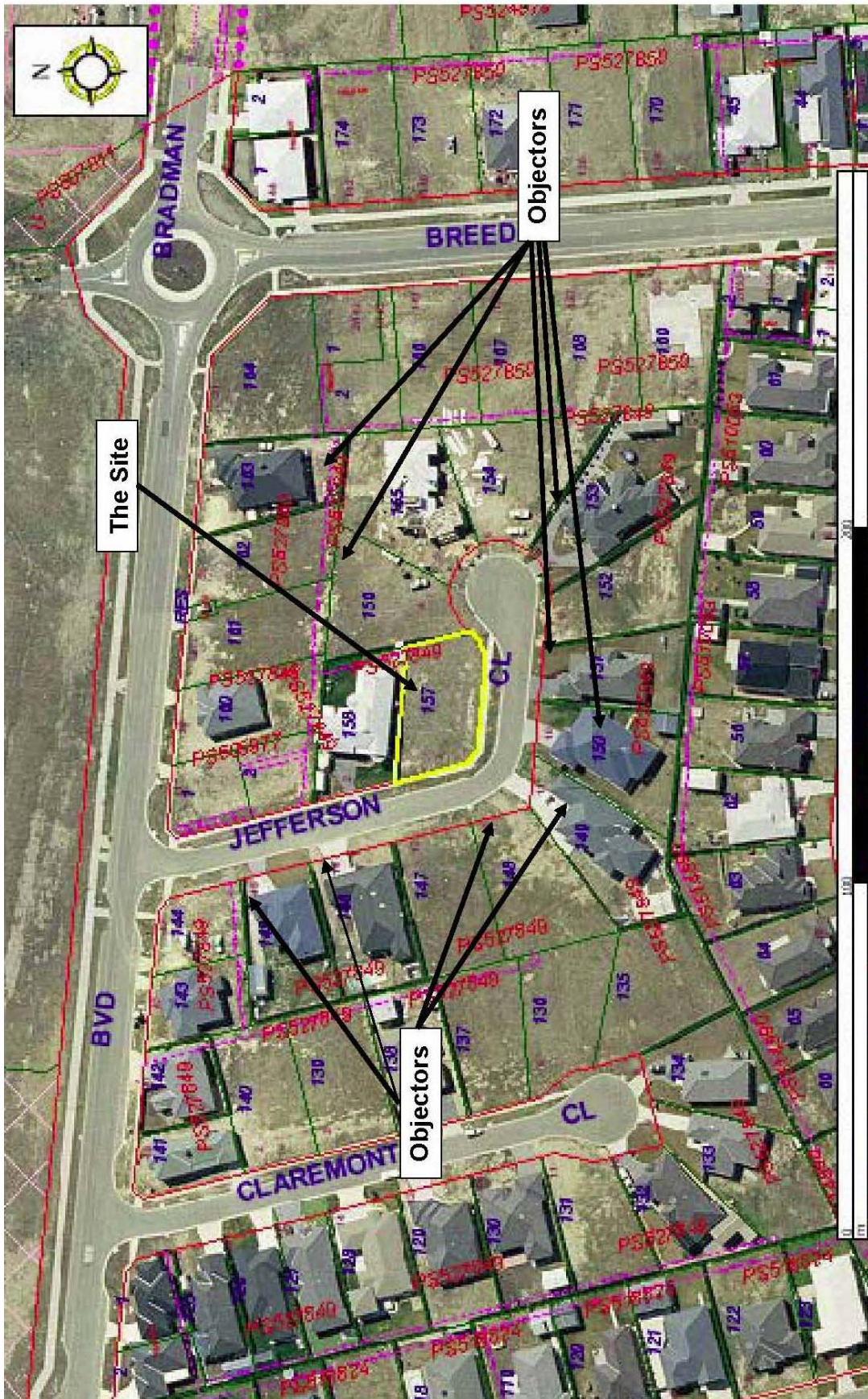
Moved: Cr Lloyd
Seconded: Cr Middlemiss

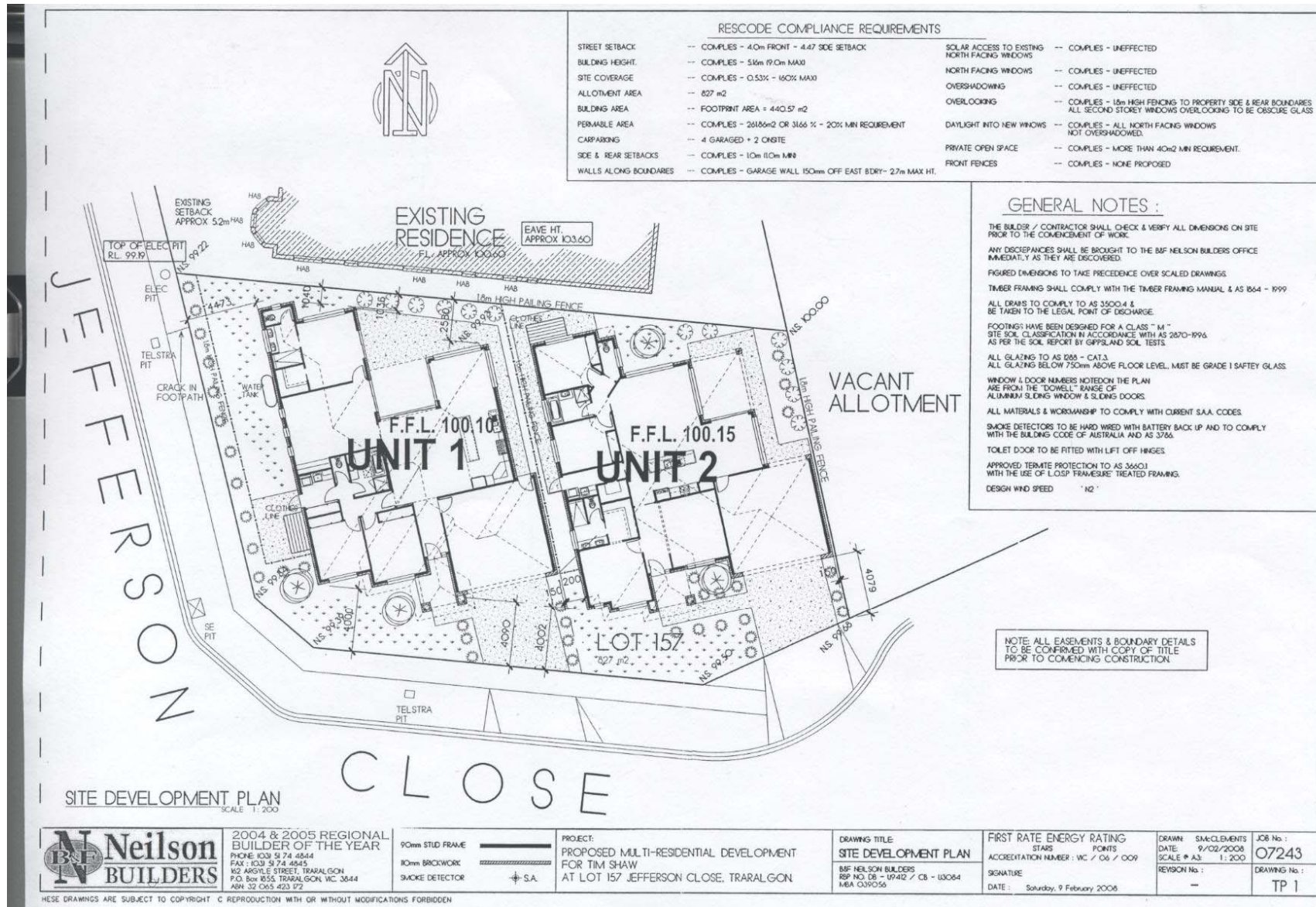
That Council DECIDES to issue a Notice of Refusal to Grant a Permit for the Development of Two Dwelling Units and a Two Lot Subdivision of land at 3 Jefferson Close, Traralgon (being Lot 156 PS 527849) on the following grounds:

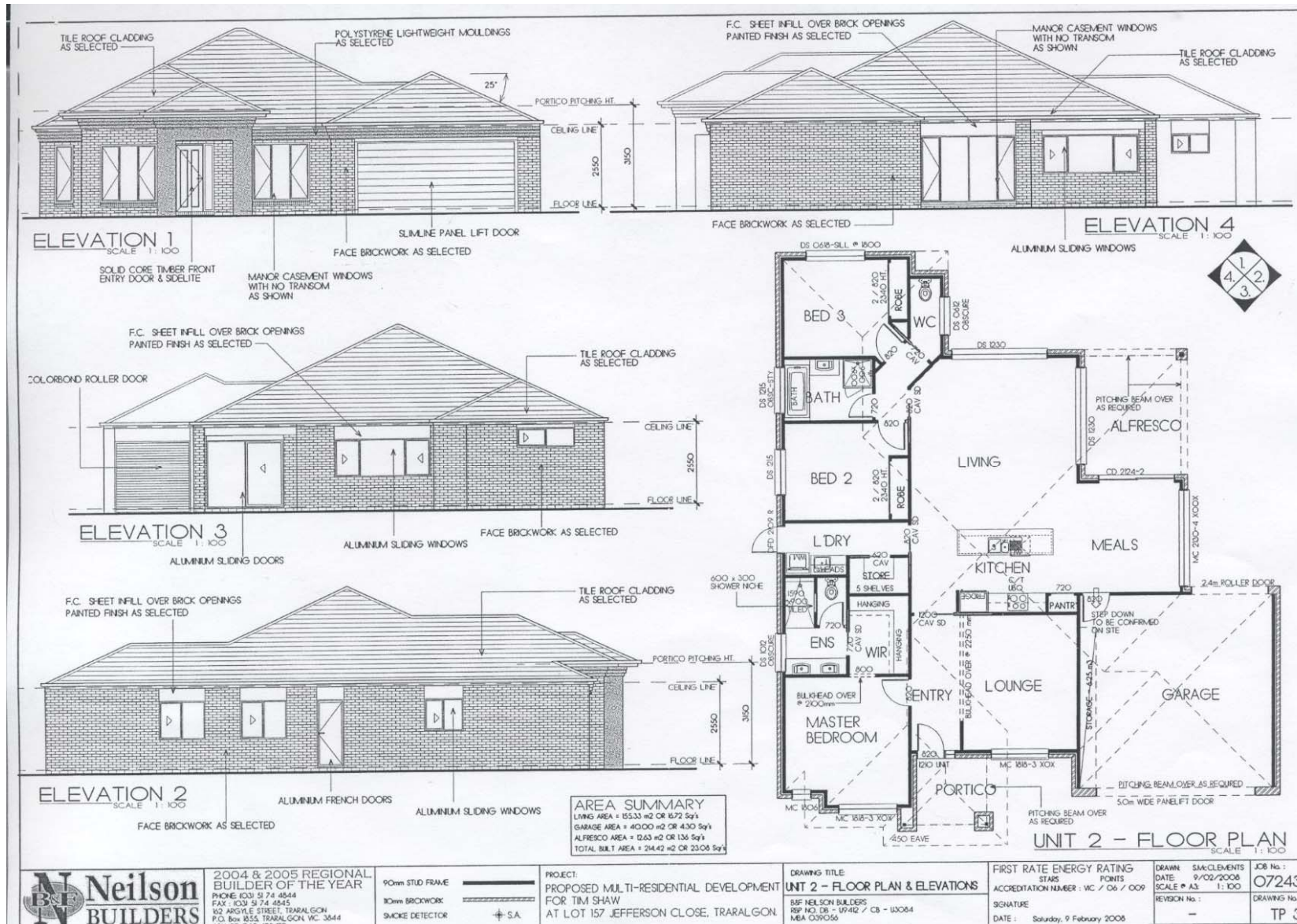
- 1. The development may be considered inconsistent with the orderly and proper planning of the street, which is developing as a modern low density area.**
- 2. The development is considered not to respect the neighbourhood character of the area in that it will add a discordant element into the streetscape.**
- 3. The concentration of additional traffic at a significant bend in the road could jeopardise traffic safety.**

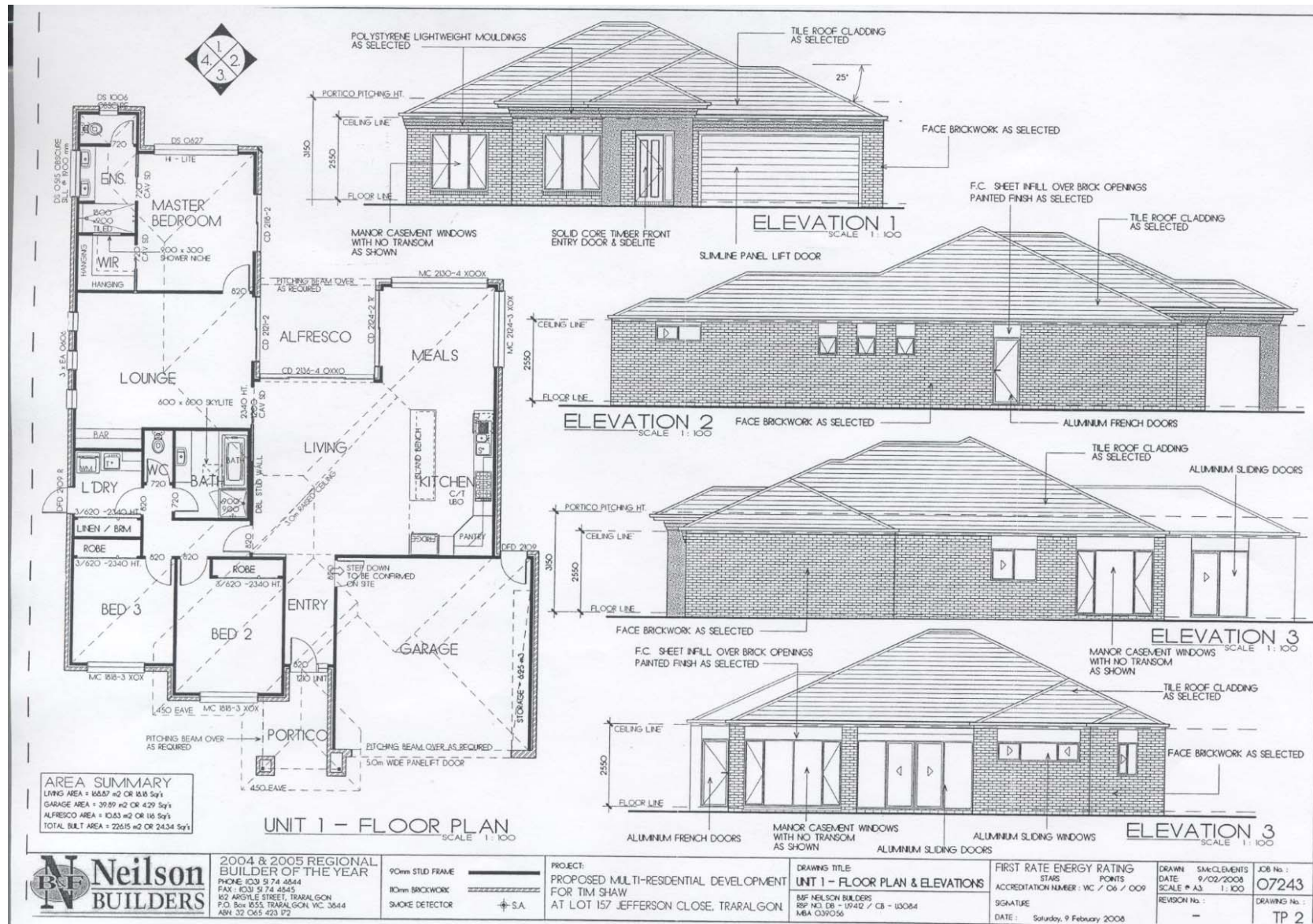
CARRIED UNANIMOUSLY

ATTACHMENTS









Planning and Environment Act 1987

OFFICE USE ONLY
Date Received

OBJECTION TO GRANT OF PLANNING PERMIT

WHO IS OBJECTING?

I/We (names in block letters) THE RESIDENTS OF JEFFERSON CLOSE
Of (Address) C/O CAROLYN JOHNSTON, 20 ANDERSON ST
TARALGON Fax No. : _____
Postcode 3844 Telephone No. 51740841 (Home) _____ (Work)

WHAT APPLICATION DO YOU OBJECT TO?

WHAT IS THE PERMIT APPLICATION NUMBER? 2008/69
WHAT IS PROPOSED? DEVELOPMENT OF TWO DWELLINGS AND TWO LOT
SUBDIVISION
WHAT LAND IS PROPOSED TO BE USED OR DEVELOPED? 3 JEFFERSON
CLOSE TARALGON
WHO HAS APPLIED FOR THE PERMIT? TIM J SHAW

WHAT ARE THE REASONS FOR YOUR OBJECTIONS?

SEE ATTACHED LETTER
AND
SIGNED RESIDENTS OBJECTION LETTER

Latrobe City

28 APR 2008

Doc. No:

Action Officer:

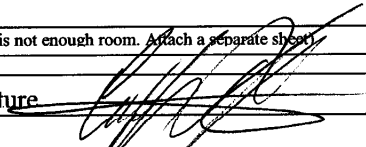
Disposal Code:

Comments:

HOW WILL YOU BE AFFECTED BY THE GRANT OF A PERMIT?

SEE ATTACHED LETTER
AND
SIGNED RESIDENT OBJECTIONS

(If there is not enough room. Attach a separate sheet)

Signature 	Date 23/4/08
---	--------------

IMPORTANT NOTES ABOUT OBJECTIONS TO PERMIT APPLICATIONS

1. This form is to help you make an objection to an applicant in a way which complies with the *Planning and Environment Act 1987*, and which can be readily understood by the responsible authority. There is no requirement under the act that you use any particular form.
2. Make sure you clearly understand what is proposed before you make an objection. You should inspect the application at the responsible authority's office.
3. To make an objection you should clearly complete the details on this form and lodge it with the responsible authority as shown on the Public Notice-Application for Planning Permit.
4. An objection must:
 - *state the reason for your objection; and
 - *State how you would be affected if a permit is granted.
5. The responsible authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
6. Any person may inspect an objection during office hours.
7. If your objection related to an effect on property other than at your address as shown on this form, give details of that property and of your interest in it.
8. To ensure the responsible authority considers your objection, make sure that the authority receives it by the date shown in the notice you were sent or which you saw in a newspaper or on the site.
9. If you object before the responsible authority makes a decision, the authority will tell you its decision.
10. If despite your objection the responsible authority decides to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Administrative Appeals Tribunal) and accompanied by the prescribed fee. A copy must be given to the responsible authority. The closing date for appeals is 21 days of the responsible authority giving notice of its decision.
11. If the responsible authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.

Carolyn Johnston
20 Anderson Street
Traralgon, Victoria 3844

15 April, 2008

Latrobe City Council
Planning Department
PO Box 264
Morwell, Victoria 3840

Dear Sir/Madam

RE: NOTICE OF AN APPLICATION FOR PLANNING PERMIT – reference number 2008/69

In reference to the above application, we the residents of Jefferson Close would like to formally object to the proposed development at number 3 Jefferson Close, Traralgon.

We the residents of Jefferson Close are extremely concerned with the increased traffic flow, congestion and traffic hazard, which a two dwelling two lot subdivision will create.

It is our understanding that residential traffic flow is based on 10 movements per day on each permanent vehicle located at a dwelling. The majority of single dwelling homes consist of at least two cars and with the proposed development this could potentially be 40 movements per day.

Two units presently exist on the corner of Bradman Avenue and Jefferson Close and we have no desire for any further developments of more than one dwelling per lot to be built in or on the corner of our Close.

Multi unit dwellings lack the capacity to locate resident's vehicles on site, which results in more off road parking. This in turn creates more road congestion and increases the road hazard.



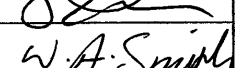


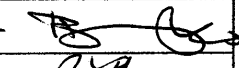

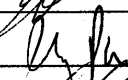


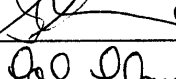
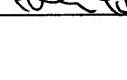


Jefferson Close is a court and does not have the capacity to absorb an increase in traffic or the road hazard and congestion that would incur. Many of us have small children and specifically purchased land in this court location, so as to provide a safe and quieter environment for our families to develop.

If you wish to speak to us regarding our concerns, please contact Carolyn Johnston on 0409188722. We look forward to hearing from you in the next four weeks regarding the outcome of the proposed planning application.

Yours sincerely


Jefferson Close Residents

Resident objections to the development of two dwellings and two lot subdivision at
3 Jefferson Close Traralgon – application reference number 2008/69.

NAME	ADDRESS	SIGNATURE
Fiona Syme	7 Jefferson close	
Sheree Rogers	15 Jefferson close	
TREVOR ROGERS	" "	
Wayne Smith	14 Jefferson close	W.A. Smith
Natalie & Arvin Estabrooke	10 Jefferson close	
ROBERT + FAT MARSH	5 JEFFERSON CLOSE	
BERNADETTE BUYKA	14 JEFFERSON CLOSE	
PETER & DIANE FIELD	11 JEFFERSON CLOSE	
Jodie White	9 Jefferson close	
GREG PRETTY	41 BRADMAN BLD,	
CAROLYN + JAMES JOHNSTON	4 + 12 JEFFERSON CLOSE	
JAMES + CAROLYN JOHNSTON	12 + 4 JEFFERSON CLOSE	
Varsha Atengaden	1 Jefferson close	
GARY CLAVARINO	2 JEFFERSON CLOSE	
Coleen Clavarino	2 Jefferson Close	

PRESENTATION OF PETITIONS

10.1 PETITION - PROVISION OF A NEW PARENTS' ROOM IN MOE**FILE NO: 03/20/0012****AUTHOR: Acting General Manager City Services****(ATTACHMENT - YES)****1. PURPOSE**

The purpose of this report is to present Council with a petition received requesting that Council take urgent action to provide a parents' room in a central location in Moe.

It is recommended that the petition lay on the table until the Ordinary Council Meeting to be held on 18 August 2008.

2. POLICY IMPLICATIONS

This report is consistent with Council's Latrobe 2021 vision document and the Council Plan 2008-2012.

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Community Liveability

By enhancing the quality of residents' lives, by encouraging positive interrelated elements including safety, health, education, quality of life, mobility and accessibility, and 'sense of place'.

Strategic Action - Promote and support government agencies and non government agencies to increase the accessibility of health services in Latrobe City.

Policy No. DCS-DCS 001 Maternal & Child Health

Whilst Council does not have a specific policy relating to parenting rooms, the Maternal & Child Health policy makes reference to the following:

The Council seeks to identify and implement local strategies designed to improve the health and wellbeing of parents with young children living within the municipality. The Council will actively encourage private organisations to consider, for example, provision of recreation activities for recent mothers, provision of baby-care facilities, provision of adequate car-parking, design of stores so that parents prams and strollers can access the store and goods, play areas and breastfeeding facilities.

3. **BACKGROUND**

A petition has been received requesting that Latrobe City Council take urgent action to provide a parents' room in a central location in Moe. The petition was received on 11 July 2008 and contains 155 signatures.

4. **ISSUES**

The petition and the covering letter from the head petitioner refer to the lack of a publicly accessible parenting room in the Moe Central Activity District.

The petition emphasises the importance of a parenting room for nursing mothers and their children and indicates that some residents prefer to shop in other locations where such a facility is available.

Prior to 2007, Council leased a small facility behind the former Federation Pharmacy (now Priceline) in George Street Moe. The closure of the Federation Health Medical Centre, resulted in the loss of access to this facility. No other publicly available parenting room is available in the central area of Moe.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

It will be necessary to undertake further investigation to identify potential resource or financial implications arising from the request made in this petition.

6. **INTERNAL/EXTERNAL CONSULTATION**

Engagement Method Used:

Community need for appropriate feeding/changing facilities for parents of young children has previously been highlighted in the Latrobe City Municipal Early Years Plan (MEYP), 2004-2008, and emphasised by participants in recent consultations regarding maternal and child health and the development of the Latrobe City Childcare Strategy.

It is understood the petition was widely circulated to preschools, parenting groups and playgroups.

It is proposed to consult with parenting groups and early years services in relation to the petition.

7. OPTIONS

1. That the petition received requesting Council take urgent action to provide a parents' room in a central location in Moe, lay on the table until the Ordinary Council Meeting to be held on 18 August 2008 and the head petitioner be notified.
2. That the petition be considered at this meeting.

8. CONCLUSION

It is usual practice for petitions to lay on the table as per Clause 100 of Council's Local Law No.1.

9. RECOMMENDATION

1. **That the petition requesting that Latrobe City Council take urgent action to provide a parents' room in a central location in Moe lay on the table until the Ordinary Council Meeting to be held on 18 August 2008.**
2. **That the head petitioner be advised of Council's decision in relation to the petition requesting that Latrobe City Council take urgent action to provide a parents' room in a central location in Moe and that a further report be presented at the Ordinary Council Meeting to be held on 18 August 2008.**

Cr Price left the Chamber at 8.00 pm.

Moved: Cr Middlemiss

Seconded: Cr Caulfield

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENTS

The Mayor,
Latrobe City Council
P.O Box 264
Morwell, Vic, 3840

23rd June, 2008

"Petitioners"
Lyn Torney
(03) 56 331615
1 Lois crt Trafalgar 3824

Rochelle Rendell
042 7055850

Dear Cr. Bruce Lougheed,

Please could you consider the petition for 'A New Parent's Room in Moe' as soon as possible.

We the community have concerns of how this will affect Moe businesses.

Some parents have voiced their opinions that they would prefer to shop elsewhere, as there are no suitable facilities for families of young children.

We hope that this matter is acted upon in the best and smoothest way possible.

Yours Sincerely,
Rochelle Rendell
R Rendell

Lyn Torney
L Torney

Latrobe City	
11 JUL 2008	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	

A New Parent's Room In Moe

We the undersigned call on Latrobe City Council to take urgent action to provide a parent's room in a central location in Moe.

Since the Federation Pharmacy closed over 12 months ago, Moe has been left without a public facility for mothers to change or feed their babies or toddlers. Moe is the only major town in the Valley which does not have such a facility.

A parenting room is a must for parents who need a space where babies can be fed or changed or new mums can take a rest without having to do so in full view of the public.

This petition respectfully requests that Latrobe City Council take urgent steps to provide a parenting room in the central area of Moe.

NAME	ADDRESS	SIGNATURE
Michelle Ashworth	4 Lakeview Place ^{Tonill} South	<i>Michelle Ashworth</i>
Samantha Kruc	10 Margaret St Moe	<i>Samantha Kruc</i>
Alison May	16 Bruce St Moe	<i>Alison May</i>
Salvatore Versaci	16 Bruce St Moe	<i>Salvatore Versaci</i>
Alexandra Bennett	11 Lincoln St, Moe	<i>Alexandra Bennett</i>
Sheila Crossman	38 Dedering Rd Trafalgar	<i>Sheila Crossman</i>
Lynell Hamilton	1/13 Trentham St	<i>Lynell Hamilton</i>
Elisabeth Kurzawa	1A Rubery St, Moe	<i>Elisabeth Kurzawa</i>
Terri Francis	86 Berrmans Rd, Moe	<i>Terri Francis</i>
Robyn Willmott	5 Rita Cr. Newbourn	<i>Robyn Willmott</i>
Mira Halpern-Wilson	4 James St, Morwell	<i>Mira Halpern-Wilson</i>
Lyn Torney	1 Lois Court Trafalgar	<i>Lyn Torney</i>
Aleesha Krauss	7 Mervyn St Moe	<i>Aleesha Krauss</i>
JANE MASSEY	95 Princes Hwy Trafalgar	<i>Jane Massey</i>

For further information contact:

Lyn Torney 56331615.
 Rochelle Kendall 0427055850

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NAME	ADDRESS	SIGNATURE
Tonia Clardge	trafalgar	T Clardge
L. Ruddell	Warragul	L. Ruddell
Sharon Smith	Trafalgar	Sharon Smith
ERIK LANGE	WARRAGUL	ERIK LANGE
Julie Williams	moe	Julie Williams
Judy GAUN	Moe	JUDITH A. MARCHANT
Aileen Sherriffs	YALLOURN Nth	A Sherriffs
Betty Clousgrove	Yallourn clsh	B. Clousgrove
B. Clousgrove	Moe	B. Clousgrove
Melusac Stitt	moe	M C Stitt
Shirley Broersen	Yallourn Nth	S. Broersen

For further information contact:

Lyn Torrey: (03) 56331615

Rochelle Randell: 042 7055850

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NAME	ADDRESS	SIGNATURE
JAN MURRAY <i>Jan Murray</i>	Quarry Rd. Yall. elch.	<i>J. Murray</i>
Laura Cardona <i>Rose Cardona</i>	Nadine Street Moe	<i>L. Cardona</i>
CHERYL CROFTON	NEUSTEAD ST NEWBOROUGH	<i>C. Crofton</i>
ANNA STOJKOVIC	6 JAMES ST. MOE	<i>Anna Stojkovic</i>
Barb Andrew	7 Harold St Moe	<i>B. Andrew</i>
GILLEN RODDA.	12 LOIS CRT TRAFALGAR	<i>G. Rodda</i>
ANNE RODDA	12 LOIS COURT TRAFALGAR	<i>A. Rodda</i>
SOFIE BANHAM	2 MANN ST, MOE	<i>Sofie Banham</i>
Teresa Ward	Stretton's track Mallon	<i>T. Ward</i>
AVRIL OSUCH	13 Pruden St MOE	<i>A. Osuch</i>
Debbi Welch	175 Moe St Rd. Moe	<i>D. Welch</i>

For further information contact:

Lyn Torney: (03) 331615.

Rochelle Rendell: 042 7655850

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NAME	ADDRESS	SIGNATURE
Melissa Smith	Moe	M. Smith
Cathy Pederson		Cathy Pederson
Jamario Bdeel	Newborough	J. Bdeel
J. Good	Newborough	J. Good
B. Nelson	Moe	B. Nelson
Joy Martyn	Moe	J. Martyn
Jenny Verstedden	Willow Grove	J. Verstedden
Sandra Lawler	Moe	S. D. Lawler
CRAIG SABOTT	Hill End	C. Sabott
Anne de Luvant	Moe	Anne de Luvant
Darren Atkinson	Moe	D. Atkinson
G. Wandner	Moe	G. Wandner
U. HOEL	NEWBOROUGH	U. Hoel
Carolyn Chester	Moe	C. Chester
R. Rodi	Moe	R. Rodi

For further information contact:

Lyn Torney: (03) 56331615.

Rochelle Rendell: 042 7055850

Sharon Falls

Erica

Sharon Falls

Janice Fisher

Trafalgar

Fisher

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NAME	ADDRESS	SIGNATURE
Adob Knight	Tanjil South	Adob Knight
Simone Zillmann	Newborough	S. Zillmann
Katina Elliott	Moe	Katina Elliott
Jeanette Jackson	Merida 151 Lloyd	Jeanette Jackson
Judy Bone	Studellae 3825 vic.	Judy Bone
Dorothy Harrison	Genaro Rd Moe South	Dorothy Harrison
Bonnie Wood	47 Vale St, Moe 3825	Bonnie Wood
Emma Davies	22 Evelyn St Moe 3825	Emma Davies
	14 Henry Street Moe 3825	Emma Davies

For further information contact:

*Lyn Toney: (03) 56331615.
Rochelle Rendell: 0427055850*

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NAME	ADDRESS	SIGNATURE
Lorraine McCuskey	Box 168 Trafalgar	Lorraine McCuskey
Eleanor HARRINGTON	107 Falls Rd NARRACAN	E. Harrington
Mandy Kleinitz	16 EARLS RD YARRAGON	Mandy Kleinitz
Stewart Cooke	51 Maple Crescent Churchill	Stewart Cooke
Mr. Maris ROMANS	13 Kitchener St Traf	Mr. Maris
Kahlil Goffke	115 Georges track study	Kahlil Goffke
Rachelle Rendell	14 Christie Chase HART	Rachelle Rendell
Kylie Westlake	14 Davey Drive TRAF	Kylie Westlake
Phoebe Hicks	16 Ward St Trafalgar	Phoebe Hicks
Leob. Rincis	Sunrise Rd Traf.	Leob. Rincis
Angie O'Brien	Mountain Glen Drive	Angie O'Brien
D. Zelenewicz	251 Old Sale Rd Newb.	D. Zelenewicz
Shania Ingelman	135 Watsons Road Moe	Shania Ingelman
Alyssa Miles	112 Earls rd Yarragon	Alyssa Miles

For further information contact:

Lyn Torrey: (03) 5633 1615

Rachelle Rendell: 0427055850

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NAME	ADDRESS	SIGNATURE
P. WILSON	4/61 MONASH RD NEWBOROUGH	P. Wilson
J TULLOCH	55 LYNNE AVE	J. Tulloch
M. CLINE	120 WALHALLA RD	M. Cline
V. VAN STEKELENBURG	13 Central ave New	V. van Stekelenburg
Lynne Young	1 Park cres Moe	Lynne Young
Brodie Clancy	1 Park cres Moe	Brodie Clancy
A. Cook	6 Roberts St Moe	A. Cook
L. Jones	14 Bellgrove St Newb	L. Jones
YVONNE GANNAN	9 ST. GWINEAR CRES RAWSON	Yvonne Gannan
L. RILEY	15 Belvedere Ct	L. Riley
LINDA WALKER	28 BAYLEY ST MOE	Linda Walker

For further information contact:

Lyn Torney: (03) 56331615
 Rochelle Rendell: 0427055850

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NAME	ADDRESS	SIGNATURE
K. Holwell	7/5 O'Reilly CRT Moe	<i>K. Holwell</i>
M. Brooks	UNIT 22 63 VERNAR AVE	<i>M. Brooks</i>
S. McCracken	48 Northern Ave Newborough	<i>S. McCracken</i>
D. Daniels	87 WILKINSON STREET	<i>D. Daniels</i>
Les Braaten	NORTH NB	<i>Les Braaten</i>
M. BARNARD	1 WATSONS RD MOE	<i>M. Barnard</i>
D. CRILLY	39 Monash Rd - Moe	<i>D. Crilly</i>
Norah McMillan	52 KING STREET MOE	<i>Norah McMillan</i>
Ala Barnard	1 WATSONS RD MOE	<i>Ala Barnard</i>
Robert McCracken	48 NORTHERN AVE NEWB.	<i>Robert McCracken</i>
Tony Rae	111 Bridle Rd Morwell	<i>Tony Rae</i>
Jan Coade	44 ANDERSON AVE YALLOM	<i>Jan Coade</i>
Kevin Coade	44 ANDERSON AVE YALLOM	<i>Kevin Coade</i>
Zygmunt J. Rind	10 MARGARET ST MOE	<i>Zygmunt J. Rind</i>

For further information contact:

Lyn Torney: (03) 55331615

Rochelle Rendell: 042 7055850

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NAME	ADDRESS	SIGNATURE
D. Stoll	P.O. Box 411 Moe	D. Stoll
J. Atland	49 Coalville Rd	Joanne Atland
K. GARRA J.	9 ST SWINNA AT RASER	K. GARRA J.
Elizabeth	154 Lyndell St Moe	Elizabeth
S. Bednars	7 Riverside St Moe	S. Bednars
C. GRANT	MOE	C. Grant
S. Causens	39 Stockclart St	S. Causens
S. Marafes	21 Keith Ave	S. Marafes
C. Wheelhouse	2 Mirboo St	C. Wheelhouse
C. Whittaker	10 Crombe Cr Moe	C. Whittaker
C. Orlin	325 Moe Rawson Rd	C. Orlin
E. Gibbs	15 EVELYN ST MOE	E. Gibbs
M. Riley	Almor Coast Harb.	M. Riley
J. Platzhinder	73 Staff St Moe	J. Platzhinder
K. Jones	Newborough	K. Jones

For further information contact:

Lyn Toney: (03) 56331615

Rochelle Rendell: 0427055850

Al Kurzawa

L. Stevrou

Ruth Gray

Noani Beunkell

1a Rubery Street, Moe

menz St Moe

Monash Rd. Moe

1/32 Brock St. Moe

Heather Leven Newborough

[Signature]

Frank Heald

Moe

Mel Beunkell PTO.

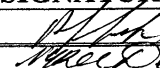

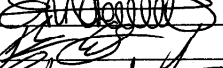
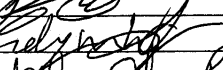
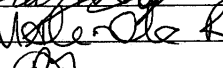
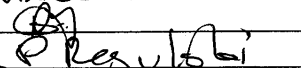

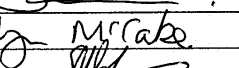

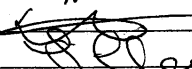
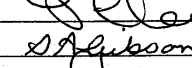
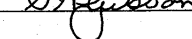


A New Parent's Room In Moe

We the undersigned call on Latrobe City Council to take urgent action to provide a parent's room in a central location in Moe.

Since the Federation Pharmacy closed over 12 months ago, Moe has been left without a public facility for mothers to change or feed their babies or toddlers. Moe is the only major town in the Valley which does not have such a facility.

A parenting room is a must for parents who need a space where babies can be fed or changed or new mums can take a rest without having to do so in full view of the public.

This petition respectfully requests that Latrobe City Council take urgent steps to provide a parenting room in the central area of Moe.

NAME	ADDRESS	SIGNATURE
Rachael Harrington	84 th Cross st Newborough	
NTree Davis	21 Prince st moe	
Ann O'Neill	215 Hylandst moe	
Shelley Walker	120 Service rd moe	
Cindy Walker	189 Llyodst moe	
Molinda Raven	2/33 Bennett st moe	
Polly Cini	2 Durham Rd Newborough	
Pete Regulski	22 Hylandst	
Denielle Daley	32 Haught Stree	
MEGAN McCABE	136 Southwell Ave Newborough	
Sally-Anne Watson	3 Jubilee st Moe	
Janette Burns	6 th Chamberlain Rd Newb	
Sonja Claxton	Abbeyst Trafalgar	
Sharon Gibson	36 Fairway Dvc 4th	

For further information contact:

Lyn Torney: (03) 56331615
 Rochelle Rendell: 0427655850

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This petition respectfully requests that Latrobe City Council take urgent steps to provide a parenting room in the central area of Moe.

NAME	ADDRESS	SIGNATURE
Michelle Rule	5 Shelton St Moe	<i>Michelle Rule</i>
Rebecca Corbett	2 Taurus Way Moe	<i>Rebecca Corbett</i>
Emma Mumford	Weirs Road, NAWARAN	<i>Emma Mumford</i>
Carol Craggs	16-18 Furnell St Namb	<i>Carol Craggs</i>
Jenny Jones	9a Wirraway St Moe	<i>Jenny Jones</i>
Chantelle Madex	5 Windsor Ave Moe	<i>Chantelle Madex</i>
Heather Mason	36 Canberra St. Moe	<i>Heather Mason</i>
Imelda Moller	Shop 3-42 Moore St Moe	<i>Imelda Moller</i>

For further information contact:

*Lyn Torney (03) 56331615
 , schelle Rendell 0427055850.*


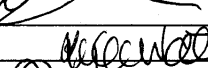

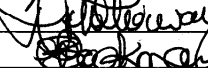
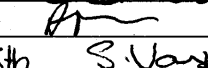
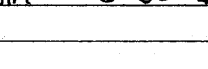
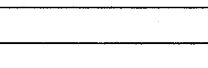
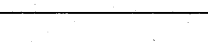

A New Parent's Room In Moe

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A parenting room is a must for parents who need a space where babies can be fed or changed or new mums can take a rest without having to do so in full view of the public.

This petition respectfully requests that Latrobe City Council take urgent steps to provide a parenting room in the central area of Moe.

NAME	ADDRESS	SIGNATURE
Jordan Moor	1 BALFOUR ST NEWBOROUGH	
K Baldauschus	34 Parkside Drive Moe	
K Watt	4 March of Newborough	
P Kearns	54 Wirraway St Moe	
M. Nelson	10 Mirboo SE, Newborough	
M. Hallaway	32 Tresswell Ave Newb.	
E. Backman	18 Smallburn Ave. N.B.	
A PUGLEY	PO Box 177 newb.	
S. VanDer Pijlm	188 Willow Grove Rd Tenjil Str	

For further information contact:

Lyn Torney: (03) 56331615

Rochelle Rendell: 042 7055850

CHIEF EXECUTIVE OFFICER

11.1.1 DOCUMENTS PRESENTED FOR SIGNING AND SEALING

AUTHOR: Executive Manager Governance & Legal Services
(ATTACHMENT – NO)

PP 2007/237	Section 173 Agreement pursuant to the Planning and Environment Act 1987 between Latrobe City Council and Great Southern Property Holdings Ltd as the Owner of the land contained in Certificates of Title Volume 6560 Folio 874, Volume 9523 Folio 361 and Volume 10957 Folio 757 situated at 1145 Whitelaws Track, Budgeree, imposing native vegetation conditions over proposed Lot 2 pursuant to Planning Permit No. 2007/237 dated 24 September 2007 for a two-lot subdivision as required prior to the issue of a Statement of Compliance under the Subdivision Act 1988.
	Transfer of Retail Lease Agreement pursuant to Section 17D of the Crown Land (Reserves) Act 1978 between the old tenant E F & K G Savige trading as Moe Gardens Caravan Park and the new tenant Moe Racing Club Inc. of 5 Waterloo Road, Moe for the Land located on the western side of the Joe Tabuteau Reserve in Mitchells Road, Moe being part of Crown Allotment 30 Section F, in the Parish of Yarragon.

1. RECOMMENDATION

- 1. That Council signs and seals the Section 173 Agreement between Council and Great Southern Property Holdings Ltd in relation to a two-lot subdivision of the land contained in Certificates of Title Volume 6560 Folio 874, Volume 9523 Folio 361 and Volume 10957 Folio 757 situated at 1145 Whitelaws Track.**
- 2. That Council signs and seals the Transfer of Retail (Section 17D) Lease Agreement between the old tenant E F & K G Savige trading as Moe Gardens Caravan Park and the new tenant Moe Racing Club Inc. for the Land located on the western side of the Joe Tabuteau Reserve in Mitchells Road, Moe being part of Crown Allotment 30 Section F, in the Parish of Yarragon.**

Moved: Cr Zimora

Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

CITY MARKETING & DEVELOPMENT

11.3.1 ADOPTION OF AMENDMENT C54 - REZONING FORMER MANNY'S MARKET SITE TRARALGON FROM BUSINESS 2 ZONE, PART PUBLIC PARK AND RECREATION ZONE TO MIXED USE ZONE

AUTHOR: General Manager City Marketing & Development
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to request Council's adoption of exhibited planning scheme Amendment C54 and recommend that the Minister for Planning approve the amendment for inclusion within the Latrobe Planning Scheme in accordance with Section 31 of the Planning and Environment Act 1987.

2. POLICY IMPLICATIONS

This report is consistent with Council's Latrobe 2021 vision document and the Council Plan 2008-2012.

Latrobe 2021 and Council Plan 2008- 2012

Strategic Objective – Sustainability

To promote the responsible and sustainable care of our diverse built and natural environment for the use and enjoyment of the people who make up the vibrant community of the Latrobe Valley. To provide leadership and to facilitate a well connected, interactive economic environment in which to do business.

Strategic Action – Economic

By providing leadership and facilitating a vibrant and dynamic economic environment in which to do business.

Strategic Action – Built Environment

By developing clear directions and strategies through consultation with the community ensuring sustainable and balanced development.

Strategic Objective – Liveability

To promote and support social, recreational, cultural and community life by providing both essential and innovative amenities, services and facilities within the municipality.

Strategic Action – Community Liveability

By enhancing the quality of residents' lives, by encouraging positive interrelated elements including safety, health, education, quality of life, mobility and accessibility, and sense of place.

Strategic Objective – Governance

To ensure governance and leadership through a strong commitment and adherence to democratic processes and legislative requirements.

Strategic Action – Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Action – Democratic Governance

By representing the interests of the community and conducting its affairs openly and with integrity, reflecting the highest level of good management and governance.

Transit Cities – Traralgon Township Summary

Transit Cities' aims are to:

Create safe, vibrant and accessible communities that are centered on public transport.

Encourage higher-density, mixed-use development...

3. BACKGROUND

The subject site forms the land fronting Grey Street and Franklin Street, Traralgon and is flanked by the Traralgon Creek reserve. The proposed amendment, submitted on behalf of Minster Constructions Pty Ltd, affects the following allotments:

- Lot 1 on Title Plan 146774,
- Lot 1 on Title Plan 708185B,
- Lot 1 on Plan of Subdivision 69614,
- Lots 1, 2 & 3 on Plan of Subdivision 408856P,
- Part Crown Allotments 4, 4A, 5 & 6 Section 18, Township and Parish of Traralgon.

The subject land comprises a number of allotments with ownership divided between Latrobe City Council, Alamin Pty Ltd and the Crown.

At the Ordinary Council Meeting held on 2 April 2007, Council approved a request to rezone the subject site from Business 2 Zone (B2Z) and part Public Park and Recreation Zone to a Mixed Use Zone (MUZ).

The Minister for Planning in accordance with Section 9(2) of the *Planning and Environment Act 1987* later authorised Council to prepare proposed amendment C54 to the Latrobe Planning Scheme on 14 May 2007.

Amendment C54 has been through the public exhibition phase and two submissions have been received; Minster Constructions Pty Ltd (the proponent) providing support to the amendment and Macro Plan Australia Pty Ltd acting on behalf of Stocklands Traralgon, objecting to the proposed amendment. The Stockland submission requested that restrictions be placed on the land to reduce future retail development opportunities.

Given the submission objecting to the proposed amendment was not resolved by way of mediation, Amendment C54 progressed to a Planning Panel to review the amendment and consider submissions.

The Planning Panel report received 20 June 2008 recommended the adoption of Amendment C54 as exhibited.

In summary, Amendment C54 to the Latrobe Planning Scheme has completed the following steps:

1. Preparation of the planning scheme amendment documentation;
2. Authorisation received from the Minister for Planning to prepare the amendment;
3. Amendment placed on public exhibition during August and September 2007;
4. Submissions were received, one supporting the amendment and the other providing an objection;
5. Planning Panel was later held 20 May 2008 to consider submissions;
6. Planning Panel recommendations received 20 June 2008, resolving to support the amendment as exhibited.

4. ISSUES

In order for the amendment to proceed, Council must now consider the recommendations of the Planning Panel and decide whether to formally adopted or refuse the amendment.

The Planning Panel report recommended that:

Amendment C54 to the Latrobe Planning Scheme be adopted as exhibited.

If Council resolves to adopt the amendment in accordance with the Panel's recommendation, a request will be submitted to the Minister for Planning to approve and certify the amendment.

The Minister will consider the Panel recommendation and Council's adopted position and decide whether to approve or refuse the proposal. If the Minister resolves to approve Amendment C54, the amendment will take effect from the date of the Government Gazette of this decision.

5. FINANCIAL AND RESOURCES IMPLICATIONS

Funds have been allocated in the current 2008/09 budget year to enable the planning scheme amendment to proceed.

6. INTERNAL/EXTERNAL CONSULTATION

Proposed Amendment C54 has been exhibited in accordance with Section 19 of the *Planning and Environment Act 1987*.

As part of the exhibition process all relevant Ministers and statutory authorities were notified of proposed Amendment C54, with no submissions or proposed changes requested. Two submissions were received following public exhibition, one in support and the other providing an objection. These submissions were subsequently presented to a Planning Panel for consideration pursuant the *Planning and Environment Act 1987*.

7. OPTIONS

The options available to Council are as follows:

- That in accordance with Section 29 of the *Planning and Environment Act 1987*, Council, as the Responsible Authority resolves to adopt Amendment C54 as exhibited.

Once adopted, Amendment C54 is to be submitted to the Minister for Planning for the approval and final certification of the amendment.

OR

- To abandon the exhibited planning scheme Amendment C54, and inform the Minister in accordance with Section 28 of the *Planning and Environment Act 1987* that Council will not pursue the amendment.

8. CONCLUSION

Amendment C54 seeks to rezone the former Manny's Market site, fronting Grey and Franklin Streets, Traralgon from Business 2 Zone and part Public Park and Recreation Zone to Mixed Use Zone. The proposed amendment is consistent with the Latrobe Planning Scheme, the Traralgon Transit Cities report and the Council adopted Traralgon Structure Plan.

Following the Planning Panel's consideration of submissions received in response to proposed Amendment C54, the appointed Panel recommended the adoption of the amendment as exhibited.

If Council agrees with the Panel's recommendation, a request will be submitted to the Minister for Planning to approve the amendment pursuant Section 31 of the Planning and Environment Act 1987. If approval is considered appropriate by the Minister, the necessary amendments will then be made to Latrobe Planning Scheme, coming into force from the date of the Government Gazette notice.

9. RECOMMENDATION

1. That in accordance with Section 29 of the *Planning and Environment Act 1987*, Council as the Responsible Authority resolves to adopt Amendment C54 to the Latrobe Planning Scheme as exhibited.
2. That Amendment C54 be submitted to the Minister for Planning for approval and final certification.
3. Pursuant to Regulation 6 of the *Planning and Environment (Fees) Regulations 2000*, that Council request the payment of fees from the proponent for Stage 3 and Stage 4 of Amendment C54.
4. That Council advises those persons who made submissions to Amendment C54 of Council's decision to adopt Amendment C54 and make publicly available the Planning Panel report.

Cr Price returned to the Chamber at 8.02 pm.

Moved: Cr Caulfield

Seconded: Cr White

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

Amendments to Planning Schemes

Stage		Cost
Stage 1	<ul style="list-style-type: none"> • Considering a request to Amend a Planning Scheme; and • Taking action required by Division 1 of Part 3 of the Planning & Environment Act 1987; and • Considering any submissions which do not seek a change to the amendment; and • If applicable, abandoning the amendments in accordance with Section 28 	\$752.00
Stage 2	<ul style="list-style-type: none"> • Considering submissions which seek a change to an amendment, and where necessary referring the submissions to a panel; and • Providing assistance to a panel in accordance with Section 158; and • Making a submission in accordance with Section 24(b); and • Considering the report in accordance with Section 27; and • After considering submissions and the report in accordance with Section 27, if applicable, abandoning the amendment in accordance with Section 28 	\$752.00
Stage 3	<ul style="list-style-type: none"> • Adopting an amendment or a part of an amendment in accordance with Section 29; and • Submitting the amendment for approval in accordance with Section 31 	\$494.00
Stage 4	<ul style="list-style-type: none"> • Considering a request to approve an amendment in accordance with Section 35; and • Giving notice of approval of an amendment in accordance with Section 36 	\$752.00

The fees for Stages 1, 2 and 3 are paid to the Planning authority by the person who requested the amendment.

The fee for Stage 4 is paid to the Minister by the person who requested the amendment.

**11.3.2 PLANNING PERMIT APPLICATION 2008/69 - DEVELOPMENT OF
TWO DWELLINGS AND TWO-LOT SUBDIVISION AT
3 JEFFERSON CLOSE, TRARALGON**

This Item was considered earlier in the meeting.

CORPORATE SERVICES

11.6.1 PROPOSED ROAD NAME CHANGE - BRODRIBB ROAD AND YINNAR ROAD, HAZELWOOD

AUTHOR: Acting General Manager Corporate Services
(ATTACHMENT – YES)

1. PURPOSE

Council has given public notice inviting submissions concerning a proposal to rename sections of Brodribb Road and Yinnar Road Hazelwood.

The purpose of this report is to consider the submissions received concerning the proposed road name changes.

2. POLICY IMPLICATIONS

This report is consistent with Council's Latrobe 2021 vision document and the Council Plan 2008-2012.

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Governance

To ensure governance and leadership through a strong commitment and adherence to democratic processes and legislative requirements.

Strategic Action - Ensure compliance with the Local Government Act.

Policy No. - There is no specific policy relating to Road Name or Place Name Changes. The procedure is specified by the Geographic Place Names Act and Guidelines.

3. BACKGROUND

The extension to the International Power Hazelwood (IPRH) West Field mine has required the re-routing of Over Dimensional Route No.9 (OD9).

IPRH, at its own cost, constructed to Council's specification a new section of road that is a continuous extension of Brodribb and Yinnar Roads. This new section of road, located between the Hazelwood cemetery and Hazelwood Pondage, was declared a Road pursuant to the *Local Government Act 1989* by Council at its meeting held 19 May 2008.

In addition to declaring the new section of road a Road, Council also considered it appropriate to commence the statutory process to rename respective sections of Brodribb and Yinnar roads and resolved in part:

- “4 *That Council, in accordance with the guidelines included in the Geographic Place Names Act 1998 gives notice of its intention to consider a proposal to rename the following sections of road:*
- *Brodribb Road from Monash Way to the newly constructed road be renamed Yinnar Road; and*
 - *Yinnar Road on the western side of the Hazelwood Cemetery be renamed Brodribb Road, and invites community comment and submissions in accordance with Section 223 of the Local Government Act 1989.*
- 5 *That any submissions received in relation to the proposed road name changes be considered at the Ordinary Council Meeting to be held on Monday, 21 July 2008.”*

In accordance with this Council resolution a public notice was published in the Latrobe Valley Express on 22 May 2008 inviting public comment and correspondence was also sent to IPRH inviting comment concerning the proposal.

4. **ISSUES**

Section 206 and Schedule 10 of the *Local Government Act 1989* provide Council with the power to “approve, assign or change the name of a road” subject to it acting in accordance with the guidelines under the *Geographic Place Names Act 1998*.

The *Geographic Place Name Act Guidelines* require Council, wherever possible, to ensure that road names are unique within the municipality and that the naming of roads be done in consultation with all interested parties.

In response to the public notice and correspondence to IPRH, three submissions were received, two in writing (copies attached) and the one verbally from the Hazelwood Cemetery Trust.

These submissions are summarised below:

International Power Hazelwood

(Attachment 2 & 2a)

IPRH suggests an alternative road name proposal - Brodribb Road remains the same along its existing alignment from Monash Way including the new segment of road IPRH built below Hazelwood Cemetery and include the former section of Yinnar Road that is now the entrance to the Hazelwood Cemetery. Yinnar Road would commence at the Cemetery Entrance intersection.

IPRH contend their proposal would not impact on IPRH or the Hazelwood Cemetery Trust business address or cause a financial impost associated with a business address change.

IPRH estimated the cost of altering company stationary, business cards, Licences and contract documents is in the vicinity of \$50,000.

Morwell Historical Society:

(Attachment 3)

The historical Society propose that the full length of road from Monash Way to Yinnar should have the same name and recommend that it be renamed Brodribb Road and the road to the cemetery be given the name Waldon Drive.

In support of this, the Historical Society provides the example McDonald Street Morwell which becomes Maryvale Road with no clear junction between the two roads. The Society considers that this creates confusion for visiting public. With respect to Waldon Drive they advise that the Waldron family were the first owners of the land north of the cemetery.

Hazelwood Cemetery Trust:

(Attachment 4)

The Cemetery Trust suggests that the respective sections of Yinnar Road and Brodribb Road that access the cemetery be named Cemetery Avenue. The Cemetery Trust in association with IPRH have long term plans to establish a roadside avenue of trees that will enhance the appearance and access to the cemetery.

With respect to renaming the extension of Brodribb/Yinnar Roads, the Cemetery Trust had no preference. However the Trust consider that if Yinnar Road was renamed this change would impact on a number of property owners and occupiers.

Taking these submissions into consideration, it is proposed that Council assign road names to respective sections of road as detailed on Attachment 1 and described as follow:

Brodribb Road becomes the section of road from Monash Way through to the main entrance into International Power Hazelwood facility.

Yinnar Road commences at the main entrance into International Power Hazelwood facility through to the Township of Yinnar.

The former sections of Yinnar Road and Brodribb Road that access the Hazelwood Cemetery be named Cemetery Avenue

5. FINANCIAL AND RESOURCES IMPLICATIONS

To date the only costs associated with this proposal have been a public notice, correspondence to IPRH and associated administration costs.

In the event respective sections of roads are renamed, Council will incur costs for new road signage and a further public notice. Such cost can be funded from the current operational budget allocation.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

- *A Public notice was published in the Latrobe Valley Express and direct correspondence was sent to IPRH inviting comment concerning the proposed road name changes.*

Details of Community/Consultation Results of Engagement: were considered in the Issues Section above.

Council's Road Infrastructure Staff were also consulted and support the proposed road renaming detailed above.

7. OPTIONS

Council can now decide to:

1. Notify the Registrar of Geographic Names of the preferred road names,
2. Select other road names, or
3. Resolve not to proceed with assignment of road names which will require no further action. This course of action may cause difficulties in identifying respective sections of road and impact on emergency services accessing correct locations.

8. CONCLUSION

Council has complied with the statutory provisions of the *Local Government Act 1989* and the *Geographic Place Names Guidelines* to enable the respective sections of Brodribb Road and Yinnar Road to be renamed.

9. RECOMMENDATION

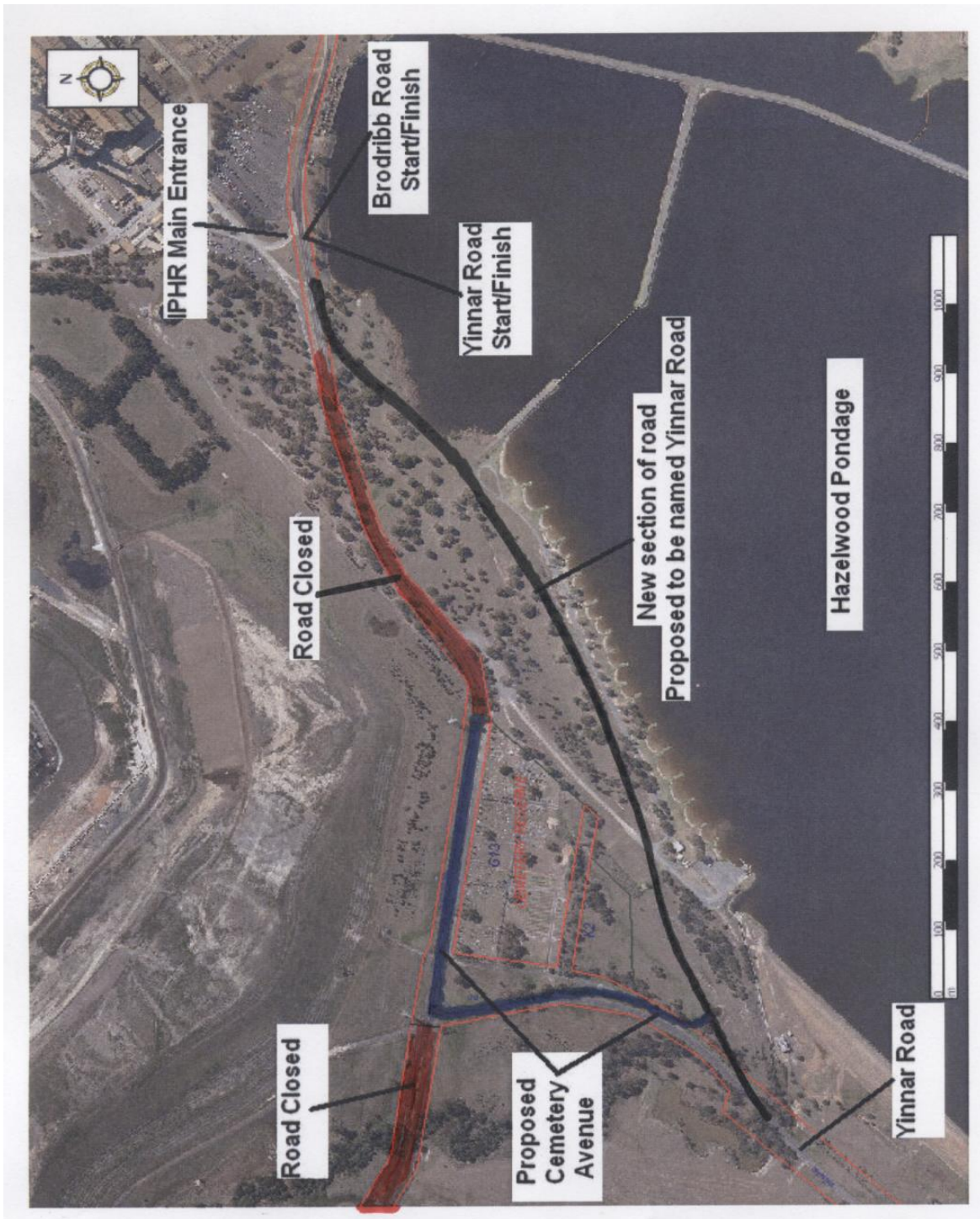
1. **That Council having considered submissions received, assigns the following road names:**
 - **Brodribb Road becomes the section of road from Monash Way through to the main entrance into International Power Hazelwood facility.**
 - **Yinnar Road commence at the main entrance into facility through to the Township of Yinnar.**
 - **The former sections of Yinnar Road and Brodribb Road that access the Hazelwood Cemetery be named Cemetery Avenue and notifies the Registrar of Geographic Place Names of this decision.**
2. **That Council notifies International Power Hazelwood, the Morwell Historical Society and the Hazelwood Cemetery Trust of the decision to rename:**
 - **Brodribb Road becomes the section of road from Monash Way through to the main entrance into International Power Hazelwood facility.**
 - **Yinnar Road commences at the main entrance into International Power Hazelwood facility through to the Township of Yinnar.**
 - **The former sections of Yinnar Road and Brodribb Road that access the Hazelwood Cemetery be named Cemetery Avenue.**
3. **That appropriate road signage be erected to identify Brodribb Road, Yinnar Road and Cemetery Avenue.**

Moved: Cr White
Seconded: Cr Wilson

That the Recommendation be adopted.

CARRIED

ATTACHMENT




International Power

29 May 2008

Mr Paul Buckley
 Chief Executive Officer
 Latrobe City Council
 PO Box 264
 MORWELL VICTORIA 3840

Hazelwood Power
 ABN 40 924 759 557

Brodribb Road
 Hazelwood, Victoria

PO Box 195, Morwell
 Victoria, 3840
 Australia

Tel +61 3 5135 5000
 Fax +61 3 5135 5122
 www.hazelwoodpower.com.au

Dear Paul

SUBMISSION IN RELATION TO PROPOSED ROAD NAME CHANGES

International Power Hazelwood (IPRH) wishes to provide the following submission in relation to the Council's proposed name changes for Brodribb and Yinnar roads.

IPRH submits that Brodribb Road remains the same along its existing alignment from Monash Way including the new segment of road IPRH has built below Hazelwood Cemetery. It would then include the part of Yinnar road that Council proposes to rename Brodribb road to the west of Hazelwood Cemetery. Yinnar road would then commence from the intersection where Brodribb (proposed) rounds the western side of the cemetery. (see attached plan)

This arrangement would ensure that neither IPRH or the Cemetery Trust would have to change their business addresses with all the consequential financial imposts that are associated with a business address change.

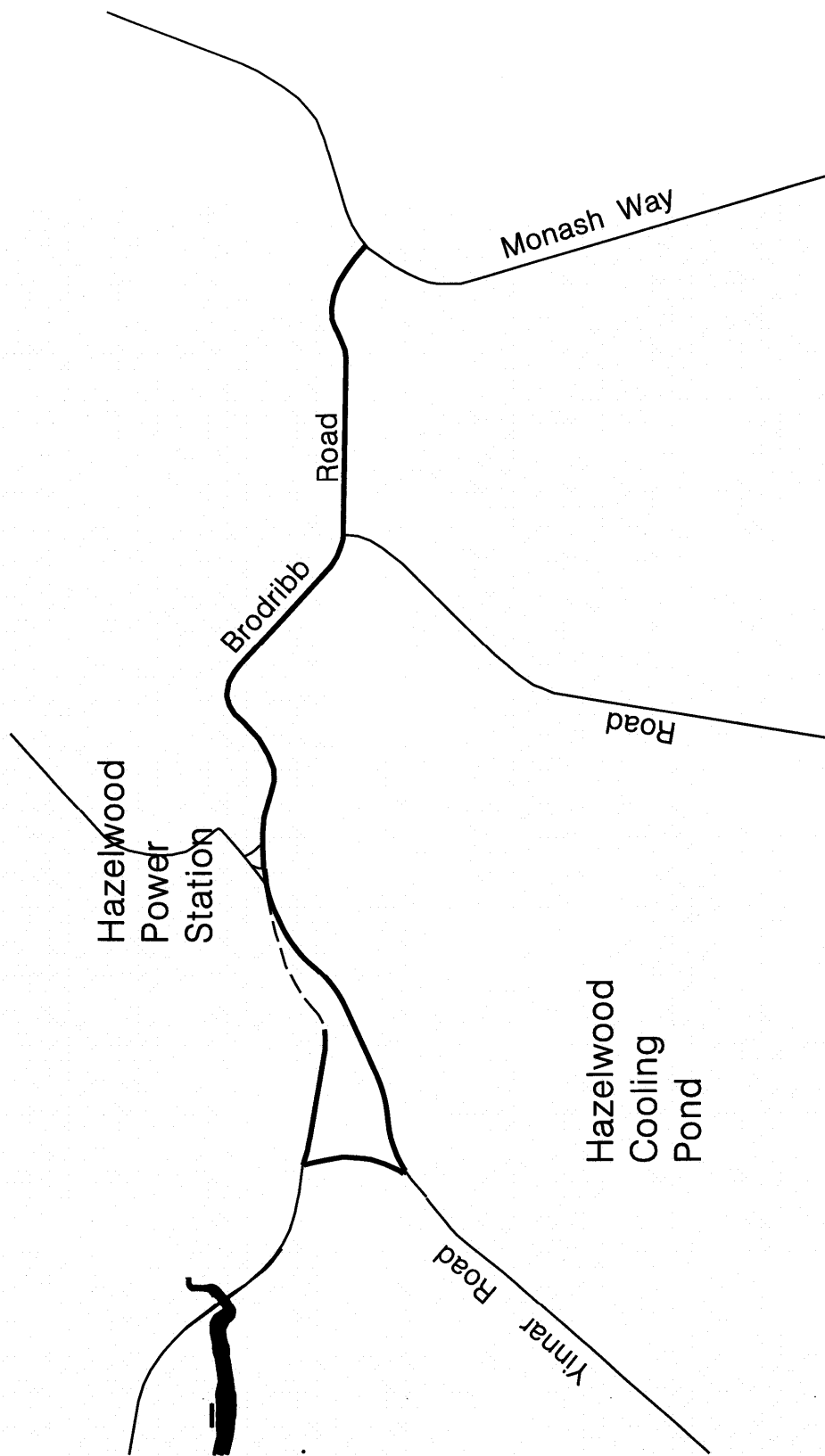
I am sure that it is not Council's intension to cause un-necessary financial costs for organisations emanating from the proposed name changes. However, in respect of IPRH, to alter company stationary, business cards, changes to Licences, contract documents and alike to reflect a changed business address would be in the realms of \$50,000.

I would appreciate if you can look favourably on our submission and agree with the proposal to ensure we avoid un-necessary costs.

Yours Faithfully

Greame York
 Chief executive Officer

Latrobe City	
01 JUN 2008	
Doc. No:	
Action Officer:	CEO
Disposal Code:	
Comments: HC issued to Henry Morrison.	



... \robert\GHORNE\road names.dgn 28/05/2008 4:10:50 PM

MORWELL HISTORICAL SOCIETY Inc.Web site - www.morwellhistoricalsociety.org.au

Secretary: Elsie McMaster
2 Harold St
Morwell 3840
Tel: 03 51341149

President: Leonie Pryde
1/79 Bridle Rd
Morwell 3840

19 June 2008

Chief Executive Officer
Latrobe City Council
PO Box 264
MORWELL 3840

Attention Mr Henry Morrison

Dear Mr Morrison

Re - Change of road names - Brodribb & Yinnar, Hazelwood

Latrobe City	
23 JUN 2008	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	

Our Society is pleased to note that Council intends to retain the name 'BRODRIBB' when naming the altered roads in Hazelwood, as the Brodribb family were in the first group of people to occupy the 'Hazelwood Cattle Station' in 1844.

If the public is concerned that the name 'Brodribb Road' will be removed from its present junction with 'Monash Way'; we recommend that the road from 'Monash Way' to Yinnar be renamed 'Brodribb Road' and the road to the cemetery be given a different name. We suggest the name 'WALDON DRIVE' as the Waldon family were the first owners of the land north of the cemetery.

We agree that the road from Monash Way to Yinnar must have the same name for its full length to prevent confusion to the visiting public as for example 'McDonald Street' Morwell becomes 'Maryvale Road' with no clear junction between the two roads.

There is no historical significance to the name 'Yinnar Road' as it has only recently been known by that name. The road has had a number of changes in its lifetime, the first being 'Ridge Road' then 'Hazelwood Road'; 'Midland Highway'; and 'Hazelwood Estate Main Road'.

Yours faithfully

Elsie McMaster, Secretary

11.6.2 PROPOSED SALE OF RESERVE - KINGSFORD AND HINKLIER STREETS, MOE

AUTHOR: Acting General Manager Corporate Services
(ATTACHMENT – YES)

1. PURPOSE

This report seeks Council's approval to commence the statutory process to sell the Kingsford and Hinklier Streets Reserve, Moe, as shown on the attached plan.

2. POLICY IMPLICATIONS

This report is consistent with Council's Latrobe 2021 vision document and the Council Plan 2008-2012.

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Governance

To ensure governance and leadership through a strong commitment and adherence to democratic processes and legislative requirements.

Strategic Action - Ensure compliance with the Local Government Act.

Policy No. GEN-EO 012 - Sale of Council Owned Property Policy

"Policy Goals

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

3. BACKGROUND

The Kingsford and Hinklier Streets Reserve is owned by Latrobe City Council and the whole of the land is contained in Certificate of Title Volume 8812, Folio 181, being Lots 1 & 2 on TP42038.

The property is approximately 8,274 square metres in area and improvements currently comprise two small vacant sheds, unused and un-maintained asphalt paved tennis courts and public open space.

The Moe Newborough Outdoor Recreation Plan (October 2007) adopted by Council in November 2007 identified this reserve as surplus to Council's requirements.

Try Youth and Community Services Inc. has written to Council expressing interest in purchasing the Kingsford and Hinkler Streets Reserve. The purpose of the land acquisition will be to utilise and develop the site through a proposed series of vocational training programs which will result in a multi-residential complex being constructed on the site. The goal of this development is to provide accessible housing that is environmentally friendly and in accordance with the general principles of the Moe Transit Cities program.

4. **ISSUES**

Section 189 of *the Local Government Act 1989* provides Council with the power to sell land subject to it giving public notice of its intention to do so at least four weeks prior to selling or exchanging the land.

This power is subject to Section 223 of *the Local Government Act 1989* whereby:

"The Council must publish a notice stating that submissions in respect of the matter specified in the public notice will be considered in accordance with this section."

Council must then consider any written submissions that have been received and any person who has made a submission and requested they be heard are entitled to appear before a meeting of Council.

In addition to the legislative requirements detailed above, Council in accordance with Sale of Council Owned Property Policy and Procedure needs to determine whether the property is surplus to both Council and community requirements.

To determine if the property is surplus to community requirements Council is required to publish a notice in the local newspaper inviting responses to such a question. This property was identified as surplus to Council's requirements in the Moe Newborough Outdoor Recreation Plan. However, public notice is still required under Section 223 of the *Local Government Act 1989*.

It is proposed that both the statutory and community notice would be combined to give public notice of the proposed sale and invite public submissions to determine if the property is surplus to community requirements.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

An independent valuation appraisal has been obtained and the indicative freehold market value at 2 June 2008 was \$290,000.

6. **INTERNAL/EXTERNAL CONSULTATION**

Engagement Method Used:

- *A Public notice will be published in the Latrobe Valley Express*

*Details of Community/Consultation Results of Engagement:
In accordance with Section 223 of the Local Government Act 1989 any submissions that are received regarding this matter will be referred for consideration at a future meeting of Council.*

The Moe Newborough Outdoor Recreation Plan (October 2007) identified this reserve as surplus to Council's requirements. The development of this plan featured community consultation concerning this parcel of public open space.

7. **OPTIONS**

Council may now resolve to proceed with either of the following options:

1. Resolve to commence the statutory process to initiate the sale of Kingsford and Hinkler Streets Reserve to Try Youth and Community Services Inc. by private treaty at valuation by giving public notice of its intention to consider the sale and seek public comment to determine if the property is surplus to community requirements. Giving public notice of the proposal does not obligate Council to proceed with the sale of land;
2. Resolve not to continue with this process and retain the land which would require no further action.

8. CONCLUSION

Council has received an expression of interest from Try Youth and Community Services Inc. to purchase at valuation the Kingsford and Hinklier Streets Reserve.

As this land has previously been identified as surplus to Council's requirement it is recommended that Council commence the process in accordance with the *Local Government Act 1989* and the Sale of Council Property Policy to sell the land by private treaty.

9. RECOMMENDATION

1. That Council seeks public comment to determine if the Kingsford and Hinklier Streets Reserve Moe is surplus to community requirements and gives public notice of its intention to consider the potential sale of this property by private treaty, pursuant to Section 189 of the Local Government Act 1989 and Sale of Council Property Policy.
2. That Council notes that the Moe Newborough Outdoor Recreation Plan (October 2007) adopted at the Council Meeting held the 5 November 2007 identified the Kingsford Street Reserve as surplus to recreation requirements and the proceeds from sale of land be allocated to the development of the Ted Summerton Reserve Moe.
3. That Council considers any submissions received in relation to the community requirements and possible sale of the Kingsford and Hinklier Streets Reserve Moe, at the Ordinary Council Meeting to be held on Monday, 18 August 2008.

Moved: Cr Price

Seconded: Cr White

That the Recommendation be adopted.

CARRIED

ATTACHMENT



13. TEA BREAK

Adjournment of Meeting

The Mayor adjourned the Meeting at 8.20 pm for a tea break.

Resumption of Meeting

The Mayor resumed the Meeting at 8.26 pm.

Moved: Cr Middlemiss

Seconded: Cr Zimora

That this Meeting now be closed to the public to consider the following items which are of a confidential nature.

ITEMS		NATURE OF ITEM
14.1	ADOPTION OF MINUTES	Other
14.2	CONFIDENTIAL ITEMS	Other
14.3	URBAN TREE BLOCK PRUNING	Contractual

CARRIED UNANIMOUSLY

The Meeting closed to the public at 8.27 pm.