



**LatrobeCity**  
*a new energy*

# LATROBE CITY COUNCIL

## MINUTES OF ORDINARY COUNCIL MEETING

HELD IN THE  
NAMBUR WARIGA MEETING ROOM,  
CORPORATE HEADQUARTERS, MORWELL  
AT 7:00 PM ON 18 AUGUST 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 Community Liveability*

*Caroline Flake, Manager Council Operations - Legal Counsel*

*Katie Garlick, Council Operations Administration Officer*

*Allison Jones, General Manager Economic Sustainability*

*Philip Marsh, Acting General Manager Governance*

*Peter Quigley, General Manager Built and Natural Environment Sustainability*

*Grantley Switzer, Acting General Manager Recreational and Cultural Liveability*

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**ORGANISATIONAL EXCELLENCE**

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NIL

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NIL

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**ITEMS CLOSED TO THE PUBLIC**

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**CLOSED**

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**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**

NIL

**4. Adoption of Minutes**

**Moved:** Cr Middlemiss

**Seconded:** Cr Price

**That the Minutes of the Ordinary Council Meeting, relating to those items discussed in open Council, held on 4 August 2008 (CM 275) be adopted.**

**CARRIED UNANIMOUSLY**

# **ITEMS REFERRED BY THE COUNCIL**

**7.1 PETITION - PROVISION OF A PARENTING ROOM IN MOE -  
UPDATE REPORT**

**AUTHOR:** Acting General Manager Community Liveability  
**(ATTACHMENT – NO)**

**1. PURPOSE**

The purpose of this report is to provide Council with an update in relation to the petition presented to Council on 21 July 2008 requesting a parenting room in Moe.

**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.*

The provision of adequate parenting facilities is also identified in the Municipal Early Years Plan 2004-2008.

### 3. **BACKGROUND**

A petition requesting that Latrobe City Council take urgent action to provide a parents' room in a central location in Moe was presented to Council on 21 July 2008. The petition was received on 11 July 2008 and contains 155 signatures.

At its Ordinary Council Meeting held on 21 July 2008, Council adopted the following resolution in relation to the Petition:

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.*

### 4. **ISSUES**

Prior to 2007, Council leased a small parenting 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.

Council officers have commenced a process to identify options to address the issues raised by the petitioners regarding the provision of a parents' room in Moe.

A parenting room would normally include provision for an adult and child toilet, private breast feeding area, and baby change facilities. Ideally a comfortable public area with seats for parents to bottle feed, read community information and rest or relax would also be provided.

It is preferable that such a facility be located in a central location, within a building frequently used by parents and easily accessible to pedestrian traffic and parents with prams.

It is proposed that any parenting room, if developed, be an interim arrangement pending future redevelopment projects that may be an outcome of the Moe Activity Centre Plan.

There are several publicly and privately owned buildings in the Activity Centre of Moe which could be suitable candidates for such a facility, however access to these premises would require the owner's permission. It is also likely that some capital improvements would be required to provide a parenting room of sufficient standard.

It is proposed that Council officers investigate potential locations, including the potential cost, access arrangements and other requirements to establish such a facility and provide a report to Council of the outcome of this investigation at its ordinary meeting to be held on 6 October 2008.

## **5. FINANCIAL AND RESOURCES IMPLICATIONS**

Preliminary estimates of the cost to renovate or retrofit and existing building to accommodate a parenting room with the features identified above indicate a capital cost of \$15,000 to \$20,000. There is no allocation for this in the 2008/09 budget. Additional costs to lease premises, provide adequate signage and initial community information may also be required.

## **6. INTERNAL/EXTERNAL CONSULTATION**

*Engagement Method Used:*

A meeting with the Head Petitioner is currently being arranged. It is proposed to also canvass the views of parents through maternal and child health centres, play groups and new mothers groups, along with the views of community organisations.

## **7. OPTIONS**

1. Council may choose to endorse the process outlined above and defer consideration of the petition until the Ordinary Council Meeting to be held on 6 October 2008.
2. Consider the petition at this meeting.
3. Take no further action.

## **8. CONCLUSION**

Currently there is no publicly available parent's room in the Moe Activity Centre.



Any proposed parenting room, if developed, should be an interim arrangement pending future redevelopment projects that may be an outcome of the Moe Activity Centre Plan.

In order to provide an informed response to the petition requesting that Council provide such a facility, further investigation is required regarding potential locations, cost, timing, logistics and scope of such a facility.

It would also be beneficial to consult with community groups and parents through maternal and child health centres and parent groups.

**9. RECOMMENDATION**

- 1. That a further report on the outcome of investigations into potential options to provide a parents' room in a central location in Moe be presented to the Ordinary Council Meeting to be held on 6 October 2008.**
- 2. That the head petitioner be advised of Council's decision in relation to a parents' room in Moe.**

**Moved:** Cr Price

**Seconded:** Cr White

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

**7.2** **PROPOSED ROAD DISCONTINUANCE - UNNAMED LANEWAY BETWEEN JILL STREET AND MARGARET STREET, MORWELL**  
**AUTHOR:** Acting General Manager Governance  
**(ATTACHMENT – YES)**

**1. PURPOSE**

The purpose of this report is to seek Council's approval to discontinue the unnamed laneway between Jill Street and Margaret Street, Morwell, to allow the land to be sold by private treaty.

**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 1989.*

*Policy No. - There is no specific policy relating to road closures. The statutory procedure is specified by legislation.*

**3. BACKGROUND**

The laneway is at the rear of 42 to 52 Hopetoun Avenue, Morwell, and runs between Jill Street and Margaret Street, as shown on the attached plan.

This laneway was originally created in 1952 as a road on Plan of Subdivision 23718 and is contained in Certificate of Title Volume 9193 Folio 662 which remains in the name of Manthos Investments Pty Ltd.

The laneway has a width of 3 metres and a length of 39 metres. This laneway remains unconstructed and is not required for access to any of the other adjoining properties.

A joint application has been received from the owners of 44 and 46 Hopetoun Avenue, Morwell, to acquire the existing laneway at the rear of their properties for private rear access. Should the surplus laneway be discontinued, Council would then be in a position to sell the land.

Council commenced the statutory process to discontinue the laneway at the 7 July 2008 Ordinary Council Meeting and resolved the following:

1. *That Council gives public notice of its intention to consider the discontinuance and sale by private treaty of the unnamed laneway between Jill Street and Margaret Street, Morwell, pursuant to Section 206 and Schedule 10 Clause 3 of the Local Government Act 1989.*
2. *That Council considers any submissions received in relation to the discontinuance of the unnamed laneway between Jill Street and Margaret Street, Morwell, at the Ordinary Council Meeting to be held on Monday 18 August 2008.*

#### 4. **ISSUES**

Section 206 and Schedule 10 Clause 3 of the *Local Government Act 1989* gives Council the power to discontinue roads:

“A Council may, in addition to any power given to it by Sections 43 and 44 of the *Planning and Environment Act 1987* –

- i. discontinue a road, or part of a road, by a notice published in the Victoria Government Gazette: and*
- ii. sell the land from that road (if it is not Crown Land), transfer the land to the Crown or itself or retain the land.”*

This power is subject to Section 223 of the *Local Government Act 1989* which requires Council “*publish a public 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.

Accordingly a public notice was advertised advising of Council's intention and inviting written submissions. The closing date to receive written submissions was Friday, 25 July 2008. No submissions have been received.

**5. FINANCIAL AND RESOURCES IMPLICATIONS**

Costs associated with this statutory process are minimal, being the cost of the public notice inviting submissions, and an order published in the Victoria Government Gazette.

All costs associated with the transfer and consolidation of the land will be the responsibility of the applicants.

**6. INTERNAL/EXTERNAL CONSULTATION**

*Engagement Method Used:*

*A public notice was placed in the Latrobe Valley Express on 10 July 2008 notifying of Council's intention and inviting submissions. Details of this proposal were also included on the Latrobe City website.*

*Relevant units within council administration were also consulted concerning the proposal.*

*As part of their original application to Council the purchasers were also required to notify all other adjoining property owners of the proposal.*

*Details of Community/Consultation Results of Engagement:*

*No written submissions or telephone enquiries were received in response to the public notice.*

**7. OPTIONS**

Council may now resolve to either:

1. Resolve to discontinue the road.
2. Take no further action.

In the event that Council resolved not to take any further action the laneway would remain open for public traffic.

## 8. CONCLUSION

The unnamed laneway between Jill Street and Margaret Street, Morwell, is considered surplus to Council's road network requirements. Discontinuing the road would allow the land to be transferred to the owners of 44 and 46 Hopetoun Avenue to provide private rear access to each property.

Council has completed its statutory obligations under the *Local Government Act 1989* to formally resolve to discontinue the road.

## 9. RECOMMENDATION

1. That Council forms the opinion that the unnamed laneway between Jill Street and Margaret Street, Morwell, is not reasonably required as a road for public use and, pursuant to Section 206 and Schedule 10 Clause 3 of the *Local Government Act 1989*, resolves to discontinue the road and sell the land by private treaty.
2. That a notice for the discontinuance of the unnamed laneway between Jill Street and Margaret Street, Morwell, be published in the Victoria Government Gazette.
3. That Council authorises the Chief Executive Officer to sign and seal each of the transfer documents for the discontinued laneway between Jill Street and Margaret Street, Morwell.
4. That Council authorises the Chief Executive Officer to enter into Contracts of Sale for the discontinued laneway between Jill Street and Margaret Street, Morwell.

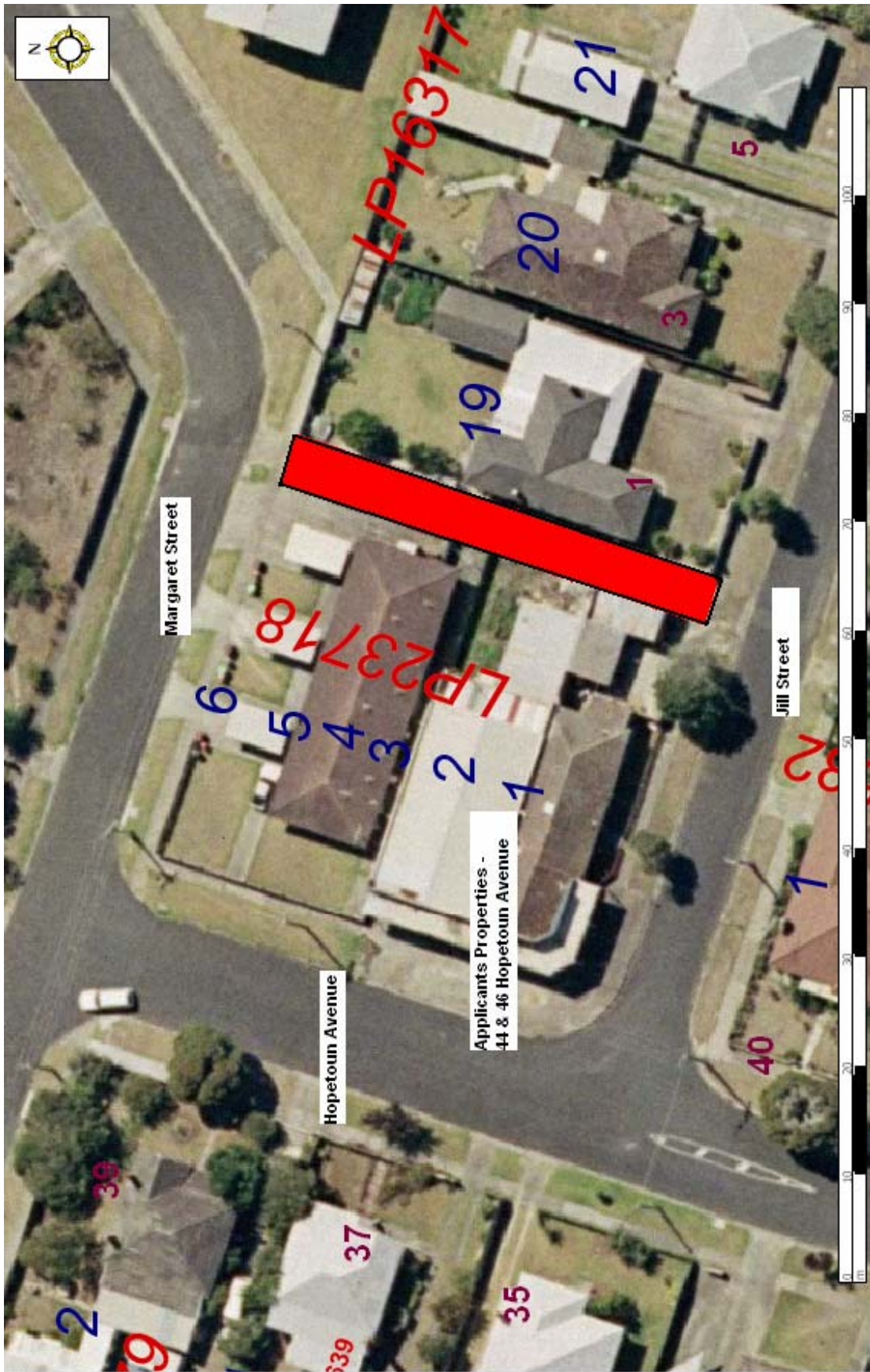
**Moved:** Cr White

**Seconded:** Cr Middlemiss

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

ATTACHMENT



### **7.3 PROPOSED SALE OF KINGSFORD RESERVE - KINGSFORD AND HINKLER STREETS, MOE**

**AUTHOR:** Acting General Manager Governance  
**(ATTACHMENT – NO)**

#### **1. PURPOSE**

The purpose of this report is to request Council give consideration to rescheduling the date that the Council considers any public submissions received in response to the proposal to sell by private treaty the Kingsford Reserve, between Kingsford and Hinkler Streets, Moe.

#### **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**

Council at its meeting held 21 July 2008 resolved:

1. *“That Council seeks public comment to determine if the Kingsford and Hinkler 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 Hinkler Streets Reserve Moe, at the Ordinary Council Meeting to be held on Monday, 18 August 2008.”*

#### 4. **ISSUES**

Section 189 of the *Local Government Act 1989* provides Council with the power to sell and exchange 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 also 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.”

Due to an administrative oversight the public notice seeking community comment to assess if the Kingsford and Hinkler Streets Reserve Moe is surplus to community requirements and also inviting public submission was not published in sufficient time to allow any comments and submissions to be received and considered at this Council meeting.

To comply with the provisions of Section 223 of the *Local Government Act 1989* it is necessary for Council to fix another date to consider any submissions received.

Revised public notices inviting submissions in relation to possible community requirements and potential sale of the reserve have been published stating that these will be considered at a date to be determined by Council.



5. **FINANCIAL AND RESOURCES IMPLICATIONS**

The financial implication of rescheduling the date to consider any public submissions received are minimal being the cost of additional public notices.

6. **INTERNAL/EXTERNAL CONSULTATION**

*Engagement Method Used:*

- *A Public notice was published in the Latrobe Valley Express the 31 July 2008. Additional public notices will be published in the Latrobe Valley Express.*
- *An additional public has been published in both the Latrobe Valley Express and Moe News, 7 and 12 August respectively.*

7. **OPTIONS**

Options available relate to the date and time selected to consider any community comment and public submissions received.

8. **CONCLUSION**

It is recommended that Council considers any submissions received in relation to the possible sale by private treaty of the Kingsford and Hinkler Streets Reserve Moe, at the Ordinary Council Meeting to be held on 1 September 2008.

9. **RECOMMENDATION**

**That Council in accordance with the requirements of the Section 223 of *Local Government Act 1989* considers any submissions received in relation to the possible sale of the Kingsford and Hinkler Streets Reserve Moe, at the Ordinary Council Meeting to be held on 1 September 2008.**

**Moved:** Cr Price  
**Seconded:** Cr Wilson

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

**7.4 ROAD NAME CHANGE CRINIGAN ROAD, MORWELL**

**AUTHOR:** Acting General Manager Governance  
**(ATTACHMENT – YES)**

**1. PURPOSE**

The purpose of this report is to seek Council's consideration of the proposed name change of Crinigan Road, west of Maryvale Road Morwell, to Crinigan Road West.

**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 1989.*

*Policy No. There is no specific policy relating to Road name changes. The statutory procedure is specified by legislation.*

**3. BACKGROUND**

Crinigan Road, Morwell runs east west from Alexanders Road in the east, crosses Maryvale Road and finishes west of Jason Street as shown on the attached plan. With the introduction of rural road numbering Council is required to allocate rural road numbers to properties to the west of Maryvale Road.

At the Ordinary Council Meeting held on 7 July 2008 Council resolved:

1. *That Council gives public notice of its intention to consider renaming the section of Crinigan Road, Morwell west of Maryvale Road, to Crinigan Road West pursuant to Local Government Act 1989 and the Geographic Place Names Act 1998 and guidelines.*
2. *That Council considers any submissions received in relation to renaming the section of Crinigan Road, Morwell west of Maryvale Road, to Crinigan Road West at the Ordinary Council Meeting to be held on Monday, 18 August 2008.*

It is noted that a previous proposal to rename this section of Crinigan Road was considered back in 2003 but did not proceed at that time as the majority of residents living in that section of the Crinigan Road did not support the proposal.

#### 4. **ISSUES**

Pursuant to Section 206 and Schedule 10 clause 5 of the *Local Government Act 1989*, Council as a responsible road authority may approve, assign or change the name of a road and allocate or alter street numbers.

Council is also required to comply with the statutory requirements of the *Geographic Place Names Act 1998* and guidelines when renaming a street or road. This process requires Council to consult with affected property owners and the general community.

Two responses to the public notice inviting submissions were received (copies attached) and are summarised below:

Mr John Willis

Supports the proposal to rename the road to Crinigan Road West as advertised in the Latrobe Valley Express.

*Officer Comment: Comment noted.*

Mr N L Bond on behalf of Amess Nominees (Bond) Pty Ltd

As the company that carried out the original subdivision that created Crinigin Road west of Maryvale Road, it should be entitled to nominate a replacement name and submits the name Nathan Road.

*Officer comment: The road/street name Nathan is not currently used with Latrobe City. The section of road proposed to be renamed is locally referred to as Crinigan Road West. It is believed that renaming the section of Crinigan Road, Morwell west of Maryvale Road, without reference to Crinigan Road, may cause confusion in the wider community.*

#### 5. **FINANCIAL AND RESOURCES IMPLICATIONS**

Costs associated with the proposed road name change are minimal, being a public notice and possible change of road signage and notification to statutory authorities.

## 6. INTERNAL/EXTERNAL CONSULTATION

Council gave notice to the public via an advertisement in the Latrobe Valley Express and direct mail.

*Engagement Method Used:*

- *Public Notice in the Latrobe Valley Express on Thursday, 10 July 2008.*
- *Letters to residents.*

*Details of Community/Consultation Results of Engagement:*

*As stated above two submissions were received by Council by 25 July 2008.*

## 7. OPTIONS

Council has the following options:

- (a) Submit an application to the Registrar of Geographic Names, to rename that section of Crinigan Road, west of Maryvale Road Morwell, to Crinigan Road West, Morwell as advertised;
- (b) Select another name for the section of road, such as Nathan Road, and submit an application to the Registrar of Geographic Names; or
- (c) Resolve not to proceed, which will require no further action but will not resolve problems associated with mail delivery and locating properties.

## 8. CONCLUSION

Council has complied with the requirements of Geographic Place Names Guidelines and having considered the two submissions received can now determine if it wishes to proceed with the renaming of that section of Crinigan Road, west of Maryvale Road, Morwell.

## 9. RECOMMENDATION

1. **That Council authorises an application to be made to the Registrar of Geographic Names to register Crinigan Road West, Morwell as an altered road name for inclusion in the Geographic Names Register.**

2. That all residents, statutory authorities and utilities be advised that Council has renamed Crinigan Road, west of Maryvale Road Morwell, to Crinigan Road West, Morwell.

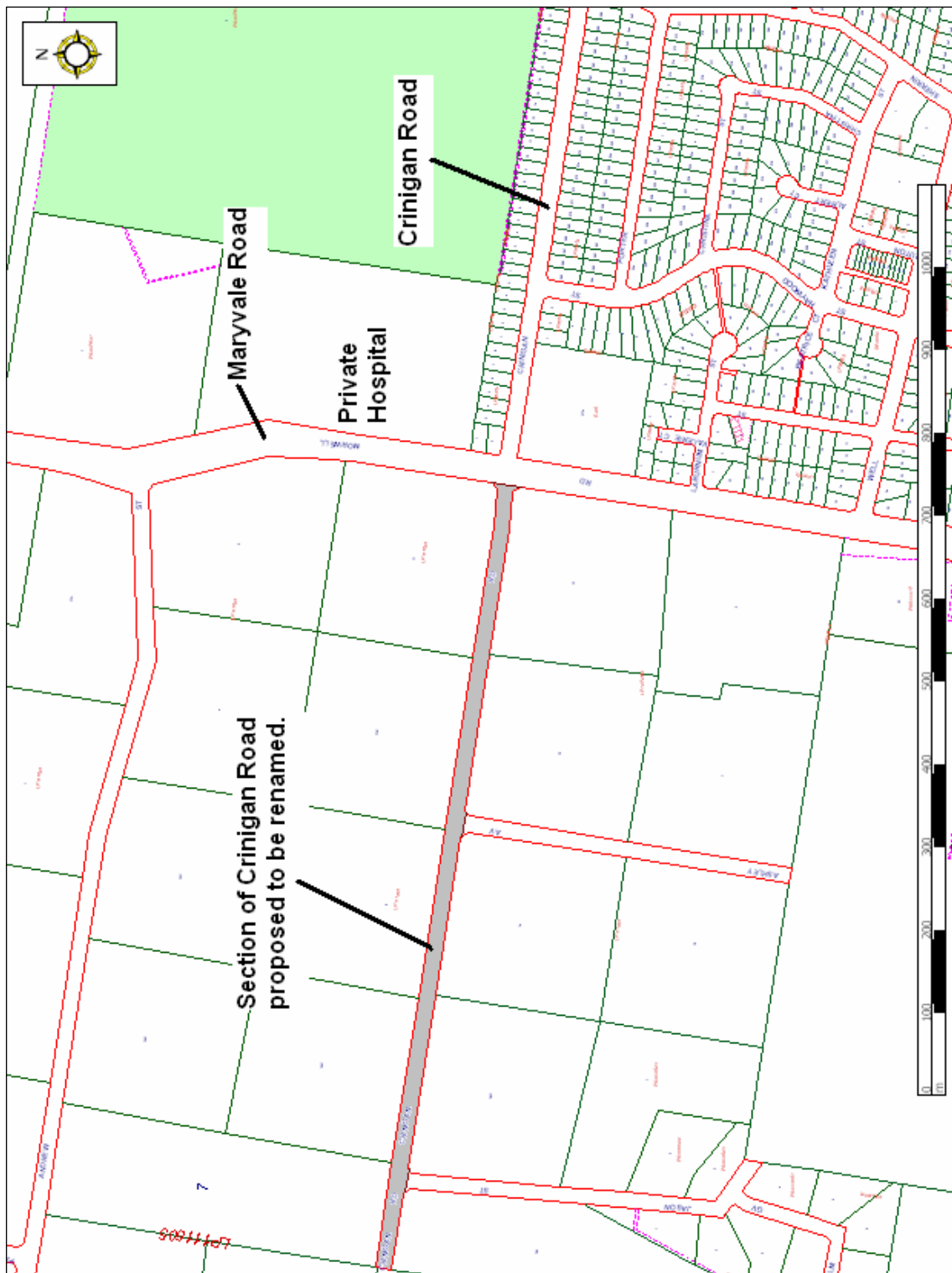
**Moved:** Cr Middlemiss

**Seconded:** Cr Lloyd

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

**ATTACHMENT**



CEO  
Latrobe City Council,  
PO Box 264,  
Morwell 3840

**Renaming Of Crinigan Road West**

Dear Sir,

I am writing to support the proposal to rename Crinigan Road West as recently advertised in the Latrobe Valley Express.

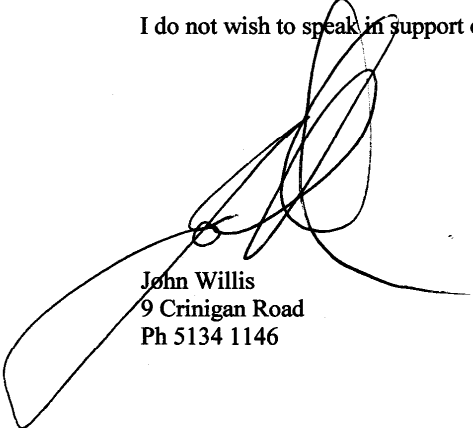
I have been the recipient of mail, callers (including the police, process servers and debt collectors) and even phone calls meant for the resident of the corresponding lot number in the western part of Crinigan Road.

I am aware that our neighbour at 7 Crinigan Rd has had similar problems with mail.

I am aware that Council is considering adopting the rural roads numbering system in the northwest part of Morwell. However, unless the road is renamed this will only transfer the problem to residents further east on residential end of Crinigan Road.

Trusting that the above is of assistance in your deliberations.

I do not wish to speak in support of this submission



John Willis  
9 Crinigan Road  
Ph 5134 1146

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

**AMESS NOMINEES (BOND) PTY LTD**

ACN 005 012 439

**Trustee for:**  
**Neville Bond Family Trust No.2**  
**P.O. Box 175**  
**Morwell Vic 3840**  
**Telephone: 03 5134 1072**

25 July 2008

Jan Smith  
 Co-ordinator Property and Rate  
 Latrobe City  
 P.O. Box 264  
 Morwell, Vic. 3840

Dear Jan,

Re – Proposed Name Change – Crinigan Road Morwell.

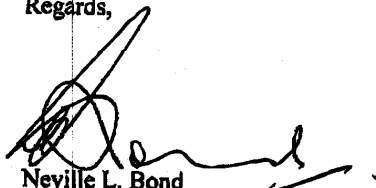
Further to our telephone discussion enclosed is a letter previously sent in September 2003 regarding this matter.

As stated this Company carried out the original sub-division of the area concerned and the Council changed the nominated name of the road to Crinigan Road.

We believe it should be the right of the company to nominate a replacement name especially as the name proposed meets all the criteria.

Accordingly, we resubmit the name Nathan Road as the replacement name for Crinigan Road on the western side of Maryvale Road, Morwell.

Regards,



Neville L. Bond  
 Director

<b>Latrobe City</b>	
28 JUL 2008	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	



**AMESS NOMINEES (BOND) PTY LTD**

ACN 005 012 439 – ABN 54 698 841 446

**Trustee for:**  
**Neville Bond Family Trust No.2**  
**P.O.Box 175**  
**Morwell Vic 3840**  
**Telephone : 03 5134 1072**

12<sup>th</sup> September 2003

Henry Morrison  
 Manager – Governance Operations  
 Latrobe City  
 PO Box 345  
 Traralgon 3844

Dear Sir,

Re: Proposal Road Name Change.

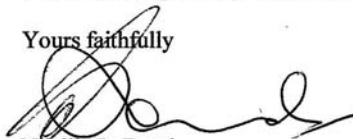
This Company was the developer of the land in which the road named Crinigan Road (West) is situated. Please note that on the map which accompanied the letter there are two Crinigan Road (West) listed. The one which is joined by Paul and English Streets should be Andrew Street.

As the name nominated with the original subdivision was changed by Council and substituted with Crinigan Road we reserve the right to re – nominate a substitute name.

It is understood that the name nominated has to be connected with a person not living. We hereby submit the name NATHAN ROAD after my son who died on 6<sup>th</sup> April 2003.

Should you require any further information please contact the writer on 0438 161 548.

Yours faithfully



Neville L. Bond  
 Director

FILE NO.	11/09/2018
REC. NO.	03/09/174
DATE:	15 SEP 2003
MYR/CNCL	
CEO	
MGR/VERP MGR	
SIGNATURE	H. Morrison
DATE	

# CORRESPONDENCE

**9.1 LAKE NARRACAN****FILE NO: 319374****AUTHOR: Acting General Manager Recreational and Cultural Liveability  
(ATTACHMENT – YES)****1. INTRODUCTION**

The purpose of this report is to table a letter from the Hon Tim Holding, MP, Minister for Water. The letter is in response to Council's formal request to the minister, the Hon Tim Holding and the Premier, Hon John Brumby, to maintain the water levels in Lake Narracan by utilising a component of the unallocated water in Blue Rock Dam.

**2. OFFICER'S COMMENTS**

A report was presented to Council at the Ordinary Council Meeting held on 5 May 2008 advising that Southern Rural Water, after discussions with the state government and the power generating companies (Loy Yang Power – Loy Yang A, International Power Mitsui - Loy Yang B and TRU Energy Yallourn) that hold the allocations of water in Lake Narracan, have advised that the current operating arrangements will continue due to the prolonged drought and the lower than average water levels in Blue Rock dam.

These changes mean that the power generating companies will draw down on their Lake Narracan water allocations first; using Blue Rock Dam only after the Lake Narracan allocations have been used. This method of operation has and will continue to result in Lake Narracan being reduced to flow levels which do not allow for normal boating and recreational activities to take place.

Council resolved to write to the Premier and the Minister for Water requesting that a portion of the unallocated water in Blue Rock Dam be made available, as required, to maintain Lake Narracan at a water level suitable for boating and recreational activities. Letters were subsequently forwarded to the Premier and the Minister for Water on 7 May 2008.

A letter of response was received from the Minister for Water on 9 July 2008.

A copy of the letter from the Minister for Water is attached, as is Latrobe City Council's initial correspondence to the Minister. The letter advises that Lake Narracan water is required to secure the water supply commitments and that water levels will continue to fluctuate. The Minister's letter advises that the government would consider requests for temporary arrangements to raise water levels for important events.

**3. RECOMMENDATION**

- 1. That Council enters into discussions with the three Latrobe Valley power generation companies (Loy Yang Power, International Power Mitsui and TRU Energy Yallourn) to discuss the possibility of maintaining a water level which allows for recreational use of Lake Narracan.**
- 2. That Council writes a further letter to the Premier and the Minister for Water to reiterate the importance of maintaining the water levels in Lake Narracan from an economic, social, environmental and recreational perspective.**
- 3. That Council seeks a meeting with the Hon Jacinta Allan, Minister for Regional and Rural Development, to impress on her the importance of Lake Narracan from a recreational, social, economical (tourism) and environmental perspective and request that she advocate on behalf of Latrobe City to ensure that appropriate water levels are maintained.**

**Moved:** Cr Price  
**Seconded:** Cr Middlemiss

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

**ATTACHMENT****Minister for Water**

Ref: DSE053854  
 File: CS/07/1313

Cr Bruce Lougheed  
 Mayor  
 Latrobe City Council  
 PO Box 264  
 MORWELL VIC 3840

<b>Latrobe City</b>	
10 JUL 2008	
Doc. No.	
Action C	
Disposal	
Comments:	

121 Exhibition Street  
 Melbourne, Victoria 3000  
 GPO Box 4509  
 Melbourne, Victoria 3001  
 Telephone: (03) 8684 8000  
 Facsimile: (03) 8684 8014

**09 JUL 2008**

Dear Cr Lougheed

**LAKE NARRACAN**

I refer to your letter dated 7 May 2008 to the Premier, the Hon. John Brumby MP, requesting a water allocation to maintain levels in Lake Narracan for recreational purposes. As this issue falls within my responsibilities as the Minister for Water, your correspondence has been forwarded to me for a response.

As you are no doubt aware, three of Victoria's largest power stations hold the entitlements to water in Lake Narracan, which is operated by Southern Rural Water. The power stations rely on water in Lake Narracan as well as Blue Rock Dam. They also pay the full costs to operate, maintain and upgrade Lake Narracan (including the recent \$6 million upgrade).

Southern Rural Water tightened the operating rules for Lake Narracan in April 2007, in response to record low inflows in the Latrobe River system in 2006/07. The changes involved maintaining the lake at a lower level, in order to capture additional water flowing down the Latrobe River when it rains.

An additional nine billion litres of water was collected in 2007 as a result – water that would otherwise have spilled and been lost from Lake Narracan had the storage been maintained at a higher level with releases from Blue Rock Dam. The extra water represents about 12 per cent of the power stations' annual water use, which is significant in these times of decreasing river flows and increased uncertainty about water availability.

The Government is reviewing the security of the Latrobe Valley power stations' water supplies against the last 11 years of low river flows. Initial indications are that all water resources in Moondarra Reservoir, Blue Rock Dam and Lake Narracan are required to secure the valley's existing supply commitments.

Under these circumstances, Lake Narracan needs to operate as efficiently as possible to harvest water. Unfortunately, this means that its water levels will fluctuate.

**Privacy Statement**

*Any personal information about you or a third party in your correspondence will be protected under the provisions of the Information Privacy Act 2000. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Manager Privacy, Department of Sustainability & Environment, PO Box 500, East Melbourne, 3002.*



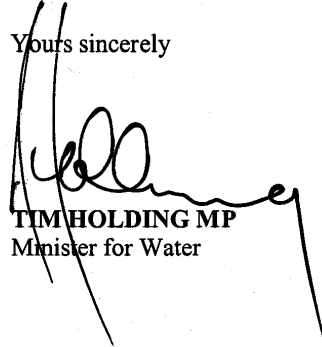
The Government understands the importance of Lake Narracan for recreation, and is prepared to consider future requests for temporary arrangements to raise water levels similar to the arrangement for the Lake Narracan Ski Club earlier this year.

Such requests would be considered on a case by case basis, but would be restricted to times when river flows are less likely to fluctuate and to years when storages levels are relatively high, so as not to significantly increase the risk to the power stations' water supplies.

I trust that this information clarifies the Government's position on the operation of Lake Narracan, and I would encourage you to consider how to make the most of the lake's recreational values given that water levels will inevitably fluctuate in future.

Thank you for writing to the Government on this important issue.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tim Holding', written over a vertical line that extends downwards from the signature.

**TIM HOLDING MP**  
Minister for Water

Our Ref: 310240  
BL:PH

7 May 2008

The Hon Tim Holding MP  
Minister for Water  
Level 26, 121 Exhibition Street  
MELBOURNE VIC 3002

**Fax: 8684 8014**

Dear Minister

### **REQUEST FOR ACTION TO RESTORE WATER LEVELS AT LAKE NARRACAN**

At its ordinary meeting held on Monday 5 May 2008, Latrobe City Council considered a report which outlined the changes in operating parameters for the Lake Narracan dam and the ramifications of those changes on the lake and its users. In response to the information provided regarding the current situation at Lake Narracan, Latrobe City Council resolved "to request that the State Government make available a portion of unallocated water from the Blue Rock Dam as required to maintain Lake Narracan at a water level suitable for boating and recreational activities".

Lake Narracan is water storage on the Latrobe River located adjacent to the towns of Moe and Newborough in Gippsland. It was originally established as a cooling pond for the former Yallourn Power Station. The lake became redundant for that purpose following the construction of the current power stations with cooling towers; however the then State Electricity Commission agreed to retain the lake for recreational purposes.

Latrobe City Council is the local authority in respect of activity taking place on Lake Narracan and maintains the lake and much of the foreshore area for the recreational use of residents and visitors to Latrobe City. The water resource in the lake is managed by Southern Rural Water and in keeping with Lake Narracan's history 95% of that resource is allocated for use by the power generation industry. Until 2007 the power generation industry had not drawn down on this allocation.

Southern Rural Water, after discussions with the power generating companies that hold entitlement to the allocations of water in the lake and the State Government, have advised that they have made permanent changes to the operating parameters of the Lake Narracan dam. These changes mean that previously stable water levels maintained at Lake Narracan will now fluctuate between 80% and 10% of capacity. In fact the lake will only reach the levels which allow water based recreational activities following significant rainfall in the Latrobe River catchment. This has occurred only twice in the last 12 month period. Following these rain events it takes approximately three weeks for the power generation industry to draw down water levels to less than 30% of capacity, rendering the waterway unnavigable. Effectively Lake Narracan has been reduced to a water course surrounded by mud for the majority of the year.

Lake Narracan is a key recreational facility in Latrobe City and has been so for over twenty years. Several local recreational interest groups have established facilities in and around the lake foreshore area. These groups include the Latrobe Valley Water Ski Club; the Moe Golf Club and the Latrobe Hovercraft Club. These community groups have invested much time and money in the facilities they have developed on the lake shore.

It is widely recognised that Lake Narracan is of regional significance to Central Gippsland's tourism industry. With a water surface area exceeding 300ha and a foreshore of great natural beauty the lake is a world class water skiing venue, with major skiing events held there regularly.

Due to its strategic location in Latrobe City, within easy transit distance of Melbourne's rapidly expanding south-eastern suburbs, Lake Narracan attracts high levels of visitation during the peak season between October and Easter. Visitors use the lake primarily for water related pursuits such as general power boating and water skiing.

The restoration of Lake Narracan as a viable waterway is extremely important to Latrobe City Council for the economic, social and recreational benefits it delivers to the community and I respectfully request your urgent attention to this matter.

Yours sincerely



CR BRUCE LOUGHEED  
**Mayor**



# COMMUNITY LIVEABILITY

**11.5.1 MOE EARLY LEARNING CENTRE REDEVELOPMENT PROJECT**

**AUTHOR:** Acting General Manager Community Liveability  
**(ATTACHMENT – YES)**

**1. PURPOSE**

The purpose of this report is to advise Council of recent developments regarding Commonwealth funding for a new child care centre in Moe and to seek Council's endorsement of proposed actions to facilitate this development.

**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 - No. 2 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 - Support government agencies, non government agencies and the community to provide high quality preschool and childcare.*

*Policy No. DCS-DCS 002 Child Care Centre Policy:*

Latrobe City will manage early learning centres in Traralgon, Morwell and Moe and in the future Churchill on a self-funded basis in accordance with the *Children's Services Regulations 1998* and the *Children's Services Act 1996*. The purpose of these centres is to provide a safe, stimulating and affordable quality childcare option to parents who either reside or work in the municipality. The early learning centres are designed to provide long day care, part time or occasional care for children under five years of age in a manner which responds to the expressed needs of parents.

**3. BACKGROUND**

The Commonwealth Government is committed to funding the construction of 260 new child care centres across Australia by 2014.

As part of this policy commitment the locations for the first 38 childcare centres were announced on 30 May 2008. A copy of the information sheet is attached.

Moe has been identified as one of ten locations in Victoria to be funded for a new centre. It is understood locations in this first round were given priority on the basis of socio-economic need and to fulfil Commonwealth Government election commitments. During the 2007 federal election campaign, the then Shadow Minister with responsibility for child care, Jenny Macklin, announced that funding would be provided to replace the Moe Early Learning Centre (MELC) with a new facility.

The process for accessing funding for a new childcare centre under this initiative is complex and has several phases, including:

- Location selection.
- Site selection within each location.
- Approval of design, construction and management arrangements.

Initially this has been managed by direct negotiation and liaison between the Commonwealth and State Governments, given the diverse policy, management and funding regimes in different jurisdictions.

The Commonwealth Government has acknowledged that in Victoria, the strong role played by local government in funding, managing and developing childcare services warrants a different approach and has committed to including local government in the process for selecting sites, construction and management of the centres.

Through this process Council officers were requested by the Commonwealth Government to identify a preferred site in Moe for the new centre by 13 June 2008. As Council had not had the opportunity to consider this issue and a community consultation process has not been undertaken, a number of potential Council-owned sites were identified in order to register interest in this process. These were provided to the Commonwealth Government with the qualification that a formal approval process through Council involving community consultation would be necessary.

The Commonwealth Government has given a target date of 30 June 2010 for completion of construction of all the first 38 centres.

#### 4. ISSUES

The project provides an opportunity to develop a modern “state-of-the-art” early learning and care facility in Moe or “Children’s Hub”, which could incorporate a range of early years services such as long day care, occasional care, preschool, maternal and child health, playgroups, after school hours care, and community facilities.

Whilst funding arrangements are still to be determined, the offer from the Commonwealth Government is likely to enable construction of an 80 to 90 place childcare centre. The current Moe Early Learning Centre (MELC) operates as a 35 place centre in Fowler Street, Moe. Whilst Council owns the centre building and part of the rear playground, the majority of the rear playground is on land leased from Latrobe Community Health Service. As a result the building is unable to be extended, and any redevelopment or expansion would need to be through the construction of a new facility. The funding from the Commonwealth cannot be used to purchase land or an existing building and therefore construction on Council owned land in Moe is also preferable. Council may also have an opportunity to apply for funds from the State Government to augment this project or consider a future capital allocation.

In order to ensure the project can be completed within the timeframe set by the Commonwealth Government, Council approval to commence this process is requested.

An indicative project plan has been developed as follows:

<b>TASK</b>	<b>TIMELINE</b>
Community consultation re site selection and scope of facility including meetings with key stakeholders (parents, reference groups, community organisations)	August to September 2008
Finalisation of funding arrangements with State and Commonwealth Governments	September 2008
Selection of preferred site and scope of building / approval by Council	October 2008
Tender for Design of facility	October to November 2008
Approval of successful tender	December 2008

TASK	TIMELINE
Design work, including: <ul style="list-style-type: none"> <li>○ Concept development</li> <li>○ Schematic plans</li> <li>○ Detailed design</li> <li>○ Specifications</li> </ul>	December 2008 to April 2009
Tender for construction	April to May 2009
Approval of construction tender	June 2009
Construction	July 2009 to March 2010
Fit Out	March 2010
Opening	Late April 2010

It is proposed to undertake a community consultation process similar to that recently conducted in relation to the Traralgon Early Learning Centre in order to ascertain community views regarding the proposed new childcare centre and present a preferred site to Council for consideration. The views of current users of MELC would be important in this process.

The proposed community consultation would focus on identification of a preferred site for the new childcare centre, and the potential scope of early years and community facilities that could be included.

To facilitate the consultation process a number of possible sites have been identified and are shown on the map in the attached Moe Early Learning Centre Redevelopment Project document. These include:

- Lot 1 & 2, 18-22 Kingsford Street, Moe (former tennis courts)
- Cnr Moore & Hennessey Streets, Moe (integration with Moore Street preschool)
- 29 Hawker Street, Moe (Public Reserve)
- 37-38 Vale Street, Moe (Ted Summerton Reserve)
- Cnr John Field Drive & Old Sale Road, Newborough (adjacent to Latrobe Leisure Moe-Newborough)
- Cnr Dinwoodie Drive & Narracan Drive, Newborough (Public Reserve)
- Ollerton Avenue, Newborough (co-locate at former hospital site)

Other potential sites may emerge through the community consultation process.

No formal assessment has been made of the sites identified above or any other potential sites at this time.

A report detailing the outcome of the community consultation process, recommending a preferred site and outlining next steps will be presented to Council for consideration at the Ordinary Council Meeting to be held on 6 October 2008.

At this time, Council officers are working with the State Government to finalise details regarding the allocation of funds for this project and the processes required to ensure completion within the timeframe set by the Commonwealth Government.

It is proposed to commence preliminary concept planning for the new centre, including capacity, integration of related early years services and potential costing, in order to expedite the funding, design and construction processes once a preferred site is approved.

## **5. FINANCIAL AND RESOURCES IMPLICATIONS**

The extent of funding to be provided by the Commonwealth Government is still under negotiation, but will be informed by the site selection and concept planning process.

It is likely that Council would need to undertake a tender for design development and specification for this project at an early stage to ensure completion of the project within the required timelines.

No budget allocation has been made in Council's Capital Works program toward any local contribution that may be required. Depending on the outcome of the community consultation, and concept and design processes, Council may have an opportunity to apply for funds from the State Government or to consider a future capital allocation to augment this project with other early years services or community facilities as a "Children's Hub".

## 6. INTERNAL/EXTERNAL CONSULTATION

### *Engagement Method Used:*

It is proposed to undertake an extensive community consultation process to assist in identification of a preferred site and the scope of the MELC Redevelopment Project. This would include meetings with parents and community organisations, development of a project “fact pack” to canvass potential sites, community information sessions at the Moe Service Centre and public requests for submissions.

## 7. OPTIONS

1. Council may endorse the proposed project plan to undertake the Moe Early Learning Centre Redevelopment Project, including a community consultation process and concept and design development.
2. Council may choose to amend the proposed plan or nominate additional sites for consideration.
3. Council may choose to not proceed with the Moe Early Learning Centre Redevelopment Project.

## 8. CONCLUSION

Moe has been identified as one of ten locations in Victoria to be funded for a new child care centre in the first round of the Commonwealth Government's policy to establish 260 new centres throughout Australia.

Whilst details are still being finalised it is likely this funding will enable the construction of an 80 to 90 place centre to replace the Moe Early Learning Centre. It also provides an opportunity to develop a children's hub in Moe incorporating preschool, maternal and child health and other early years' services in accordance with the Latrobe City Child Care Strategy 2006-2011 and the Municipal Early Years Plan.

A condition of the Commonwealth funding is that the centre is constructed before 30 June 2010. To achieve this, commencement of a community consultation process to facilitate site selection and project scope, and commencement of concept and design development is required as soon as possible.

Council endorsement of the proposed project plan is sought.

**9. RECOMMENDATION**

- 1. That Council endorses the proposed project plan for the Moe Early Learning Centre Redevelopment Project.**
- 2. That Council approves a community consultation process to identify a preferred site and project scope for the Moe Early learning Centre Redevelopment Project.**
- 3. That a further report be presented to Council at the Ordinary Council Meeting to be held on 6 October 2008, detailing the results of the community consultation and further action to be undertaken in relation to the Moe Early Learning Centre Redevelopment Project.**

**Moved:** Cr Price

**Seconded:** Cr Lloyd

**That the Recommendation be adopted.**

**CARRIED**



## ATTACHMENT

### Information Sheet



## 260 Additional Early Learning and Care Centres

The Australian Government has committed to establishing up to 260 additional Early Learning and Care Centres across Australia by June 2014. Where possible, the additional centres will be located on school, TAFE, university or other community land.

### Phase 1: The First 38

The 2008-09 Budget invests \$114.5 million over four years to build the first 38 Early Learning and Care Centres, which includes six autism-specific centres. This investment includes capital funding and other child care related expenditure such as the Child Care Benefit and the Child Care Tax Rebate. This funding will support an average of 50 new places per centre.

The Government is looking to achieve best value for money and is open to opportunities for co-investment from interested parties, including local government, community organisations and private enterprise.

#### Locations for the First 38

The locations for 33 of the first 38 centres, including one autism specific centre, were announced during the 2007 election campaign. These locations are set out in Attachment A. Locations for the remaining 5 autism specific centres are being identified by the Department of Families, Housing, Community Services and Indigenous Affairs in consultation with key stakeholders.

### Phase 2 – The Remaining 222

The remaining 222 centres will be rolled-out progressively by the end of 2014, and delivered as part of COAG's National Partnerships arrangements.

#### Nominating a Site

The Office of Early Childhood Education and Child Care (OECECC) is working with the states and territories to identify

- suitable sites (specific blocks of land) for Phase 1 centres (excluding the autism-specific sites) within the announced locations
- suitable locations and sites for Phase 2 centres.

The key considerations for locating these services is that they be located in an area of unmet demand for child care and, wherever possible, be located on school grounds, TAFE, university or other community sites.

We are working with the states and territories to identify the most appropriate blocks of land for Phase 1 centres and locations/sites for Phase 2 centres. Any proposals for sites put forward by interested stakeholders, will inform these discussions. Timelines for nominations are below. However, it should be noted that the measure does not include provision for buying land.



If you, or an organisation you know, would like to propose a site for a centre, you should complete the Registration Form available at [www.oececc.gov.au](http://www.oececc.gov.au) and then submit it electronically to [260centres@deewr.gov.au](mailto:260centres@deewr.gov.au). See below for deadlines for receipt of these proposals.

All correspondence sent to the OECECC will receive a written acknowledgment within three days. This information will be used to inform discussions between the Australian and state and territory governments.

### Having a Proposal Funded or Becoming a Provider for a Centre

In the first instance, the states and territories have been asked to identify suitable sites and invited to undertake the construction and provider selection process, within the parameters set by the Australian Government.

Where the relevant state or territory government elects not to manage the construction, an open and competitive application process, managed by the Australian Government, will be advertised in June/July 2008.

### Timeline

Date	Activity
End May	States and Territory Governments advise the Australian Government of potential sites for Phase 1 (the first 32 Early Learning and Child Care Centres*) and their interest in taking the lead role in constructing the centres.
13 June 2008	Closing date for public nomination of potential sites for Phase 1 centres.
June 2008	Sites progressively identified for Phase 1 centres.
June/July	Where states and territories elect not to manage the construction on an approved site, an open and competitive application process is advertised by the Australian Government.
1 July 2008	Funding is available for construction of the Phase 1 centres. Funding will be provided subject to the sites being approved, and satisfactory contractual arrangements being in place.
31 July 2008	Closing date for public nomination of locations/sites for Phase 2 centres.
August to November 2008	Department prepares a consolidated list of potential sites for the Phase 2 centres and enters into negotiations with states and territories.
December 2008	Proposed date for signing of National Partnership Agreements including arrangements for the delivery of the Phase 2 centres.

\* The remaining 6 sites are for autism-specific centres. Sites for these centres are being identified by the Department of Families, Housing, Community Services and Indigenous Affairs in consultation with key stakeholders. More information is available at [www.fahcsia.gov.au](http://www.fahcsia.gov.au) or via an email to [asd@fahcsia.gov.au](mailto:asd@fahcsia.gov.au).

#### Last Updated 30 May 2008

This information will be updated from time to time. It is advisable for you to refresh your browser for the latest version each time you visit this site.



## ATTACHMENT A – PHASE 1 PRIORITY SITES

These centres will be situated in the following locations:

New South Wales	
<ul style="list-style-type: none"> <li>• Faulconbridge</li> <li>• Inner West Sydney</li> <li>• Queanbeyan</li> <li>• Bondi Junction</li> <li>• Newcastle</li> </ul>	<ul style="list-style-type: none"> <li>• Fairlight</li> <li>• Killara</li> <li>• Milperra</li> <li>• Hazelbrook</li> <li>• North Ryde</li> </ul>
Victoria	
<ul style="list-style-type: none"> <li>• Bendigo</li> <li>• Port Melbourne</li> <li>• St Kilda/East St Kilda,</li> <li>• Upwey</li> <li>• Yarraville</li> </ul>	<ul style="list-style-type: none"> <li>• Foster</li> <li>• Moe</li> <li>• Hurstbridge</li> <li>• Tullamarine</li> <li>• Craigieburn</li> </ul>
Queensland	
<ul style="list-style-type: none"> <li>• Gladstone</li> <li>• Townsville</li> <li>• Amberley</li> </ul>	<ul style="list-style-type: none"> <li>• Weipa</li> <li>• Cairns</li> </ul>
Western Australia	
<ul style="list-style-type: none"> <li>• Mirrabooka</li> <li>• Darch</li> </ul>	<ul style="list-style-type: none"> <li>• Karratha</li> <li>• Port Hedland</li> </ul>
Northern Territory	
<ul style="list-style-type: none"> <li>• Palmerston</li> <li>• Darwin</li> </ul>	
Tasmania	
<ul style="list-style-type: none"> <li>• Burnie (Autism Centre)</li> <li>• Beaconsfield</li> </ul>	

Locations for the remaining 5 autism-specific centres are being determined by the Department of Families, Housing, Community Services and Indigenous Affairs in consultation with key stakeholders. More information is available at [www.fahcsia.gov.au](http://www.fahcsia.gov.au) or via an email to [asd@fahcsia.gov.au](mailto:asd@fahcsia.gov.au).

# GOVERNANCE

**11.6.1 DOCUMENTS PRESENTED FOR SIGNING AND SEALING****FILE NO: 357/2008-CR****AUTHOR: Acting General Manager Governance****(ATTACHMENT – NO)**

357/2008-CR	Section 173 Agreement pursuant to the <i>Planning and Environment Act 1987</i> between Latrobe City Council and Timothy John Daly and Sarah Kate Romeril as the Owners of the whole of the land in Certificate of Title Volume 09758, Folio 579, situated at 23 Brownbill Street, Moe being Plan of Consolidation number 164950G, which provides that notwithstanding Council's consent to construct a dwelling extension over the easement on the land, the Council may enter the easement and carry out whatever works may be necessary to maintain the drain which is the easement.
	Transfer of Road Reserve from EM Barber as Transferor to Latrobe City Council as Transferee, for the road reserve created by Plan of Subdivision No. 206749G dated March 1987 and is described in Certificate of Title Volume 9731 Folio 700, for the Consideration of \$1.

**1. RECOMMENDATION**

- 1. That Council signs and seals the Section 173 Agreement between Council and Timothy John Daly and Sarah Kate Romeril in relation to the land situated at 23 Brownbill Street, Moe which provides that notwithstanding Council's consent to construct a dwelling extension over the easement on the land, the Council may enter the easement and carry out whatever works may be necessary to maintain the drain which is the easement.**
- 2. That Council signs and seals the Transfer of Road Reserve from EM Barber as Transferor to Latrobe City Council as Transferee, for the road reserve created by Plan of Subdivision No. 206749G dated March 1987 and is described in Certificate of Title Volume 9731 Folio 700, for the Consideration of \$1.**

**Moved:** Cr White**Seconded:** Cr Price**That the Recommendation be adopted.****CARRIED UNANIMOUSLY**

### 13. TEA BREAK

#### Adjournment of Meeting

The Mayor adjourned the Meeting at 7.25 pm for a tea break.

#### Resumption of Meeting

The Mayor resumed the Meeting at 7.38 pm.

**Moved:** Cr White  
**Seconded:** Cr Wilson

**That this Meeting now be closed 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*.**

<b>Items</b>	<b>Reasons under s.89(2) of the LGA</b>
14.1 Adoption of Minutes	<b>Other – s.89(2)(h)</b>
14.2 Confidential Items	<b>Other – s.89(2)(h)</b>
14.3 Design and documentation services for alterations and additions at Latrobe Leisure Churchill	<b>Contractual – s.89(2)(d)</b>
14.4 Sale of land - 31 - 41 and 43 - 49 Buckley Street, Morwell	<b>Legal Advice – s.89(2)(f)</b>

**CARRIED UNANIMOUSLY**

**The Meeting closed to the public at 7.39 pm.**