



LATROBE CITY COUNCIL

MINUTES OF ORDINARY COUNCIL MEETING

HELD IN THE
NAMBUR WARIGA MEETING ROOM,
CORPORATE HEADQUARTERS, MORWELL
AT 7:00 PM ON 15 DECEMBER 2008

PRESENT:

Cr Lisa Price, Mayor - Farley Ward
Cr Rohan Fitzgerald - Dunbar Ward
Cr Sharon Gibson - Merton Ward
Cr Sandy Kam - Galbraith Ward
Cr Bruce Lougheed - Tanjil Ward
Cr Graeme Middlemiss - Rintoull Ward
Cr Kellie O'Callaghan - Burnet Ward
Cr Darrell White - Firmin Ward
Cr Ed Vermeulen - Gonyah Ward
Paul Buckley, Chief Executive Officer
Seona Conway, General Manager Organisational Excellence
Michael Edgar, General Manager Community Liveability
Caroline Flake, Manager Council Operations - Legal Counsel
Katie Garlick, Council Operations Administration Officer
Tim Johnson, General Manager Governance
Allison Jones, General Manager Economic Sustainability
Philip Marsh, General Manager Executive Projects
Peter Quigley, General Manager Built and Natural Environment Sustainability
Grantley Switzer, General Manager Recreational and Cultural Liveability

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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 Middlemiss declared an indirect interest, s.78B – conflicting duties, in item 11.3.5 as he is an employee of Loy Yang Power.

Cr O'Callaghan declared an indirect interest, s.78B – conflicting duties, in item 11.3.10 as she is a Board Director at Latrobe Regional Hospital.

Cr Fitzgerald declared an indirect interest, s.78B – conflicting duties, in item 11.3.10 as he is an employee of Latrobe Regional Hospital.

Cr Price declared an indirect interest, s.78 – close association, in item 14.5 as her father is on the executive of the Moe Lions Club.

4. Adoption of Minutes

Moved: Cr Lougheed
Seconded: Cr Middlemiss

That the Minutes of the Ordinary Council Meeting, relating to those items discussed in open Council, held on 17 November 2008 (CM 281) be adopted.

CARRIED UNANIMOUSLY

Moved: Cr Lougheed
Seconded: Cr White

That the Minutes of the Statutory Council Meeting, relating to those items discussed in open Council, held on 4 December 2008 (SM 282) be adopted.

CARRIED UNANIMOUSLY

PUBLIC QUESTION TIME

5.1 SAFEWAY (TRARALGON) CROSSOVERS

Bruce Bremner, Hon Sec, Traralgon City and Rural Community Development Association asked the following question:

Question

BACKGROUND: In February 2006 the following option was adopted by Council:

“Require the landowner, Denaroo Constructions Pty Ltd (via a “Notice to Comply”, issued pursuant to Latrobe City Local Law No 2/2005), to carry out the required works at their entire cost within a period to be determined by the General Manager City Infrastructure, and let them sort out responsibilities with Safeway under the terms of their lease.” This related to Safeway crossovers at both Seymour St and Hotham St.

QUESTION

Did the work take place? If not, perhaps now would be a good time for Council to pursue the matter (if work is not already completed or a condition of the recent planning permit) as Safeway will be extending the premises to include a liquor outlet, and, by their own admission, anticipate a 30% increase in patronage as a consequence. Perhaps improved lighting at the access/exit point in Hotham St near the corner with Breed St could be looked at the same time?

Answer

The Chief Executive Officer 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).

Copy of letter to be inserted when finalised in subsequent Minutes.

5.2 TRARALGON POSTAL SERVICES – COUNCIL SUBMISSION TO AUST POST?

Bruce Bremner, Hon Sec, Traralgon City and Rural Community Development Association asked the following question:

Question

Given that the Church Street postal outlet in Traralgon is now being considered for closure (in favour of retention and expansion of the Franklin St outlet and the addition of one or two private agencies) and that this could impact significantly on traffic patterns and parking in the surrounding Kay St, Franklin St, and Post Office Place area, has Council made a submission to Australia Post?

If yes, please elaborate. If not, why not?

Answer

The Chief Executive Officer paraphrased the question and responded that further investigation will take place.

Suspension of Standing Orders

Moved: Cr Middlemiss

Seconded: Cr Lougheed

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

CARRIED UNANIMOUSLY

Standing Orders were suspended at 7.05 pm

Ms Cheryl Wragg, addressed Council in relation to Item 7.2 – Place name proposal - Balfour Reserve, Parkside Drive and Lloyd Street, Moe and answered questions put to her.

The Mayor thanked Ms Wragg for addressing Council and for her submission.

Ms Pat Bur, addressed Council in relation to Item 7.2 – Place name proposal - Balfour Reserve, Parkside Drive and Lloyd Street, Moe and answered questions put to her.

The Mayor thanked Ms Bur for addressing Council and for her submission.

Mr Peter Francis, representing the Gippsland Power Football Club, addressed Council in relation to Item 7.4 – Proposed long term lease - Gippsland Power Football Club and answered questions put to him.

The Mayor thanked Mr Francis for addressing Council and for his submission.

Ms Cheryl Wragg, addressed Council in relation to Item 7.5 – Proposed road discontinuance - Laneway between Burrage Street and Vale Street, Moe and answered questions put to her.

The Mayor thanked Ms Wragg for addressing Council and for her submission.

Mr Ken Pearson, addressed Council in relation to Item 11.3.8 – Planning permit application 2008/273 - application to develop a carport at 1/120 Shakespeare Street, Traralgon and answered questions put to him.

The Mayor thanked Mr Pearson for addressing Council and for his submission.

Resumption of Standing Orders

Moved: Cr Lougheed

Seconded: Cr Middlemiss

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

Standing Orders were resumed at 8.11 pm

ITEMS REFERRED BY THE COUNCIL

7.1 COUNCIL POLICY REVIEW SEALING OF UNSEALED RURAL ROADS - PROGRESS REPORT

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

1. PURPOSE

The purpose of this report is to provide Council with a progress update on the status of the review of Council Policy GEN-MD 009 Sealing of Rural Unsealed Roads.

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 built and natural environment for the use and enjoyment of the people who make up the vibrant community of Latrobe Valley.

To provide leadership and to facilitate a well connected, interactive economic environment in which to do business.

Community Outcome - Built Environment Sustainability

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

Strategic Actions - Infrastructure Maintenance

Develop and implement asset management strategies for Latrobe City infrastructure including whole-of-life maintenance requirements.

Promote and support private and public sector investment in the development and maintenance of key asset infrastructure in the municipality.

Policy No. GEN-MD 009 Sealing of Rural Unsealed Roads is the policy currently under review.

3. **BACKGROUND**

A Councillor working party was formed in 2007 to review the current policy (GEN-MD 009 Sealing of Rural Unsealed Roads). The working party considered a number of options on how the policy may be improved to achieve its stated goals of providing a systematic method for prioritising the sealing of unsealed rural access roads using a measurable and transparent assessment framework.

The working party also considered various comparisons to a number of municipalities in relation to funding and cost apportionment scenarios. A copy of the draft revised policy is included as an attachment to this report.

The draft policy was presented to the 20 October 2008 Ordinary Council Meeting and the following resolution was adopted:

1. *That Council agrees to release draft Council Policy GEN-BNES 009 Sealing of Rural Unsealed Roads for community comment for a period of four weeks.*
2. *That a further report to consider submissions be presented to the 15 December 2008 Council Meeting.*

Nine submissions were received and are included as attachments to this report.

4. **ISSUES**

Four of the submissions suggested that Council should apply special consideration in the revised policy for food producing enterprises in terms of the proposed cost sharing arrangements.

Due to the number and relatively complex nature of submissions received, further detailed consideration is necessary to evaluate the issues raised and to provide the opportunity to hold discussions with the relevant groups and individual submitters.

5. FINANCIAL AND RESOURCES IMPLICATIONS

Council has allocated an amount of \$250,000 in the 2008-09 capital works budget for the sealing of unsealed rural roads. Due to the large amount of time required to plan road sealing projects it is likely that this funding will be carried forward into the 2009-10 financial year.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

An internal councillor working party was formed to discuss options for the revised policy and also to consider comparisons with a number of other municipalities.

The engagement method also consisted of advertisements in the local press, the Latrobe City website, written notification to township associations, media release and direct mail out to focus groups including the Victorian Farmers Federation.

Details of Community Consultation / Results of Engagement:

Written submissions were received from the following groups or individuals:

- Yinnar Branch of the Victorian Farmers Federation.
- Hew Mills
- The Latrobe City Farm Ratepayers Association
- Yinnar Branch of United Dairy Farmers of Victoria
- Sally Jones
- Tim Burns
- Argyle Enterprises Pty Ltd
- K. Hourigan
- Carol and Brien Flint

7. OPTIONS

Council has the following options to consider:

1. Defer consideration of the revised draft policy and hold consultation meetings with industry groups and individuals to discuss their submissions.
2. Adopt the revised draft policy with or without amendment.
3. Retain the current policy.
4. Abandon the current policy and revised draft policy and carry out sealing works at full cost to Council.

8. CONCLUSION

The issue of sealing roads in rural areas and seeking contributions from property owners is a relatively complex matter. The community engagement process undertaken by Council in relation to the revised draft policy – Sealing of Unsealed Rural Roads has resulted in a number of issues and suggestions that warrant further consideration and discussion with industry groups and individuals.

9. RECOMMENDATION

1. That Council defers any decision in relation to the adoption of Council Policy – Sealing of Unsealed Rural Roads pending further detailed consideration of the submissions received and consultation with the industry groups and individuals who lodged submissions
2. Following consideration of the issues raised and engagement of the submitters, a further report be presented to Council prior to 30 April 2009.
3. That all groups and persons who lodged submissions in relation to the revised Council Policy – Sealing of Unsealed Rural Roads be advised accordingly.

Moved: Cr White

Seconded: Cr Lougheed

1. **That Council defers any decision in relation to the adoption of Council Policy – Sealing of Unsealed Rural Roads pending further detailed consideration of the submissions received and consultation with the industry groups and individuals who lodged submissions.**
2. **That a meeting be arranged in February 2009 with the relevant groups and individuals who made submissions.**
3. **Following consideration of the issues raised and engagement of the submitters, a further report be presented to Council prior to 31 March 2009.**
4. **That all groups and persons who lodged submissions in relation to the revised Council Policy – Sealing of Unsealed Rural Roads be advised accordingly.**

CARRIED UNANIMOUSLY

7.2 PLACE NAME PROPOSAL - BALFOUR RESERVE, PARKSIDE DRIVE AND LLOYD STREET, MOE

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present for Council's consideration a proposal to name an unnamed municipal purpose reserve located at Parkside Drive and Lloyd Street, 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.

Community Outcome – Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Action – Legislative Compliance

Ensure compliance with other relevant legislation.

Policy No. – Nil

There is no specific policy relating to the naming of localities. The procedure is specified by the Geographic Place Names Act and Guidelines.

Legislation

The *Guidelines for Geographic Place Names* state that Councils, as naming authorities, have two major areas of responsibility:

1. the investigation and determination of geographic place names of local significance.
2. the notification of new or altered names to the Registrar for official mapping data and other purposes.

3. **BACKGROUND**

Council received a submission from a community member in May 2008 (refer attached) suggesting that the unnamed municipal purpose reserve shown on the attached plan, located at Parkside Drive and Lloyd Street, Moe be named Jim Balfour Park. A short history of Mr Balfour's career is attached to this report.

This reserve was created on Plan of Subdivision PS 441953 when the former Moe High School site was subdivided into residential allotments in 2003.

After considering the suggestion, Council at the Ordinary Council Meeting held on 15 September 2008 resolved:

1. *That Council gives support, in principle, to the naming of the municipal purpose reserve, located at Parkside Drive and Lloyd Street, Moe, Jim Balfour Reserve.*
2. *That Council gives public notice of its intention to consider the proposal to the naming of the municipal purpose reserve located at Parkside Drive and Lloyd Street, Moe, Jim Balfour Reserve and seeks public comment.*
3. *That Council considers any submissions received in relation to the proposal to name the municipal purpose reserve, located at Parkside Drive and Lloyd Street, Moe, Jim Balfour Reserve at the Ordinary Council Meeting to be held on 15 December 2008.*
4. *That, if no objections are received, an application to be made to the Registrar of Geographic Names to register the municipal purpose reserve, located at Parkside Drive and Lloyd Street, Moe with Jim Balfour Reserve as a place name.*
5. *That, if the application to the Registrar of Geographic Names to register the municipal purpose reserve, located at Parkside Drive and Lloyd Street, Moe with Jim Balfour Reserve as a place name is successful that an appropriate plaque or sign be erected including reference to this reserve having formerly been the site of the Moe High School.*

4. **ISSUES**

When considering a proposal to name a locality, Council as a naming authority must give consideration to the principles contained in the *Guidelines for Geographic Place Name Victoria*. Of the 17 principles covering standardisation of place names, the principles listed below are most applicable to this locality naming proposal:

Principle 1 – Responsibility for naming

As this is a place of local significance Latrobe City Council is the responsible naming authority.

Principle 3 – Linking the name to the place

Mr Balfour has a historical link to the former Moe High School site.

Mr Balfour was a former School Councillor and the former Moe High School hall/gymnasium fronting Truscott Road was named Balfour Hall. This building was subsequently demolished following the subdivision of the former school site.

Principle 5 – Assigning names to unnamed features

The municipal purpose reserve has not previously been named.

Principle 6 – Public Safety

Assigning a name to the municipal purpose reserve does not compromise public safety, it would assist in identifying the locality of the reserve.

Principle 7 – Duplication of names

The following entries appear in the adopted Latrobe City Register of Public Roads:

- Balfour Place, Churchill; and
- Balfour Street, Newborough.

It is noted that Vicnames (Register of Place Names) has Balfour localities recorded in two adjoining municipalities. These are:

- Balfour Swamp – Wellington Shire; and
- James Balfour Oak Tree Park – Baw Baw Shire.

It is considered there is no conflict with the proposed municipal purposes reserve name.

Principle 10 – Consultative process

Council has satisfied this principle by inviting public comment to name the municipal purposes reserve.

Principle 13 – Commemorative names

Naming authorities should not name places after living persons, unless exceptional circumstances apply. As Mr Balfour died in 1990 the proposal will not conflict with this principle.

Principle 17 – Preserving a record of place names’ origins
Details will be collected from various sources to support the proposal.

5. FINANCIAL AND RESOURCES IMPLICATIONS

Costs incurred to date are minimal, being the public notices inviting community comment and written submissions.

Additional costs will be incurred for the provision of staff resources and project materials if Council proceeds with the naming of the reserve and the erection of a plaque.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Public Notices inviting community comment were published:

Moe Narracan News – 23 September 2008, and
Latrobe Valley Express – 25 and 29 September 2008.

Details of Community Consultation / Results of Engagement:

In response to the above mentioned Public Notices, Council received five written submissions and one petition. These submissions and the petition have been provided as attachments to this report and are summarised as follows:

KJ & JM Mullins

Suggest that the whole former high school residential estate be named either Balfour Park Estate or Balfour Park.

Comment: This suggestion is outside the current proposal presently before Council. The residential area bounded by Lloyd Street, Alexander Avenue, Victoria Street and Truscott Road, is already within the official urban locality of Moe. To change the gazette declared locality name for this part of the Moe Township would require Council to undertake a separate statutory process, part of which involves extensive community and government agency consultation. In discussing the submission with Mr Mullins, he stated a preference to name the reserve Jim Balfour Park.

Ms M Savige

Supports a proposal to name the reserve the “*Moe High School Memorial Park*”.

Moe & District Historical Society

Supports the proposal to name the park in recognition of Jim Balfour.

Ms C Wragg

Objects to the proposal to name the park on the remaining remnant of land associated with Moe High School after Jim Balfour. The park should be named the Moe High School Memorial Park as it is important for the past students, teachers and other members of the school community to remember the entity that was Moe High School.

Make Moe Glow

Support the proposal to name the reserve *Balfour Park* rather than *Balfour Reserve* as it is considered that a reserve is normally a piece of land set aside for the protection of indigenous local fauna and flora.

Also suggest that that the words "*This is the former site of the Moe High School which was part of our community from 1953 - 1997*" should be incorporated on the dedication plaque.

Ms Marilyn May, President of the Make Moe Glow Committee expressed her desire to speak in support of the submission. However, she is unable to attend the Ordinary Council Meeting on 15 December 2008 and has entered her apology.

Petition

The petition submitted by Ms P M Bur (Head Petitioner) with 33 signatories states:

"We the undersigned humbly request that Latrobe City Council name the Park area adjacent to Parkside Drive Moe be named Balfour Park with reference to being the former site of the Moe High School."

Ms P M Bur has expressed her desire to speak in support of the petition.

7. OPTIONS

Council has the following options:

1. Name Reserve 1 located at Parkside Drive and Lloyd Street, Moe the Jim Balfour Reserve or Jim Balfour Park with an acknowledgement on the plaque or sign that the reserve is part of the site of the former Moe High School.

2. Council may give public notice of its intention to consider naming the municipal purpose reserve located at Parkside Drive and Lloyd Street, Moe, the Moe High School Memorial Park, and consider submissions received at a later date.
3. Resolve not to proceed with naming Reserve 1 located at Parkside Drive and Lloyd Street, Moe.

8. CONCLUSION

Of the six responses received from the community concerning the place name proposal, three submissions and the one petition all support naming the municipal purposes reserve located at Parkside Drive and Lloyd Street, Moe in recognition of Jim Balfour and the two remaining submissions have proposed naming this reserve the Moe High School Memorial Park.

To name the reserve either Jim Balfour Park or Reserve reinstates the locality name link of Balfour to the area lost following the demolition of the former High School hall/gymnasium.

To record and acknowledge the reserve being part of the site of the former Moe High School, the Council resolution of the 15 September 2008 requires that *"...an appropriate plaque or sign be erected including reference to this reserve having formerly been the site of the Moe High School."*

Accordingly it is reasonable that Council names the municipal purposes reserve, located at Parkside Drive and Lloyd Street, Moe, Jim Balfour Park and an application be submitted to the Registrar of Geographic Names to register the locality place name.

9. RECOMMENDATION

1. **That Council, having considered submission received, names the municipal purposes reserve, located at Parkside Drive and Lloyd Street, Moe, "Jim Balfour Park".**
2. **That Council submits an application to the Registrar of Geographic Names to register the locality place name "Jim Balfour Park" located at Parkside Drive and Lloyd Street, Moe.**

3. Council reaffirms its decision of the 15 September 2008 that if the application to the Registrar of Geographic Names to register the municipal purpose reserve, located at Parkside Drive and Lloyd Street, Moe, "Jim Balfour Park" as a place name is successful that an appropriate plaque or sign be erected including reference to this reserve having formerly been the site of the Moe High School.
4. That Council gives written notification to the head petitioner and all people who made a submission advising of Council's decision in relation to the proposal to name the municipal purposes reserve, located at Parkside Drive and Lloyd Street, Moe, Jim Balfour Park and that an appropriate plaque or sign be erected including reference to this reserve having formerly been the site of the Moe High School.

Moved: Cr Lougheed
Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED

Cr Gibson called for a Division.

The Recommendation became the Motion before the Chair.

For the Motion

Councillors White, Middlemiss, Vermeulen, Price, Lougheed, O'Callaghan and Fitzgerald

Against the Motion

Councillors Gibson and Kam

The Mayor confirmed that the Motion had been CARRIED.

ATTACHMENT - E-MAIL TO CR. ANTHONY ZIMORA 22 MAY 2008

Dear Sir

We live in Parkside Drive, Moe which happens to be the former High School site. When it was a High School a plaque was erected in honour of Jim Balfour adjacent to Balfour Hall.

I feel that it would be nice to continue to honour him as it is called Balfour Park but it appears that the original plaque has disappeared. I have approached the City of Latrobe, the Moe Historical Society, Regional Education Office in Moe, former Principal of Moe High School and Lowana College without results.

I then approached M. May of the Make Moe Glow group who suggested that I approach you. I just wonder if you would be interested and possibly get Council to arrange for a new plaque to be erected in his honour. I feel that Jim Balfour is part of our history and it would be nice to remember him this way especially seeing the estate is named in his honour.

Yours faithfully
Pat Bur

ATTACHMENT – JAMES CHARLES BALFOUR HISTORY

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re-member

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[Details](#)

Balfour, James Charles Murray

Born 30 September 1914 (Windsor, Victoria)

Died 19 May 1990.

Parents: James Miller (q.v.) and Katrine Elizabeth Alice Murray

Marriage: 6 Feb 1937 Mary Emma Savige; 4s.

Occupation: Dairy farmer

Education: Geelong College



Career: Dairy farmer Willow Grove near Trafalgar; chairman Upper Latrobe River Drainage Scheme, Moe High School Council, Yallourn High School Council; captain Willow Grove Fire Brigade; CBE 1981; chairman Baw Baw Alpine Reserve management committee 1960- , Central Gippsland TAFE region 1981- . Narracan shire councillor 1946-1967, president 1946-1947, 1950-1951, 1960-1961.

Party: Liberal Country Party; Liberal Party

Party Note: Liberal government whip 1958-1961, secretary to cabinet 1961-1964

House	Electorate	Start *	End *
MLA	Morwell	May 1955	March 1967
MLA	Narracan	April 1967	February 1982

Appointments: Minister of Water Supply and Mines Apr-July 1964, Minister of Lands, of Soldier Settlement and of Conservation July 1964-May 1967, Minister of Fuel and Power and of Mines May 1967-Sept 1977, Minister of Minerals and Energy Sept 1977-Feb 1981 (resigned). State Development committee 1955-1961.

References: Who's Who in Australia 1955-1980; Victorian Parliamentary Handbook, Eric White Associates Ltd, 'Victorian State Parliamentary and Civic Guide', Melbourne, 1960-74; Age 16 Dec 1980; personal information

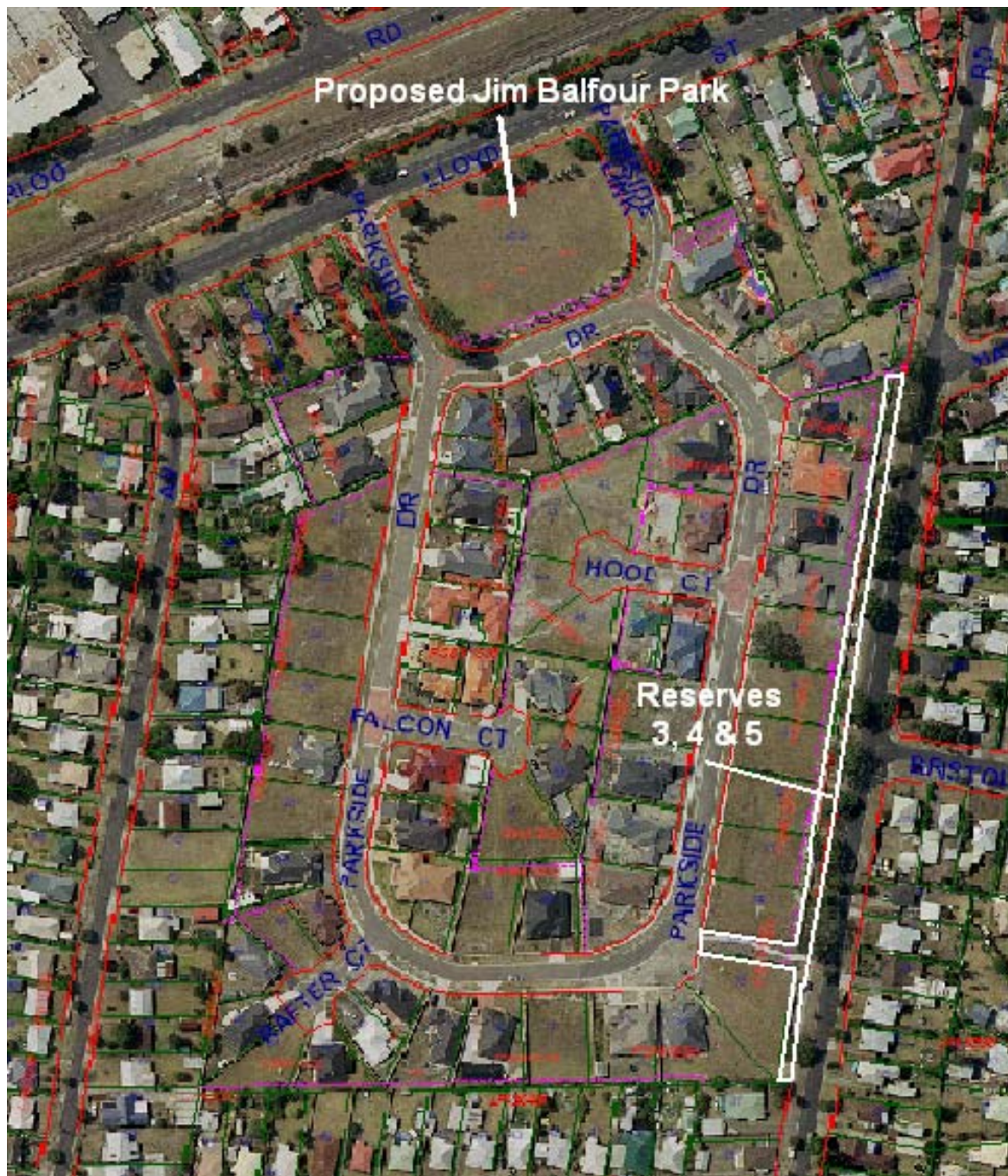
Initial data source: Browne, G, 'Biographical Register of the Victorian Parliament 1900-84', 1985

Last update: 1985 (last date the record was checked and updated)

*The Start date for Members elected after 1900 is the date they were elected. The start date for pre-1900 Members is the date they were sworn in.

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ATTACHMENT – BALFOUR RESERVE



Submission from Kevin J Mullins: Data Works Document Number 341403

2 Parkside Dr,
Moe
22/9/08.

Dear Sir/Madam,

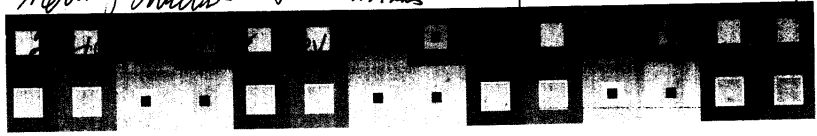
Concerning the naming of the Old Moe High School site Reserve. I wish to state my requests. I desire to the whole Estate being named either Balfour Park Estate as known when we acquired our home here or Balfour Park. If possible financially also to have a plaque erected on an object vandal proof, on which tells of his Community Service + positions held.

Councillor David Balfour when I approached him would be happy for this to happen + would be pleased to unveil whatever was chosen if asked to.

I am hoping my suggestions meet with your approval.

Latrobe City	
with 21 SEP 2008	
Doc. No:	
Action Officer:	
Disposal:	
Comments:	

Kevin J Mullins J.M. Mullins



Submission from Moe & District Historical Society: Data Works Document Number 349231

Moe & District Historical Society Inc.



Moe and District Historical Society
Box 201 Moe 3825
(03) 56 331326

Chief Executive Officer
Latrobe City
PO Box 264.
Morwell 3840
17th October 2008

Re – Naming of the Park area in Lloyd Street Moe.

The Moe and District Historical Society were pleased to receive correspondence regarding the proposal to name the park area in Lloyd St, part of what was Moe High School, in recognition of Jim Balfour.

Jim was a long standing Parliamentary representative of this area and was respected for this and his support of the local community.

The Historical Society are happy to support the naming of the park in recognition of Jim Balfour and his contribution to the district.

Yours Sincerely,

Bill Ringin
Secretary

Latrobe City	
4 1 OCT 2008	
Disc. No:	
Action Officer:	
Disposal Code:	
Comments:	

Submission from S. Savige: Data Works Document Number 349022

15/10/2008

'BINDARRING'
SAVIGES RD,

Latrobe City	
	3825
Doc. no.	
Action	
Disposition	
Comments	

CEO,
LATROBE CITY COUNCIL

Dear Sir,

As a family with a long association with the High School since its inception, I strongly support the writer of this letter that the parkland in question should be named the High School Memorial Park. I hope the Council will decide in favour of this suggestion.

Yours faithfully
Savige
(MS)

Submission from Cheryl Wragg: Data Works Document Number 343614

10 Dwyer St.
MOE, Vic. 3825
Ph. 51 273790

30th September, 2008

Mr. Paul Buckley and
Latrobe City Councillors
Email: as listed

Dear Mr. Buckley and Councillors,

I do not agree with the proposal to name the park on the remaining remnant of land associated with Moe High School after Jim Balfour. The park should be named the

Moe High School Memorial Park.

Thousands of students went through that school, hundreds of teachers and dozens of school council members. It is important to remember the entity that was Moe High School. It is inappropriate to select out any one person associated with the school and memorialise them by naming the site after them.

People of my generation born in the 1950s and 1960s at Yallourn hospital and who attended Moe High School have so little to show their children, grandchildren and friends about where we come from – so important to understanding who we are. The sliver of park land left in Lloyd Street is the only thing remaining of Moe High School, the only tangible remnant we can point to illustrating our high school days. I have spoken to other Moe High School alumni and they feel the same.

I would ask Latrobe City Council to respect the feelings of the Moe High School student community and to acknowledge the entity that was Moe High School by naming the remaining parkland after the school.

Yours sincerely,

Cheryl Wragg

cc. *Moe and Narracan News*

Submission from Make Moe Glow: Data Works Document Number 351427



Make Moe Glow Committee,
Newborough
Victoria, 3825

28th October 2008

To Philip Marsh
Acting Chief Executive Officer
Latrobe City Council
Morwell, VIC; 3840

Proposed Locality Naming for The Jim Balfour Reserve, Lloyd Street Moe.

Dear Philip,

On behalf of the Make Moe Glow Committee I am writing in support of Mrs Pat Bur's proposal to have the parkland adjacent to what is commonly known as the Balfour Park Estate in Lloyd Street Moe be re-named Balfour Park in memory of the late Jim Balfour who was a much respected community leader and member of the Victorian Parliament for many years.

While the council have approved the name change in favour of the Jim Balfour Reserve for this parkland it is my considered opinion that this not appropriate as a reserve is normally a piece of land that has been set aside for the protection of indigenous local fauna and flora.

While I do not agree with some community members suggestions that the site should be named in favour of the former Moe High School, as a former student from 1957-1960 I do believe that the words "This is the former site of the Moe High School which was part of our community from 1953 -1997" should be incorporated on the dedication plaque.

I would like the opportunity to speak before council on the 15th of December in support of Mrs Pat Bur's letter to council regarding this matter.

Yours Sincerely,

Marilyn May

Marilyn May (President)
Make Moe Glow committee

Latrobe City	
29 OCT 2008	
Doc. No:	
Action Officer:	
Disposal Code:	
Series:	

08/12 2008 MON 9:49 FAX

002/004

Latrobe City

Doc. No.

Action Officer

Discussed by

PETITION TO LATROBE CITY COUNCIL

We the undersigned humbly request that Latrobe City Council name the Park area adjacent to Parkside Drive Moe be named Balfour Park with reference to being the former site of Moe High School.

Yours sincerely,

P.M. Byrne

Date	Name	Address	Signature
22/10/08	SHIRLEY BYRNE	21 OLLERTON AVE	S Byrne
22/10/08	Margaret Styles	49 Parkside Drive	M Styles
22/10/08	EVE LITTRIDGE	210 PARKSIDE DRIVE	E Littridge
22/10/08	Ann Anderson	38 PARKSIDE DR	A Anderson
22/10/08	BERYL GALLOWAY	1/ FALCON CRT. MOE	B. Galloway
22/10/08	Des Dowie	18 Pinnacle Dr Rawson	Dowie
22/10/08	Beo Dowie	118 Pinnacle Dr Rawson	Dowie
22/10/08	Tess King	44 Parkside Ave moe.	Tess King
22/10/08	Sarah Bamford	36 Parkside Ave	SB
22/10/08	Lisa Naughton	49 Parkside Drive	L.N.
22/10/08	Kim Baldacchino	34 Parkside Drive	Kim Baldacchino
22/10/08	ROBERT MAY	45 PARKSIDE	Robert May
22/10/08	MARY MAY	45 Parkside Dr	Mary May
22/10/08	FRANK McLENNAN	3 RAFTER CRT	Frank McLennan
22/10/08	Jane McLennan	3 Rafter Ct.	Jane McLennan
22/10/08	ANDREW HAWAS	1 RAFTER CRT	A. Hawas

08/12 2008 MON 9:49 FAX

003/004

PETITION TO LATROBE CITY COUNCIL

We the undersigned humbly request that Latrobe City Council name the Park area adjacent to Parkside Drive Moe be named Balfour Park with reference to being the former site of Moe High School.

Yours sincerely,

R.A. Jones

Date	Name	Address	Signature
21-10-08	J. Hall	1-2 Parkside, Dr. Moe	<i>J. Hall</i>
21/10/08	M. COFFIN	4 Parkside Drive	<i>M. Coffin</i>
21-10-08	G. Wilson	6 Parkside Drive	<i>G. Wilson</i>
21-10-08	Barbara Damstra	6 Parkside Dr.	<i>Barbara Damstra</i>
21-10	G. HORTON	1 Parkside Dr.	<i>G. Horton</i>
21/10	G. AQUILINA	14 Parkside Dr	<i>G. Aquilina</i>
21/10	J. AQUILINA	" "	<i>J. Aquilina</i>
21/10	R. Jones	16 " "	<i>R. Jones</i>
21/10	D. King	5 Hood Ct	<i>D. King</i>
21/10	SON-DE ROOY	4 Hood Ct	<i>S. De Rooy</i>
21/10	R. ROOKS	2 HOOD CRT.	<i>R. Rooks</i>
21/10	D. ROOKS	2 HOOD CRT.	<i>D. Rooks</i>
21/10	D. CASSAR	18 PARKSIDE DR.	<i>D. Cassar</i>
21/10	T. CASSAR	18 PARKSIDE DR.	<i>T. Cassar</i>
21/10	M. Bethune	24 Parkside Dr	<i>M. Bethune</i>
21/10	J. BETHUNE	24 PARKSIDE DR Moe	<i>J. Bethune</i>

7.3 POTENTIAL SALE OF LAND - REAR OF 9 & 9A HOPETOUN AVENUE (BUCKLEY STREET) MORWELL

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is for Council to consider the potential sale of land at the rear of 9 Hopetoun Avenue (part of the Buckley Street Eastern Car Park) Morwell.

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.

Community Outcome - Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Action - Legislative Compliance

Ensure compliance with the Local Government Act.

Legislation

Section 189 of the Local Government Act 1989 provides Council with the power to sell or exchange land subject to:

- (a) giving public notice of intention to sell or exchange land at least four weeks prior to selling or exchanging the land; and
- (b) obtain from a person who holds the qualifications or experience specified under Section 13DA (1A) of the Valuation of Land Act 1960 a valuation of the land which is made not more than 6 months prior to the sale or exchange.

This power is also subject to Section 223 of the Local Government Act 1989 whereby Council must publish a notice providing details in respect of the proposed sale of land, invite submissions and advise that a person making a submission can specify in their submission that they (or representative) wish to appear before Council to be heard in support of the submission.

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

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

3. BACKGROUND

Council received an application from the owner of 9 and 9A Hopetoun Avenue, Morwell to purchase by private treaty a narrow strip of Council land at the rear of their property. The land currently forms part of the Buckley Street Eastern Car Park.

This expression of interest in purchasing the land was considered at the Ordinary Council Meeting held on 3 November 2008 and Council resolved:

1. *That Council, pursuant to Section 189 of the Local Government Act 1989, gives public notice of its intention to consider the sale by private treaty part of Lot 2 PS 317539 being part of the Buckley Street Eastern Car Park.*
2. *That Council, pursuant to the Sale of Council Property Policy, invites written submissions to determine if part of Lot 2 PS 317539 being part of the Buckley Street Eastern Car Park is surplus to community requirements.*
3. *That Council, in accordance with Section 223 of the Local Government Act 1989, considers any submissions received in relation to the proposed sale of land, at the Ordinary Council Meeting to be held on 15 December 2008.*

The land under consideration is estimated to be 110 square metres in area and adjoins a Council owned and fully constructed off street car park. The land is partially landscaped and includes a concrete paved area sufficient in area to park a vehicle.

This land is part of Lot 2 on Plan of Subdivision 317539J dated 26 July 1994 and is contained in Certificate of Title Volume 10289 Folio 285 which Council acquired in 1996.

4. **ISSUES**

Council's strategic objective for this parcel of land has been reviewed and it is suggested that the land is now surplus to Council requirements on the basis of:

- The cost and time involved in acquiring additional land to enable the expansion of the existing car park would be prohibitive and would only accommodate a relatively small number of additional cars is prohibitive.
- There is no precinct car park plan for this area and no planned further car park works at this CBD location.
- Any future commercial development in this precinct will require on site parking, or a payment of cash in lieu of car parking.
- Future car parking development is likely to be focussed closer to the commercial and retail activity in Buckley Street / Church Street, Morwell.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

Costs incurred to date are minimal, being the public notices inviting community comment and written submissions.

All survey and legal costs incurred as a result of the transfer and consolidation of the land will be borne by the purchaser.

Should Council proceed with the sale of this land an independent valuation will be obtained from a Registered Valuer to determine the sale price for the land pursuant to Section 189 of the *Local Government Act 1989*.

Proceeds from the sale will be transferred to Council's car park development reserve.

6. **INTERNAL/EXTERNAL CONSULTATION**

Engagement Method Used:

Public Notices inviting community comment were published in the Latrobe Valley Express on 10 and 13 November 2008.

Details of Community Consultation/Results of Engagement:

No submissions were received in response to the above public notices.

7. OPTIONS

Council has the following options:

1. Sell at valuation the small strip of land off Buckley Street, Morwell to the owner of 9 & 9A Hopetoun Avenue, Morwell by private treaty; or
2. Resolve not to continue with the process to sell the small strip of land off Buckley Street, Morwell and retain the land, which would require no further action.

8. CONCLUSION

No submissions were received in response to the public notices placed in the Latrobe Valley Express. It is reasonable that Council forms the opinion that the land is surplus to both Council and community requirements. Council may choose to proceed with the proposed sale of the land to the owner of 9 and 9A Hopetoun Avenue Morwell by private treaty.

9. RECOMMENDATION

1. That Council forms the opinion that the area of land described as part of Lot 2 PS 317539 at the rear of 9 & 9A Hopetoun Avenue, Morwell and being part of the Buckley Street Eastern Car Park is surplus to both Council and community requirements.
2. That Council, pursuant to Section 189 of the Local Government Act 1989, sells by private treaty part of Lot 2 PS 317539 being part of the Buckley Street Eastern Car Park to the owner of 9 & 9A Hopetoun Avenue, Morwell.
3. That Council authorises the Chief Executive Officer or his nominee to negotiate the sale price for the property, part of Lot 2 PS 317539 being part of the Buckley Street Eastern Car Park to the owner of 9 & 9A Hopetoun Avenue, Morwell, in accordance with the Sale of Council Owned Property Policy and sign a Contract of Sale document when prepared.

4. That Council authorises the Chief Executive Officer sign and seal the Transfer of Land document when prepared to transfer part of Lot 2 PS 317539 being part of the Buckley Street Eastern Car Park to the owner of 9 & 9A Hopetoun Avenue, Morwell.

Moved: Cr Lougheed

Seconded: Cr White

That the Recommendation be adopted.

CARRIED

Cr Gibson called for a Division.

The Recommendation became the Motion before the Chair.

For the Motion

Councillors White, Middlemiss, Vermeulen, Price, Lougheed, and O'Callaghan

Against the Motion

Councillors Gibson, Kam and Fitzgerald

The Mayor confirmed that the Motion had been CARRIED.

ATTACHMENT

POTENTIAL SALE OF LAND - REAR OF 9 HOPETOUN AVE
(BUCKLEY STREET) MORWELL



7.4 **PROPOSED LONG TERM LEASE - GIPPSLAND POWER FOOTBALL CLUB**

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is for Council to consider the proposal to enter into a long term lease agreement for part of the former Morwell Caravan Park site in Maryvale Crescent with Gippsland Power Football Club.

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.

Community Outcome – Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Actions – Legislative Compliance

Ensure compliance with the Local Government Act.

Ensure compliance with other relevant legislation.

Strategic Objective – Liveability

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

Community Outcome – Recreational Liveability

By enriching the vibrancy and diversity of community life through promoting and supporting recreational services and facilities in the municipality.

Strategic Actions – Recreational Liveability

Assess and evaluate future recreational opportunities to address community aspirations.

Increase the accessibility of Latrobe City's recreation and sporting facilities.

Develop and maintain high quality recreation facilities in partnership with the community.

Morwell Outdoor Recreation Plan 2008

Masterplan Summary for Morwell Recreation Reserve:

Allow Gippsland Power to develop new clubroom and indoor training facility behind grandstand on a portion of the former caravan park site.

Legislation

Section 190(3) of the *Local Government Act 1989* stipulates that if a Council is entering into a lease for 10 years or more it must, at least four weeks before the lease is made, give public notice in accordance with Section 223 of the Act and invite submissions for consideration.

In the event written submissions are received, Council is required by Section 223 of the Act to consider the submissions received and if requested, allow the person/s (or their representative) to appear before Council and be heard in support of their submission.

The *Crown Land (Reserves) Act 1978* provides for the reservation and management of Crown Land.

Section 17 identifies the power of trustees or committees of management, such as Council, and includes the granting of leases or licences over Crown land.

3. BACKGROUND

The subject property is Crown Land, being Crown Allotment 11E4 in the Parish of Maryvale, that was temporarily reserved as a site for Public Recreation in 1939 and Latrobe City Council is appointed as the Committee of Management.

In 2000 part of this property was utilised for a Latrobe Valley Community Garden project. This was a staged project to progressively establish shared and individual garden plots, a picnic and barbecue area and a playground. The project has subsequently ceased and the site has occasionally been used for car parking for special events conducted by the adjoining German Club and AFL Pre Season Football Games.

Council has received a request from Gippsland Power Football Club to lease part of the former Morwell Caravan Park site in Maryvale Crescent to enable the construction of a new indoor training facility and change room adjacent to the Morwell Recreation Reserve.

The proposed lease would be for a term of 21 years, the maximum that can be granted under Section 17D of the *Crown Land (Reserves) Act 1978*, and will require approval by the Minister for Environment and Climate Change once it is signed by both Gippsland Power Football Club and Council.

Council issued Planning Permit 2008/247 for the use and development of an indoor recreation facility (clubrooms and training facility) on 18 September 2008 and Gippsland Power are currently in the process of obtaining the necessary building permit.

Council previously considered this proposal at the Ordinary Council Meeting held on 3 November 2008 and resolved the following:

1. *That Council gives public notice of its intention to enter into a 21 year lease agreement with Gippsland Power Football Club for part of the former Morwell Caravan Park, being Crown Allotment 11E4 in the Parish of Maryvale.*
2. *That Council considers any submissions received in relation to the proposed 21 year lease to Gippsland Power Football Club at the Ordinary Council Meeting to be held on 15 December 2008.*

4. **ISSUES**

Given the significant investment, approximately \$500,000 that Gippsland Power Football Club will be making in the construction of the new facility they require a secure tenure and, as stated above, 21 years is the maximum term allowed under the *Crown Land (Reserves) Act 1978*.

As the leased area is Crown Land the proposed lease will need to conform to the documentation provided by the Department of Sustainability and Environment.

It will be a special condition of the proposed lease that it shall be contingent on Gippsland Power Football Club obtaining and adhering to all relevant permits.

At the end of the 21 year lease, and subject to the conditions contained in the agreement, the building improvements will remain on the land and shall revert to and become the absolute property of the Crown. Council, subject to legislative requirements, would then have the ability to again lease the land and improvements to Gippsland Power Football Club or another interested third party.

During the term of the lease, Gippsland Power is entitled (subject to the written consent of Council and the Department of Sustainability and Environment) to transfer the lease and sell the building/improvements to a third party. Any new land occupier would be required to adhere to the terms and conditions of the existing lease and comply with the use and development conditions of Planning Permit 2008/247 and the Crown Land Reservation - Public Recreation Purposes.

In the event Gippsland Power Football Club was to be wound up, dissolved or in “*default*” as defined in the lease agreement, Council is entitled to re-enter onto the land and terminate the agreement at the expiration of 30 days notice, given in accordance with the *Property Law Act 1958*.

5. FINANCIAL AND RESOURCES IMPLICATIONS

Under the terms of the proposed lease agreement all future outgoings and maintenance costs in relation to the building will be the responsibility of Gippsland Power Football Club during the term of the lease agreement.

A market valuation is currently being obtained for use as a basis in determining the annual rental payable under the lease agreement.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

- Public notices in the Latrobe Valley Express on Monday 10 and Thursday 13 November 2008.
- Letter sent to adjoining tenant, German Club Astoria, inviting comment.

Details of Community Consultation/Results of Engagement:

In response to the above mentioned public notices one submission was received from Gippsland Power Football Club supporting the proposal which is attached to this report.

7. OPTIONS

Council has the following options:

1. Resolve to enter into a 21 year lease with the Gippsland Power Football Club for part of Crown Allotment 11E4, Parish of Maryvale; or
2. Not continue with this process and advise Gippsland Power Football Club that Council does not agree to the proposed lease arrangements for part of Crown Allotment 11E4, Parish of Maryvale.

8. CONCLUSION

The proposed development of a new training facility and change rooms represents a major investment by Gippsland Power Football Club that requires security of tenure to enable it to proceed. The proposal to develop this facility is consistent with the adopted Morwell Outdoor Recreation Plan and with Latrobe 2021 strategic objectives, community outcomes and strategic actions.

It is therefore recommended that Council enters into a 21 year lease with Gippsland Power Football Club to enable them to proceed with the construction of this facility.

9. RECOMMENDATION

- 1. That Council enters into a 21 year lease with Gippsland Power Football Club for part of the former Morwell Caravan Park site in Maryvale Crescent, being Crown Allotment 11E4 in the Parish of Maryvale in accordance with the terms and conditions outlined in the attached lease and including a commencing rental of \$104.00 per annum.**
- 2. That Council authorises the Chief Executive Officer or his nominee to sign the 21 year lease with Gippsland Power Football Club for part of the former Morwell Caravan Park site in Maryvale Crescent, being Crown Allotment 11E4 in the Parish of Maryvale and forward signed copies of the agreement to the Minister for Environment and Climate Change for approval.**
- 3. That Council, in accordance with Section 223 of the Local Government Act 1989, advises Gippsland Power Football Club of the decision and reason to enter into a 21 year lease with Gippsland Power Football Club for part of the former Morwell Caravan Park site in Maryvale Crescent, being Crown Allotment 11E4 in the Parish of Maryvale.**

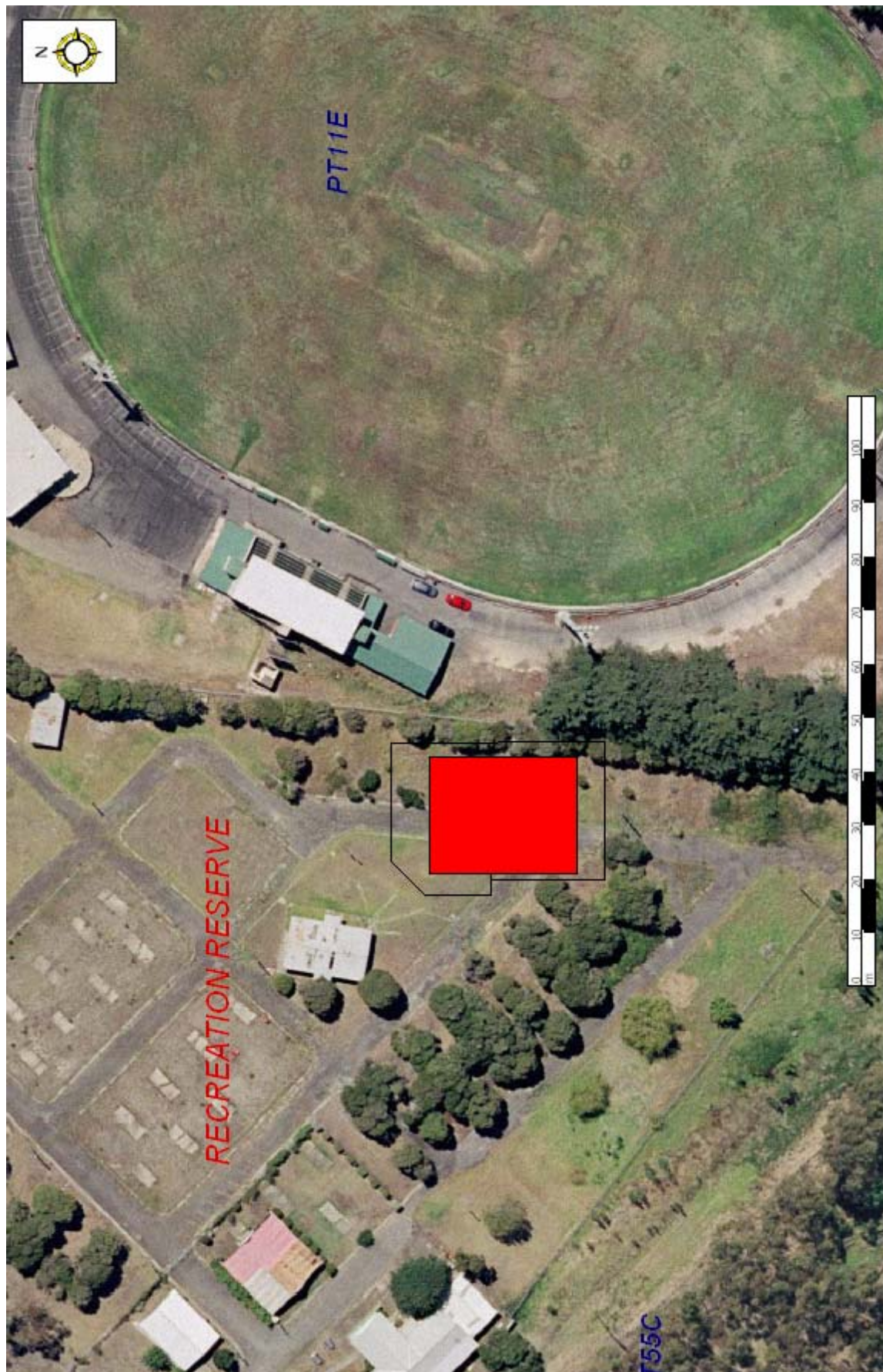
Moved: Cr Kam

Seconded: Cr Lougheed

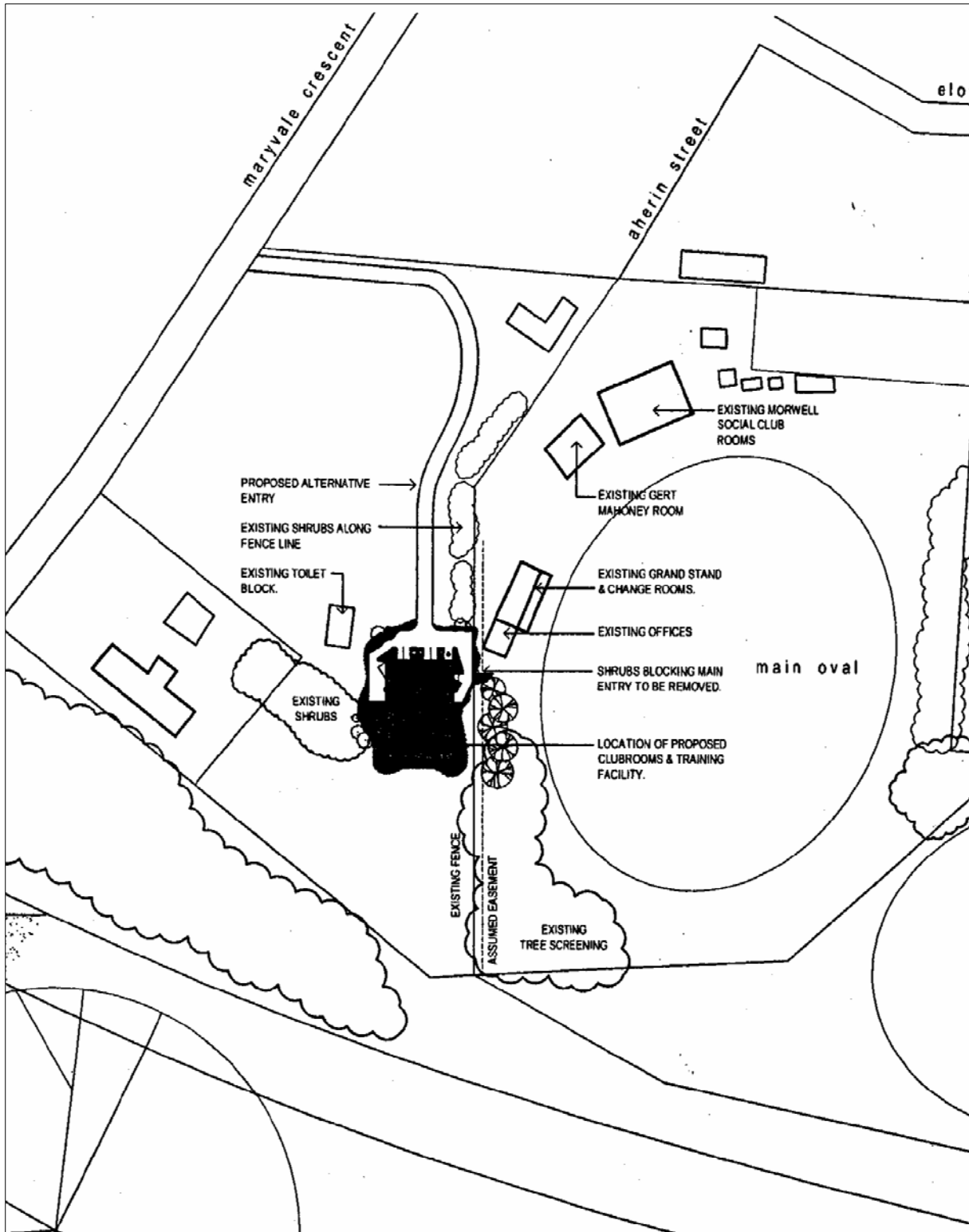
That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT ONE



ATTACHMENT TWO



ATTACHMENT THREE

Mr. Peter Schulz
Property and Statute Services
Latrobe City
P.O. Box 264
Morwell Vic 3840

Latrobe City	
14 Dec 2008	
Doc. No:	
Action Officer:	
Disposal Price:	
Comments:	



Dear Peter,

Re: **Lease Agreement – Part of Crown Allotment 11E4, Parish of Maryvale
Gippsland Power Football Club Proposed New Changerooms**

I am writing to you with respect to the above development that we are building in the old council caravan park behind the Gippsland Power office at the Morwell Football Ground.

Gippsland Power entered the AFL Victoria Under 18 Competition back in 1993 (known then as the VSFL) and has enjoyed much success throughout its 16 years in the competition.

The highlight being the 2005 Premiership. More importantly over 60 players have been drafted by AFL Clubs, others have been included on AFL Rookie lists and there are many more playing VFL football.

Gippsland Power reports to AFL Victoria and is responsible not only for the high profile TAC Cup side, and elite player programs, which consist of U'15 Schoolboy's and U'16 Development squads, but also all junior development programs within the Gippsland Region.

The development programs and community responsibilities are as follows:-

1. Co-ordination and funding of 58 Auskick centres in Gippsland, where over 3,400 primary age children (plus parents) are involved in weekly football activities.
2. Co-ordination of primary school football and football clinics.
3. Co-ordination and funding of AFL player Super Clinics, eighteen times a year, for primary school children involving over 5,000 children and teachers.
4. Co-ordination of secondary school football clinics and competitions as well as providing resources for games including footballs and umpires.
5. Level 1 and 2 coaches courses for coaches and teachers.
6. Co-ordination and funding of junior squads including, under 15's, under 16's and under 18's involving over 300 junior footballers each year.
7. Co-ordination of Gippsland Coaches Association (over 460 members) including distribution of two yearly magazines as well as distribution of resources to every junior club in Gippsland.
8. Football clinics for clubs, schools and trainers in our community.

AFL Victoria

Football Victoria Ltd. ABN 87 052 795 399

GIPPSLAND POWER FOOTBALL CLUB

PO Box 833, Warragul 3820

Telephone: 5134 8133 Fax: 5134 1855 Email: gpower@sympac.com.au

Website: gippslandpower.afvic.com.au

120 hours practice. Make it your goal. TAC



MITSUBISHI & CO., LTD.

The geographical area which Gippsland Power organization represents, extends from Pakenham in the West, South to Phillip Island, along the coast to the N.S.W. Border, then North to the Great Dividing Range.

This facility is paramount to us for the following reasons:-

- We as an organisation have out grown the small visitor's changerooms that we currently utilize at the Morwell Football Ground. Currently because we are sharing the Morwell Football Ground with the Morwell Football Club we are restricted to training one night per week. By having our own facility we then can have access to it seven days a week for all our programs.
- We currently have two Under 15 Squads an Under 16 Squad and the TAC Cup Under 18 Squad and would be able to better develop these boys with a facility we have control over.
- To be able to have a more up to date Medical Rooms to house our Doctor, Physio & Trainers for the treatment of players.
- Auditorium where individuals and or the team along with coaching staff can view and review their match day vision.
- Host development days and games eg: Interleague and Auskick.
- Run Gippsland Coaches Association coaches courses. (Currently we have to hire facilities for these courses).
- Utilise our resources better by having our Under15, Under 16 Development Squads train on the same night as the TAC Cup Team.
- Better storage for our equipment.
- Our own property room.

We are the only elite football program in Gippsland and to continue to evolve and improve the program we really need to have a more professional facility.

In building this facility with our own resources and funds shows that we have a long term commitment to Latrobe City and the Gippsland Region.

Regards,

Peter Francis
Region Manager
Gippsland Power
51348133
0419103177

ATTACHMENT FOUR

GREENFIELD SITE - IMPROVEMENTS TO REMAIN

**LATROBE CITY COUNCIL
AND
GIPPSLAND POWER FOOTBALL CLUB**

**Section 17D Crown Land (Reserves) Act 1978
Lease
(Non Retail)**

DEPARTMENT OF SUSTAINABILITY AND ENVIRONMENT

7.5 **PROPOSED ROAD DISCONTINUANCE - LANEWAY BETWEEN BURRAGE STREET AND VALE STREET, MOE**

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is for Council to consider the proposed discontinuance and sale by private treaty of the laneway between Burrage Street and Vale Street, 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.

Community Outcome – Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Action – Legislative Compliance

Ensure compliance with the Local Government Act.

Policy No. GEN-EO12 – Sale of Council Owned Property

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.

There is no specific policy relating to road closures. The statutory process is specified by legislation.

Legislation

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

3. BACKGROUND

Council has received a joint application from the owners of 14 and 16 Burrage Street and 6B Vale Street, Moe, to acquire the laneway that adjoins their properties.

This request was considered at the Ordinary Council Meeting held on 3 November 2008 and Council resolved the following:

1. *That Council gives public notice of its intention to consider the proposed discontinuance and sale by private treaty of the laneway between Burrage Street and Vale Street, Moe, pursuant to Section 206 Clause 3 of the Local Government Act 1989.*
2. *That Council considers any submissions received in relation to the discontinuance of the laneway between Burrage Street and Vale Street, Moe, at the Ordinary Council Meeting to be held on 15 December 2008.*

This laneway was originally created in 1947 as a road on LP 17828 and is contained in Certificate of Title Volume 1519 Folio 633 which remains in the name of William Henry Burrage.

The laneway has a width of 3 metres and a length of 90 metres, remains unconstructed and is not required for access to any other properties. In addition, this laneway is not on Council's Register of Public Roads.

4. **ISSUES**

As shown on the attached photographs the laneway is currently only used for pedestrian access, and is signed as such. In the event that the laneway was discontinued, alternate pedestrian access between Burrage Street and Vale Street is readily available via H.G Stoddart Park located 30 metres to the east.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

Costs incurred to date are minimal, being the public notices inviting community comment and written submissions.

All survey and legal costs incurred as a result of the transfer and consolidation of the land will be borne by the purchasers.

Should Council proceed with the discontinuance and sale by private treaty of this laneway an independent valuation will be obtained from a registered valuer to determine the sale price of the land pursuant to Section 189 of the *Local Government Act 1989*.

6. **INTERNAL/EXTERNAL CONSULTATION**

Engagement Method Used:

Public notices inviting community comment were published as follows:

- Latrobe Valley Express - 10 & 13 November 2008
- Moe Narracan News - 11 November 2008

An A3 size copy of the public notice was placed in the laneway.

As required by the Sale of Council Property Procedure, the two applicants notified all property owners adjacent to the laneway.

Details of Community Consultation / Results of Engagement:

In response to the above public notices one submission has been received from the Moe and District Residents Association Inc. which is attached to this report.

This submission objects to the proposed discontinuance of the laneway as it forms part of a pedestrian throughway for residents in the area and is also relevant to implementation projects contained in the Moe Activity Centre Plan.

It is also requested that Council undertake a survey of pedestrian traffic through the laneway over a three month period, place additional notices in the laneway and defer consideration of the proposal for six months.

Whilst the laneway does fall within the area covered by the Moe Activity Centre Plan (MACP) the two specific projects referred to in the submission, copies of which are attached, would not be affected by the discontinuance of the laneway.

The first, Implementation Project 06 – Roundabout Overpass, aims to improve the access and appearance of the existing roundabout at the intersection of Lloyd Street, High Street, George Street and Narracan Drive.

Given that the laneway is more than 500 meters from this roundabout and does not provide direct access to this area its discontinuance would not have an impact on this project.

The second, Implementation Project 07 – Southern Precinct Housing, aims to improve housing in the area south of the railway line and “strengthen connections to the Moe town centre and train station precinct through a revitalised Fowler Street.”

The laneway is on the southern fringe of the project area and its discontinuance would not have a detrimental effect on pedestrian connectivity. It would serve to encourage pedestrian traffic to utilise the established pathways in the nearby public open space or Fowler Street itself.

7. OPTIONS

Council has the following options:

1. Resolve to discontinue the laneway between Burrage Street and Vale Street, Moe, and sell the land to the adjoining property owners by private treaty, or
2. Resolve not to continue with this process and retain the laneway for public traffic which would require no further action.

8. CONCLUSION

As the discontinuance of the laneway would not have a negative impact on access in the area or the projects contained in the Moe Activity Centre Plan it is reasonable that Council forms the opinion that the laneway between Burrage Street and Vale Street, Moe, is no longer required for public traffic and a notice be placed in the Victoria Government Gazette formally discontinuing the laneway with the land to be sold by private treaty.

9. RECOMMENDATION

1. That Council, having given public notice of its intention to discontinue the laneway between Burrage Street and Vale Street, Moe, in accordance with Section 223 of the Local Government Act 1989, forms the opinion that the road is not reasonably required for public use and resolves to discontinue the road and sell the land to the adjoining property owners by private treaty.
2. That a notice be placed in the Victoria Government Gazette formally discontinuing the road known as the laneway between Burrage Street and Vale Street, Moe.
3. That Council authorises the Chief Executive Officer or his nominee to negotiate the sale price for the land known as the laneway between Burrage Street and Vale Street, Moe in accordance with the Sale of Council Owned Property Policy and sign a Contract of Sale when prepared.
4. That Council authorises the Chief Executive Officer sign and seal the Transfer of Land document when prepared to transfer the land known as the laneway between Burrage Street and Vale Street, Moe to the adjoining property owners.
5. That the Moe and District Residents Association Inc. be advised that Council has formed the opinion that the laneway between Burrage Street and Vale Street, Moe, is not reasonably required for public use and resolves to discontinue the road and sell the land to the adjoining property owners by private treaty.

Moved: Cr Gibson

Seconded: Cr Kam

1. That Council defers consideration of the proposed discontinuance of the laneway between Burrage Street and Vale Street, Moe for no less than 6 months to allow Council officers the opportunity to survey pedestrian usage of the lane including writing to each household in Keith Avenue, Ross Avenue, Holden Court, South Street east, Vale Street east and Burrage Street.
2. Prominent signs to be erected on each end of the laneway informing the public of consideration of the laneway's future survey and inviting comment to Council.
3. Consult with Tract Consultant who have developed the Moe Activity Centre Plan about the implications of this proposed closure and the effects it would have on the north south pedestrian movement through the Moe Activity Centre.

The Motion was put and LOST

The Original Motion became the Motion before the Chair.

Moved: Cr Lougheed

Seconded: Cr Middlemiss

1. That Council, having given public notice of its intention to discontinue the laneway between Burrage Street and Vale Street, Moe, in accordance with Section 223 of the Local Government Act 1989, forms the opinion that the road is not reasonably required for public use and resolves to discontinue the road and sell the land to the adjoining property owners by private treaty.
2. That a notice be placed in the Victoria Government Gazette formally discontinuing the road known as the laneway between Burrage Street and Vale Street, Moe.
3. That Council authorises the Chief Executive Officer or his nominee to negotiate the sale price for the land known as the laneway between Burrage Street and Vale Street, Moe in accordance with the Sale of Council Owned Property Policy and sign a Contract of Sale when prepared.
4. That Council authorises the Chief Executive Officer sign and seal the Transfer of Land document when prepared to transfer the land known as the laneway between Burrage Street and Vale Street, Moe to the adjoining property owners.
5. That the Moe and District Residents Association Inc. be advised that Council has formed the opinion that the laneway between Burrage Street and Vale Street, Moe, is not reasonably required for public use and resolves to discontinue the road and sell the land to the adjoining property owners by private treaty.

CARRIED

ATTACHMENT





Laneway looking from Burrage Street - between 14 and 16



Laneway looking from Vale Street – between 6A and 6B

No. A0052091G

7th December, 2008

Paul Buckley
CEO
Latrobe City Council
PO Box 264
MORWELL, Vic. 3840

Dear Mr. Buckley,

Re: Proposed Road Discontinuance Burrage-Vale Street Lane, Moe

Please accept this as a formal objection to the proposed discontinuance of the Burrage-Vale Street Laneway, Moe.

The Burrage-Vale Street Lane forms part of a pedestrian throughway for pedestrians walking to the east of Lloyd Street and/or on to the overhead bridge roundabout, Safeway and/or Newborough. This lane has a practical relationship with the pedestrian laneway at the northern end of the HG Stoddart Park linking to Reservoir Road. It forms an important alternate route to Fowler Street for people living in the Moe Heights area as well as Scott Avenue and Keith Avenue, saving some time and distance for pedestrians seeking access to the Lloyd Street pharmacy, Moe Medical Centre and services/shops further north.

The Burrage-Vale Street laneway is in the Southern Housing area of the Moe Activity Centre Plan. Its closure would be contrary to the objectives and intentions of the MACP with its broad emphasis on encouraging and supporting pedestrian movement in the southern housing and railway station precincts. It would be contrary to a key principle sought in *MACP Implementation Project 06-Roundabout Overpass – improve pedestrian and cycle movements across and along the rail corridor* (p 27:Dec 2007). The Burrage Lane is a pedestrian feeder lane into the Moe rail corridor and overhead roundabout.

It would also be contrary to the intentions of *MACP Project 07 – Southern Precinct Housing*. The Burrage Lane is in the Southern Precinct, an area designated for higher density housing close to the railway to be accessed by increased pedestrian and cycling activity.

Lastly, it would be contrary to the *MACP Framework Plan 5.3 - Walking and Cycling Framework* (p 16:Dec 2007). We note that the Burrage-Vale Street Lane is shown on the MACP: Dec 2007 p 16 graphic. However, it is not shown as a long established pedestrian thoroughfare linking to the HG Stoddart Park-Reservoir Road Laneway and feeding into Langford Street. We would ask that the MACP document be corrected accordingly.

We request that Council undertake a survey of pedestrian and cycling traffic through the Burrage-Vale Street Lane over not less than a three month period. Secondly, we request that prominent notices be placed on each end of the Lane notifying users of the proposal to discontinue its use and seeking feedback/input from Lane users, local residents. Thirdly, we request that Council extend its consideration of the discontinuation proposal for six months. This would enable Council time to undertake the actions necessary to make an informed decision about the Burrage-Vale Street Lane and to ensure its decision is consistent with the intentions of the MACP.

We request the right to make public presentation about this matter at the 15th December, 2008 Council meeting. We appreciate confirmation about the Council meeting date at which this matter will be discussed. I can be contacted on ph. 51 273790 or by email petergib@melbpc.org.au.

Regards,

Cheryl Wragg
Secretary
MADRA Inc.

cc. Latrobe Councillors

6.0 IMPLEMENTATION PROJECTS

PROJECT 06

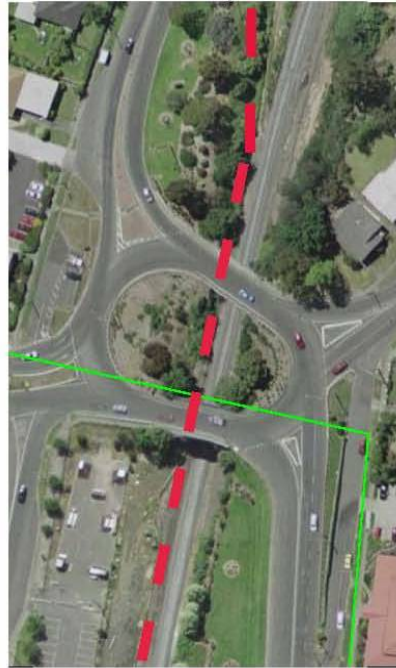
6.7 Roundabout Overpass



Existing roundabout and VicTrack land interface



Pedestrian path to roundabout



Current option for improved pedestrian connection



View to skate park and the new Moeyallourn Rail Trail from overpass

Key Principles

- Improve pedestrian and cycle movements across and along the rail corridor particularly the Moeyallourn Rail Trail connection (both in short term and long term)
- Improve legibility for motorists particularly accessing George Street and train station precinct.
- Extend the 'green corridor' landscape theme across the roundabout through targeted improvements to the visual landscape character

Key Actions

- Undertake necessary survey of underpasses to confirm feasibility of Rail Trail Connection
- Consider "value adding" design amenity improvements to short term option (currently proposed by Vic Roads) including landscaping
- Undertake traffic modelling for an updated study of the assessment of the roundabout in terms of vehicle and pedestrian movements

6.0 IMPLEMENTATION PROJECTS

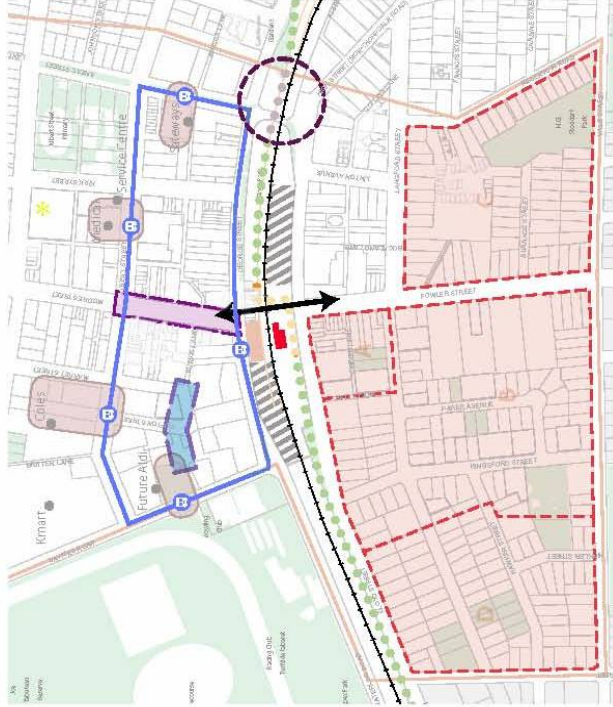
PROJECT 07

6.8 Southern Precinct Housing



Key Principles

- Support the orderly redevelopment of higher density housing to the south of Moe town centre and train station through a demonstration project and precinct planning
- Inclusion of housing options to VicTrack land from previous structure planning is not supported by commercial reality
- Capitalise on significant government land holdings, and site opportunities for affordable and accessible housing
- Strengthen connections to Moe town centre and train station precinct through a revitalised Fowler Street



Current interface between train station precinct and southern housing precinct

Key Actions

- Further scope opportunities for “whole of government” demonstration project in Langford street “court house” block.
- Consider better utilising Affordable Housing Association models rather than public housing
- Develop a masterplan for the precinct adopting current best practice urban renewal principles comparable to other DHS projects eg Corio Norlane

CHIEF EXECUTIVE OFFICER

**11.1.1 INSTRUMENT OF DELEGATION - DELEGATION TO THE
ACTING CHIEF EXECUTIVE OFFICER**

FILE NO: N/A

**AUTHOR: Chief Executive Officer
(ATTACHMENT - YES)**

1. PURPOSE

This is a procedural report recommending that Council approves the appointment of Mr Philip Marsh to act in the position of Chief Executive Officer for the period from Monday, 5 January 2009 to Sunday, 18 January 2009 inclusive.

2. POLICY IMPLICATIONS

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

Strategic Objectives – Governance

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

Community Outcome – Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Action – Legislative Compliance

Ensure compliance with the Local Government Act.

The Council is required, pursuant to the *Local Government Act* 1989, to appoint a Chief Executive Officer. Section 94 of the *Local Government Act* 1989 enables the Council to appoint an acting Chief Executive Officer for a period of less than 12 months.

3. BACKGROUND

Due to the temporary absence of the Chief Executive Officer, Mr Paul Buckley, between the period Monday, 5 January 2009 to Sunday, 18 January 2009 inclusive, Council is asked to approve the appointment of an Acting Chief Executive Officer.

To allow the Council to undertake its usual powers, duties or functions it is necessary for Council to approve the appointment.

The Council, by resolution on the 4 September 2006, delegated “to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule” of the Instrument of Delegation.

4. **ISSUES**

The instrument of delegation, resolution and appointment is prepared pursuant to section 98 of the *Local Government Act* 1989 which states:

98. Delegations

- (1) A Council may by instrument of delegation delegate to a member of its staff and power, duty or function of a Council under this Act or any other Act other than:
 - (a) this power of delegation;
 - (b) the power to declare a rate or charge;
 - (c) the power to borrow money except as provided in section 149;
 - (d) the power to approve any expenditure not contained in a budget approved by the Council;
 - (e) any power, duty or function of the Council under section 223; and
 - (f) any prescribed power.
- (2) The Chief Executive Officer may by instrument of delegation, delegate to the member of the Council staff any power, duty or function of his or her office other than this power of delegation unless sub-section (3) applies.
- (3) The instrument of delegation to the Chief Executive Officer may empower the Chief Executive Officer to delegate a power of the Council other than the power of delegation to a member of the Council staff.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

There is no effect to budget allocations.

6. **INTERNAL/EXTERNAL CONSULTATION**

Engagement Method Used:

The proposed arrangements have been discussed at Executive Team level.

Details of Community Consultation / Results of Engagement:

Not applicable.

7. OPTIONS

The appointment of an Acting Chief Executive Officer is required to enable the day-to-day operation of the organisation to proceed during the absence of the Chief Executive Officer, Mr Paul Buckley.

8. CONCLUSION

This is a procedural report and the delegation of functions, duties and powers to Mr Philip Marsh (during the period Monday, 5 January 2009 to Sunday, 18 January 2009 inclusive) is required to cover the period of absence of the Chief Executive Officer, Mr Paul Buckley.

A copy of the Instrument of Delegation and Authorisation to be signed on 16 December 2008 from Mr Paul Buckley to Mr Philip Marsh is attached.

9. RECOMMENDATION

That Council approves the appointment Mr Philip Marsh as Acting Chief Executive Officer during the period Monday, 5 January 2009 to Sunday, 18 January 2009 inclusive, and authorises the delegation of Chief Executive Officer powers, functions and duties in accordance with the Instrument of Delegation dated 4 September 2006.

Moved: Cr Lougheed
Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

Maddocks Delegations and Authorisations

S5. Instrument of Delegation to Chief Executive Officer

Latrobe City Council

Instrument of Delegation

to

The Chief Executive Officer

LATROBE CITY COUNCIL

APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER AND INSTRUMENT OF DELEGATION PURSUANT TO SECTION 98(2) OF THE LOCAL GOVERNMENT ACT 1989

I **PAUL BUCKLEY**, Chief Executive Officer of the Latrobe City Council **HEREBY APPOINT PHILIP MARSH**, General Manager Executive Projects as Acting Chief Executive Officer and, pursuant to and in the exercise of the power conferred by section 98(2) of the *Local Government Act 1989* (the Act), I **HEREBY DELEGATE TO PHILIP MARSH**, General Manager Executive Projects, all those powers duties or functions of my office as provided for by legislation and the Instrument of Delegation dated 5 September 2006.

AND HEREBY DECLARE THAT:

1. Such appointment and delegation shall have force and effect from 5 January 2009, and shall remain in force until 18 January 2009 inclusive, or such time as I shall determine either to vary or revoke the delegation.
2. The powers duties and functions so specified shall be exercised and performed in accordance with:
 - (a) any policies of the Council that may be adopted from time to time;
 - (b) this Instrument of Delegation and subject to any conditions and limitations specified herein.

.....
CHIEF EXECUTIVE OFFICER – PAUL BUCKLEY

.....
GENERAL MANAGER EXECUTIVE PROJECTS – PHILIP MARSH

DATE:

SCHEDULE

The power to:

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

4. if the issue, action, act or thing is an issue, action, act or thing which involves:
 - 4.1 awarding a contract exceeding the value of \$100,000, (GST Inclusive);
 - 4.2 making a local law under s.119 of the Act;
 - 4.3 approval of the Council Plan under s.125 of the Act;
 - 4.4 adoption of the Strategic Resource Plan under s.126 of the Act;
 - 4.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
 - 4.6 adoption of the Auditor's report and Annual Financial Statements under Part 6 of the Act;
 - 4.7 noting Declarations of Impartiality by Valuers pursuant to section 13DH(2) of the Valuation of Land Act 1960;
 - 4.8 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;
 - 4.9 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;
 - 4.10 appointment of councillor or community delegates or representatives to external organisations; or
 - 4.11 the return of the general valuation and any supplementary valuations;

5. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
6. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a:
 - 6.1 policy; or
 - 6.2 strategyadopted by Council; or
7. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act, section 188 of the Planning and Environment Act 1987 or section 58A of the Food Act 1984 or otherwise; or
8. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

ECONOMIC SUSTAINABILITY

11.2.1 GLOBAL CARBON CAPTURE AND STORAGE INSTITUTE

AUTHOR: General Manager Economic Sustainability
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to provide Council with an update on the Latrobe City Council bid to locate the Global Carbon Capture and Storage Institute in Latrobe City and to seek Council direction on advice received from the Commonwealth Government.

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

Community Outcome – Economic Sustainability

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

Strategic Action – Economic Development

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

Economic Development Strategy 2004-2008

This report is consistent with the Economic Development Strategy (Revised 2007). This strategy outlines the key economic actions that will be undertaken to underpin economic development, build business and community relationships, increase public and private sector investment and increase employment levels.

3. BACKGROUND

On 19 September 2008, the Prime Minister, The Hon. Kevin Rudd, MP announced a \$100 million Global Institute on Carbon Capture to speed up the development of carbon capture and storage technology. The aim of the Global Institute is to accelerate the facilitation of carbon capture demonstration projects as well as identify and support necessary research - including regulatory settings and regulatory frameworks.

In response to this announcement, Council at the Ordinary Council Meeting of 6 October 2008 resolved the following:

1. *That Council writes to the Prime Minister, Kevin Rudd and Resources Minister, Martin Ferguson, requesting that the headquarters and research operations of the Australian arm of their recently announced 'Global Institute on Carbon Capture' be established in Latrobe City; and*
2. *That information highlighting the advantages this region offers in relation to carbon capture research be forwarded with these letters, and that attention also be drawn to the widespread predictions of major economic disadvantage to be suffered by this City upon introduction of a carbon pollution reduction scheme.*

On 8 October 2008, the then Mayor wrote to the Prime Minister and Minister for Resources and Energy in accordance with the Council resolution. Copies of these letters were also forwarded to the Minister for Climate Change & Water, the Minister for Trade and relevant Victorian Government Ministers, specifically the Minister for Regional and Rural Development and the Minister for Energy and Resources.

On Wednesday, 15 October 2008 the Premier and the Latrobe City Council Mayor announced a jointly funded project between Latrobe City Council and the Victorian Government. This announcement outlined a proposal to develop a business case to assist Latrobe City Council in securing the Global Institute within the region. The funding was to be utilised for the development of a business case for submission to the Commonwealth Government to demonstrate the benefits of establishing the Australian arm of the 'Global Institute on Carbon Capture' (Global Institute) within Latrobe City.

Following the announcement officers commenced work on a consultant brief and also a proposed steering committee to oversee the project.

A letter was sent to the Premier on 27 October 2008 which outlined a proposed way forward for the project. The letter outlined that officers were preparing a draft consultant brief for discussion and agreement at an inception meeting of the steering committee and suggested that it may be beneficial to have Ministerial representation at this meeting.

On 6 November 2008, Latrobe City Council signed a funding agreement with Regional Development Victoria for a sum of \$25,000, to be matched by Latrobe City Council on a dollar for dollar basis, through the *Living Regions Living Suburbs* program.

On 10 November 2008, the Commonwealth Minister for Resources and Energy, the Hon Martin Ferguson AM MP, wrote to the then Mayor advising that the Prime Minister had made an announcement on 2 October 2008 as to the location of the Global Institute.

4. **ISSUES**

Advice on the location of the Global Institute

The letter (attached) from the Minister for Resources and Energy advises the following- *"In relation to the physical location of the Institute, I can advise that the Prime Minister said at the Council of Australian Governments meeting on 2 October 2008 that the Global CCS Institute will be headquartered in Canberra"*.

Since receiving the correspondence from Minister Ferguson, officers understand that the Queensland Government and the Coal 21 Alliance may be preparing a bid to have the Global Institute located in Queensland.

The preparation of the Latrobe City business case, should it proceed, would also include extensive consultation with key stakeholders including generators, forestry companies, new entrants to the brown coal industry, Monash University, adjoining Councils and related Victorian and Commonwealth Departments and Agencies.

Status of Business Case Development

Officers have forwarded a copy of Minister Ferguson's letter to Regional Development Victoria. The development of the business case is on hold pending further information from the Commonwealth Government. Officers from Regional Development Victoria have suggested that Latrobe City Council officers seek further information from the Commonwealth Department of Resources, Energy and Tourism to ascertain whether components of the Global Institute will be located outside of Canberra.

As a result of this advice, officers have contacted the Commonwealth Department of Resources, Energy and Tourism in order to understand the status of the decision and associated announcement on the location of the Global Institute. At the time of writing this report no advice has been received.

5. FINANCIAL AND RESOURCES IMPLICATIONS

The financial and resource implications of the preparation of the business case for the location of the Global Institute, within Latrobe City, can be accommodated within the Economic Sustainability budget.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

This report was prepared in consultation with Regional Development Victoria and the Commonwealth Department of Resources, Energy & Tourism.

7. OPTIONS

Council has the following options:

1. To advise the Victorian Government that Council will continue to develop a business case, in partnership with the Victorian Government, for submission to the Commonwealth Government to demonstrate the benefits of establishing the Australian arm of the 'Global Institute on Carbon Capture' within Latrobe City.

2. To advise the Victorian Government that given advice received from the Commonwealth Government on the location of the Global Institute that Council will not progress the development of the business case and request that the allocated funding be utilised for an alternate project.
3. To seek further information from the Commonwealth Government on the decision to locate the Global Institute in Canberra, specifically whether components of the Institute may be located outside of Canberra.

8. **CONCLUSION**

The Global Institute represents \$100 million of committed Commonwealth funding that will accelerate the facilitation of carbon capture demonstration projects as well as identify and support necessary research - including regulatory settings and regulatory frameworks. Securing the Global Institute or part of it within Latrobe City would have a significant positive impact on the local economy now and in the longer term.

The preparation of a business case for submission to the Commonwealth Government to locate the Global Institute or a part of it within Latrobe City comes at a time of uncertainty within the municipality in relation to the proposed emissions trading scheme.

9. **RECOMMENDATION**

That the Mayor writes to the Commonwealth Minister for Resources and Energy seeking further information on the decision to locate the Global Institute in Canberra and the potential for components of the Institute to be located outside of Canberra.

Moved: Cr Loughheed

Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

THE HON MARTIN FERGUSON AM MP

**MINISTER FOR RESOURCES AND ENERGY
MINISTER FOR TOURISM**

PO BOX 6022
PARLIAMENT HOUSE
CANBERRA ACT 2600

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

10 NOV 2008

Dear Mayor

Thank you for your letter of 8 October 2008 concerning the suitability of locating the Global Carbon Capture and Storage (CCS) Institute in Latrobe City. Thank you also for the support expressed by the Latrobe City Council for the Global CCS Initiative.

The Global CCS Institute is a component of the Rudd Government's major initiative in the area of carbon capture and storage, which the Prime Minister announced on 19 September. The Initiative will include Commonwealth investment in CSS demonstration projects in Australia in partnership with state governments and industry. The Government will now be moving rapidly to identify and assess suitable projects.

In relation to the physical location of the Institute, I can advise that the Prime Minister said at the Council of Australian Governments meeting on 2 October 2008 that the Global CCS Institute will be headquartered in Canberra. As a result my Department is now working to establish a functional framework for the Global CCS Institute to commence its operations by early next year.

You also refer to the proposed Carbon Pollution Reduction Scheme (CPRS) and potential socio-economic impacts on your region and its power generation infrastructure.

Senator the Hon Penny Wong, as Minister for Climate Change and Water, has portfolio responsibilities for the CPRS, and she would be best placed to address your concerns. I have copied this letter to her on your behalf.

Yours sincerely

Martin Ferguson

Latrobe City	
10 Nov 2008	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	

BUILT AND NATURAL ENVIRONMENT SUSTAINABILITY

11.3.1 CHURCHILL TOWN CENTRE PLAN - RESULTS OF CONSULTATION
AUTHOR: General Manager Built and Natural Environment Sustainability
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present to Council the results of the community consultation regarding the modified design for Section 2 of the adopted 2007 Churchill Town Centre Plan relating to 'The Commercial Precinct'.

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 Latrobe Valley.

To provide leadership and to facilitate a well connected, interactive economic environment in which to do business.

Community Outcome – Built Environment Sustainability

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

Strategic Actions – Infrastructure Development

Utilise place management principals for local areas in the municipality.

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

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

Council Plan 2008-2012 - Key Priorities and Actions - Built Environment Sustainability

Progress implementation of the Churchill Town Centre Plan.

Community Outcome – Economic Sustainability

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

Strategic Action – Economic Development

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

3. BACKGROUND

In late 2006 and early 2007, the consideration of a series of planning permit applications for retail development in Churchill highlighted the need for a strategic plan for the Churchill Town Centre. The plan would assist in guiding future retail and civic infrastructure development. The preparation and adoption of this plan was considered at the Ordinary Council Meetings held on 5 March 2007, 16 July 2007 and 20 August 2007.

At the Ordinary Council Meeting held on 20 August 2007, Council resolved as follows:

1. *That Council adopt the Churchill Town Centre Plan.*
2. *That as part of the implementation process for the Churchill Town Centre Plan, Council:*
 - a. *Undertake further community consultation regarding Section 1 of the Plan (the proposed Western Link road from the western residential area to the town centre) and report the results of this to Council at a future date; and*
 - b. *Address issues of traffic management and parking raised in submissions through the detailed design process.*

In July 2008, TTM Consulting (Vic) Pty Ltd and Design Urban were appointed to carry out the design for Section 2 of the 2007 Churchill Town Centre Plan relating to 'The Commercial Precinct'. Following a number of workshops including Council staff, external stakeholders and the Churchill community, a concept plan was prepared. This plan was considered at the Ordinary Council Meeting held on 20 October 2008.

At the Ordinary Council Meeting held on 20 October 2008, Council resolved as follows:

1. *That Council adopts in principle the concept design for Section 2 (The Commercial Precinct) of the 2007 Churchill Town Centre Plan.*
2. *That Council authorises the Chief Executive Officer to commence negotiations with landowners in the subject area in relation to property matters required to implement the concept design.*
3. *That consultation be undertaken on the concept design for a four week period in accordance with Council's Community Engagement Policy and Strategy.*
4. *That a further report be presented to Council on 15 December 2008, following the community engagement.*

Consultation on the concept design has taken place, while discussions with landowners are ongoing.

4. ISSUES

4.1 Consultation on the Concept Plan

Consultation on the proposed concept plan has generated positive comments about the broad ideas within the plan, and numerous suggestions on aspects of its implementation. The twelve written submissions received focus on specific elements of implementation, rather than the specific design issues.

It is the opinion of one landowner / business operator that the use of land to implement the plan "will not provide an overall benefit for the Churchill Town Centre", and therefore will not support its implementation. As a result, only 57.2% of the owners corporation has indicated support for the plan, preventing boundary changes to the common property by agreement.

In relation to changes to the car parking arrangements in the northern car park another landowner stated that:

1. *The proposed realignment of Georgina Place is slightly straightened to allow for a more even spread of car parking.*
2. *The canopy and traffic island located on common property in the most north east section of the car park is removed to allow for more parking in this vicinity.*

It is considered that the breadth of support warrants adoption of the concept plan, to replace “section 2” of the 2007 adopted Churchill Town Centre Plan.

The written comments include the following matters:

General support for:

- The “swooping” access way to the northern car parks between Monash Way and Philip Parade
- New layout for car park
- Good use of available space to provide big improvement in overall appearance.

Aspects to be addressed:

- Access for bicycles throughout the town centre
- Identification of taxi bays
- Clear signage is required from Monash Way
- Vehicle speed in Phillip Parade should be reduced to ensure pedestrian safety in the area
- Access to toilet facilities is a necessity for this area to be a ‘well-used civic space’
- The slope of the land from Phillip Parade through the proposed civic space to the retail area presents several challenges for pedestrians – a ‘direct route’ best serves active users, whilst a second path is provided for prams, wheelchairs, etc. Both paths need to be skateboard & bicycle “unfriendly” to make this a safe route for foot traffic
- As a civic space, one or more flagpoles would be required, particularly if the war memorial is sited thereon
- Consideration should be given to re-siting the Pioneer Wall from its present, fairly inaccessible location in Monash Way
- An information board, with town map, should be part of the civic space ‘furniture’
- The pedestrian crossing at Monash Way needs consideration
- The pedestrian connection from the traffic lights to the Western end of the Hazelwood Village shops is difficult
- Design and safety of the north – south section of Georgina Place (from the traffic lights, behind the service station and beside the new supermarket)
- Traffic management around the town hall
- Detailed design of car parks to ensure that they work effectively
- The need to retain the memorial to John Flynn between the southern car park and the former hotel site

- The potential for more parking near the Community Hub
- The use of the land between the Community Hub and the skate park – one proposal is for a playground for older children and parents, and a second for car parking
- In relation to the proposed civic area which fronts the new east west access drive, there should be formal pedestrian crossings to the civic area
- There needs to be an east-west route for pedestrians, as well as drivers
- The new war memorial should be located so as not to inhibit the uses of the civic space. The preference is for a low key but significant memorial to be placed in a corner of the space with the views of Churchill residents incorporated into the design
- Currently traffic flows through the retail area of Churchill are not clearly defined and people are very confused about entry and exit to the car parks and the Hazelwood Village area. The exit and entry points should be clearly marked on the road surface

Matters to be covered in future planning:

- The future of the hotel site
- Need for more eating places in the town centre
- Consultation on the “western extension” between McDonald Way and the traffic lights at Monash Way and Georgina Place
- A proposal for Monash Visual Art students to prepare murals and other public art in the town centre
- Council should consider the development of a main street in the context of future planning for Churchill. This could involve future retail development on Phillip Parade
- Future road names and interpretative signage

A summary of submissions is included as Attachment One and a copy of all submissions is also attached to this report.

4.2 Implementation of the Plan

The report presented to Council on the 20 October 2008 outlined some of the challenges of implementing the Churchill Town Centre Plan:

A major issue relating to the Churchill Town Centre plans is the resolution of land tenure issues. The focus of the planning has been the achievement of the best urban design, with consideration of equity and planning permits and other legal commitments. However, there is a complex mix of ownerships of land in the town centre. Council officers have had ongoing discussions with the owners, to gather input and encourage their support for the plans. It is proposed that land tenure matters be resolved following Council adoption of the modified Section 2 plans.

If all landowners in the Churchill town centre were supportive of the changes proposed in the plan, its implementation would require agreement between the parties, with Council taking ownership of the new “swooping” road between Monash Way and Philip Parade. The submissions received indicate that agreement between the landowners is unlikely.

In the absence of a negotiated solution, Council may use its planning and land acquisition powers to implement the plan. Relevant legislation includes:

- *Land Act 1958*
- *Land Acquisition and Compensation Act 1986*
- *Planning and Environment Act 1987*
- *Road Management Act 2004*

The initial process will be preparation of a Planning Scheme amendment with a Public Acquisition Overlay over land to be compulsorily acquired by Council, if a negotiated solution is not possible. Further, changes to the access ways to the northern car park will need to be carried out in accordance with the *Road Management Act 2004*.

It is anticipated that the plan will be implemented in stages. This will depend on factors such as the support from landowners and developers, and availability of funding. For example, the present location of Georgina Place through the northern car park may be temporarily retained, while the longer-term solution is being implemented.

4.3 Amendment C62

Amendment C62 to the Latrobe Planning Scheme was on exhibition from mid October to 12 December 2008. The amendment includes the Latrobe City Council Structure Plan for Churchill and the Churchill Town Centre Plan, in addition to the Municipal Strategic Statement and the Structure Plans for Moe, Morwell and Traralgon.

The Explanatory Report for the Amendment notes that:

...elements of the Churchill Town Centre Plan relating to the commercial precinct are being refined in an urban design and community consultation process that is being undertaken concurrently with the exhibition of Amendment C62. It is proposed that modification of the adopted Churchill Town Centre Plan and its implication for Amendment C62 will be considered prior to finalisation of the Amendment C62.

It is proposed that the concept plan for Section 2 of the Churchill Town Centre Plan (the commercial precinct) replace the previously adopted Section 2 of the Churchill Town Centre Plan, and be incorporated into documentation for Amendment C62.

The concurrent exhibition of the Churchill Town Centre Plan Section 2 and Amendment C62 containing the 2007 Churchill Town Centre plan has highlighted community concern about the proposed Western Link Road between McDonald Way and Monash Way. Members of the Churchill community have identified that the Section 2 concept plan does not consider the Western Link Road while the 2007 Churchill Town Centre Plan (included in Amendment C62) still contains the Western Link Road.

There is an opportunity to complete further consultation on this matter prior to Amendment C62 progressing to its next formal stage.

5. FINANCIAL AND RESOURCES IMPLICATIONS

Council allocated \$250,000 in the 2007/08 capital budget and a further \$250,000 in the 2008/09 capital budget for implementation of high priority items contained in the adopted Churchill Town Centre Plan. The modified plan includes a range of future projects that may require allocation of capital works funding. Consideration will need to be given to funding longer term projects listed in the plan as part of future Council budget processes.

The 2008 Churchill Town Centre Plan will provide Council with the basis to apply for additional Government funding through programs such as the Department of Planning and Community Development's *Creating Better Places* program.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

The engagement methods that were used in the preparation of concept plans were detailed in the report to Council at the Ordinary Council Meeting held on 20 October 2008, and included internal meetings and a workshop with Council officers, meetings with representatives of property owners in the Churchill Town Centre, a community consultation meeting on 27 August 2008, and design workshops held on 1 and 2 September 2008.

Following “in-principle” adoption of the plan on 20 October 2008, the following methods have been used to encourage further engagement and community consultation:

- Advertising in the Latrobe Valley Express and Churchill News
- Inclusion of a one-page insert in Churchill News
- Preparation of a Newsletter, and distribution to an email list of about 70 stakeholders and a further list of 10 “hard copy” recipients
- Inclusion of the plan and newsletter on the Latrobe City Council website
- Presentations by the Place Manager – Churchill Town Centre Plan to stakeholder groups in Churchill

Details of Community Consultation / Results of Engagement:

As noted above, the community engagement created considerable interest and support for the general concepts, as well as suggestions for detailed implementation. These suggestions have been passed on to the design consultants in preparing the detailed concept, landscape and civil designs.

7. OPTIONS

Options available to Council include:

1. Adopt the modified design for Section 2 of the 2007 Churchill Town Centre Plan relating to “The Commercial Precinct”, and the proposed implementation process.
2. Not adopt the modified Churchill Town Centre Plan.
3. Adopt the design for Section 2 of the 2007 Churchill Town Centre Plan relating to “The Commercial Precinct, but modify the proposed implementation process.

8. CONCLUSION

The exhibition and community engagement on proposed modifications to the Churchill Town Centre plan have generated considerable interest and strong support. The consultation process has also produced a number of excellent ideas submitted by the Churchill community to refine and improve the plan.

It is therefore proposed that the modified plan be adopted, further detailed design work be carried out generally in accordance with the concept plan, and implementation of the plan proceed.

9. RECOMMENDATION

- 1. That Council adopts the modified concept design for Section 2 (the Commercial Precinct) of the 2007 Churchill Town Centre Plan.**
- 2. That detailed civil and landscape design be completed generally in accordance with the modified concept design for Section 2 (the Commercial Precinct) of the 2007 Churchill Town Centre Plan.**
- 3. That authorisation from the Minister for Planning be sought to prepare and exhibit an Amendment to the Latrobe Planning Scheme to implement the concept design for Section 2 (the Commercial Precinct) of the 2007 Churchill Town Centre Plan, including the preparation of a Public Acquisition Overlay.**
- 4. That the modifications to the concept design for Section 2 (the Commercial Precinct) of the 2007 Churchill Town Centre Plan be incorporated into documentation for Amendment C62.**

Moved: Cr White

Seconded: Cr Vermeulen

That the Recommendation be adopted.

CARRIED

ATTACHMENTS

Submissions on the Modified Churchill Town Centre Plan:

Submission	Key Points	Officer Response
1	The use of land to implement the plan “will not provide an overall benefit for the Churchill Town Centre”, and therefore the submitter will not agree to its implementation.	The modified concept plan provides benefits for all stakeholders, including residents, traders and landowners
2	<p>Strong Support for:</p> <ul style="list-style-type: none"> • Road connecting Monash Way and Philip Parade. • Eastern entrance to car park. • New user friendly layout for car park • Good use of available space to provide big improvement in overall appearance. • The undesirable western link road from McDonald Way is now unnecessary. <p>Questionable:</p> <ul style="list-style-type: none"> • There appears to be little change to the pedestrian crossing on Monash Way. • There is no apparent pedestrian path from the traffic lights to the Western end of the Hazelwood shops. Foot traffic to the video shop, the newsagents, the chemist, and even the supermarket, will still be taking random paths through the car park • Although there may be limited traffic along the north – south section of Georgina Place, parked cars will be required to reverse across, and/or, into the path of this through traffic. • There appears to be a number of hazards in the area around the Town Hall. 	<ul style="list-style-type: none"> • Agree with most of the aspects supported • Propose a consultation process to address the issue of the “western extension” • Details of design relating to pedestrian and vehicle access have been passed on the design consultants to incorporate into civil designs as appropriate
3	Will the new-look Churchill have a cafe and/or a restaurant, both of which would be welcome additions to the plan?	The issue of location of a restaurant is not directly in the control of Council, but developers will be encouraged to support one

Submission	Key Points	Officer Response
4	<p>What is planned will have positive outcomes for Churchill and district residents. However:</p> <ul style="list-style-type: none"> • It is hoped that some provision will be made for a restaurant, and that thought be given to its siting... • Car parking at the "top" park has become confused on occasions for want of directional traffic flow arrows in front of the newsagents, and there is a real need for them. • In all parking areas, there should be adequate space for individual car parks, and to enable reversing into the access lanes 	<ul style="list-style-type: none"> • The issue of location of a restaurant is not directly in the control of Council, but developers will be encouraged to support one • Details of design relating to car parking have been passed on the design consultants to incorporate into civil designs as appropriate
5	<p>That:</p> <ol style="list-style-type: none"> 1. The intersection of Georgina Place and Phillip Parade be located as far north of the Hub as is practical 2. Convenient family friendly parking designs are adopted along Phillip Parade 3. A speed restriction zone of maximum 40km be adopted along Phillip Parade in the Hub precinct 4. Appropriate time restrictions on parking times are put into effect 5. An appropriate off road car park be considered in future planning for the Hub 	<p>Details of design relating to road design and car parking have been passed on the design consultants to incorporate into designs as appropriate</p>
6	<p>The historical rock marker that currently rests on the southern bank (under pine trees but above the BBQ area) should not be removed or harmed in any way</p>	<p>There is no intention to shift this memorial</p>
7	<p>The area between the skate park and the Community Hub could be used as a park for the older children, using some of Morwell town centre's park as a model</p>	<p>The use of this land for a park, or for car parking, will be considered in the context of the adopted Churchill Town Centre plan</p>
8	<p>Monash University Art and Design students should be involved in a community art project to help strengthen the links between the community and the university, involving a range of public art such as murals</p>	<p>This possibility can be further explored as detailed designs for the Churchill Town Centre are prepared</p>

Submission	Key Points	Officer Response
9	<p>With regard to the car parking arrangements in the northern car park:</p> <ol style="list-style-type: none"> 1. The proposed realignment of the “swooping” access way to the car parks should be slightly straightened to allow for a more even spread of car parking. 2. The canopy and traffic island located on common property in the most north east section of the car park should be removed to allow for more parking in this vicinity. 	<ul style="list-style-type: none"> • The exact location of the “swooping” access way can be finalised when detailed civil designs are prepared, but the general location in the exhibited Design Workshop Plan is supported • This is a matter for the owners of the common property, but the design of the north east section of the car park could be modified if considered desirable and necessary
10	<p>CDCA supports Council’s in-principle adoption of the Town Centre Plan for Churchill’s commercial precinct. The modified concept plan addresses many of the problematic features of the current ad-hoc design.</p> <p><i>Comments on whether the plan achieves its goals</i></p> <ul style="list-style-type: none"> • Given that the proposed site is not clearly visible from Monash Way, clear signage is required (particularly for visitors/new residents to Churchill) • As the proposed site abuts Phillip Pde opposite the Hub, vehicle speed in Phillip Pde should be reduced to ensure pedestrian safety in the area • Access to toilet facilities is a necessity for this area to be a ‘well-used civic space’ • The slope of the land from Phillip Pde through the proposed civic space to the retail area presents several challenges for pedestrians – a ‘direct route’ best serves active users, whilst a second path is provided for prams, wheelchairs, etc. Both paths need to be skateboard & bicycle “unfriendly” to make this a safe route for foot traffic • As a civic space, one or more flagpoles would be required, particularly if the war memorial is sited thereon 	<ul style="list-style-type: none"> • Ideas relating to signage, traffic, public toilet, pathways, flag poles, siting or the Pioneer Wall and an information board will be passed on to the design consultants for consideration in final designs • The need for consideration of truck parking for loading at Hazelwood Village will be investigated in association with the owners and traders • The need for bicycle infrastructure and facilities will be passed on to the design consultants for consideration in final designs • The nature of the post-box will be discussed with Australia Post • The development of the “proposed retail” area is a high priority, and may not be delayed significantly after the development of the plaza. However, if there are delays, an interim solution will need to be found. Most of the land is owned privately, so Council may have limited opportunities to influence the use of the land.

Submission	Key Points	Officer Response
10	<ul style="list-style-type: none"> • Consideration should be given to re-siting the Pioneer Wall from its present, fairly inaccessible location in Monash Way • An information board, with town map, should be part of the civic space 'furniture' <p><i>Comments on whether there are any aspects of the plan that are of concern or missing</i></p> <ul style="list-style-type: none"> • Provision for truck parking (loading zones) for deliveries to shops at Hazelwood Village • Bicycle infrastructure to connect with the facilities being provided at the West Place development (e.g. bike rack near Ritchie's supermarket entrance, clearly marked bicycle routes along Phillip Pde & linking to Monash Way, 'shared zones' or bicycle routes through the commercial precinct) • A 'drive-by' post box (such as can be found at Morwell Mail Centre) or, at the very minimum, an accessible, convenient, safe 'park & post' facility (not simply a non-specific short term parking bay that may be used for other purposes) • The concept plan provides for further retail expansion along the proposed 'pedestrian spine' and above the eastern end of Georgina Place. In the short term, consideration needs to be given to the visual aspect & landscaping of these areas, particularly if the pedestrian spine and civic space are to be constructed prior to further retail investment 	<ul style="list-style-type: none"> •

Submission	Key Points	Officer Response
11	<ul style="list-style-type: none"> • The plan will achieve its goal of creating an attractive civic space accepted by the town especially compared to the current situation which is quite unstructured and disorganised. • In relation to the proposed civic area which fronts the new east west access drive; there should be formal pedestrian crossings to the civic area. At the moment there is no provision for pedestrian crossing anywhere at Hazelwood Village which is quite unsatisfactory. • There needs to be an east-west route for pedestrians, as well as drivers • The new war memorial should be located so as not to inhibit the uses of the civic space. The preference is for a low key but significant memorial to be placed in a corner of the space with the views of Churchill residents incorporated into the design. • Currently traffic flows through the retail area of Churchill are not clearly defined and people are very confused about entry and exit to the car parks and the Hazelwood Village area. The exit and entry points should be clearly marked on the road surface. • Council should consider the development of a main street in the context of future planning for Churchill. This could involve future retail development on Phillip Parade. 	<ul style="list-style-type: none"> • Ideas relating to pedestrian crossings and pathways and the location of the war memorial will be passed on to the design consultants for consideration in final designs • The need for consideration of parking at Hazelwood Village will be investigated in association with the owners and traders • The development of a main street at Philip Parade is not part of the current town centre plan, but its role may increase following the opening of the Community Hub. The priority should remain with the expanded commercial precinct described in the 2008 version of the plan (linking to the Community Hub), but there may be longer-term opportunities.

Submission	Key Points	Officer Response
12	<ul style="list-style-type: none"> • The submission relates to suggestions for naming of proposed streets and interpretative signage in the Churchill Town Centre. • The street connecting Monash Way to Philip Parade is recommended to be named Georgina place and the street connecting Balfour Place to the new Georgina Place is recommended to be named West Place. • A series of interpretative signs in the form of bronze plaques commemorating important local persons and places is recommended to be located in the Churchill Town Centre. 	<ul style="list-style-type: none"> • The naming of proposed streets and interpretative signage is noted and will be further considered as the project progresses.
13	<ul style="list-style-type: none"> • 57.2% of owners corporation has given approval of the plan in principle. 	<ul style="list-style-type: none"> • 100% of owners corporation agreement is required for boundary changes on common property. This submission indicates that such agreement is unlikely.

Submission 1



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Our ref: MWB:GFT:0458380

9 October 2008

Mr Rob Whelan
Secretary/Manager
Owners Corporation - Plan of Subdivision PS433286N
By email robwhelan@eftel.net.au

cc:
Carol Jeffs
Manager, City Planning & Development
LaTrobe City Council
By email carolje@latrobe.vic.gov.au

Dear Rob

**Proposed Churchill Town Centre Plan
Use of Common Property 1 on PS433286N**

We act for Seventh Dectex Pty Limited (**Seventh Dectex**).

Seventh Dectex is a member of the Owners Corporation controlling Common Property 1 on Plan of Subdivision PS433286N. This Plan of Subdivision forms part of the Churchill town centre.

A portion of Common Property 1 is required to give effect to the proposed east-west link road, the extension of Georgina Place and other features outlined in the proposed Churchill Town Centre Plan.

Seventh Dectex has carefully considered the proposed use of part of Common Property 1, having regard to the draft plan, its discussions with Council and its understanding of the operation of the Town Centre. On balance, Seventh Dectex considers that the proposed use of Common Property 1 for the purposes outlined above will not provide an overall benefit to the Churchill Town Centre.

Seventh Dectex therefore advises that after carefully considering the proposed Churchill Town Centre Plan, it will not agree to the use of Common Property 1 for its implementation.

Please notify us if this communication has been sent to you by mistake. If it has been, any client legal privilege is not waived or lost and you are not entitled to use it in any way.

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DLA Phillips Fox is a member of DLA Piper Group, an alliance of independent legal practices. It is a separate and distinct legal entity.
DLA Phillips Fox offices are located in Adelaide Auckland Brisbane Canberra Melbourne Perth Sydney and Wellington.



Please call us if you have any questions.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Gregory Tobin'.

Gregory Tobin
Solicitor
Direct +61 3 9274 5460
gregory.tobin@daphillipsfox.com

A handwritten signature in black ink, appearing to be 'Mark Bartley'.

Mark Bartley
Partner

Submission 2

Comments on Revised Churchill Town Centre Plan

(a) Strong Support

1. Road connecting Monash Way and Philip Parade.
2. Eastern entrance to car park.
3. New user friendly layout for car park
4. Good use of available space to provide big improvement in overall appearance.
5. The undesirable western link road from McDonald Way is now unnecessary.

(b) Questionable

1. There appears to be little change to the pedestrian crossing on Monash Way.
2. There is no apparent pedestrian path from the traffic lights to the Western end of the Hazelwood shops. Foot traffic to the video shop, the newsagents, the chemist, and even the supermarket, will still be taking random paths through the car park
3. Although there may be limited traffic along the north – south section of Georgina Place, parked cars will be required to reverse across, and/or, into the path of this through traffic.
4. There appears to be a number of hazards in the area around the town Hall.
 - i.e. The sharp turns required to negotiate Philip Parade (north) will surely need some form of safety barrier near the town hall.

Cars entering Philip Parade from the car park will have restricted visibility on the right.

Vehicles travelling south on Philip Parade will experience little restriction. Perhaps a small roundabout could be desirable.

Ronald E Bunn

Submission 3

Email from Lyle Munro, 10/11/2008

Lyle.Munro@arts.monash.edu.au

I'm writing to ask if the new-look Churchill will have a cafe and/or a restaurant, both of which would be welcome additions to the plan. If no such amenities are planned, is there any way we might be able to "petition" the planners to include what should be a priority in an area starved of good eating houses?

Best wishes

Lyle

Submission 4

Email from Gary Matthews, Tebb Terrace, Jeeralang Junction

gazzcazz@airpost.net

18 November 2008

Mr Ian Gibson
Place Manager,
Churchill Town Centre Plan

Hello Ian,

I am responding to the invitation to comment on the development proposals for Churchill shopping centre.

Overall, my wife and I both believe that what is planned will have positive outcomes for Churchill and district residents; however we would offer these comments:

It is hoped that some provision will be made for a restaurant, and that thought be given to its siting. I have long thought that the second storey of the shops (above the chicken shop and chinese "restaurant") would be an ideal location for a nice restaurant. It would be even better if the shop immediately below was a good standard coffee shop (similar to the many in Traralgon) with stairs leading up to the restaurant. But in any event, there is a crying need for a good coffee shop.

If people are to take the shopping centre seriously and not just for emergency/convenience shopping, it needs good quality ancillary services.

My other point relates to car parking.

For some time now the car parking at the "top" park has become a little confused on occasions for want of directional traffic flow arrows in front of the newsagents. These (clockwise arrows) , used to be marked, and there is a real need for them.

Down in the lower parking area, I notice that it is essentially unchanged, except for shrubs/trees separating the centre parking spots. Unless these spaces have been lengthened there will not be enough room to park anything larger than a small 4 cylinder vehicle. At the moment larger vehicles need to drive through onto part of the adjoining space to ensure the vehicle is not extending at the rear. The 'centre' parking in front of the video shop allows adequate room for this, and works quite satisfactorily.

Care will also need to be taken that there is enough room to safely reverse into the access lanes in both top and bottom car parks. In my view it would be better to sacrifice a few car parks and provide a better overall shopping experience for patrons. These are all factors taken into account when people chose where to shop.

regards,

Gary Matthews
Tebb Terrace

Submission 5

**CHURCHILL HUB MANAGEMENT BOARD MEETING
19 NOVEMBER 2008
CHURCHILL NEIGHBOURHOOD CENTRE**

The Board recommends the following to Latrobe City Council that in adopting the Churchill Town Centre Plan:

1. That the intersection of Georgina Place and Phillip Parade be located as far north of the Hub as is practical.
2. That convenient family friendly parking designs are adopted along Phillip Parade.
3. That a speed restriction zone of maximum 40km be adopted along Phillip Parade in the Hub precinct.
4. That appropriate time restrictions on parking times are put into effect.
5. That an appropriate off road car park be considered in future planning for the Hub.

CARRIED UNANIMOUSLY

Submission 6

Email from Susan Connor (via Debbie Gallagher)
18 November 2008
platypi59@hotmail.com

Hello Ian

Debbie (Platypi59) showed me the town proposal plans. (Churchill) One Question. Where is the historical rock marker that currently rests on the Southern bank (Under pine trees but above the BBQ area going to go?. My hope is that it is not removed or harmed in any way. Have you read it? It is an important link to reaching out into Australias future (at that time).

Susan Connor.

Submission 7

Hi Ian'

Not sure if you remember me or not, but a couple weeks ago I rang you because I was doing an assignment for ACS Garden Design. I was interested in the idea of a playground type area in beside the new Hub in Churchill.

This weeks Express has a big story about the Latrobe City Council wanting comments on the Town Centre Commercial precinct and Pedestrian Plaza project. I wish I had of known about the meetings held in Sep but nevertheless I am very interested in whats all going on there.

Also, is anything being done with the area (approx 40m x 15m) inbetween the Skate park and the new hub as yet?

I would like to suggest a park for the older kids, seeing how theres little playgrounds for the younger child included in the hub area. Perhaps we could use some of Morwells Town centres park as an idea and incorporate some of their great features.

Please let me know if any proposals have been submitted for the area and/or if you would like me to design a park area for older kids and parents alike.

Also, can I please be kept updated with any future newsletters on the project.

Thankyou

Regards

Maz (Marianne Hitchon)

Ms MAZSCAPES Nursery & Garden Design

ABN: 79 875 236 220

15 Dunbar Grove, Churchill. 3842

Email: mazscapes@y7mail.com

Phone: 0417 110 970

Submission 8

Hi Ian,

I'm hoping to get my plan for the murals we spoke about to you tomorrow but for now i thought i'd pass on the general outline.

The project will be a large mural covering most if not all of the top half of the new Ritchies extention. This space is currently a blank grey wall that can be seen from Mcdonald way as well as very prominently from Monash way while driving through Churchill. I propose that the Visual Art students at Monash be enlisted to complete this project as that will help strengthen the links between the community and the university, will go in line with the Ritchies 'community benefits' scheme as it will benefit the student part of the community as well as beautifying the town, and will be somewhat less expensive than hiring outside artists. To combat any potential safety issue, the artwork will be created on large aluminum or masonite sheets which will be affixed to the wall after it is completed. Costs will involve materials (paints, masonite sheets, brushes, etc) as well as the artists' time.

Obviously, the content of the mural would have to match the town theme when it is decided upon so I am very keen to be involved in those discussions so that I, along with the other art students, may start planning for this project.

I am keen to hear how people feel about this idea. Please feel free to contact me any time (details below).

Also, do you know who owns that building? I need to get in touch with him/her because we'll obviously need them onside for this project. I would greatly appreciate it if you could help me get in touch with them.

Kind Regards,

Leslie Anne Schmidt
Vice President, Monash Gippsland Art Club
ph: 0407 879 834
email: lsch5@student.monash.edu.au

Submission 9



Monday, 24 November 2008

Ian Gibson
Latrobe City
Commercial Road
Morwell, Vic. 3840

Ian,

RE: Churchill Town Centre Plan

Minster Constructions have viewed the proposed Churchill Town Centre plan and offer the following submission.

We are prepared to construct to councils standards part of the car park shown on the proposed plan at our own cost. The car park we propose to construct is located south of the proposed realigned Georgina Place and north of the new supermarket.

We have also attached a plan that shows our preferred car parking layout. There are two key differences between our preferred plan and the plan as publicly displayed by council.

1. The proposed realignment of Georgina Place is slightly straightened to allow for a more even spread of car parking.
2. The canopy and traffic island located on common property in the most north east section of the car park is removed to allow for more parking in this vicinity. If council approves this part of our concept, we would approach the Owners Corporation to achieve a resolution that would allow the canopy and traffic Island to be removed.

We look forward to working with council on implementing the Churchill Town Centre plan.

Kind regards,

Andrew McDonald
Minster Constructions P/L



Submission 10



24th November 2008

Re: Churchill Town Centre Plan

CDCA wishes to advise that we support Council's in-principle adoption of the Town Centre Plan for Churchill's commercial precinct. We are of the view that the modified concept plan addresses many of the problematic features of the current ad-hoc design.

In addressing Council's request for comments on specific issues, we would like to offer the following:

Whether the plan achieves its goal of developing an attractive, safe, accessible and well-used civic space that is accepted as the centre of the town

- Given that the proposed site is not clearly visible from Monash Way, clear signage is required (particularly for visitors/new residents to Churchill)
- As the proposed site abuts Phillip Pde opposite the Hub, vehicle speed in Phillip Pde should be reduced to ensure pedestrian safety in the area
- Access to toilet facilities is a necessity for this area to be a 'well-used civic space'
- The slope of the land from Phillip Pde through the proposed civic space to the retail area presents several challenges for pedestrians – a 'direct route' best serves active users, whilst a second path is provided for prams, wheelchairs, etc. Both paths need to be skateboard & bicycle "unfriendly" to make this a safe route for foot traffic
- As a civic space, one or more flagpoles would be required, particularly if the war memorial is sited thereon
- Consideration should be given to re-siting the Pioneer Wall from its present, fairly inaccessible location in Monash Way
- An information board, with town map, should be part of the civic space 'furniture'

Whether there are any aspects of the plan that you are concerned about, or which you think may be missing

- Provision for truck parking (loading zones) for deliveries to shops at Hazelwood Village

- Bicycle infrastructure to connect with the facilities being provided at the West Place development (e.g. bike rack near Ritchie's supermarket entrance, clearly marked bicycle routes along Phillip Pde & linking to Monash Way, 'shared zones' or bicycle routes through the commercial precinct)
- A 'drive-by' post box (such as can be found at Morwell Mail Centre) or, at the very minimum, an accessible, convenient, safe 'park & post' facility (not simply a non-specific short term parking bay that may be used for other purposes)
- The concept plan provides for further retail expansion along the proposed 'pedestrian spine' and above the eastern end of Georgina Place. In the short term, consideration needs to be given to the visual aspect & landscaping of these areas, particularly if the pedestrian spine and civic space are to be constructed prior to further retail investment

Thankyou for the opportunity to provide comment.

Yours sincerely,

Margaret Guthrie
President

Submission 11

Email from Laurie Paton, 26 November, 2008

lozndo@bigpond.com

Thanks for the recent newsletter about Churchill Town Centre. Although a tiny bit late, I would appreciate you considering my comments on the future plans of the project as follows:

- I believe that the plan will achieve its goal of creating an attractive civic space accepted by the town especially compared to the current situation which is quite unstructured and disorganised.
- In relation to the proposed civic area which affronts the new east west access drive, the traffic along this new route will be significant especially during peak retail times. This will impact upon pedestrian access. We need to ensure as that there are formal crossings to the civic area in the form of zebra crossings or clearly defined pedestrian crossings between the Hub (East side) and the civic park and the Hazelwood Village (North side) and the civic park. I see two proposed crossings on the drawing you provided but I'm not sure if they are formal pedestrian crossings. At the moment there is no provision for pedestrian crossing anywhere at Hazelwood Village which is quite unsatisfactory.
- On the subject of pedestrian access, I note that while there is the East West drive for vehicles I don't see a pedestrian route through the complex especially from the underground connection to the residential area to the hub and beyond to Eel Creek. Will I be able to follow a footpath along that route? Shopping centres are fantastic for cars but the current arrangements for pedestrians are really lousy (and unsafe) and I'm hoping that the new centre will accommodate much improved pedestrian access.
- I hear rumours that a war memorial is proposed for the new civic space. While I'm in agreement with a permanent memorial especially for Churchill Diggers, I would be concerned about a big monument plonked right in the middle of the civic space inhibiting the uses to which the civic space might be utilised. My preference is for a low key but significant memorial to be placed in a corner of the space with the views of Churchill residents incorporated into the design.
- Currently traffic flows through the retail area of Churchill are not clearly defined and people are very confused about entry and exit to the car parks and the Hazelwood Village area. It really is a dog's breakfast. A young boy on a bicycle ran ended up on the bonnet of my car, unhurt but frightening both of us. I'm sure that there have been many similar incidents over the years and I would like to see exit and entry points clearly marked on the road surface. As well, there is a dedicated band of people who insist on parking illegally at the front of shops (mostly the bottle shop and the old post office) and clear signage would greatly assist with this problem.
- A key point of difference between Churchill and most other Gippsland townships is the lack of a main street at Churchill. I understand that the Hub is an attempt to create a focal point for the community and the civic space will complement this arrangement. In coming years however Churchill is likely to expand and Council should consider the development of a main street in the context of future planning for Churchill. It is a pity that the new retail area has "turned its back" to Phillip Parade however if Council plans for Phillip Parade encouraged investment in smaller retail shops and business offices then the area could develop as an attractive complement to the new retail centre. I'd be interested in seeing other views on this point from the rest of the community.

Thanks for the opportunity to comment and I look forward to further updates. Please add my e-mail address to your list if it is not already there.

regards

Laurie Paton

Submission 12

Rob de Souza-Daw My Ref: History 24
23 Manuka Street
CHURCHILL 3842
Ph 51221946
M'e 0427 920080
Email robdesd@bigpond.net.au

24 November 2008

Ian Gibson,
Place Manager- Churchill Town Centre Plan
Latrobe City Council
PO Box 264
MORWELL 3840
Dear Mr Gibson,

Churchill Town Centre Plan

I am making a submission in relation to the proposed re-development of the Churchill Town Centre. My submission is restricted to two aspects of the redesigned town centre, firstly, the naming of the streets and places and secondly, interpretative signage.

I have researched the origins of names in the Locality of Churchill and I am knowledgeable about the history of Hazelwood and Churchill. I note that-

- (a) the new shopping complex which is partly built retains the name West Place and I endorse the retention of the name.
- (b) Marina Drive was re-named Marina Lane by the Latrobe City Council in 2007 when adopting an earlier plan to reflect the changed function of the street.

The proposed new plan for the Churchill town centre creates two new (or re-routed) streets; one connecting Monash Way to Philip Parade and the second, connecting Balfour Place to the first street.

The first street is re-routing of the existing Georgina Place. The second street passes the new shopping centre under construction on the western side. The former partly developed street named West Place was on the southern side of the original shopping centre.

I strongly recommend-

- THAT the proposed street connecting Monash Way to Philip Parade be named Georgina Place.
- THAT the proposed street connecting Balfour Place to the new Georgina Place be named West Place.

On 14 November 2006 I wrote to P & M Minster Constructions Pty Ltd requesting that as part of the Churchill Shopping Centre Re-development, the opportunity be taken for three permanent commemorations. As I did not receive a response I forwarded a reminder email on 6 February 2007 via Sight and Sound Engineering Pty Ltd. Neither my letter 14/11/2006 and email 6/2/2007 resulted in a reply from P & M Minister Constructions Pty Ltd.

Latrobe City	
NOV 2008	
Doc. No:	
Action Officer:	
Disposal:	
Comments:	

Submission 13

OWNERS CORPORATION No 433286N

PO Box 240
CHURCHILL VIC 3842

Carol Jeffs
Manager City Planning and Development
Latrobe City
PO Box 264
MORWELL VIC 3840

Dear Carol

CHURCHILL TOWN CENTRE PLAN

Today I am in possession of responses from all the members of the Owners Corporation in relation to their comments on the above as requested in your letter of 22 September 2008.

Copies of the responses are attached for your information

It appears that members owning 57.2% of lot entitlements have given their approval in principal.

Please call me on 0427 223 602 if you would like to discuss this matter further

Rob Whelan
Secretary
10th October 2008



Latrobe City	
13 OCT 2008	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	

M & M Murat ATF -
Murat Family Superannuation Fund
C/- 20 Mulga Road,
Hazelwood North 3840

10 October 2008

Rob Whelan
Hazelwood Village
PO Box 240
Churchill 3842

Dear Rob

Georgina Place: Churchill Town Centre Plan

Further to our telephone conversation today and your letter received dated 25 September 2008 regarding the above matter.

I have consulted with my father and he has no objection in principle to the concept plan provided. I assume that every consideration will be given toward the improvement of traffic conditions, including pedestrian safety and speed reduction.

I would however object to the Body Corporate or my parents funding this proposal.

I would be happy to attend a Committee Meeting to discuss this matter further and can be contacted on mobile 0407 345 015 or alternatively electronically at edimurat@bigpond.com

Yours sincerely

Edi Murat

Thirty Sixth Penny Pty Ltd
Po Box 742 Traralgon, VIC 3844

October 7th 2008

Rob Whelan

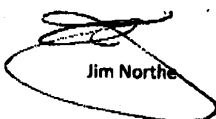
Hazelwood Village
Owners Corporation 433286N
PO Box 240
Churchill VIC 3842

Dear Rob,

Re: Churchill Town Centre Plan.

In response to your correspondence dated 25.09.08 and Latrobe City letter dated 22.09.08 we confirm that we are happy to adopt the plan as shown, although we would require a slight amendment reshaping the through road due to our previous commitments to our tenants for car parking requirements. Please find the attached plan showing our proposed amendment.

Yours faithfully



Jim North



140 William Street
Melbourne Vic 3000
PO Box 4301
Melbourne Vic 3001
Australia
DX 147 Melbourne
Tel +61 3 9274 5000
Fax +61 3 9274 5111
www.dlaphillipsfox.com

Our ref: MWB:GFT:0458380

9 October 2008

Mr Rob Whelan
Secretary/Manager
Owners Corporation - Plan of Subdivision PS433286N
By email robwhelan@efel.net.au

cc:
Carol Jeffs
Manager, City Planning & Development
LaTrobe City Council
By email carolje@latrobe.vic.gov.au

Dear Rob

**Proposed Churchill Town Centre Plan
Use of Common Property 1 on PS433286N**

We act for Seventh Dectex Pty Limited (**Seventh Dectex**).

Seventh Dectex is a member of the Owners Corporation controlling Common Property 1 on Plan of Subdivision PS433286N. This Plan of Subdivision forms part of the Churchill town centre.

A portion of Common Property 1 is required to give effect to the proposed east-west link road, the extension of Georgina Place and other features outlined in the proposed Churchill Town Centre Plan.

Seventh Dectex has carefully considered the proposed use of part of Common Property 1, having regard to the draft plan, its discussions with Council and its understanding of the operation of the Town Centre. On balance, Seventh Dectex considers that the proposed use of Common Property 1 for the purposes outlined above will not provide an overall benefit to the Churchill Town Centre.

Seventh Dectex therefore advises that after carefully considering the proposed Churchill Town Centre Plan, it will not agree to the use of Common Property 1 for its implementation.

Please notify us if this communication has been sent to you by mistake. If it has been, any client legal privilege is not waived or lost and you are not entitled to use it in any way.

117647679 \ 0458380 \ GFT01

DLA Phillips Fox is a member of
DLA Piper Group, an alliance of
independent legal practices. It is a
separate and distinct legal entity.

DLA Phillips Fox offices are located
in Adelaide Auckland Brisbane
Canberra Melbourne Perth Sydney
and Wellington.



Please call us if you have any questions.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gregory Tobin'.

Gregory Tobin
Solicitor
Direct +61 3 9274 5460
gregory.tobin@dlaphillipsfox.com

A handwritten signature in black ink, appearing to read 'Mark Bartley'.

Mark Bartley
Partner

Submission 13

Dear Councillors,

Re: Churchill Town Centre Plan:

*I have just been made aware that Council will consider adoption of the above named plan on Monday evening and I am compelled to register my **strong objection** to it.*

I am a small business proprietor and a tenant of the Hazelwood Village shopping centre and I believe the proposed car-park configuration in the plan will very seriously disadvantage my business. The proposal to move the existing through road will effectively divide the existing car-park and divert shoppers to another retail centre, which is proposed to be developed opposite.

This will cause economic loss to me and other traders at Hazelwood Village and was certainly not envisaged by any of us when we entered into our leases. I do not believe that council planners have properly considered this threat to the economic viability of small businesses at Churchill that are now at risk as a result of this proposal. I am not aware of any direct approach by council to traders to illicit their views.

I therefore appeal to your sense of fair play and commitment to encourage business development in the city to defer this proposal until such time as the affected traders are properly consulted and the plan is amended so that this threat to business viability is removed.

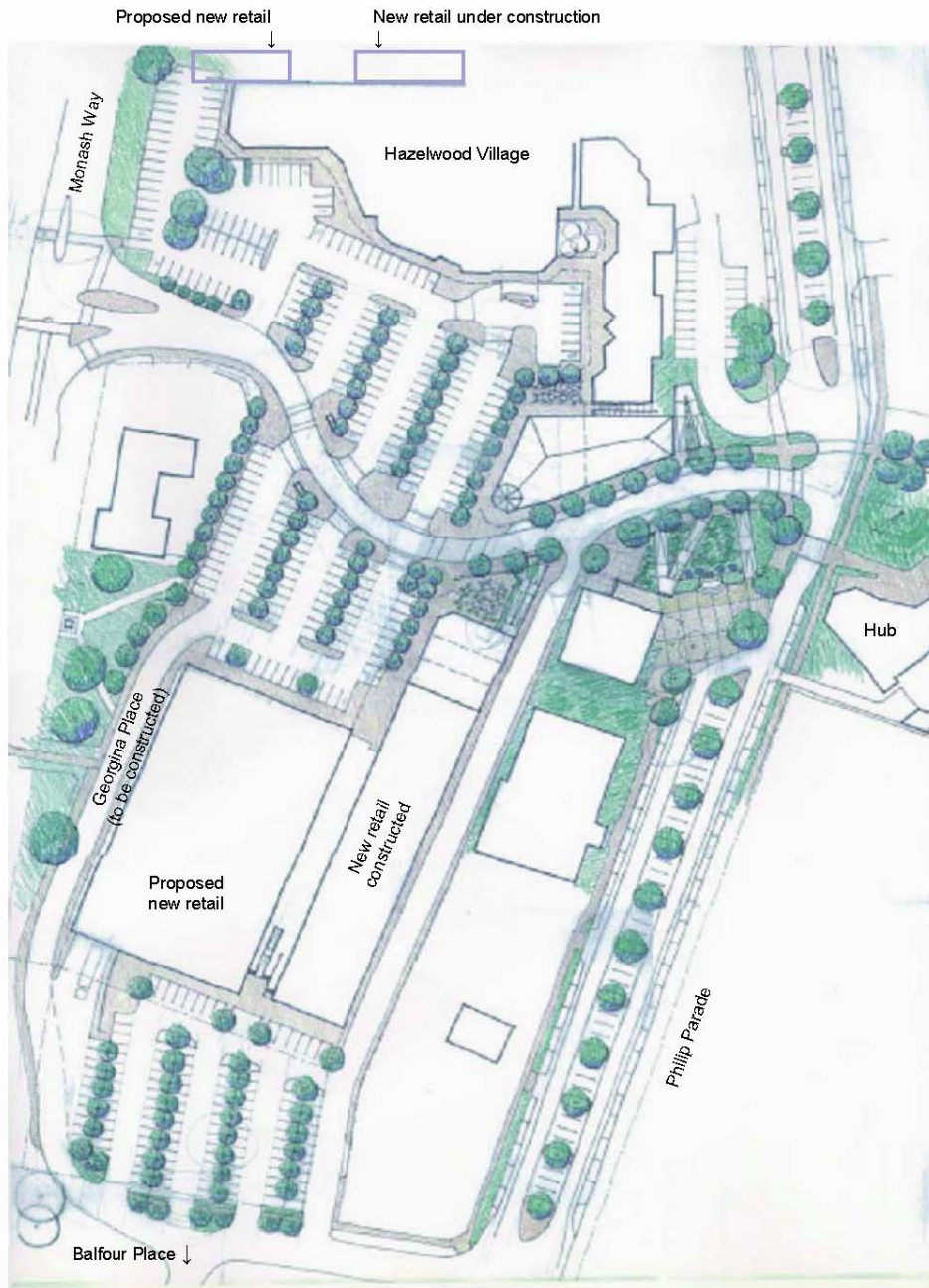
Yours faithfully,

Garry Goodman

Proprietor.

Section 2, Commercial Precinct

Figure One: Plans Developed at Design Workshops on 1 and 2 September 2008
(prepared by consultants following discussions with Churchill residents)



**11.3.2 FEDERAL GOVERNMENT REGIONAL AND LOCAL COMMUNITY
INFRASTRUCTURE PROGRAM**

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

1. PURPOSE

The purpose of this report is to seek Council approval for six projects to be funded from the federal governments Regional and Local Community Infrastructure Program.

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 Latrobe Valley.

To provide leadership and to facilitate a well connected, inter-active economic environment in which to do business.

Community Outcome – Built Environment Sustainability

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

Strategic Actions – Infrastructure Maintenance and Development

Develop and implement asset management strategies for Latrobe City infrastructure including whole-of-life maintenance requirements.

Develop flexibility in facilities to cater for changing demands of the community.

Promote and support private and public sector investments in the development and maintenance of key asset infrastructure in the municipality.

Ensure integration of roads, bike paths, footpaths and public transport options.

Promote and support the infrastructure and development of small town communities within the municipality.

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

Ensure public infrastructure is maintained to meet community aspirations.

3. BACKGROUND

The Prime Minister, the Hon. Kevin Rudd MP, announced at the Australian Council of Local Government inaugural meeting on 18 November 2008, that the Australian Government will contribute \$300 million to local councils and their communities in 2008-09 to stimulate growth and economic activity across Australia.

The funding is available for new construction and major renovations or refurbishment of assets, ranging from access facilities such as walkways and boat ramps; through to social and cultural spaces; facilities for recreation, tourism, children, youth and seniors; and environmental initiatives.

Funds have been allocated under the *Regional and Local Community Infrastructure Program*. Latrobe City Council has been allocated \$1.6M from this program.

The funding program has a number of specific conditions that Council must meet, including:

- The funds are available for additional and ready-to-proceed community infrastructure projects, and for additional stages of projects that are currently underway.
- Completed applications must be received by the federal government by 23 December 2008.
- Projects must be fully completed by 30 September 2009.

4. ISSUES

In considering the projects that may be included for funding, a number of factors require consideration in addition to the requirements set by the federal government. These include, but are not limited to:

- Is the project part of an existing Council Strategy / Plan / Policy or resolution?
- Is the project scoped / planned and specified to the level that will enable delivery prior to 30 September 2009?
- Can the project be delivered utilising existing staff resources?
- For existing projects, are additional funds required to meet the project scope expected to be delivered by the community, but not possible due to rising input and construction costs or insufficient matching grant funding?
- Have the necessary pre construction requirements of community engagement / building approval / planning approval / site tenure and security been conducted or can be completed in sufficient time so as not to jeopardise project delivery?

The projects considered for funding, and recommended for funding from Latrobe City Council's \$1.6M allocation under the Regional and Local Community Infrastructure Program are detailed in appendix "A" to this report.

A summary of the recommended projects is detailed below:

1. Latrobe Leisure Moe Newborough – additional court and Centre upgrade
2. Latrobe Leisure Churchill – additional courts and Centre upgrade (gymnasium component)
3. Waterhole Creek Morwell – completion of public safety lighting project for shared path from Princes Hwy to MERA (Morwell East Residents Association) Park
4. Northern Reserve Newborough – change room / public toilets / entry upgrade
5. Agnes Brereton Park – shared path / bridge replacement over Traralgon Creek, Traralgon
6. Small Town Capital Works Program

These projects have been proposed for inclusion as they meet the criteria outlined above.

5. FINANCIAL AND RESOURCES IMPLICATIONS

There is no further capital cost to Council required to expend the grant funds.

Staff resources will be required to manage and supervise construction of the projects. It is expected that construction supervision will be delivered utilising existing internal staff resources.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Projects identified for inclusion in the Regional and Local Community Infrastructure Program form part of an existing Council Strategy / Plan / Policy or resolution. Community engagement and consultation has been completed as part of the prior action.

As projects are required to be submitted to the federal government by 23 December 2008. It is not practical to undertake further specific community engagement and consultation.

7. OPTIONS

Options available to Council include:

1. Council adopts the range of projects identified for inclusion in the Regional and Local Community Infrastructure Program.
2. Council does not adopt the range of projects identified for inclusion in the Regional and Local Community Infrastructure Program.
3. Council make amendments to the range of projects identified for inclusion in the Regional and Local Community Infrastructure Program, giving consideration to the project delivery factors identified in Section 4 above.

8. CONCLUSION

The range of projects nominated for funding from the \$1.6M federal government Regional and Local Community Infrastructure Program provides an opportunity to deliver significant benefit to the Latrobe City community and improve the quality of the City's built environment.

9. RECOMMENDATION

That Council adopts the following projects to be funded from the \$1.6M grant made under the federal governments Regional and Local Community Infrastructure Program:

Project	LCC RLCIP allocation
Latrobe Leisure Moe Newborough – additional court and Centre upgrade	500,000
Latrobe Leisure Churchill – additional courts and Centre upgrade (gymnasium component)	250,000
Waterhole Creek Morwell – completion of lighting project for shared path from Princes Hwy to MERA Park	250,000
Northern Reserve Newborough – change room / public toilets / entry upgrade	230,000
Agnes Brereton Park – shared path / bridge replacement over Traralgon Creek	300,000
Small Town Capital Works Program	70,000
Total	1,600,000

Moved: Cr Lougheed

Seconded: Cr Gibson

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

Appendix “A” - Latrobe City Council - Regional and Local Community Infrastructure Program

Projects recommended for funding:

Project	Est Project Cost	LCC RLCIP allocation	Comment
Latrobe Leisure Moe Newborough – additional multi function court and upgrade	1,693,000	500,000	<p>Funds will enable project to be delivered to scope expected by user groups and community. State government contribution of \$750k partly funded the project, remainder LCC responsibility. Input costs have increased significantly since project first scoped. State government will not increase their contribution.</p> <p>The additional funding will enable the following project elements to be delivered:</p> <ul style="list-style-type: none"> • Reverse cycle air conditioning and ventilation in the aerobics room, gymnasium, community meeting room and staff office areas • Upgrades to the kitchen and first aid room • Purchase of best quality backboards for the new basketball court • Installation of a commercial grade kitchen and kiosk • Roof extension at front entrance (to provide weather protection) and new entry to centre
Latrobe Leisure Churchill – additional courts and Centre upgrade (gymnasium component)	4,050,000	250,000	<p>Joint venture project between LCC (\$0.8 budgeted) and Monash Uni (\$3.0M). Allocation of additional funds will enable gymnasium component of project to be completed and delivered immediately. Partner funding would not have been sufficient to complete this part of the overall project.</p>
Waterhole Hole Creek Morwell – completion of lighting project for shared path from Princes Hwy to MERA Park	365,000	250,000	<p>Identified public safety risk origin of the project (serious assault and anti social behaviour). Comprises 4 stages, estimated to cost as follows (total \$365K):</p> <ol style="list-style-type: none"> 1 \$60,000 2 \$110,00 3 \$125,000 4 \$70,000 <p>A total of \$117k has been provided for the project to date, LCC \$50k and Dept Human Services \$57k. Funding required to complete all stages is approx \$250k.</p>

Project	Est Project Cost	LCC RLCIP allocation	Comment
Northern Reserve Newborough – change room / public toilets / entry upgrade	280,000-	230,000	Priority project from the LCC Moe / Newborough Outdoor Recreation Plan. State government funding application unsuccessful, allocation of RLCIP funds will enable project to proceed and meet user group and community expectations.
Agnes Brereton Park – shared path / bridge replacement over Traralgon Creek, Traralgon	300,000	300,000	Bridge recently removed due to significant public safety issue and risk liability. Opportunity to replace bridge to meet DDA requirements, bridge must be in place prior to replacement of Franklin Street road bridge to provide for shared path connectivity in this precinct. Level 2 bridge under LCC Asset Management Strategy.
Small Town Capital Works Program	140,000	70,000	Additional funds allocated to existing LCC capital budget allocation to enable 7 small towns to deliver 1 (or more) projects @ avg \$20,000 each as identified in DPCD / LCC Community Building Initiative (CBI) Program.

Projects considered but not recommended for funding:

Project	Comment
Glengarry Public Hall - upgrade	This project has been identified by the community as a priority through the CBI process. The site is controlled by DSE and a local Committee of Management undertakes day to day operations. The project cost was estimated some years ago to be in the order of \$120k. Since initial scoping, there have been substantial input cost rises that will result in a major rise in the project cost. Due to the need to ensure the project scope, budget estimate, required DSE approval, community consultation is undertaken, it would not be possible to complete the project prior to 30/09/09 – a requirement of the grant funding.
Traralgon West Sporting Complex - pavilion upgrade	Project scope to be revisited due to significant budget shortfall. Until project scope clarified and engagement with user groups clarified, project is unable to proceed and be certain to achieve 30/09/09 delivery
Franklin Street Traralgon – bridge replacement	Cost is estimated at approx \$1.6M. RLCIP grant funds are not able to be applied to road projects and projects that could be funded by the federal governments Roads to Recovery Program.
Traralgon South Shard Path - construction	Project is reliant on success of state government Small Town Development Fund grant application of \$98K. Outcome of funding application will not be known until later part of 2008/09 financial year, making delivery of the project by 30/09/09 not possible.
Ted Summerton Reserve Moe – pavilion upgrade	Council has identified Ted Summerton Reserve as its preferred site for relocation of the Moe Early Learning Centre. Consultation with stakeholders and the community on the MELC will occur early in 2009. The MELC may impact on the pavilion upgrade project; therefore it is not appropriate to consider the project for RLCIP funding as delivery by 30/09/09 is unlikely.

11.3.3 **INAPPROPRIATE STREET TREE REMOVAL AND
REPLACEMENT PROGRAM FOR 2008/09 AND 2009/10**

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

1. PURPOSE

The purpose of this report is to present for Council's consideration a proposed list of street tree replacements planned under the '*Inappropriate Street Tree Replacement Program*'.

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.

Community Outcome – Built Environment Sustainability

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

Strategic Action – Infrastructure Maintenance

Develop and implement asset management strategies for Latrobe City infrastructure including whole-of-life maintenance requirements.

Policy No. GEN-CI 013 Tree Work Notification Policy

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

3. BACKGROUND

A report prepared by Council's consultant Treemendous Landscapes on the identification of inappropriate street trees and suggested replacement species was presented to Council and adopted on 17 October 2005.

The Council report identified a program to remove and replace inappropriate street trees which until then, had been replaced on an ad hoc basis. Council in 1997/98 engaged a consultant to survey all urban street trees and, of the 38,300 street trees surveyed, approximately 17,000 were identified as being inappropriate.

An inappropriate tree may be either:

- Inappropriately located – e.g. either a tall tree species with structural defects or under power lines, or a tree that causes major damage to under ground services. It may be affecting other assets or producing excessive fruit or berries.
- A toxic tree containing toxins within the vegetation that have been proven to cause death or major illness to either humans or animals.
- An allergy causing tree that have been proven to cause major health effects by allergic reaction/s in humans.

A second program to remove and replace inappropriate street trees covering two financial years was approved by Council on 6 November 2006.

The first program featured on site consultation with affected residents and in the majority of cases, there was either overwhelming support for the program, or indifference.

The initial program undertaken in 2005/06 addressed the majority of the highest priority trees, including entire streets of toxic/high allergy trees and commenced removal of the large trees under power lines. Over 1,400 trees have now successfully been removed and replaced through this program using this community engagement model.

4. ISSUES

The most significant issue for Council to consider is the differing attitude of residents, often within the same street about the need for removal of trees and the preferred replacement street tree species. This is particularly the case for large trees where the majority opinion in a street often changes over several years as property ownership changes and when aging residents encounter difficulty in clearing up leaves and tree litter.

The benefits to Council and the community in proceeding with this program are as follows:

- Reducing the risks to the public due to power lines being brought down by trees;
- Reducing the risk to staff and contractors when pruning around power lines;
- Easier and less costly compliance with the Code of Practice for Power Line Clearance (a regulatory requirement);
- Reducing the complaints about trees blocking street lights;
- Reducing the number of power outages caused by street trees;
- Reducing the complaints about encroachment over private property, including leaf and litter drop;
- Reducing the number of claims against Council for personal injury and property damage due to trees;
- Improving the amenity of streets – inappropriate trees which have to be severely pruned to meet power line clearance regulatory requirements or which damage roads or footpaths create visual amenity problems;
- Removing the community risk associated with toxic/allergy threat of some tree species;
- Reducing damage and repair costs to infrastructure, including footpaths, kerb and channel, stormwater and sewerage pipes.

Council approval is sought for the 2008/09 and 2009/10 program. This will allow better forward planning and coordination of works and budgets and substitution of streets if households in a particular street oppose the program. It will also allow selected streets to be brought forward into this year's program in the event that quotations obtained for tree removals are less than anticipated.

The street trees selected for removal as shown in Appendix 1 and 2 do not appear in the Latrobe City Heritage Study or the register that is being compiled by the Latrobe City Council Outdoor Maintenance arborists, of the more important and significant trees in the municipality.

5. FINANCIAL AND RESOURCES IMPLICATIONS

There is an allocation of \$200,000 in the 2008/09 recurrent Planned Tree Works budget for inappropriate tree removal and replacements.

The 2008/09 proposed work program plans to remove and replace 472 trees and the 2009/10 program plans to remove and replace 461 trees.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Suggested:

Consultation will take place using the following process:

- Letters will be delivered to households in the affected street, advising of the proposed tree replacement works and seeking input into the selection of replacement species. This letter will offer consultation (on site if desired) with a Council arborist.
- All household opinions from that street are taken into account.
- If the majority of households in the street object, the works will not proceed, but be deferred and further consultation carried out. It is suggested that the "households" approach is used as it is not possible to know how many residents actually reside in a street or at any given residence.
- If a petition is forwarded by residents it will be presented to Council in accordance with the processes of Local Law Number 1. It is suggested that if petitions are received, that they be dealt with on a street-by-street basis and not for the whole program.

Details of Community Consultation / Results of Engagement:

If the majority of households in a particular street object to the tree removals and/or cannot agree on replacement species, then works in those affected streets will be deferred for further consultation.

- If not resolved a report will be presented to Council for a decision.
- If the ultimate decision of Council is to defer works in a specific street then an alternative street will be substituted into the works program.

7. OPTIONS

Options available to Council include:

1. Consult with households in affected streets as outlined in Section 6 of this report and if agreement of the majority of households is achieved, proceed with the program. If the majority of households object then works will not proceed and further consultation will take place.
2. Only replace street trees when every household in a particular street agrees with the tree removal and replacement species. This is not recommended as it has been found that there are often differing opinions about preferred street trees.
3. Stage the replacement works in a particular street to satisfy the majority of households; e.g. Replace every second tree initially and then replace the balance in a few years after the initial replacement trees have established. This is not preferred due to the long and drawn out nature of performing the task. It also leaves the inappropriate trees in place for longer, however it may be beneficial in streets with large, mature trees to soften the impact of the removal and replacement process.
4. A fourth option would be to not replace the inappropriate trees – the ‘do nothing’ option. This would mean that power line tree clearance would remain a significant annual task and other asset damage caused by trees would continue and not decrease over time as more appropriate tree species are planted. Also allergy causing trees would continue to be a source of annoyance to some residents. This option is not recommended.

8. CONCLUSION

This report proposes continuing the inappropriate street tree removal and replacement program. Appendix 1 and 2 (as attached) propose a list of trees for the 2008/09 and 2009/10 program.

It is recommended that Option 1 be adopted as the preferred method and the process be carried out on a street by street basis, whereby if there is not majority agreement to the removal and replacement species, the particular street will be deferred from the program to allow further consultation and be referred to Council.

A two year tree removal work program approval will allow the flexibility to either remove additional trees if the removal costs are lower than expected or alternatively bring forward tree removals if agreement with households in certain streets cannot be achieved in the available timeframe.

9. RECOMMENDATION

- 1. That Council adopts the list of inappropriate street trees as listed in Appendix 1 and 2 as the removal and replacement program for the 2008/09 and 2009/10 financial years, subject to the limit of available funding.**
- 2. That trees included on the 2009/10 list may be added to the 2008/09 works program by officers in the event that either:
 - (a) quotations received for 2008/09 program removals are less than anticipated; and/or**
 - (b) trees in certain streets are deferred due to significant resident objections.****
- 3. That consultation with residents be on a street by street basis and if after consultation a majority of households in a street object to removal and/or replacement species, the replacement of a particular tree or trees in question in that street will be deferred to allow further consultation with the residents. If after subsequent consultation the matter is unresolved it will be referred to Council for a decision prior to taking any action.**

Moved: Cr Middlemiss

Seconded: Cr Lougheed

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

**Appendix 1
Inappropriate Street Tree Removal Replacement Program 2008- 2009**

This list of 472 inappropriate street trees, are planned for removal and replacement within the 2008-2009 financial year.

Churchill

GIS-ID no.	ADDRESS	SPECIES
55418	8 Barooga Crescent (beside vacant block opposite Council reserve)	Melaleuca styphellioides
48558	Coolabah Drive (opposite reserve/bus shelter)	Melaleuca armillaris
48544	1 Coolabah Drive	Melaleuca armillaris
48546	5 Coolabah Drive	Melaleuca armillaris
48563	45 Coolabah Drive	Melaleuca styphellioides
48566	51 Coolabah Drive	Melaleuca armillaris
00000	3 Daly Court	Melaleuca linarifolia
00000	4 Daly Court	Melaleuca linarifolia
00000	6 Daly Court	Melaleuca linarifolia
00000	7 Daly Court	Melaleuca linarifolia
00000	9 Daly Court	Melaleuca linarifolia
47905	5 Fraser Crescent	Melaleuca linarifolia
47903	9 Fraser Crescent	Melaleuca linarifolia
47901	13 Fraser Crescent	Melaleuca linarifolia
47899	17 Fraser Crescent	Melaleuca linarifolia
47897	21 Fraser Crescent	Melaleuca linarifolia
47895	25 Fraser Crescent	Melaleuca linarifolia
47894	29 Fraser Crescent	Melaleuca linarifolia
48461	31 Hawthorn Crescent	Melaleuca armillaris
48469	41 Hawthorn Crescent	Melaleuca armillaris
48470	43 Hawthorn Crescent	Lophostemon confertus
48471	45 Hawthorn Crescent	Melaleuca armillaris
48108	17 Heesom Crescent	Melaleuca linarifolia
48107	19 Heesom Crescent	Melaleuca linarifolia
00000	7 Switchback Road (tree in Howard Avenue)	Melaleuca styphellioides
48052	3 Howard Avenue	Melaleuca styphellioides
48050	7 Howard Avenue	Melaleuca styphellioides
47975	19 Howard Avenue	Melaleuca linarifolia
47973	23 Howard Avenue	Melaleuca linarifolia
47971	27 Howard Avenue	Melaleuca linarifolia
47566	3 Latter Grove	Melaleuca linarifolia
00000	11 Latter Grove	Melaleuca armillaris
00000	70 Manning Drive (tree in Latter Grove)	Melaleuca armillaris
48033	1 McInnes Crescent	Melaleuca linarifolia
48032	3 McInnes Crescent	Melaleuca linarifolia
48031	5 McInnes Crescent	Melaleuca linarifolia
48030	7 McInnes Crescent	Melaleuca linarifolia
48029	9 McInnes Crescent	Melaleuca linarifolia
48028	11 McInnes Crescent	Melaleuca linarifolia
48027	13 McInnes Crescent	Melaleuca linarifolia
48025	15 McInnes Crescent	Melaleuca linarifolia
00000	17 McInnes Crescent	Melaleuca linarifolia

GIS-ID no.	ADDRESS	SPECIES
48024	15 Switchback Road (tree in McInnes Crescent)	Melaleuca linarifolia
47540	49 McDonald Way (tree in McLean Avenue)	Melaleuca linarifolia
00000	1 Latter Grove (two trees in McLean Avenue)	Melaleuca linarifolia
47574	McLean Avenue (tree in front of Council reserve)	Melaleuca linarifolia
47580	1 McLean Avenue	Melaleuca linarifolia
47578	7 McLean Avenue	Melaleuca linarifolia
47577	9 McLean Avenue	Melaleuca linarifolia
47576	11 McLean Avenue	Melaleuca linarifolia
47575	13 McLean Avenue	Melaleuca linarifolia
47573	15 McLean Avenue	Melaleuca linarifolia
47572	17 McLean Avenue	Melaleuca linarifolia
47570	19 McLean Avenue	Melaleuca linarifolia
47571	19 McLean Avenue	Melaleuca linarifolia
47569	23 McLean Avenue	Melaleuca linarifolia
47568	25 McLean Avenue	Melaleuca linarifolia
47567	27 McLean Avenue	Melaleuca linarifolia
00000	39 McLean Avenue	Melaleuca linarifolia
00000	39 McLean Avenue	Melaleuca linarifolia
47640	45 McLean Avenue	Melaleuca styphellioides
47538	45 McLean Avenue	Melaleuca linarifolia
47287	35 Walker Parade	Melaleuca armillaris
47239	81 Walker Parade	Melaleuca armillaris
47238	87 Walker Parade	Melaleuca armillaris
48699	1 Wattle Crescent	Liquidambar styraciflua
48698	3 Wattle Crescent	Liquidambar styraciflua
48697	5 Wattle Crescent	Liquidambar styraciflua
48696	7 Wattle Crescent	Liquidambar styraciflua
48695	9 Wattle Crescent	Liquidambar styraciflua
48694	13 Wattle Crescent	Liquidambar styraciflua
47953	7 White Parade	Melaleuca styphellioides
47952	9 White Parade	Melaleuca styphellioides
47951	11 White Parade	Melaleuca styphellioides
47324	10 Williams Avenue	Melaleuca armillaris
47345	54 Williams Avenue	Melaleuca armillaris
47391	58 Williams Avenue	Melaleuca armillaris
48700	6 Willow Street	Melaleuca linarifolia

Moe/Newborough

GIS-ID no.	ADDRESS	SPECIES
00000	1 Cross Street	Cotoneaster glaucophyllus
00000	2 Cross Street	Cotoneaster glaucophyllus
00000	3 Cross Street	Cotoneaster glaucophyllus
00000	9 Cross Street	Cotoneaster glaucophyllus
00000	12 Cross Street	Cotoneaster glaucophyllus
00000	13 Cross Street	Cotoneaster glaucophyllus
00000	In front of Council reserve in Cross Street	Cotoneaster glaucophyllus
00000	In front of Council reserve in Cross Street	Cotoneaster glaucophyllus
00000	15 Cross Street	Cotoneaster glaucophyllus
00000	20 Cross Street	Cotoneaster glaucophyllus
00000	22 Cross Street	Cotoneaster glaucophyllus
00000	23 Cross Street	Cotoneaster glaucophyllus
00000	26 Cross Street	Cotoneaster glaucophyllus
00000	27 Cross Street	Cotoneaster glaucophyllus
00000	30 Cross Street	Cotoneaster glaucophyllus
00000	7 Tovell Street (tree in Cross Street)	Cotoneaster glaucophyllus
00000	39 Cross Street	Cotoneaster glaucophyllus
00000	41 Cross Street	Cotoneaster glaucophyllus
00000	45 Cross Street	Cotoneaster glaucophyllus
00000	49 Cross Street	Cotoneaster glaucophyllus
00000	53 Cross Street	Cotoneaster glaucophyllus
00000	54 Cross Street	Cotoneaster glaucophyllus
00000	3 Paisley Street (tree in Cross Street)	Cotoneaster glaucophyllus
00000	6 Paisley Street (tree in Cross Street)	Cotoneaster glaucophyllus
00000	55 Cross Street	Cotoneaster glaucophyllus
00000	58 Cross Street	Cotoneaster glaucophyllus
00000	62 Cross Street	Cotoneaster glaucophyllus
00000	66 Cross Street	Cotoneaster glaucophyllus
00000	70 Murray Road (tree in Cross Street)	Cotoneaster glaucophyllus
65713	6 Hallston Street	Melaleuca linarifolia
65711	10 Hallston Street	Melaleuca linarifolia
65710	12 Hallston Street	Melaleuca linarifolia
00000	In front of Council Reserve in Hallston Street	Melaleuca linarifolia
00000	19 Shanahan Parade (tree in Joy Street)	Cotoneaster glaucophyllus
00000	1 Joy Street	Cotoneaster glaucophyllus
00000	2 Joy Street	Cotoneaster glaucophyllus
00000	5 Joy Street	Cotoneaster glaucophyllus
00000	6 Joy Street	Cotoneaster glaucophyllus
00000	10 Joy Street	Cotoneaster glaucophyllus
00000	5 Mason Street	Cotoneaster glaucophyllus
00000	8 Walhalla Street (tree in Mason Street)	Cotoneaster glaucophyllus
00000	134 Narracan Drive	Corymbia ficiflora
00000	104 Fowler Street (tree in Service Road North)	Lophostemon confertus
00000	2 Service Road North	Eucalyptus sideroxylon
62562	4 Service Road North	Fraxinus angustifolia ssp oxycarpa
62563	4 Service Road North	Fraxinus angustifolia ssp oxycarpa
62564	4 Service Road North	Fraxinus angustifolia ssp oxycarpa

GIS-ID no.	ADDRESS	SPECIES
62561	10 Service Road North	Quercus species
62559	12 Service Road North	Lophostemon confertus
62558	14 Service Road North	Lophostemon confertus
00000	9 Luke Street (two trees in Service Road North)	Lophostemon confertus
62557	16 Service Road North	Fraxinus angustifolia ssp oxycarpa
62556	18 Service Road North	Lophostemon confertus
62518	98 Service Road North	Fraxinus angustifolia ssp oxycarpa
62517	100 Service Road North	Fraxinus angustifolia ssp oxycarpa
62516	In front of Church, Service Road North	Lophostemon confertus
62515	In front of Church, Service Road North	Lophostemon confertus
62514	108 Service Road North	Lophostemon confertus
00000	8 Gardener St (two trees in Service Road North)	Lophostemon confertus
62512	110 Service Road North	Lophostemon confertus
62513	110 Service Road North	Lophostemon confertus
62509	112 Service Road North	Lophostemon confertus
62508	114 Service Road North	Lophostemon confertus
62507	116 Service Road North	Lophostemon confertus
62506	118 Service Road North	Lophostemon confertus
62505	122 Service Road North	Lophostemon confertus
62503	124 Service Road North	Lophostemon confertus
62502	126 Service Road North	Lophostemon confertus
62501	128 Service Road North	Lophostemon confertus
62500	130 Service Road North	Lophostemon confertus
00000	132 Service Road North	Lophostemon confertus
00000	134 Service Road North	Lophostemon confertus
58313	7 Service Road South	Melaleuca styphellioides
57447	19 Service Road South	Melaleuca styphellioides
57448	21 Service Road South	Melaleuca styphellioides
57450	25 Service Road South	Melaleuca styphellioides
57461	33 Service Road South	Melaleuca styphellioides
57455	37 Service Road South	Melaleuca styphellioides
57457	41 Service Road South	Melaleuca styphellioides
57459	45 Service Road South	Melaleuca styphellioides
57463	53 Service Road South	Melaleuca styphellioides
57464	57 Service Road South	Melaleuca styphellioides
57488	169 Service Road South	Lophostemon confertus
57489	173 Service Road South	Melaleuca styphellioides
57490	175 Service Road South	Lophostemon confertus
57493	177 Service Road South	Lophostemon confertus
57495	183 Service Road South	Lophostemon confertus
57496	185 Service Road South	Lophostemon confertus
57497	187 Service Road South	Lophostemon confertus
57498	191 Service Road South	Lophostemon confertus
57499	193 Service Road South	Lophostemon confertus
57500	195 Service Road South	Lophostemon confertus
57501	197 Service Road South	Lophostemon confertus
00000	1 Andrew Street (tree in Service Road North)	Lophostemon confertus
00000	2 Andrew Street (tree in Service Road North)	Lophostemon confertus
00000	21 Watsons Rd (tree in Service Road North)	Lophostemon confertus

GIS-ID no.	ADDRESS	SPECIES
00000	2 Smallburn Avenue	Cotoneaster glaucophyllus
00000	5 Smallburn Avenue	Cotoneaster glaucophyllus
00000	7 Smallburn Avenue	Cotoneaster glaucophyllus
00000	8 Smallburn Avenue	Cotoneaster glaucophyllus
00000	In front of Council reserve in Smallburn Ave	Cotoneaster glaucophyllus
00000	20 Smallburn Avenue	Cotoneaster glaucophyllus
00000	24 Smallburn Avenue	Cotoneaster glaucophyllus
00000	44 Smallburn Avenue	Cotoneaster glaucophyllus
00000	45 Smallburn Avenue	Cotoneaster glaucophyllus
00000	81 Shanahan Parade (tree in Smallburn Ave)	Cotoneaster glaucophyllus
57063	2 South Street	Melaleuca linarifolia
57062	2 South Street	Melaleuca linarifolia
57061	4 South Street	Melaleuca linarifolia
57060	6 South Street	Melaleuca linarifolia
57059	6 South Street	Melaleuca linarifolia
57058	6 South Street	Melaleuca linarifolia
61775	26 Southwell Street	Liquidambar styraciflua
61771	36 Southwell Street	Liquidambar styraciflua
61770	38 Southwell Street	Liquidambar styraciflua
61768	42 Southwell Street	Liquidambar styraciflua
61765	50 Southwell Street	Liquidambar styraciflua
59001	15 Staff Street	Melaleuca styphellioides
59003	19 Staff Street	Melaleuca styphellioides
59005	23 Staff Street	Melaleuca styphellioides
59007	27 Staff Street	Melaleuca styphellioides
59009	31 Staff Street	Melaleuca incana
59010	33 Staff Street	Melaleuca styphellioides
00000	In front of Council parkland Staff Street	Melaleuca styphellioides
00000	In front of Baringa Primary School, two trees	Melaleuca styphellioides
59023	55 Staff Street	Melaleuca styphellioides
59024	57 Staff Street	Melaleuca styphellioides
59026	61 Staff Street	Melaleuca styphellioides
59028	65 Staff Street	Melaleuca styphellioides
59035	77 Staff Street	Melaleuca styphellioides
62284	3 Truscott Road	Liquidambar styraciflua
62286	5A Truscott Road	Liquidambar styraciflua
62289	11 Truscott Road	Liquidambar styraciflua
62291	15 Truscott Road	Liquidambar styraciflua
62293	19 Truscott Road	Liquidambar styraciflua
62294	23 Truscott Road	Liquidambar styraciflua
62296	27 Truscott Road	Liquidambar styraciflua
62300	35 Truscott Road	Liquidambar styraciflua
62304	43 Truscott Road	Liquidambar styraciflua
62305	47 Truscott Road	Liquidambar styraciflua
62307	51 Truscott Road	Liquidambar styraciflua
00000	125 Lloyd Street (tree in Truscott Road)	Liquidambar styraciflua

Morwell

GIS-ID no.	ADDRESS	SPECIES
53209	Fleming Street (in front of car park opp 4 Fleming Street)	Lophostemon confertus
53208	12 Fleming Street	Lophostemon confertus
53207	14 Fleming Street	Lophostemon confertus
52062	1 Foster Avenue	Melaleuca styphellioides
52063	4 Foster Avenue	Melaleuca styphellioides
52077	7 Watt Street (tree in Foster Avenue)	Melaleuca styphellioides
51025	28 Franklin Street	Lophostemon confertus
51024	30 Franklin Street (tree in Laburnum Street)	Melaleuca armillaris
51013	2 Laburnum Street	Melaleuca styphellioides
50990	1 Hannah Street	Melaleuca linarifolia
50991	1 Hannah Street	Melaleuca linarifolia
50988	1 Hannah Street	Melaleuca linarifolia
51048	5 Hannah Street	Melaleuca linarifolia
00000	In front of Flats, 13 Hannah Street	Melaleuca linarifolia
51132	9 Hourigan Road	Melaleuca linarifolia
46991	110 McDonald Street (tree in Hourigan Road)	Melaleuca linarifolia
51658	4 Hunt Street	Melaleuca armillaris
51654	16 Hunt Street	Melaleuca linarifolia
51652	24 Hunt Street	Melaleuca linarifolia
51649	32 Hunt Street	Melaleuca linarifolia
53294	10 James Street	Melaleuca styphellioides
53736	5 Jane Street	Melaleuca armillaris
53738	15 Jane Street	Melaleuca armillaris
54601	19 Maryvale Crescent	Melaleuca armillaris
52398	2 McMillan Street	Lophostemon confertus
52397	4 McMillan Street	Lophostemon confertus
52396	6 McMillan Street	Lophostemon confertus
52395	8 McMillan Street	Lophostemon confertus
52394	18 McMillan Street	Lophostemon confertus
52393	20 McMillan Street	Lophostemon confertus
52392	22 McMillan Street	Lophostemon confertus
52391	24 McMillan Street	Lophostemon confertus
52390	30 McMillan Street	Lophostemon confertus
00000	32 McMillan Street	Lophostemon confertus
52388	34 McMillan Street	Lophostemon confertus
52387	36 McMillan Street	Lophostemon confertus
52382	42 McMillan Street	Lophostemon confertus
52381	46 McMillan Street	Lophostemon confertus
52380	48 McMillan Street	Lophostemon confertus
52379	50 McMillan Street	Lophostemon confertus
52378	52 McMillan Street	Lophostemon confertus
52377	54 McMillan Street	Lophostemon confertus
52376	56 McMillan Street	Lophostemon confertus
52375	58 McMillan Street	Lophostemon confertus
52374	60 McMillan Street	Lophostemon confertus
52373	66 McMillan Street	Lophostemon confertus

GIS-ID no.	ADDRESS	SPECIES
00000	2 Kokoda Street (two trees in McMillan Street)	Lophostemon confertus
52400	137 Comans Street (tree in McMillian Street)	Lophostemon confertus
52399	137 Comans Street (tree in McMillian Street)	Lophostemon confertus
52383	1 Satelberg Street (tree in McMillian Street)	Lophostemon confertus
52386	4 Satelberg Street (tree in McMillian Street)	Lophostemon confertus
52385	4 Satelberg Street (tree in McMillian Street)	Lophostemon confertus
00000	2 New Street	Lophostemon confertus
53227	4 New Street	Lophostemon confertus
53226	6 New Street	Lophostemon confertus
53225	8 New Street	Lophostemon confertus
53224	10 New Street	Lophostemon confertus
53223	12 New Street	Lophostemon confertus
54737	6 O'Grady Street	Melaleuca linarifolia
54735	10 O'Grady Street	Melaleuca linarifolia
52594	5 Olivia Street	Melaleuca armillaris
53055	1 Patricia Street	Melaleuca linarifolia
53056	3 Patricia Street	Melaleuca linarifolia
53057	5 Patricia Street	Melaleuca linarifolia
53058	7 Patricia Street	Melaleuca linarifolia
53059	9 Patricia Street	Melaleuca linarifolia
00000	11 Patricia Street	Melaleuca linarifolia
00000	13 Patricia Street	Melaleuca linarifolia
53052	20 Joy Street (tree in Patricia Street)	Melaleuca linarifolia
53053	20 Joy Street (tree in Patricia Street)	Melaleuca linarifolia
53054	20 Joy Street (tree in Patricia Street)	Melaleuca linarifolia
53113	21 Joy Street (tree in Patricia Street)	Melaleuca linarifolia
53112	21 Joy Street (tree in Patricia Street)	Melaleuca linarifolia
53111	42 Latrobe Road (tree in Patricia Street)	Melaleuca linarifolia
53110	42 Latrobe Road (tree in Patricia Street)	Melaleuca linarifolia
54562	1 Polden Crescent	Liquidambar styraciflua
00000	7 Polden Crescent	Liquidambar styraciflua
54564	9 Polden Crescent	Liquidambar styraciflua
54565	11 Polden Crescent	Liquidambar styraciflua
00000	9 Langford Street (tree in Polden Crescent)	Liquidambar styraciflua
54566	13 Polden Crescent	Liquidambar styraciflua
54567	15 Polden Crescent	Liquidambar styraciflua
54568	17 Polden Crescent	Liquidambar styraciflua
54569	21 Polden Crescent	Liquidambar styraciflua
54586	23 Polden Crescent	Liquidambar styraciflua
54587	25 Polden Crescent	Liquidambar styraciflua
54588	27 Polden Crescent	Liquidambar styraciflua
54589	29 Polden Crescent	Liquidambar styraciflua
54590	31 Polden Crescent	Liquidambar styraciflua
54591	33 Polden Crescent	Liquidambar styraciflua

GIS-ID no.	ADDRESS	SPECIES
54592	35 Polden Crescent	Liquidambar styraciflua
52685	1 Quigley Street	Melaleuca linarifolia
52687	5 Quigley Street	Melaleuca linarifolia
52688	7 Quigley Street	Melaleuca linarifolia
52689	9 Quigley Street	Melaleuca linarifolia
52690	11 Quigley Street	Melaleuca linarifolia
52692	15 Quigley Street	Melaleuca linarifolia
52693	17 Quigley Street	Melaleuca linarifolia
52699	19 Quigley Street	Melaleuca linarifolia
52701	23 Quigley Street	Melaleuca linarifolia
52702	25 Quigley Street	Melaleuca linarifolia
52703	27 Quigley Street	Melaleuca linarifolia
52704	29 Quigley Street	Melaleuca linarifolia
52705	33 Quigley Street	Melaleuca linarifolia
52706	35 Quigley Street	Melaleuca linarifolia
52707	37 Quigley Street	Melaleuca linarifolia
52709	41 Quigley Street	Melaleuca linarifolia
52406	349 Princess Highway (tree in Rachel Way)	Liquidambar styraciflua
52409	12 Rachel Street	Liquidambar styraciflua
52408	14 Rachel Street	Liquidambar styraciflua
52407	16 Rachel Street	Liquidambar styraciflua
50436	44 Sherrin Street	Melaleuca linarifolia
50435	46 Sherrin Street	Lophostemon confertus
50434	48 Sherrin Street	Melaleuca linarifolia
50433	50 Sherrin Street	Lophostemon confertus
00000	51 Wells Street (tree in Sherrin Street)	Lophostemon confertus
50432	52 Sherrin Street	Melaleuca linarifolia
50430	56 Sherrin Street	Melaleuca linarifolia
50428	58 Sherrin Street	Melaleuca linarifolia
50429	58 Sherrin Street	Lophostemon confertus
50426	60 Sherrin Street	Melaleuca linarifolia
50427	60 Sherrin Street	Lophostemon confertus
50425	66 Sherrin Street	Lophostemon confertus
50424	68 Sherrin Street	Melaleuca linarifolia
50423	70 Sherrin Street	Lophostemon confertus
50418	74 Sherrin Street	Melaleuca linarifolia
00000	36 Porter Street (tree in Sherrin Street)	Lophostemon confertus
00000	43 Porter Street (tree in Sherrin Street)	Melaleuca linarifolia
54642	5 Symons Crescent	Melaleuca linarifolia
54646	13 Symons Street	Melaleuca linarifolia
54648	21 Symons Crescent	Melaleuca linarifolia
54650	25 Symons Crescent	Melaleuca linarifolia
54619	28 Symons Crescent	Melaleuca linarifolia

Traralgon

GIS-ID no.	ADDRESS	SPECIES
00000	1 Canfield Crescent	Melaleuca linarifolia
00000	3 Canfield Crescent	Melaleuca linarifolia
00000	5 Canfield Crescent	Melaleuca linarifolia
00000	7 Canfield Crescent	Melaleuca linarifolia
00000	15 Canfield Crescent	Melaleuca linarifolia
00000	19 Canfield Crescent	Melaleuca linarifolia
00000	23 Canfield Crescent	Melaleuca linarifolia
00000	31 Canfield Crescent	Melaleuca linarifolia
41261	40 Chenhall Crescent	Lophostemon confertus
35340	42 Chenhall Crescent	Melaleuca linarifolia
00000	44 Chenhall Crescent	Melaleuca styphellioides
00000	116 Gordon Street (tree in Chenhall Crescent)	Melaleuca linarifolia
35664	3 Clift Court	Melaleuca styphellioides
32967	1 Comans Court	Lophostemon confertus
32968	2 Comans Court	Lophostemon confertus
32969	3 Comans Court	Lophostemon confertus
32970	4 Comans Court	Melaleuca decussata
32971	5 Comans Court	Lophostemon confertus
32865	7 Comans Court	Lophostemon confertus
00000	80 Grubb Avenue (tree in Douglas Parade)	Melaleuca styphellioides
35224	2 Douglas Parade	Melaleuca styphellioides
35219	12 Douglas Parade	Lophostemon confertus
35217	16 Douglas Parade	Melaleuca styphellioides
00000	16 Douglas Parade (tree in Inverness Way)	Melaleuca styphellioides
00000	11 Inverness Way (two trees in Douglas Parade)	Melaleuca styphellioides
00000	18 Douglas Parade	Melaleuca styphellioides
35210	20 Douglas Parade	Melaleuca armillaris
35209	20 Douglas Parade	Melaleuca styphellioides
35207	22 Douglas Parade	Melaleuca styphellioides
35206	24 Douglas Parade	Melaleuca styphellioides
35205	28 Douglas Parade	Melaleuca armillaris
34692	2 Doyne Crescent	Lophostemon confertus
34693	2 Doyne Crescent	Lophostemon confertus
00000	8 Doyne Crescent	Lophostemon confertus
00000	12 Doyne Crescent	Lophostemon confertus
34684	18 Doyne Crescent	Lophostemon confertus
34682	22 Doyne Crescent	Melaleuca nesophylla
34679	26 Doyne Crescent	Lophostemon confertus
00000	2 Farmer Road (tree in Stockdale Road)	Grevillea robusta
00000	186 Kay Street (tree in Gillies Crescent)	Lophostemon confertus
34179	2 Gillies Crescent	Lophostemon confertus
34176	6 Gillies Crescent	Lophostemon confertus
34175	8 Gillies Crescent	Liquidambar styraciflua
34171	14 Gillies Crescent	Lophostemon confertus
34166	20 Gillies Crescent	Melaleuca armillaris
34167	20 Gillies Crescent	Melaleuca armillaris
34165	20 Gillies Crescent	Melaleuca armillaris
34163	22 Gillies Crescent	Lophostemon confertus
34162	24 Gillies Crescent	Melaleuca armillaris

GIS-ID no.	ADDRESS	SPECIES
34160	28 Gillies Crescent	Melaleuca armillaris
34159	30 Gillies Crescent	Melaleuca armillaris
00000	1 Skipton Court (tree in Glenview Drive)	Melaleuca styphellioides
00000	9 Skipton Court (tree in Glenview Drive)	Melaleuca styphellioides
37841	11 Glenview Drive	Melaleuca armillaris
37843	13 Glenview Drive	Melaleuca armillaris
37805	15 Glenview Drive	Melaleuca styphellioides
37812	27 Glenview Drive	Melaleuca styphellioides
37824	29 Glenview Drive	Melaleuca armillaris
35719	1 Guntzler Court	Melaleuca linarifolia
35720	2 Guntzler Court	Melaleuca linarifolia
35722	4 Guntzler Court	Melaleuca linarifolia
35723	5 Guntzler Court	Melaleuca linarifolia
35727	12 Guntzler Court	Melaleuca linarifolia
35729	14 Guntzler Court	Melaleuca linarifolia
00000	16 Guntzler Court	Melaleuca linarifolia
00000	103 Breed Street (tree in Guntzler Court)	Melaleuca linarifolia
40896	38 Hazelwood Road	Melaleuca armillaris
40837	66 Hazelwood Road	Melaleuca linarifolia
40832	74 Hazelwood Road	Melaleuca armillaris
40346	Beside Park, Hyde Park Road	Melaleuca armillaris
40352	Beside Park, Hyde Park Road	Melaleuca armillaris
40348	Beside Park, Hyde Park Road	Melaleuca armillaris
40344	Beside Park, Hyde Park Road	Melaleuca armillaris
40350	Beside Park, Hyde Park Road	Melaleuca armillaris
40360	Beside Park, Hyde Park Road	Melaleuca armillaris
40364	Beside Park, Hyde Park Road	Melaleuca armillaris
40361	Beside Park, Hyde Park Road	Melaleuca armillaris
40353	Beside Park, Hyde Park Road	Melaleuca armillaris
40358	Beside Park, Hyde Park Road	Melaleuca armillaris
40417	8A Hyde Park Road	Melaleuca linarifolia
40421	14 Hyde Park Road	Melaleuca styphellioides
40642	19 Hyde Park Road	Melaleuca armillaris
40426	26 Hyde Park Road	Melaleuca linarifolia
40427	28 Hyde Park Road	Melaleuca linarifolia
40428	30 Hyde Park Road	Melaleuca linarifolia
35388	4 James Parade	Liquidambar styraciflua
35386	6 James Parade	Liquidambar styraciflua
35384	10 James Parade	Liquidambar styraciflua
35382	14 James Parade	Liquidambar styraciflua
35380	18 James Parade	Liquidambar styraciflua
00000	2 Johnson Crescent	Melaleuca linarifolia
35990	10 Johnson Crescent	Melaleuca linarifolia
35988	14 Johnson Crescent	Melaleuca linarifolia
35986	18 Johnson Crescent	Melaleuca linarifolia
35982	26 Johnson Crescent	Melaleuca linarifolia
00000	30 Johnson Crescent	Melaleuca linarifolia
38769	2 Jones Court	Melaleuca styphellioides
38771	4 Jones Court	Melaleuca styphellioides
38772	6 Jones Court	Melaleuca styphellioides
38764	Beside school, Little Crescent	Melaleuca armillaris

GIS-ID no.	ADDRESS	SPECIES
38760	3 Little Crescent	Melaleuca armillaris
38744	9 Little Crescent	Melaleuca armillaris
38653	Maskrey Street	Lophostemon confertus
38649	Maskrey Street	Melaleuca styphellioides
38639	2 Maskrey Street	Lophostemon confertus
38641	6 Maskrey Street	Lophostemon confertus
38642	10 Maskrey Street	Lophostemon confertus
38644	14 Maskrey Street	Melaleuca armillaris
38646	18 Maskrey Street	Lophostemon confertus
38625	19 Maskrey Street	Lophostemon confertus
38647	20 Maskrey Street	Lophostemon confertus
38648	22 Maskrey Street	Lophostemon confertus
38651	26 Maskrey Street	Lophostemon confertus
38654	30 Maskrey Street	Lophostemon confertus
38655	34 Maskrey Street	Lophostemon confertus

PRIORITY LIST OF STREETS FROM APPENDIX 2

The following streets will be the first ones brought forward into the 2008/09 program, in the event that quotations received for tree removals are better than anticipated or if households in a particular street oppose the program and a substitute street is required.

MOE/NEWBOROUGH

Newark Avenue – *Melaleuca linarifolia*
Northern Avenue – *Liquidamber styraciflua*
Western Avenue – *Melaleuca linarifolia* and *Grevillea robusta*

MORWELL

Helen Street – *Lagunaria patersonia*
June Street- *Melaleuca linarifolia*
Langford Street - *Melaleuca linarifolia* and *Liquidamber styraciflua*

TRARALGON

Bernadette Court – *Lagunaria patersonia*
Dowling Street – *Quercus palustris*
Latrobe Crescent – *Melaleuca styphellioides*

**Appendix 2
Inappropriate Street Tree Removal Replacement Program 2009- 2010**

This list of 461 inappropriate street trees, are planned for removal and replacement within the 2009-2010 financial year.

Moe / Newborough

GIS-ID no.	ADDRESS	SPECIES
64908	1 Balfour Street	Fraxinus excelsior 'Aurea'
64911	11 Balfour Street	Fraxinus excelsior 'Aurea'
64916	19 Balfour Street	Fraxinus excelsior 'Aurea'
00000	21 Balfour Street	Fraxinus excelsior 'Aurea'
59152	3 Baw Baw Street	Fraxinus angustifolia ssp oxycarpa
59153	5 Baw Baw Street	Fraxinus angustifolia ssp oxycarpa
59154	7 Baw Baw Street	Fraxinus angustifolia ssp oxycarpa
00000	22 Bayley Sreet	Melaleuca styphellioides
00000	25 Bayley Sreet (2 trees)	Melaleuca styphellioides
00000	26 Bayley Sreet	Melaleuca styphellioides
59565	8 Short Street (tree in Bayley Street)	Melaleuca styphellioides
59561	11 Short Street (tree in Bayley Street)	Melaleuca styphellioides
59555	11 Short Street (tree in Bayley Street)	Melaleuca styphellioides
59562	18 Pruden Street (tree in Bayley Street)	Melaleuca styphellioides
59563	18 Pruden Street (tree in Bayley Street)	Melaleuca styphellioides
59268	21 Pruden Street	Melaleuca styphellioides
00000	21 Pruden Street (tree in Bayley Street)	Melaleuca styphellioides
59269	21 Pruden Street (tree in Bayley Street)	Melaleuca styphellioides
00000	33 Mann Street (tree in Bayley Street)	Melaleuca styphellioides
63832	9 Bruce Street	Fraxinus excelsior 'Aurea'
62169	5 Caldwell Street	Fraxinus excelsior 'Aurea'
00000	6 Caldwell Street	Liquidamber styraciflua
64876	1 Central Avenue	Fraxinus excelsior 'Aurea'
64878	5 Central Avenue	Fraxinus excelsior 'Aurea'
00000	25 March Street (tree in Central Avenue)	Fraxinus excelsior 'Aurea'
00000	26 March Street (tree in Central Avenue)	Fraxinus excelsior 'Aurea'
64894	9 Central Avenue	Fraxinus excelsior 'Aurea'
64896	15 Central Avenue	Fraxinus excelsior 'Aurea'
00000	78-80 Shanahan Parade (tree in Central Avenue)	Fraxinus excelsior 'Aurea'
64599	7 Chamberlain Road	Fraxinus excelsior 'Aurea'
64616	49 Chamberlain Road	Fraxinus excelsior 'Aurea'
64618	53 Chamberlain Road	Fraxinus excelsior 'Aurea'
64621	59 Chamberlain Road	Fraxinus excelsior 'Aurea'
64624	65 Chamberlain Road	Fraxinus excelsior 'Aurea'
64627	69 Chamberlain Road	Fraxinus excelsior 'Aurea'
64634	81 Chamberlain Road	Fraxinus excelsior 'Aurea'
56930	6 Charles Street	Fraxinus angustifolia ssp oxycarpa
56929	8 Charles Street	Fraxinus angustifolia ssp oxycarpa
56928	10 Charles Street	Fraxinus angustifolia ssp oxycarpa
56927	12 Charles Street	Fraxinus angustifolia ssp oxycarpa
56747	3 Edward Street	Fraxinus angustifolia ssp oxycarpa

GIS-ID no.	ADDRESS	SPECIES
56749	7 Edward Street	Fraxinus angustifolia ssp oxycarpa
56751	11 Edward Street	Fraxinus angustifolia ssp oxycarpa
56752	13 Edward Street	Fraxinus angustifolia ssp oxycarpa
56753	15 Edward Street	Fraxinus angustifolia ssp oxycarpa
58593	5 Elizabeth Street	Fraxinus angustifolia ssp oxycarpa
58594	7 Elizabeth Street	Fraxinus angustifolia ssp oxycarpa
58596	15 Elizabeth Street	Fraxinus angustifolia ssp oxycarpa
59232	106 Fowler Street	Fraxinus angustifolia ssp oxycarpa
59230	110 Fowler Street	Fraxinus angustifolia ssp oxycarpa
00000	1 Service Road (tree in Fowler Street)	Fraxinus angustifolia ssp oxycarpa
59229	112 Fowler Street	Fraxinus angustifolia ssp oxycarpa
59227	118 Fowler Street	Fraxinus angustifolia ssp oxycarpa
59224	124 Fowler Street	Fraxinus angustifolia ssp oxycarpa
00000	126 Fowler Street	Grevillea robusta
64166	9 Guy Street	Fraxinus angustifolia ssp oxycarpa
59085	64 Hampton Street	Fraxinus excelsior 'Aurea'
56717	41 Kent Street	Fraxinus oxycarpa
58528	29 King Street	Fraxinus excelsior 'Aurea'
58846	6 Lincoln Street	Fraxinus angustifolia ssp oxycarpa
58845	8 Lincoln Street (2 trees)	Fraxinus angustifolia ssp oxycarpa
58833	32 Lincoln Street	Fraxinus angustifolia ssp oxycarpa
58830	38 Lincoln Street	Fraxinus angustifolia ssp oxycarpa
58827	44 Lincoln Street	Fraxinus angustifolia ssp oxycarpa
58824	50 Lincoln Street	Fraxinus angustifolia ssp oxycarpa
61531	5 Mervyn Street	Melaleuca linarifolia
61571	2 Moffat Street	Melaleuca styphellioides
61578	12 Moffat Street	Melaleuca styphellioides
00000	92 Waterloo Road (tree in Moffat Street)	Melaleuca styphellioides
65783	121 Monash Road	Melaleuca linarifolia
65784	123 Monash Road	Melaleuca linarifolia
66004	133 Monash Road	Melaleuca linarifolia
66010	149 Monash Road	Melaleuca linarifolia
66011	151 Monash Road	Melaleuca linarifolia
61357	151 Monash Road	Liquidamber styraciflua
59794	72 Moore Street	Liquidamber styraciflua
59798	74 Moore Street	Liquidamber styraciflua
61981	20 Newark Avenue	Melaleuca linarifolia
61979	24 Newark Avenue	Melaleuca linarifolia
61978	28 Newark Avenue	Melaleuca linarifolia
61976	32 Newark Avenue	Melaleuca linarifolia
61974	36 Newark Avenue	Melaleuca linarifolia
61972	38 Newark avenue	Melaleuca linarifolia
61970	42 Newark Avenue	Melaleuca linarifolia
61968	46 Newark Avenue	Melaleuca linarifolia
61966	50 Newark Avenue	Melaleuca linarifolia
61844	54 Newark Avenue	Melaleuca linarifolia
61842	58 Newark Avenue	Melaleuca linarifolia
61896	15 Northern Avenue	Liquidamber styraciflua
61896	17 Northern Avenue	Liquidamber styraciflua
61897	19 Northern Avenue	Liquidamber styraciflua
61898	21 Northern Avenue	Liquidamber styraciflua

GIS-ID no.	ADDRESS	SPECIES
61899	23 Northern Avenue	Liquidamber styraciflua
61900	25 Northern Avenue	Liquidamber styraciflua
61901	27 Northern Avenue	Liquidamber styraciflua
00000	14 Malnham Crescent (tree in Northern Avenue)	Liquidamber styraciflua
61904	33 Northern Avenue	Liquidamber styraciflua
61921	37 Northern Avenue	Liquidamber styraciflua
61920	39 Northern Avenue	Liquidamber styraciflua
61923	43 Northern Avenue	Liquidamber styraciflua
61924	45 Northern Avenue	Liquidamber styraciflua
61925	47 Northern Avenue	Liquidamber styraciflua
61926	47 Northern Avenue	Liquidamber styraciflua
61948	49 Northern Avenue	Liquidamber styraciflua
61950	51 Northern Avenue	Liquidamber styraciflua
61951	53 Northern Avenue	Liquidamber styraciflua
61952	55 Northern Avenue	Liquidamber styraciflua
61858	57 Northern Avenue	Liquidamber styraciflua
61859	59 Northern Avenue	Liquidamber styraciflua
61860	61 Northern Avenue	Liquidamber styraciflua
61861	63 Northern Avenue	Liquidamber styraciflua
00000	23 Trent Street (tree in Northern Avenue)	Liquidamber styraciflua
60054	9 O'Reilly Court	Melaleuca linarifolia
00000	2 Parkin Street	Melaleuca styphellioides
00000	4 Parkin Street	Melaleuca styphellioides
56427	6 Parkin Street	Melaleuca styphellioides
00000	7 Parkin Street	Melaleuca styphellioides
00000	11 Parkin Street	Melaleuca styphellioides
56422	36 Victoria Street (tree in Parkin Street)	Melaleuca styphellioides
60068	5 Paull Court	Melaleuca linarifolia
60069	8 Paull Court	Melaleuca linarifolia
00000	2 Peer Street	Eucalyptus risdonii
00000	14 Peer Street	Eucalyptus risdonii
00000	10 Stirling Avenue (tree in Peer Street)	Eucalyptus risdonii
56780	1 Prince Street (2 trees)	Lophostemon confertus
00000	3 Prince Street	Corymbia ficiflora
56782	5 Prince Street	Lophostemon confertus
00000	7 Prince Street	Corymbia ficiflora
00000	9 Prince Street	Corymbia ficiflora
56785	11 Prince Street	Lophostemon confertus
00000	13 Prince Street	Corymbia ficiflora
56787	15 Prince Street	Melaleuca linarifolia
00000	17 Prince Street	Corymbia ficiflora
00000	19 Prince Street	Corymbia ficiflora
56791	23 Prince Street	Lophostemon confertus
56796	31 Prince Street	Fraxinus angustifolia ssp oxycarpa
56797	33 Prince Street	Lophostemon confertus
00000	34 Elizabeth Street (tree in Prince Street)	Lophostemon confertus
00000	34 Elizabeth Street (tree in Prince Street)	Corymbia ficiflora
56798	35 Prince Street	Fraxinus angustifolia ssp oxycarpa
56799	37 Prince Street	Melaleuca linarifolia
56800	39 Prince Street	Lophostemon confertus

GIS-ID no.	ADDRESS	SPECIES
56801	41 Prince Street	Melaleuca linarifolia
56802	47 Prince Street	Fraxinus angustifolia ssp oxycarpa
56803	49 Prince Street	Fraxinus angustifolia ssp oxycarpa
56804	51 Prince Street	Fraxinus angustifolia ssp oxycarpa
56805	53 Prince Street	Lophostemon confertus
56806	55 Prince Street	Lophostemon confertus
56807	57 Prince Street	Fraxinus angustifolia ssp oxycarpa
00000	26 Margaret Street (tree in Prince Street)	Lophostemon confertus
59370	4 Purvis Street	Melaleuca linarifolia
59369	8 Purvis Street	Melaleuca linarifolia
59365	16 Purvis Street	Melaleuca linarifolia
56358	1 Railway Crescent	Melaleuca linarifolia
56344	4 Railway Crescent	Melaleuca linarifolia
56355	9 Railway Crescent	Melaleuca linarifolia
56351	19 Railway Crescent	Melaleuca linarifolia
60056	8 Saxtons Drive	Melaleuca linarifolia
58726	Scorpio Drive, vacant block	Melaleuca linarifolia
58732	1 Scorpio Drive	Melaleuca linarifolia
58730	5 Scorpio Drive	Melaleuca linarifolia
00000	1 Libra Court (tree in Scorpio Drive)	
58728	9 Scorpio Drive	Melaleuca linarifolia
58696	11 Scorpio Drive	Melaleuca linarifolia
00000	11A Scorpio Drive	Melaleuca linarifolia
58694	13 Scorpio Drive	Melaleuca linarifolia
58685	19 Scorpio Drive	Melaleuca linarifolia
58684	23 Scorpio Drive	Melaleuca linarifolia
58681	35 Scorpio Drive	Melaleuca linarifolia
58676	45 Scorpio Drive	Melaleuca linarifolia
58675	49 Scorpio Drive	Melaleuca linarifolia
61569	92 Waterloo Road	Melaleuca styphellioides
00000	1 Western Avenue	Grevillea robusta
65705	3 Western Avenue	Melaleuca linarifolia
65705	19 Western Avenue	Melaleuca linarifolia
00000	23 Western Avenue	Grevillea robusta
00000	27 Western Avenue	Grevillea robusta
00000	29 Western Avenue	Grevillea robusta
65682	31 Western Avenue	Melaleuca linarifolia
00000	37 Western Avenue	Grevillea robusta
00000	39 Western Avenue	Grevillea robusta
00000	41 Western Avenue	Grevillea robusta
00000	43 Western Avenue	Grevillea robusta
00000	45 Western Avenue	Melaleuca linarifolia
65755	49 Western Avenue	Melaleuca linarifolia
65651	53 Western Avenue	Melaleuca linarifolia
65649	57 Western Avenue	Melaleuca linarifolia
00000	65 Western Avenue	Melaleuca linarifolia
00000	69 Western Avenue	Melaleuca linarifolia
00000	73 Western Avenue	Melaleuca linarifolia
00000	75 Western Avenue	Grevillea robusta
00000	76 Boolarra Avenue (tree in Western Avenue)	Melaleuca linarifolia

Morwell

GIS-ID no.	ADDRESS	SPECIES
00000	36 Comans Street	Lophostemon confertus
00000	40 Comans Street	Lophostemon confertus
00000	48 Comans Street	Lophostemon confertus
00000	54 Comans Street	Lophostemon confertus
00000	58 Comans Street	Lophostemon confertus
00000	66 Comans Street	Lophostemon confertus
00000	68 Comans Street	Lophostemon confertus
00000	72 Comans Street	Lophostemon confertus
00000	74 Comans Street	Lophostemon confertus
00000	78 Comans Street	Lophostemon confertus
00000	82 Comans Street	Lophostemon confertus
00000	84 Comans Street	Lophostemon confertus
00000	90 Comans Street (2 trees)	Lophostemon confertus
00000	92 Comans Street	Lophostemon confertus
00000	94 Comans Street	Lophostemon confertus
00000	98 Comans Street	Lophostemon confertus
00000	104 Comans Street vacant block	Lophostemon confertus
00000	106 Comans Street	Lophostemon confertus
00000	108 Comans Street	Lophostemon confertus
00000	110 Comans Street	Lophostemon confertus
00000	38 Vincent Road (2 trees in Comans Street)	Lophostemon confertus
00000	29 Booth Street (2 trees in Comans Street)	Lophostemon confertus
00000	6 Donald Street	Agonis flexuosa
00000	8 Donald Street	Agonis flexuosa
00000	10 Donald Street	Agonis flexuosa
00000	12 Donald Street	Agonis flexuosa
00000	14 Donald Street	Agonis flexuosa
00000	16 Donald Street	Agonis flexuosa
00000	18 Donald Street	Agonis flexuosa
00000	22 Donald Street	Agonis flexuosa
00000	24 Donald Street	Agonis flexuosa
00000	26 Donald Street	Agonis flexuosa
00000	28 Donald Street	Agonis flexuosa
00000	30 Donald Street	Agonis flexuosa
00000	34 Donald Street	Agonis flexuosa
00000	36 Donald Street	Agonis flexuosa
00000	38 Donald Street	Agonis flexuosa
00000	40 Donald Street	Agonis flexuosa
00000	42 Donald Street	Agonis flexuosa
00000	1 Haywood Street, (tree in Savige Road)	Melaleuca styphellioides
00000	113 Helen Street	Lagunaria patersonia
00000	117 Helen Street	Lagunaria patersonia
00000	121 Helen Street	Lagunaria patersonia
00000	125 Helen Street	Lagunaria patersonia
00000	129 Helen Street	Lagunaria patersonia
00000	131 Helen Street	Lagunaria patersonia
00000	Helen Street (in front of Council Park)	Lagunaria patersonia
00000	Helen Street (in front of Bowling Club)	Lagunaria patersonia
00000	9 Jane Street (tree in Helen Street)	Lagunaria patersonia

GIS-ID no.	ADDRESS	SPECIES
00000	1 Catherine Street (tree in Helen Street)	Lagunaria patersonia
53408	4 June Street	Melaleuca linarifolia
53407	6 June Street	Melaleuca linarifolia
53406	8 June Street	Melaleuca linarifolia
53405	10 June Street	Melaleuca linarifolia
53404	12 June Street	Melaleuca linarifolia
53403	14 June Street	Melaleuca linarifolia
53402	16 June Street	Melaleuca linarifolia
53401	20 June Street	Melaleuca linarifolia
00000	1 Kurt Street	Melaleuca linarifolia
00000	3 Kurt Street	Melaleuca linarifolia
00000	5 Kurt Street	Melaleuca linarifolia
00000	7 Kurt Street	Melaleuca linarifolia
00000	9 Kurt Street	Melaleuca linarifolia
00000	11 Kurt Street	Melaleuca linarifolia
00000	13 Kurt Street	Melaleuca linarifolia
00000	15 Kurt Street	Melaleuca linarifolia
00000	23 Kurt Street	Melaleuca linarifolia
00000	25 Kurt Street	Melaleuca linarifolia
00000	27 Kurt Street	Melaleuca linarifolia
00000	29 Kurt Street	Melaleuca linarifolia
00000	31 Kurt Street	Melaleuca linarifolia
00000	33 Kurt Street	Melaleuca linarifolia
00000	35 Kurt Street	Melaleuca linarifolia
00000	37 Kurt Street	Melaleuca linarifolia
00000	39 Kurt Street	Melaleuca linarifolia
00000	41 Kurt Street	Melaleuca linarifolia
00000	43 Kurt Street	Melaleuca linarifolia
00000	45 Kurt Street	Melaleuca linarifolia
00000	47 Kurt Street	Melaleuca linarifolia
00000	49 Kurt Street	Melaleuca linarifolia
00000	51 Kurt Street	Melaleuca linarifolia
00000	53 Kurt Street	Melaleuca linarifolia
00000	55 Kurt Street	Melaleuca linarifolia
00000	5/2 Bridle Road, (tree in Kurt Street)	Melaleuca linarifolia
54519	1 Langford Street	Liquidamber styraciflua
54521	5 Langford Street	Liquidamber styraciflua
54523	9 Langford Street	Liquidamber styraciflua
54524	11 Langford Street	Liquidamber styraciflua
54525	13 Langford Street	Melaleuca linarifolia
54526	15 Langford Street	Melaleuca linarifolia
54527	17 Langford Street	Liquidamber styraciflua
54527	19 Langford Street	Liquidamber styraciflua
54527	21 Langford Street	Liquidamber styraciflua
54527	25 Langford Street	Liquidamber styraciflua
54531	27 Langford Street	Liquidamber styraciflua
54532	29 Langford Street	Liquidamber styraciflua
54533	31 Langford Street	Liquidamber styraciflua
54535	35 Langford Street	Liquidamber styraciflua
54536	37 Langford Street	Melaleuca linarifolia
54537	39 Langford Street	Liquidamber styraciflua

GIS-ID no.	ADDRESS	SPECIES
54538	41 Langford Street	Liquidamber styraciflua
00000	32 Driffield Road (tree in Langford Street)	Liquidamber styraciflua
00000	4 O'Grady Street	Melaleuca linarifolia
00000	6 O'Grady Street	Melaleuca linarifolia
00000	10 O'Grady Street	Melaleuca linarifolia
00000	126 Vary Street (tree in O'Grady Street)	Melaleuca linarifolia
00000	369 Princes Drive	Melaleuca linarifolia
00000	411 Princes Drive	Cinnamomum camphora
00000	22 Satelburg Street (tree in Princes Drive)	Cinnamomum camphora
00000	1 Shaw Street	Melaleuca linarifolia
00000	5 Shaw Street	Melaleuca linarifolia
00000	20 Williams Street (tree in Shaw Street)	Melaleuca linarifolia
51893	5 Tolmie Street	Melaleuca armillaris
51894	7 Tolmie Street	Melaleuca armillaris
54746	1 Turnley Street	Melaleuca linarifolia
49159	125 Vary Street	Liquidamber styraciflua
53271	Victor Street x8 (trees under powerlines)	Lophostemon confertus
52081	117 Vincent Road	Melaleuca styphellioides
52082	119 Vincent Road	Melaleuca styphellioides
00000	12 Foster Avenue (tree in Vincent Road)	Melaleuca styphellioides
52061	7 Watt Street (tree in Foster Avenue)	Melaleuca styphellioides
00000	2 Watt Street	Grevillea robusta
00000	6 Watt Street	Grevillea robusta
00000	8 Watt Street	Grevillea robusta
50123	6 Wattletree Crescent	Melaleuca linarifolia
50121	18 Wattletree Crescent	Melaleuca linarifolia
50120	22 Wattletree Crescent	Melaleuca linarifolia
50637	8 Wells Street	Melaleuca linarifolia
50633	18 Wells Street	Melaleuca linarifolia
50457	72 Wells Street	Melaleuca linarifolia
00000	76 Wells Street	Melaleuca linarifolia
50457	78 Wells Street	Melaleuca linarifolia
50452	82 Wells Street	Melaleuca linarifolia
00000	11 Wells Street, vacant block	Melaleuca linarifolia
00000	15 Wells Street	Melaleuca linarifolia
00000	67 Wells Street	Melaleuca linarifolia
00000	73 Wells Street	Melaleuca linarifolia
00000	77 Wells Street	Melaleuca linarifolia
50460	31 Williams Street	Melaleuca linarifolia
55048	9 Wilson Street	Lophostemon confertus
55049	11 Wilson Street	Lophostemon confertus
55050	13 Wilson Street	Lophostemon confertus
55051	15 Wilson Street	Lophostemon confertus
55052	17 Wilson Street	Lophostemon confertus
55066	19 Wilson Street	Lophostemon confertus

Traralgon

GIS-ID no.	ADDRESS	SPECIES
00000	1 Bernadette Court	Lagunaria patersonia
00000	3 Bernadette Court	Lagunaria patersonia
00000	5 Bernadette Court	Lagunaria patersonia
00000	7 Bernadette Court	Lagunaria patersonia
00000	8 Bernadette Court	Lagunaria patersonia
00000	37 Cross's Road (tree in Bernadette Court)	Lagunaria patersonia
44417	5 Chamberlain Court	Melaleuca styphellioides
40505	1 Charles Street	Melaleuca styphellioides
40507	5 Charles Street	Melaleuca styphellioides
40515	13 Charles Street	Melaleuca styphellioides
40517	17 Charles Street	Melaleuca armillaris
40519	21 Charles Street	Melaleuca styphellioides
40521	25 Charles Street	Melaleuca styphellioides
40511	45 Francis Street (tree in Charles Street)	Melaleuca styphellioides
43177	7 Clarke Street (3 trees)	Lophostemon confertus
43174	8 Clarke Street	Lophostemon confertus
39579	Opp 10 Collins Street	Liquidamber styraciflua
39366	Opp 12 Collins Street	Melaleuca styphellioides
39371	Opp 24 Collins Street	Melaleuca styphellioides
39368	Opp 28 Collins Street	Melaleuca styphellioides
39578	Opp 32 Collins Street	Melaleuca armillaris
38088	1 Cooper Street	Melaleuca linarifolia
00000	1 Coronation Court	Melaleuca styphellioides
34558	11 Cumberland Street	Melaleuca styphellioides
31924	8 Dawn Grove	Melaleuca styphellioides
31922	12 Dawn Grove	Melaleuca styphellioides
00000	Dawn Grove (in front of Council Park)	
31921	14-18 Dawn Grove	Melaleuca styphellioides
31919	20 Dawn Grove	Melaleuca Linarifolia
43071	1 Doherty Court	Lophostemon confertus
43073	3 Doherty Court	Lophostemon confertus
00000	10 Doherty Court	Lagunaria patersonia
00000	189 Grey Street (tree in Doherty Court)	Lagunaria patersonia
33706	12 Donald Court	Melaleuca armillaris
33703	14 Donald Court	Melaleuca armillaris
00000	1 Dowling Street	Quercus palustris
00000	7 Dowling Street	Quercus palustris
00000	9 Dowling Street	Quercus palustris
00000	13 Dowling Street	Quercus palustris
00000	15 Dowling Street	Quercus palustris
38042	Esler Street (tree in front of Council Park)	Melaleuca armillaris
38045	1 Esler Street tree in Taylor Crescent	Melaleuca ericafolia
38043	5 Esler Street	Melaleuca styphellioides
00000	10 Esler Street (2 trees)	Melaleuca armillaris
00000	13 Esler Street	Eucalyptus leucoxylon
34720	3 Farmer Crescent	Lophostemon confertus
34724	7 Farmer Crescent	Lophostemon confertus
34725	9 Farmer Crescent	Lophostemon confertus
34521	5 Findlayson Crescent	Lophostemon confertus

GIS-ID no.	ADDRESS	SPECIES
00000	173 Grey Street (tree in Findlayson Crescent)	Lophostemon confertus
39777	4 Firmin Street	Melaleuca armillaris
36732	1 Foresthill Close	Melaleuca armillaris
00000	1 Foresthill Close	Eucalyptus cinerea
36735	3 Foresthill Close	Eucalyptus cinerea
00000	4 Foresthill Close	Eucalyptus cinerea
00000	4 Foresthill Close	Eucalyptus cinerea
00000	4 Foresthill Close	Eucalyptus pulchella
36741	5 Foresthill Close	Melaleuca linarifolia
00000	7 Foresthill Close	Eucalyptus cinerea
00000	7 Foresthill Close	Eucalyptus cinerea
35803	1 Foxlease Avenue	Melaleuca linarifolia
35795	19 Foxlease Avenue	Lophostemon confertus
35793	23 Foxlease Avenue	Lophostemon confertus
35792	27 Foxlease Avenue	Lophostemon confertus
35790	31 Foxlease Avenue	Lophostemon confertus
40762	22/1 Francis Street	Melaleuca armillaris
40760	29 Francis Street	Melaleuca linarifolia
00000	2 Garden Grove	Melaleuca styphellioides
00000	6 Garden Grove	Melaleuca styphellioides
00000	14 Garden Grove	Melaleuca styphellioides
00000	1 Ambrose Street (tree in Garden Grove)	Melaleuca styphellioides
00000	2 Ambrose Street (tree in Garden Grove)	Melaleuca styphellioides
00000	3 Lafatette Street (tree in Garden Grove)	Melaleuca styphellioides
00000	3 Heather Grove	Melaleuca linarifolia
00000	5 Heather Grove	Melaleuca linarifolia
00000	7 Heather Grove	Melaleuca linarifolia
00000	11 Heather Grove	Melaleuca linarifolia
00000	15 Heather Grove	Melaleuca linarifolia
00000	19 Heather Grove	Melaleuca linarifolia
00000	23 Heather Grove	Melaleuca linarifolia
00000	12 Hazelwood Road (tree in Heather Grove)	Melaleuca linarifolia
35450	9 Josephine Court	Melaleuca styphellioides
00000	2 Mackay Street	Quercus palustris
00000	11 Fairview Street, (tree in Mackay Street)	Quercus palustris
00000	2 Latrobe Crescent	Melaleuca styphellioides
00000	4 Latrobe Crescent	Melaleuca styphellioides
00000	12 Latrobe Crescent	Melaleuca styphellioides
00000	16 Latrobe Crescent	Melaleuca styphellioides
00000	20 Latrobe Crescent	Melaleuca styphellioides
00000	3 McNairn Road	Melaleuca styphellioides
00000	7 McNairn Road	Melaleuca styphellioides
00000	15 McNairn Road	Melaleuca styphellioides
00000	19 McNairn Road	Melaleuca styphellioides
00000	25 McNairn Road	Lophostemon confertus
00000	31 McNairn Road	Melaleuca styphellioides
00000	35 McNairn Road	Melaleuca styphellioides
00000	84 Allen Crescent (tree in McNairn Road)	Melaleuca styphellioides
00000	84 Newman Crescent (tree in McNairn Road)	Melaleuca styphellioides
00000	15 Osbourne Street	Melaleuca styphellioides
00000	17 Osbourne Street	Melaleuca styphellioides

GIS-ID no.	ADDRESS	SPECIES
00000	3 Queen Parade	Melaleuca styphellioides
00000	13 Queen Parade	Melaleuca styphellioides
00000	17 Queen Parade	Melaleuca styphellioides
00000	29 Queen Parade	Melaleuca styphellioides
00000	33 Queen Parade	Melaleuca styphellioides
00000	Opp Queen Parade Cleaner World	Melaleuca styphellioides
00000	2 Somers Place	Quercus palustris
00000	4 Somers Place	Quercus palustris

ADDITIONAL FOR APPENDIX 2

The following streets will be brought into the 2009/10 program, in the event that quotations received for tree removals are better than anticipated or if households in a particular street oppose the program and a substitute street is required.

MOE/NEWBOROUGH

Wirraway Street - *Fraxinus angustifolia* ssp *oxycarpa*
Queen Street - *Fraxinus angustifolia* ssp *oxycarpa*
Tyers Street - *Fraxinus excelsior* 'Aurea'
Lincoln Street - *Fraxinus angustifolia* ssp *oxycarpa* and *Grevillea robusta*

MORWELL

Cynthia Street - *Grevillea robusta*
Vincent Street - *Grevillea robusta*
Tarwin Street - *Melaleuca styphellioides*

TRARALGON

Poplar Avenue - *Melaleuca armillaris* and *Melaleuca linarifolia*
Thexton Street - *Melaleuca linarifolia* and *Melaleuca styphellioides*

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**11.3.4 LOCAL ENVIRONMENTAL SUSTAINABILITY PRIORITY
STATEMENT**

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

1. PURPOSE

The purpose of this report is to seek Council's adoption of the Local Environmental Sustainability Priority Statement (LESP), in accordance with Council's adopted resolution that Latrobe City Council joins the Victorian State Government Sustainability Accord.

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.

Community Outcome – Natural Environment Sustainability

By responsibly managing the natural environment, to ensure its sustainability and diversity for the community.

Strategic Action – Biodiversity and Native Vegetation

Support regional integrated natural resource stewardship.

*Adopted Strategy – Natural Environment Sustainability
Strategy 2008-2013*

The Natural Environment Sustainability Strategy outlines Latrobe City Council's position on the natural environment and identifies 16 action areas with associated objectives to achieve the sustainability of the natural environment. Achieving these objectives will require action and the development of successful partnerships. Specific actions will be outlined in separate Implementation Plans.

Action Area 1 Build Latrobe City's Capacity and Capability

Objective 3. - Participate in regional networks to facilitate cooperation with regional partners and ensure alignment with regional and state environmental sustainability strategy

3. BACKGROUND

Launched in 2005, the Victorian Sustainability Accord (the Accord) is a partnership initiative designed to strengthen collaborative efforts by the Victorian State Government and local governments to create better environmental sustainability outcomes at the local level.

The Accord seeks to identify and highlight agreed local priorities for collaborative work between the two tiers of government and the LESP is the primary Accord action that facilitates this process.

At the Ordinary Council Meeting of 2 October 2006, Council resolved to join the Victorian Sustainability Accord (the Accord) with the Victorian State Government. The Accord process requires Council to develop a LESP, prepared in conjunction with the Department of Sustainability and Environment (DSE).

Two workshops were held on 17 October 2007 and 10 December 2007 and attended by Councillors, Council officers from a wide range of departments and representatives of DSE and West Gippsland Catchment Management Authority.

The outcomes of these workshops have informed the development of the LESP as well as the *Natural Environment Sustainability Strategy 2008-2013* (NESS). The NESS was adopted at the Ordinary Council Meeting on 2 June 2008.

4. ISSUES

The format of the LESP conforms to the template provided by DSE for this purpose. The content is derived directly from Latrobe City's adopted Natural Environment Sustainability Strategy and it has been:

- (a) reorganised to fit DSE section headings; and
- (b) summarised to reduce the level of detail.

The LESP therefore differs from the NESS in the way the content is organised, so as to conform to the DSE requirements. The LESP also includes a required section, *Regional Priorities*, provided by DSE. This outlines the Department's regional priorities and is included unedited as required by DSE. This section is not contained in the NESS.

The adopted NESS does not prioritise any particular actions because environmental sustainability benefits from a holistic, integrated approach and because flexibility allows actions to be better aligned to emerging opportunities such as partnerships and funding. Initiatives and actions contained within the NESS are prioritised annually through an implementation plan considered during the business planning process.

The last section of the LESP requires that Latrobe City Council prioritise particular action areas. DSE has requested prioritisation as an indication of projects for which Latrobe City Council might seek grant assistance via the Accord fund.

The LESP workshops identified a range of priority areas. The two action areas that emerged as priorities from the consultations were:

- Climate change, because its breadth allows attention to most of the other action areas contained within the NESS.
- Corporate capacity-building of Latrobe City Council, because this also increases the ability to accomplish a large number of actions identified in the NESS.

Further action in these areas is viewed as beneficial for the achievement of NESS actions and to seek regional assistance from the state government through the Accord grant program.

Adoption of the LESP will complete this requirement of the Accord. DSE regards LESP as Council initiatives for which no DSE approval is required. DSE will accept the LESP once it is adopted by Council.

5. FINANCIAL AND RESOURCES IMPLICATIONS

Adoption of the draft LESP statement will provide Council with the opportunity to obtain grant funds through the Victorian State Government Sustainability Accord.

These funds will assist in the implementation of actions and initiatives identified in the Latrobe City NESS.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

The LESP is an accord between state and local government and has been developed in conjunction with DSE. There has been no separate public consultation on the LESP because the content is selected directly from the NESS. The NESS was subject to extensive internal and external consultation prior to its adoption by Council.

Engagement for the LESP process and NESS has been described in the adopted Council reports of 17 March 2008 and 2 June 2008 respectively. This information is included below.

The primary engagement method for developing the NESS and LESP was two workshops attended by Councillors, Council officers from a wide range of departments and representatives of DSE and West Gippsland Catchment Management Authority. The outcomes of these workshops have informed the development of the NESS, using the process designed by DSE to develop LESP.

The draft NESS was released for public consultation in March 2008 in accord with Latrobe City Council's *Community Engagement Strategy*. A news release was issued and an advertisement was published in two editions of the Latrobe Valley Express issued on Monday, 24 March 2008 and Thursday, 27 March 2008. Copies of the Strategy were made available at all Council service centres.

The draft NESS was made available on the Latrobe City Council website from 18 March 2008. Hard copies were mailed on 19 March 2008 directly to Landcare and environment groups in Latrobe City, Loy Yang Power, International Power, Tru Energy Yallourn, HVP Plantations, Australian Paper Maryvale, the Victorian Farmers Federation, Victorian Employers' Chamber of Commerce and Industry, members of Neighbourhood Environment Improvement Plan steering committees, the Department of Sustainability and Environment, the Department of Primary Industry, the Environment Protection Authority, the West Gippsland Catchment Management Authority and Monash University Gippsland. The advertised closing date was 21 April 2008.

Details of Community Consultation / Results of Engagement:

Responses were received from the West Gippsland Catchment Management Authority, Gippsland Water, Environment Protection Authority, Department of Sustainability and Environment, Latrobe Valley Air Monitoring Network, Australian Paper Maryvale, HVP Plantations, Latrobe Valley Field Naturalists Club, Traralgon Railway Reservoir Conservation Reserve / John Lawson, Wirilda Development Association, Morwell River Neighbourhood Environment Improvement Plan Steering Committee, Helen Garretty, Barbara and Robert Johnson, and Martin Prescott.

Many comments received were incorporated into the final version of the NESS and adopted by Council.

7. OPTIONS

Council has a number of options in relation to the LESP:

1. Adopt the draft Local Environmental Sustainability Priority Statement.
2. Refuse to adopt the draft Local Environmental Sustainability Priority Statement.
3. Make further amendments to the draft Local Environmental Sustainability Priority Statement prior to adoption.

8. CONCLUSION

Latrobe City Council has previously resolved to join the Victorian Sustainability Accord. The development of a LESP Statement is considered a key requirement of membership to the Accord.

The LESP Statement is a summary of Council's adopted Natural Environment Sustainability Strategy, in a form that is consistent with state government requirements. It is therefore appropriate to adopt the Local Environmental Sustainability Priority Statement and so complete this requirement of the Victorian Sustainability Accord process.

9. RECOMMENDATION

- 1. That Council adopts the Latrobe City Local Environmental Sustainability Priority Statement.**
- 2. That Council sends a copy of the adopted Local Environmental Sustainability Priority Statement to the Department of Sustainability and Environment.**

Moved: Cr O'Callaghan

Seconded: Cr Vermeulen

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

11.3.5 PLANNING PERMIT APPLICATION 2008/208 - TO REMOVE A RESERVE STATUS, SUBDIVIDE LAND INTO 2 LOTS AND VEST LAND AS A RESERVE - CALLIGNEE SOUTH AND TRARALGON CREEK ROADS, LOY YANG

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

1. PURPOSE

The purpose of this report is to determine Planning Permit Application 2008/208 for the removal of a reserve status; a subdivision of land into 2 Lots and to vest land as a reserve at Reserve no. 1, and lot 1, plan of subdivision 601784, Crown Allotment 2005, Parish of Loy Yang, Callignee South and Traralgon Creek Roads, Loy Yang. The property is the location for the new Latrobe City Hyland Highway Landfill.

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 Latrobe Valley. To provide leadership and to facilitate a well connected, interactive economic environment in which to do business.

Community Outcome – Natural Environment Sustainability

By responsibly managing the natural environment, to ensure its sustainability and diversity for the community.

Strategic Actions – Waste Management

Develop waste management facilities, techniques and technologies to advocate waste avoidance or minimisation, enhance resource recovery and achieve 'final storage quality' where possible.

Develop facilities to manage waste which enhance the desirability for economic development within Latrobe City.

Council Plan 2008-2012 – Key Priorities and Actions – Natural Environment Sustainability

Complete construction and commence operations at the Latrobe City Hyland Highway Landfill.

3. BACKGROUND

3.1 SUMMARY

Land: Callignee South and Traralgon Creek Roads, Loy Yang, known as Reserve no. 1 and lot 1, Plan of Subdivision 601784, Crown Allotment 2005 Parish of Loy Yang.
Proponent: Latrobe City Council
C/- sm urban Pty Ltd (smec urban)
Zoning: Special Use Zone 1.
Overlay Wildfire Management Overlay.

A Planning Permit is required to subdivide the land in accordance with Clause 37.01-3 of the Special Use Zone 1 (SUZ1).

A Planning Permit is also required to subdivide the land in accordance with Clause 44.06-2 of the Wildfire Management Overlay (WMO).

A Planning Permit is required to remove the current reservation status of the land in accordance with Clause 52.02 of the planning scheme that covers easements, restrictions and reserves. This is necessary as the reserve is being removed according to Section 24A of the *Subdivision Act 1988*.

3.2 PROPOSAL

On 11 February 2008, a planning permit was issued for a Landfill Facility (Refuse Disposal) and associated works on the subject land. The subject land had been created by a two lot subdivision on 10 July 2007 and an 113ha lot was vested in the Council as a reserve, while the other lot (lot1) was owned by Loy Yang Power.

It has now been established that due to a surveying error, part of the Council reserve is contained within the Loy Yang Power mining licence. The area in question is a triangular-shaped wedge that amounts to approximately 4.3ha and which lies to the west of the common boundary – see plan of subdivision attached.

It is now proposed to rectify this error by re-aligning the common boundary to agree with the mining licence boundary. The process involves:

- Removing the original reservation status over the land.
- Realigning the common boundary.
- Restating the reservation status over the new lot created. The revised reservation, which will vest in the Council, will have an area of 108.7ha.

The small balance lot created by this subdivision will be consolidated with the adjoining lot to the east and Loy Yang Power has agreed to this undertaking.

Surrounding Land Use:

North: Existing mining licence area.
South: Callignee South Road / Plantation area.
East: Existing mining licence area.
West: Callignee South Road / Plantation area.

3.3 HISTORY OF APPLICATION

The application was received on 2 July 2008.

The application was notified to adjoining property owners and occupiers pursuant to section 52(1)(a) of the *Planning and Environment Act 1987* (the 'act') and to other parties by notification in the Latrobe Valley Express pursuant to section 52(1)(d) of the act.

One submission in the form of an objection was received on 28 August 2008.

3.4 LATROBE PLANNING SCHEME

State Planning Policy Framework

The State Planning Policy Framework (SPPF) of the Latrobe Planning Scheme has only one policy that is relevant to this application, namely clause 19.01 'Subdivision', which has an objective that seeks 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.

The proposed subdivision of the land is a minor re-subdivision or re-alignment of the boundary to rectify an error in the setting out of the title boundary. The subdivision therefore meets the intent and objective of the SPPF clause.

Local Planning Policy Framework

Municipal Strategic Statement (Clause 21)

It is considered that the only applicable section in the Municipal Strategic Statement (MSS) relates to the objectives/strategies and implementation described in clause 21.04. Under clause 21.04-2 'Environment', Element 4 deals with rural land management, an objective of which is to:

- To limit subdivision, use or development of land that should be incompatible with the utilisation of the land for sustainable resource use.

As the use of the land for a municipal landfill has been approved by the Council and upheld by the Victorian Civil and Administrative Tribunal (VCAT), a minor re-alignment of the boundary is compatible with the utilisation of the land for a sustainable resource use.

Zoning

The land is zoned Special Use Zone 1 (SUZ1).

The 'Purpose' of the Special Use Zone 1 is:

- *To provide for brown coal mining and associated uses.*
- *To provide for electricity generation and associated uses.*

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

Overlay

The subject land is overlain by the Wildfire Management Overlay (WMO).

The 'Purpose' of the Wildfire Management Overlay is:

- *'To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify areas where the intensity of wildfire is significant and likely to pose a threat to life and property.*
- *To ensure that development which is likely to increase the number of people in the overlay area:*
- *Satisfies the specified fire protection objectives.*
- *Does not significantly increase the threat to life and surrounding property from wildfire.*
- *To detail the minimum fire protection outcomes that will assist to protect life and property from the threat of wildfire.'*

The land is also designated as an Extractive Industry Interest Area.

Particular Provisions

Clause 52.02 'Easements, Restrictions and Reserves':

a planning permit is before a person proceeds:

- *'Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.*
- *Under Section 24A of the Subdivision Act 1988.*
- *Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.'*

The application complies with this clause.

Clause 52.09 'Extractive Industries Interest Areas'. One of the purposes of this clause is:

- *To ensure that sand and stone resources, which may be required by the community for future use, are protected from inappropriate development.'*

The proposed subdivision does not diminish or affect the protection of the sand and stone resources.

Decision Guidelines (Clause 65):

Before deciding on an application or approval of a plan, the responsible authority must consider, among other things, and as appropriate:

- 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 effect on the amenity of the area.

Incorporated Documents (Clause 81):

No Incorporated Documents apply to this application.

4. INTERNAL/EXTERNAL CONSULTATION

Engagement Methods Used:

Notification:

The application was advertised pursuant to Section 52 of the *Planning and Environment Act 1987*. Notices were sent to all adjoining landowners and occupiers and published in the Public Notices of the "Latrobe Valley Express".

External:

The application was referred to Department of Primary Industries Mineral and Petroleum Division, in accordance with section 55 of the *Planning and Environment Act 1987*. The Department of Primary Industries Mineral and Petroleum Division gave consent to the granting of a planning permit without conditions.

Internal:

Comments were sought from Council's Project Services Team which gave consent.

Details of Community Consultation following Notification:

Following notification of the application, a submission in the form of an objection was received.

A Council officer met with the objector on two occasions to resolve the matter without recourse to a Planning Mediation Meeting (PMM); however it was clear that consensus could not be reached between the parties at a PMM, which would have allowed the matter to be determined by officer delegation.

The objector questioned whether the planned landfill 'footprint' area would be accommodated within the revised area. Council employed a licensed land surveyor to verify that the proposed landfill would indeed fall within the revised area.

The objector also could not provide evidence to support his contention that the Environment Protection Authority Works Approval and the Latrobe City Planning Permit were flawed, nor could he refute the statements of the expert witnesses who appeared before the Victorian Civil and Administrative Tribunal.

5. ISSUES

The application received one submission in the form of an objection. The issue raised is:

1. The proposed development is not consistent with VCAT rulings P1666/2007, P2076/2007 and P2154/2007.

(see attachment)

Comment:

This is an incomplete submission in that the objector does not describe how the proposed application is inconsistent with the VCAT rulings. Submissions should state grounds on which objectors rely to present their case and clearly that has been omitted in this case.

While the submission, therefore, cannot be addressed for the purpose of this report, it must still be accepted by the Council as a responsible authority.

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; or
- Refuse 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 Special Use Zone 1;
- Consistent with the 'Purpose' and 'Decision Guidelines' of the Wildfire Management Overlay;
- Consistent with the 'Purpose' and 'Decision Guidelines' of Clause 52.02 'Easements, Restrictions and Reserves'
- Consistent with Clause 65 (Decision Guidelines); and
- The objection received has been considered against the provisions of the Latrobe Planning Scheme. It is considered that the objection does 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 removal of the reserve status; allow a two lot subdivision of the land and create a reserve at Callignee South and Traralgon Creek Roads, Loy Yang, with the following conditions:

- 1. The layout of the subdivision as shown on the endorsed plan must not be altered without the permission of the Responsible Authority.**
- 2. That the 4.29ha balance lot created by this subdivision must be consolidated with the adjoining lot to the east known as lot 1 PS 601784L.**
- 3. 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.

Cr Middlemiss left the Council Chamber at 9.40 pm due to an indirect interest.

Moved: Cr Lougheed
Seconded: Cr Vermeulen

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

Cr Middlemiss returned to the Council Chamber at 9.44 pm

ATTACHMENTS

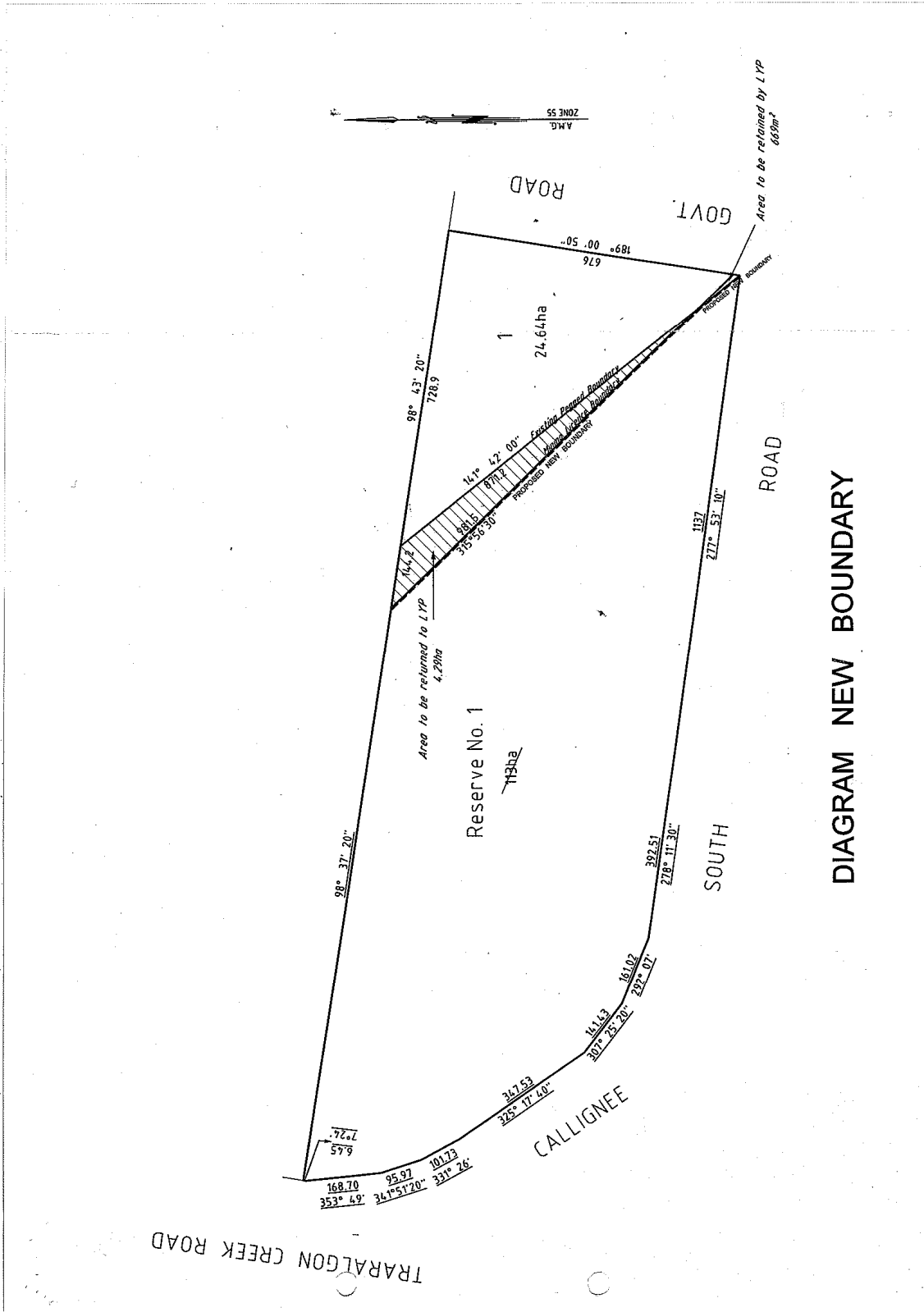


DIAGRAM NEW BOUNDARY

pw 29/8

475 Redhill Rd
Callignee 3844

25 August 2008

TO: Responsible Authority,
Latrobe Shire Planning Department
PO Box 264
Morwell 3840

Fax No: 5128 5672

APPLICATION FOR PLANNING PERMIT 2008/208
CALLIGNEE SOUTH ROAD LOY YANG

I wish to lodge my objection to the above application for a planning permit.

The proposed development is not consistent with VCAT rulings P1666/2007
P2076/2007 and P2154/2007 the above site.

I have also forwarded a copy of this letter by mail to the above address. Please
acknowledge receipt of this objection within 3 days.


Chris Madsen

Latrobe City	
28 AUG 2008	
Doc No:	332 802
Action Officer:	
Disposal Code:	
Comments:	Fax copy registered on 27/8/08

11.3.6 PLANNING PERMIT APPLICATION 2008/258 - DEVELOPMENT OF TWO DOUBLE STOREY DWELLINGS AND CREATION OF ACCESS TO A ROAD ZONE, CATEGORY 1, 98 PRINCES STREET, TRARALGON

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

1. PURPOSE

The purpose of this report is to determine Planning Permit Application 2008/258 for the development of two double storey dwellings and creation of access to a Road Zone, Category 1 at Lots 1 and 2 on Title Plan 426854D, more commonly known as 98 Princes Street, Traralgon.

2. POLICY IMPLICATIONS

The provisions of the *Planning and Environment Act 1987* (the Act) and the Latrobe Planning Scheme (the 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 Latrobe Valley. To provide leadership and to facilitate a well connected, interactive economic environment in which to do business.

Community Outcome - Built Environment Sustainability

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

Strategic Actions - Infrastructure Development

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

Strive to ensure all property development enhances the liveability and sustainability of the community.

Latrobe Transit Centred Precincts – Traralgon Town Summary

'Transit Cities' aims are to:

- *Create safe, vibrant and accessible communities that are centred on public transport;*
- *Link people to services, to opportunities and to each other by putting a seamless transport network at their doorstep;*
- *Encourage higher-density, mixed-use development... (which) will cater for and stimulate urban growth;*
- *Maximise the Victorian Government's investment in Regional Fast Rail Links; and*
- *Protect the local character from uncoordinated urban growth by concentrating development around railway stations'*

3. BACKGROUND

3.1 SUMMARY

Land:	98 Princes Street, Traralgon, known as Lots 1 and 2 on Title Plan 426854D, Parish of Traralgon.
Proponent:	Gary Vagg C/- A D Robertson & Associates Pty Ltd
Zoning:	Residential 1 Zone and abuts a Road Zone, Category 1.
Overlay	No overlays affect the subject land.

A Planning Permit is required:

- to construct two or more dwellings on a lot in the Residential 1 Zone in accordance with Clause 32.01-4 of the Scheme; and
- to create or alter access to a road in a Road Zone, Category 1, in accordance with Clause 52.29 of the Scheme.

3.2 PROPOSAL

Subject land:

The proposal is for the development of two double storey dwellings on a residential lot and the creation of access to a Road Zone, Category 1.

The subject site is slightly undulating to the south and irregular in shape. The site has a southern frontage of 20.12 metres to Princes Street. The western (side) boundary measures 40.16 metres, the eastern (side) boundary measures 33.52 metres and the northern (rear) boundary measures 15.24 metres.

One vehicle crossover is provided to the land. This existing three metre wide crossover is to be utilised to service proposed Dwelling 2. A second three metre wide vehicle crossover is proposed to be established to service proposed Dwelling 1. A pedestrian footpath is located along the southern portion of the site.

The proposed dwellings will each contain three bedrooms and a study and each will be provided with a double lock-up garage. Access to each of these dwellings will be obtained via Princes Street.

The proposed dwellings will each cover 119m² of the subject site. It is proposed to establish 1.8 metre high timber fencing along the subject site's north, east and western boundaries, and also between each of the proposed dwellings.

The subject site contains a two metre wide drainage easement in favour of Latrobe City Council. Latrobe City Council has agreed for building works to occur over this easement with appropriate planning permit conditions.

No covenants, caveats or Section 173 Agreements apply to the subject land.

Surrounding Land Use:

- North: Single dwelling (one storey) on a lot of approximately 450m².
- South: Road – sealed with kerb and channel (Princes Street).
- East: Single dwelling (one storey) on a lot of approximately 660m².
- West: Single dwelling (one storey) on a lot of approximately 700m².

3.3 HISTORY OF APPLICATION

The application was received on 11 August 2008. Further information was requested from the applicant on 27 August 2008 regarding the 'ResCode' requirements. Further information was received on 9 September 2008 and included amended plans.

The application was advertised on 15 October 2008 to adjoining property owners and occupiers pursuant to section 52(1)(a) of the Act and a sign displayed on the subject land pursuant to section 52(1)(d) of the Act.

One submission in the form of an objection was received on 5 November 2008.

3.4 LATROBE PLANNING SCHEME

State Planning Policy Framework

Clause 16.02 'Medium density housing' contains the following '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 and improves energy efficiency of housing.'*

Clause 18.09 'Water supply, sewerage and drainage' contains the following 'Objective':

- *'To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.'*

Clause 19.03 'Design and built form' contains the following 'Objective':

- *'To achieve high quality urban design and architecture that reflects the particular characteristics, aspirations and cultural identity of the community, enhances livability, diversity, amenity and safety of the public realm and promotes attractiveness of towns and cities within broader strategic contexts.'*

Local Planning Policy Framework

Municipal Strategic Statement (Clause 21)

Clause 21.01 (Municipal Profile):

Under 'Urban settlement and form' (Clause 21.01-3) it is recognised that:

- *'The three main urban settlements of Moe, Morwell and Traralgon are located along a linear spine of the main transport corridor formed by the Princes Freeway and the Melbourne railway line.'*

and under 'Housing' (Clause 21.01-7) it is stated:

- *'The diversity in housing types available in the municipality contributes to the lifestyle choices provided and the overall attractiveness of the municipality as a place to live and invest.'*

Clause 21.02 (Key Influences):

Under 'Housing' (Clause 21.02-2) it is stated:

- *'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.'*

Clause 21.03 (Vision – Strategic Framework):

The Latrobe 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 states that:

- *'Residential and commercial development is to be promoted and encouraged within the Transit Centred Precincts generally in accordance with the Latrobe Transit Centred Precincts, Township Summaries for Traralgon, Moe & Morwell.'*

Clause 21.04 (Objectives/Strategies/Implementation):

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

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

Clause 21.0-4-4 has a 'Housing choice' objective (Element 2) to encourage a wider variety of housing types, especially smaller and more compact housing, to meet the changing needs of the community. A strategy to implement this is:

- *'Encourage diversity of dwelling type to provide greater choice and affordability.'*

Local Planning Policy (Clause 22)

Clause 22.06 (Urban Residential Land Supply):
The policy basis and objectives identify the concepts of the MSS as outlined above, and has a 'Policy basis':

- *'The containment and consolidation of urban areas.'*

'Objective':

- *'To encourage consolidation within the defined urban boundaries.'*

'Policy':

- *'The strategic land use framework plans be used for each town and community to assist in co-ordinated land use and development planning.'*

Zoning

The subject site is zoned 'Residential 1'. Pursuant to Clause 32.01-4 a planning permit is required to construct two or more dwellings on a lot. The proposed development must also meet the requirements of Clause 65 (Decision Guidelines). 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'; and*
- *'In appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs.'*

Overlay

No overlays affect the subject land.

Particular Provisions

Clause 52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road: Pursuant to Clause 52.29 a planning permit is required to create or alter access to a road in a Road Zone, Category 1. The 'Purpose' of 'Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road' is:

- *'To ensure appropriate access to identified roads';*
and
- *'To ensure appropriate subdivision of land adjacent to identified roads.'*

Clause 55 Two or More Dwellings on a Lot:

The proposed development must meet the requirements of Clause 55 (the ResCode provisions). The purpose of Clause 55 'Two or more dwellings on a lot and residential buildings' is:

- *'To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies';*
- *'To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character';*
- *'To encourage residential development that provides reasonable standards of amenity for existing and new residents'; and*

- *'To encourage residential development that is responsive to the site and the neighbourhood.'*

Decision Guidelines (Clause 65):

The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the 'Decision Guidelines' of Clause 65. In accordance with Clause 65.01 the Responsible Authority must consider, as appropriate:

- *'The matters set out in Section 60 of the Act';*
- *'The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies';*
- *'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 effect on the amenity of the area';*
- *'The proximity of the land to any public land';*
- *'Factors likely to cause or contribute to land degradation, salinity or reduce water quality';*
- *'Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site';*
- *'The extent and character of native vegetation and the likelihood of its destruction';*
- *'Whether native vegetation is to be or can be protected, planted or allowed to regenerate';* and
- *'The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.'*

Incorporated Documents (Clause 81):

No Incorporated Documents apply to this application.

Reference Documents:

Latrobe Transit Centred Precincts – Traralgon Town Summary. Transit Cities aims to achieve numerous outcomes. The aims of Transit Cities are to:

- *'Create safe, vibrant and accessible communities that are centred on public transport';*

- *'Link people to services, to opportunities and to each other by putting a seamless transport network at their doorstep';*
- *'Encourage higher-density, mixed-use development... (which) will cater for and stimulate urban growth';*
- *'Maximise the Victorian Government's investment in Regional Fast Rail Links'; and*
- *'Protect the local character from uncoordinated urban growth by concentrating development around railway stations'.*

The Latrobe Transit Centred Precincts reference document is highlighted under the MSS, namely under Clause 21.03-3.

4. INTERNAL/EXTERNAL CONSULTATION

Engagement Methods Used:

Notification:

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

External:

The application was referred to VicRoads in accordance with section 55 of the Act. VicRoads gave consent to the granting of a planning permit without conditions.

Internal:

Internal officer comments were sought from Council's Project Services Team who gave consent to approval subject to appropriate conditions, which have been included in the recommendation to this report.

Comment was also sought from Council's Manager Transit Cities who agreed that the proposal is consistent with the objectives of Latrobe Transit Centred Precincts – Traralgon Town Summary.

Details of Community Consultation following Notification:

Following the advertising of the application, one submission in the form of an objection was received.

A planning mediation meeting did not take place for this application at the request of the permit applicant.

Consensus has not been 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:

It is considered that the application complies with the strategic direction of the State and Local Planning Policy Frameworks.

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

It is considered that the application complies with the 'Purpose' and 'Decision Guidelines' of the Residential 1 Zone.

'Purpose' and 'Decision Guidelines' of Clause 52.29 'Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road':

It is considered that the application complies with the 'Purpose' and 'Decision Guidelines' of Clause 52.29 'Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road'.

'Purpose' and 'Decision Guidelines' of Clause 55 'Two or more dwellings on a lot and residential buildings':

It is considered that the application complies with the 'Purpose' and 'Decision Guidelines' of Clause 55 'Two or more dwellings on a lot and residential buildings'.

Clause 65 (Decision Guidelines):

It is considered that the application is consistent with Clause 65 'Decision Guidelines'.

Submissions:

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

1. Proposal will create overshadowing of property and blocking of light to windows.

Comment:

The proposed dwellings have been designed to satisfy Clause 55 (the ResCode provisions) of the Latrobe Planning Scheme (the Scheme). This includes Standard B21 'Overshadowing open space objective'. The purpose of this standard is to avoid the occurrence of overshadowing, and the proposal is considered to comply with this standard.

The occurrence of overshadowing is considered to have been avoided as a result of compliance with Standard B21.

2. Proposal will create overlooking from windows of the proposed development and front and back balconies into neighbouring windows and gardens.

Comment:

The proposed dwellings have been designed to comply with Clause 55 (the ResCode provisions). One provision of ResCode is Standard B22 'Overlooking objective'. The application has been assessed against this standard and is considered to be in compliance.

The occurrence of overlooking is considered to have been avoided as a result of compliance with Standard B22.

3. The site coverage area exceeds the 42.5% cited on the documentation submitted by the permit applicant.

Comment:

The proposed development covers 238m² of the 561m² site. This equates to approximately 42.5%. The site area coverage cited on the submitted documents is correct.

The maximum site coverage allowable under Clause 55 is 60%. The proposed development falls well under the maximum allowable area.

4. The proposed design is ultra modern and is not sympathetic to the design of the character of surrounding homes, some of which were listed in the draft heritage overlay 2005.

Comment:

The proposed development has been considered against Standard B1 'Neighbourhood character objectives' of the ResCode provisions. It is considered that the construction materials to be used will blend in with the design of dwellings in the area and the development responds to the features of the site. The proposal will not result in any material detriment to the surrounding area.

The draft heritage overlay is not yet policy in the Latrobe Planning Scheme and the subject site is not included in this study.

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; or
- 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 the 'Purpose' and 'Decision Guidelines' of Clause 52.29 'Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road';
- Consistent with the 'Purpose' and 'Decision Guidelines' of Clause 55 'Two or more dwellings on a lot and residential buildings';
- Consistent with Clause 65 (Decision Guidelines);

- Consistent with the 'Principles' of 'Latrobe Transit Centred Precincts – Traralgon Town Summary'; and
- The objection received has been considered against the provisions of the Latrobe Planning Scheme and the relevant planning concerns have been considered. It is considered that the objection does 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 Double Storey Dwellings and Creation of Access to a Road Zone, Category 1 at 98 Princes Street, Traralgon (Lots 1 and 2 on Title Plan 426854D, Parish of Traralgon) with the following conditions:

1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. 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 Built and Natural Environment Sustainability 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 Built and Natural Environment Sustainability division.
3. Construction works on the land must be carried out in a manner that does not result in damage to existing Council assets and does not cause detriment to adjoining owners and occupiers.

4. The driveway crossover must be constructed to Council Design Guidelines – Urban Standards.
5. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
 - c) details of surface finishes of pathways and driveways;
 - d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant; and
 - e) landscaping and planting within all open areas of the site.All species selected must be to the satisfaction of the Responsible Authority.
6. Before the occupation of the development starts 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.
7. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
8. The development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a) transport of materials, goods or commodities to or from the land;
 - b) appearance of any building, works or materials;
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
 - d) presence of vermin.

9. Upon completion of the dwellings, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.
10. 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.

Note 1. Prior to the commencement of works, the Council's Asset Protection Officer 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.

Note 2. All buildings erected on this site must comply with the requirements of the *Building Act* 1993, the Building Regulations 2006, the Building Code of Australia 2007, Australian Standards and relevant municipal local laws.

Note 3. The applicant must ensure that all relevant Permits have been approved prior to commencement.

Moved: Cr Fitzgerald

Seconded: Cr Gibson

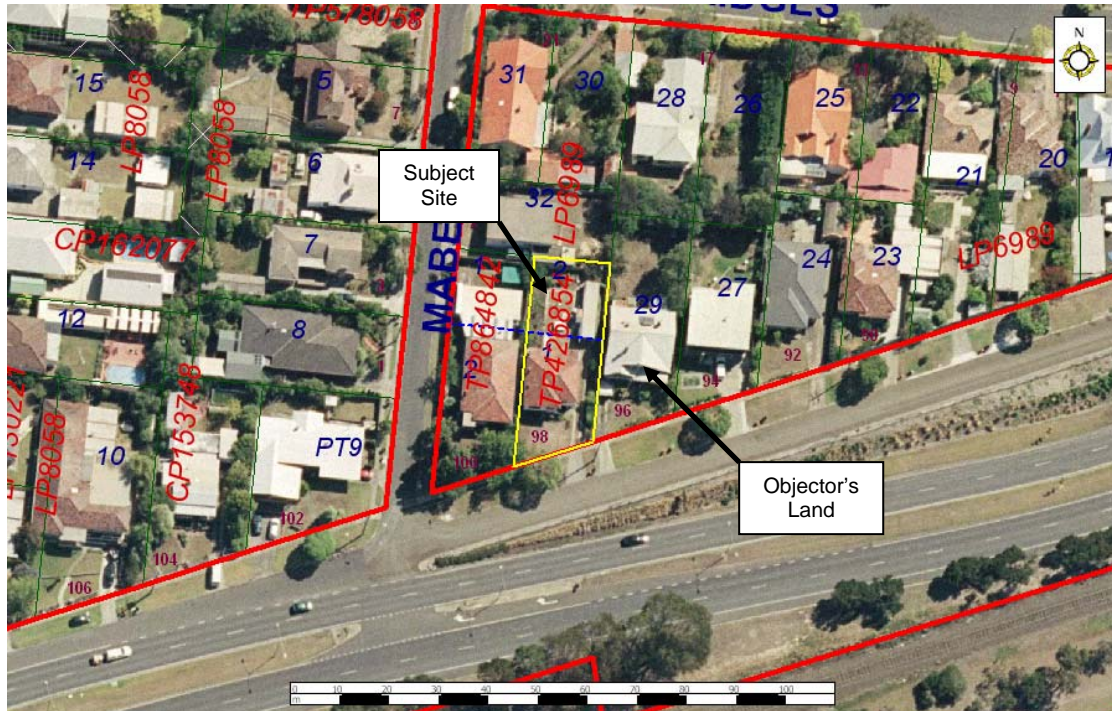
That Council DECIDES to issue a Notice of Refusal to Grant a Permit for the Development of Two Double Storey Dwellings and Creation of Access to a Road Zone, Category 1 at 98 Princes Street, Traralgon (being Lot 1 and 2 on Title Plan 426854D) on the following grounds:

1. It is considered that the development does not encourage design detail that respects the existing or preferred neighbourhood character of the area.

CARRIED UNANIMOUSLY

ATTACHMENTS

Locality Plan for Planning Permit 2008/258





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REGISTER SEARCH STATEMENT

Land Victoria

Page 1 of 1

Security no : 124026899476S

Volume 06475 Folio 996

Produced 06/08/2008 11:37 am

LAND DESCRIPTION

Lots 1 and 2 on Title Plan 426854D (formerly known as part of Lot 33 on Plan of Subdivision 006989, Lot 35 on Plan of Subdivision 006989).

PARENT TITLE Volume 06163 Folio 540

Created by instrument 1819451 12/06/1941

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

GARY EDWARD VAGG of 98 PRINCES STREET TRARALGON VIC 3844

AE703012T 01/11/2006

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AE703013R 01/11/2006

NATIONAL AUSTRALIA BANK LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP426854D FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

STATEMENT END

TITLE PLAN		EDITION 1	TP 426854D
Location of Land Parish: TRARALGON Township: Section: Crown Allotment: 5 (PT) Crown Portion:		Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	
Last Plan Reference: LP6989 Derived From: VOL 6475 FOL 996 Depth Limitation: NIL			

Description of Land / Easement Information

ENCUMBRANCES REFERRED TO.

As to the land colored blue ---

ANY EASEMENTS affecting the same - - - - -

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT
 COMPILED: 04/05/2000
 VERIFIED: CL

COLOUR CODE
 BL = BLUE

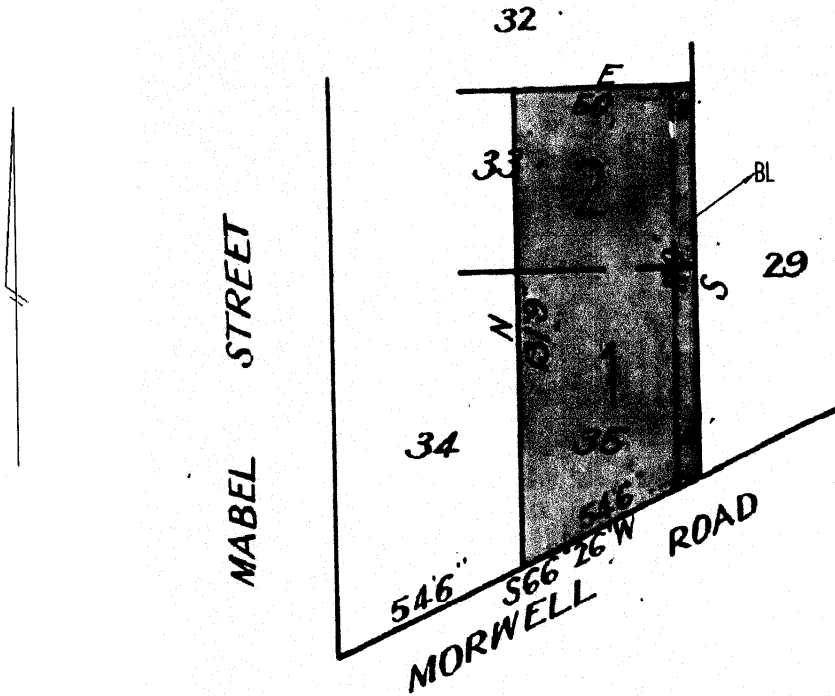


TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
PARCEL 1 = LOT 35 ON LP6989
PARCEL 2 = LOT 33 (PT) ON LP6989



ABN 61 760 960 480

Eastern Victoria Headquarters
PO Box 158 Traralgon Victoria 3844

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

www.vicroads.vic.gov.au

Mr Robert G Dunlop
Senior Statutory Planner
Latrobe City Shire Council
PO Box 264
Morwell VIC 3840

Date 3 November 2008

Contact: Stuart Fenech
Telephone: 5172 2693
Our Ref: RCK83084
Your Ref: 2008/258
File No: LAT 2510 SY 3647

Dear Mr Dunlop

PLANNING PERMIT : 2008/258
PROPOSAL : Development of two dwellings and creation and alteration of access
LOCATION : 98 Princes Street, Traralgon

I refer to your letter dated 15 October 2008, referring the above planning permit application to VicRoads in accordance with the provisions of Section 52 of the Planning and Environment Act 1987.

VicRoads has no objection to the issue of a planning permit for the above development.

As required under Section 66 of the Planning and Environment Act 1987, please forward a copy of the Planning Permit, Notice of Decision to Grant a Permit or Refusal to Grant a Planning Permit to this office.

Should you require any further information please contact Stuart Fenech of this office on telephone 5172 2693.

Yours sincerely,

PATRICIA LIEW
REGIONAL DIRECTOR - EASTERN VICTORIA

Latrobe City	
12 Nov 2008	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	



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

<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

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

Signature	Date
-----------	------

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.

Objection planning application 2008/258 Doc 32822

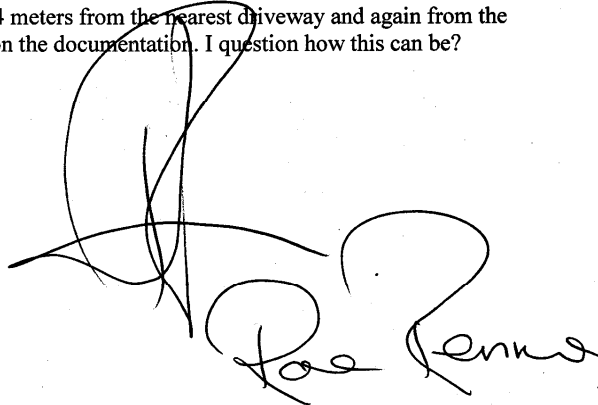
My property built in the 1920's. It is a double brick, elevated Californian Bungalow style home that was listed in by Latrobe city draft heritage overlay planning 2005. From discussion with council I find that is to now be listed individually in the 2008 review planning documentation.

Whist I do not wish to stifle progress, the proposed design is ultra modern and is not sympathetic to the design of the character of my home or others in the area

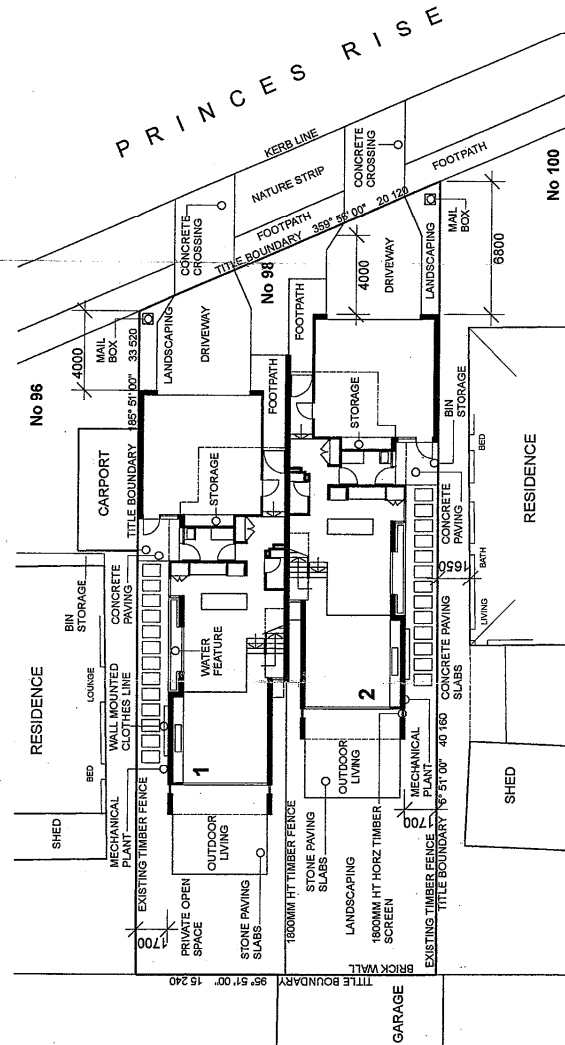
My objections are as follows:

These are not listed in priority order

- Overshadowing of my property with the blocking of light to the windows on the western side of my home. This may increase the risk of dampness to the rooms on the western side of my home
- Overlooking from balcony at the front. I think may well be overlooking the southern front window of my home, limiting privacy. I think this may be less than 6 meters from window to balcony or window of the proposed redevelopment.
- At the back the balcony again over looks my back garden, Whilst I appreciate that a neighbour is able to look over another's fence on occasion I find it an invasion of my privacy while in the garden and those on the proposed balcony
- Overlooking of my property on the western side from several windows of the proposed redevelopment into my home. Again this limits privacy. My home at the front is elevated and raised toward the back, making the levels cut through both levels of the proposed redevelopment
- That the area covered is more than the 42.5% cited in the document when the redevelopment is set 4 meters from the nearest driveway and again from the back of the property on the documentation. I question how this can be?

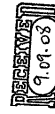


Rae Renno



SITE LAYOUT PLAN
SCALE 1:200

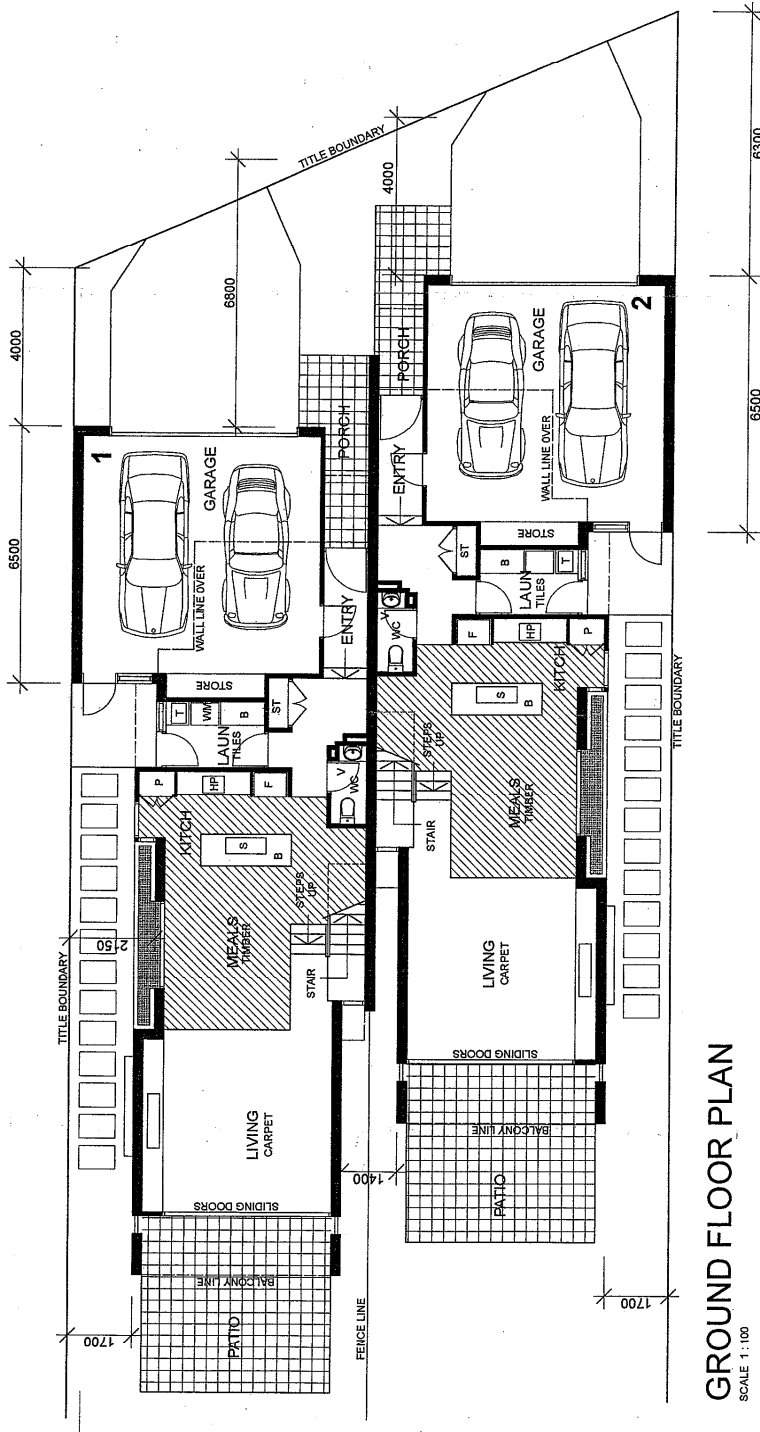
SITE AREA : 561.3 SQM
 RESIDENCE / GARAGE 1: 119.8 SQM (GROUND FLOOR) - 86.55M² (FIRST FLOOR)
 RESIDENCE / GARAGE 2: 238.0 SQM (GROUND FLOOR) - 86.55M² (FIRST FLOOR)
 238.0 SQM
 STREET SETBACK TO NEAREST CORNER: RESIDENCE - 4.0M GARAGE
 BUILDING HEIGHT: 7.5M MAX.
 SITE COVERAGE: 42.4%
 PERMEABILITY: IN EXCESS OF 20%
 PARKING: RESIDENCE 1 - 2No. - GARAGE / 2No. - DRIVEWAY
 RESIDENCE 2 - 2No. - GARAGE / 2 No. - DRIVEWAY
 SIDE / REAR SETBACKS: RESIDENCE 1 - 1.7M / 2.15M / 7.0M
 RESIDENCE 2 - 1.7M / 2.15M / 11.5M
 WALLS ON BOUNDARIES: GARAGE - EAST & WEST BOUNDARY - 6.5M
 DAYLIGHT TO EXISTING WINDOWS: NONE AFFECTED
 NORTH FACING WINDOWS: NONE AFFECTED
 OVERSHADOWING OPEN SPACE: NONE AFFECTED
 OVERLOOKING: EXISTING 1.8M HT FENCES / PROPOSED 1.4M HT FENCES
 PRIVATE OPEN SPACE: RESIDENCE 1 - 86.0 SQM
 RESIDENCE 2 - 80.0 SQM



DWG No 300508 - SK 04A

A. D. ROBERTSON & ASSOCIATES PTY.LTD.
 SUITE 3/71 KAY STREET TRARALGON, VICTORIA
 TELEPHONE (03) 5174 3993 FACSIMILE (03) 5176 9839

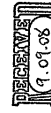
adr +



GROUND FLOOR PLAN

SCALE 1:100

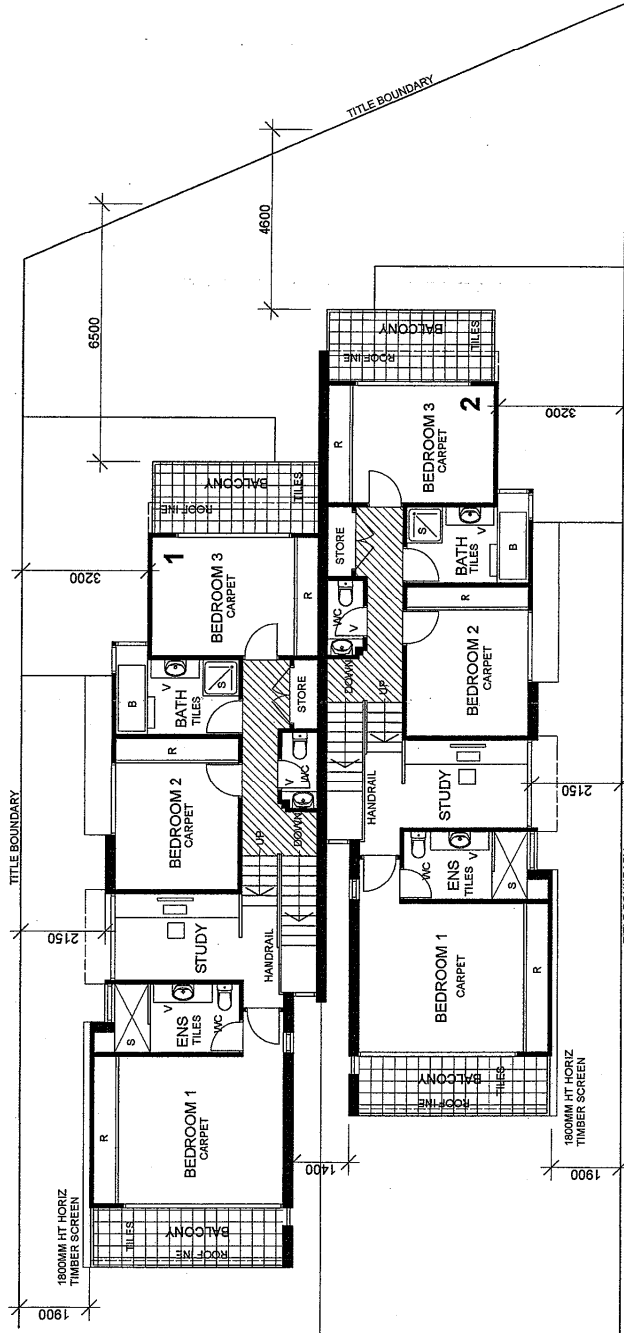
RESIDENCE 1-2 - 79.0 SQM - GARAGE - 40.0 SQM



adr +

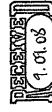
A. D. ROBERTSON & ASSOCIATES PTY. LTD.
LEVEL 1 10-12 GREY STREET TRARALGON VICTORIA
TELEPHONE (03) 5174-3995 EMAIL adrplg@adrpd.com

DWG No 050808 - SK 05A



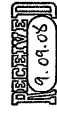
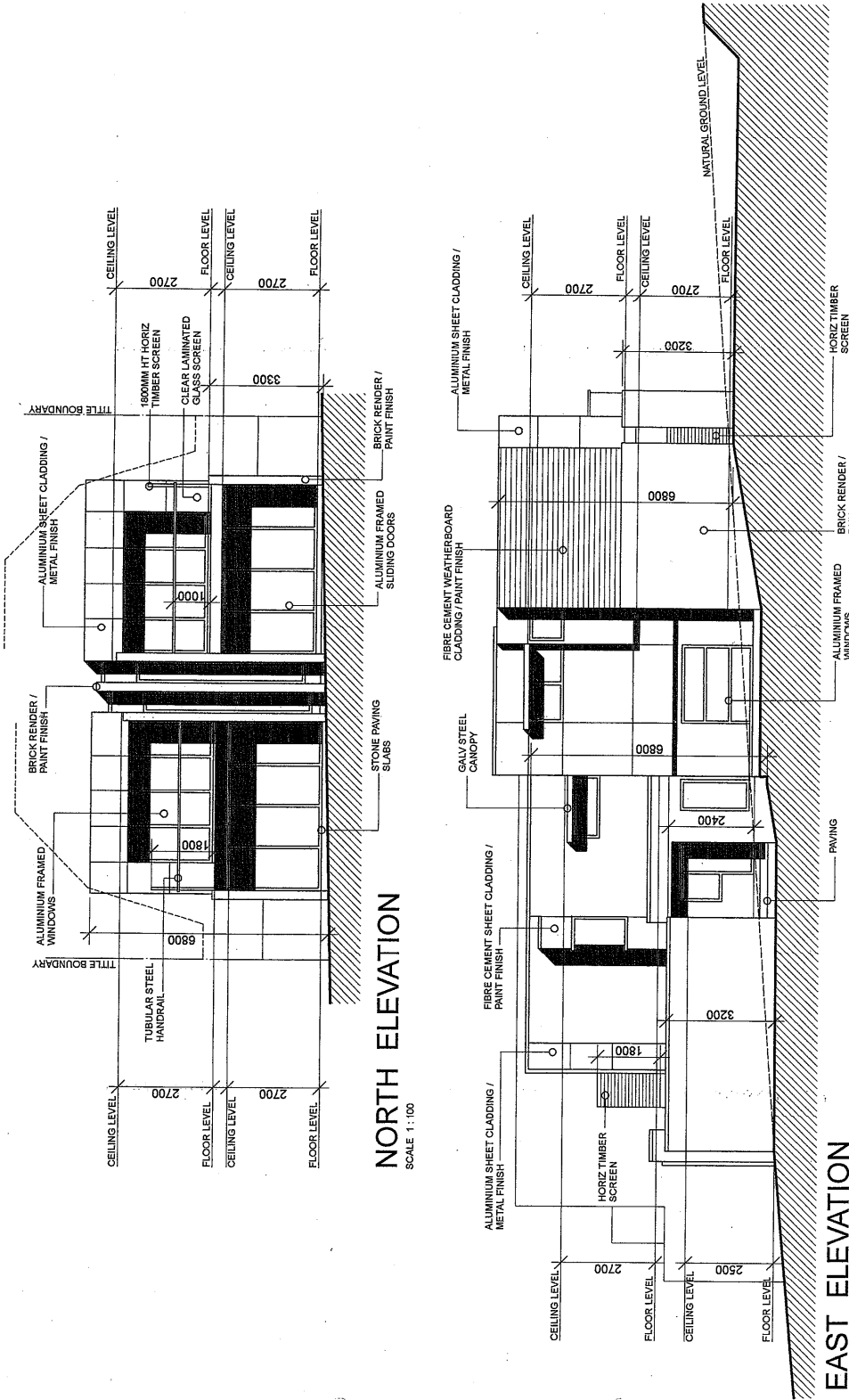
FIRST FLOOR PLAN

SCALE 1:100
RESIDENCE 1 - 2 - 88.5 SQM

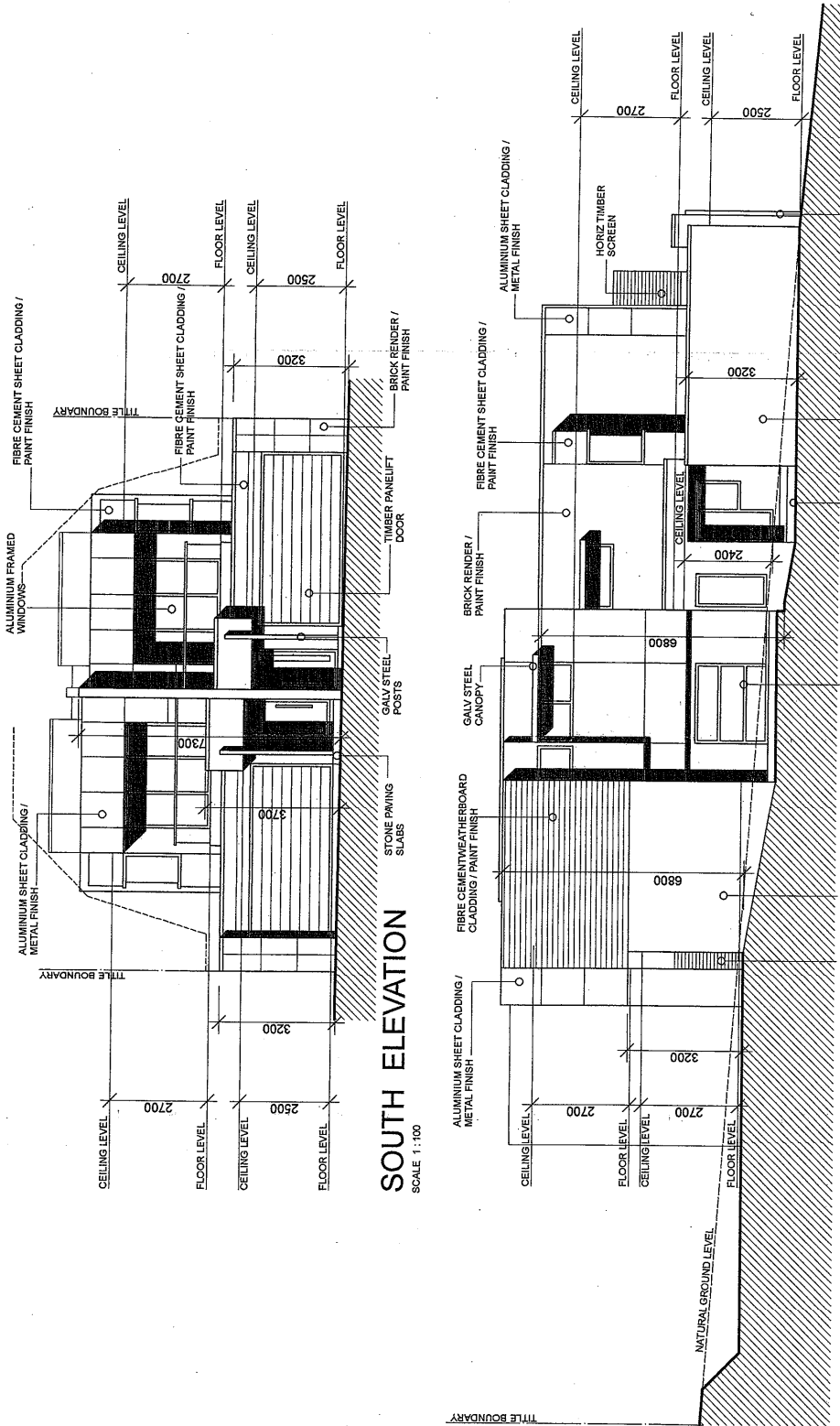


adr + **A. D. ROBERTSON & ASSOCIATES PTY. LTD.**
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DWG No 050808 - SK 06A




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adr +
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 TELEPHONE (03) 5174 5959 EMAIL adrpltd@adrpb.com
 DWG No 050808 - SK 01A

**11.3.7 PLANNING PERMIT APPLICATION 2008/272 - DEVELOPMENT OF
TWO DOUBLE STOREY DWELLINGS ON A LOT CONTAINING AN
EXISTING SINGLE STOREY DWELLING, 5 MICHAEL COURT,
TRARALGON**

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

This Item was withdrawn from the Agenda.

11.3.8 PLANNING PERMIT APPLICATION 2008/273 - APPLICATION TO DEVELOP A CARPORT AT 1/120 SHAKESPEARE STREET, TRARALGON

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

1. PURPOSE

The purpose of this report is to determine Planning Permit Application 2007/273 for the construction of a carport at Unit 1/120 Shakespeare Street, 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.

Community Outcome - Built Environment Sustainability

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

Strategic Action - Infrastructure Development

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

3. BACKGROUND

3.1 SUMMARY

Land: 1/120 Shakespeare Street, Traralgon,
known as Unit 1 on Strata Plan 031337L
Proponent: C Teuma
Zoning: Residential 1 Zone (R1Z)
Overlay: None

A Planning Permit is required for the development or construction of a garage or carport in accordance with Clause 32.01-3 of the Latrobe Planning Scheme.

3.2 PROPOSAL

This report was listed for decision on the Council meeting of 17 November 2008, but was deferred pending clarification of an apparent anomaly of the dates shown on the plans of subdivision. That anomaly has been clarified through confirmation of title information from the Titles Office.

The application is for construction of a 3.6m x 6m steel carport to the west of an existing dwelling on the north side of Shakespeare Street at the western junction with Rogers Court. The carport will be setback 2m from the frontage and has a height to the eaves of 2.4m.

The subject land is a long established residential lot that contains three single storied, flat-roofed dwelling units. The units were constructed in 1963 and were strata subdivided in 1987. The unit fronting Shakespeare Street, and which is the subject of this application, has been modernised.

Surrounding Land Use:

North: Established residential.
South: Residential development.
East: Established residential.
West: Established residential.

3.3 HISTORY OF APPLICATION

The application was received on 26 August 2008.

The development was considered to be minor and it was also considered that the development would not cause significant or material detriment to other adjoining land owners. Therefore the application was not advertised to adjoining landowners.

An objection was, however, received on 9 September 2008 from an adjoining landowner who is a member of the owner's corporation.

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. The parties did not wish to avail themselves of a Planning Mediation Meeting but sought a decision by the Council.

3.4 LATROBE PLANNING SCHEME

State Planning Policy Framework

The State Planning Policy Framework (SPPF) of the Latrobe Planning Scheme has several policies relevant to this application, namely:

Clause 14.01 'Planning for urban settlement', includes the following relevant 'General implementation' matters:

- *'In planning for urban growth, planning authorities should encourage consolidation of existing urban areas while respecting neighbourhood character. Planning authorities should encourage higher densities and mixed use development near public transport routes.'*

Clause 16.02 'Medium density housing' contains 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.'*

Local Planning Policy Framework

Municipal Strategic Statement (Clause 21)

The Local Planning Policy Framework (LPPF) contains the Municipal Strategic Statement (MSS) – Clause 21. Under ‘Urban settlement and form’ (Clause 21.01-3), Traralgon is one of the three main urban settlements in the municipality, and under ‘Housing’ (Clause 21.01-7) it is stated that the diversity in housing types available in the municipality contributes to the lifestyle choices provided and the overall attractiveness of the municipality as a place to live and invest, including:

- Medium density ‘suburban’ housing:

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 21.04-1 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.*
- *Strongly discourage urban growth outside the urban development boundaries designated in the relevant local structure plan.’*

Clause 21.04-4 ‘Housing’ has an Element (No. 2) that promotes housing choice by encouraging a wide variety of housing types, especially smaller and more compact housing to meet the changing housing needs of the community.

The Local Planning Policy Framework also contains Local Planning Policy (Clause 22). The relevant Local Planning Policy to this application is 'Urban Residential Land Development Policy' (Clause 22.06), which applies to Churchill, Moe, Morwell and Traralgon. The policy basis and objectives identify the concepts of the MSS as outlined above and amongst its objectives are:

- *'To increase the choice and availability of housing for a broad range of ages and lifestyles.*
- *To ensure that the design, layout, height and appearance of new development, including landscaping, contributes to the improvement of the character, presentation, amenity and visual qualities of towns.*
- *To create a high quality living environment recognizing environmental sustainability.'*

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 household needs of all households.*
- *To encourage residential development that 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 over the subject land.

Particular Provisions

There are no particular provisions that influence the development.

Decision Guidelines (Clause 65):

Before deciding on an application or approval of a plan, the responsible authority must consider, among other things, and as appropriate:

- 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 effect on the amenity of the area.

Incorporated Documents (Clause 81):

There are no incorporated documents that influence the development.

4. INTERNAL/EXTERNAL CONSULTATION

Engagement Methods Used:

Notification:

As it was considered that the matter was minor and not controversial, and as it was also considered that material detriment would not be caused to adjoining landowners, the matter was not notified to adjoining landowners.

External:

The application was exempt from the need to refer to referral authorities.

Internal:

Internal officer comments were sought from Council's Project Services Team who gave consent to approval subject to appropriate conditions, which have been included in the recommendation to this report.

5. ISSUES

The application received a submission in the form of an objection – see attachment. The issue raised is:

1. The applicant cannot apply for, and the Council cannot grant a permit for the construction of the carport as the building cannot be built on common property without the consent of the owner's corporation. The objector has formed the view that the land surrounding the building is common property.

The objector also claims that other unrelated and minor building works have been undertaken on the land without a permit.

Comment:

If the land on which it is intended to construct the carport is common property, the above statement might have merit. However, the Latrobe Planning Scheme allows the Council to grant a permit to build a dwelling, and by inclusive definition, an outbuilding, on common property in the Residential 1 Zone (Clause 32.01-4)

Council's planning file from 1987 shows that the land surrounding the dwelling units was originally shown as common property, and was thus endorsed (on 21 October 1987) as part of the planning permit – see sketch plan A attached.

Condition number 7 of the planning permit issued on 21 October 2008, however, required the clothes line areas, or courtyards, of the units to be fenced or screened from the street. These fences were constructed and follow the thick black lines shown on sketch plan B attached.

Sketch plan B is the plan of strata subdivision that was amended in 1987 by the licensed land surveyor to accord with the fenced courtyards and to remove the large area of common property leaving only a small portion in the north-east corner giving access to the existing carports. This plan of strata subdivision was sealed by the predecessor Council on 1 November 1988 – see sketch plan C. [Note: the date shown on the plan, that is, 20 July 1987, is the date the plan was drawn by the surveyor, not sealed by council].

Sketch plan B was registered and forms part of the Certificate of Title and shows the courtyards as forming part of the unit, i.e. dwelling, entitlement and not common property.

This amendment was confirmed by the licensed land surveyor who prepared the original strata subdivision and by a surveyor who works for the Office of Titles at Land Victoria.

The other works that have been questioned by the objector are minor building works and these are exempt from the need to obtain a planning permit and building permit.

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:

1. Issue a Notice of Decision to Grant a Permit.
2. Refuse 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

It is considered that the application is valid and that there are no defects on title that would disallow the development. It is also considered that the objector's claim cannot be substantiated.

The proposal is therefore 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 65 (Decision Guidelines).
- The objection received has been considered against the provisions of the Latrobe Planning Scheme and the relevant planning concerns have been considered and relevant permit conditions addressing these issues will be attached. The objection does 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 Planning Permit for the Development of a Carport at Unit 1/120 Shakespeare Street, Traralgon, with the following conditions:

1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. All the stormwater drainage from the proposed extension work(s) must be connected to a legal point of discharge using underground pipes.
3. 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.

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.

Note: All buildings erected on this site must comply with the requirements of the *Building Act* 1993, the Building Regulations 2006, the Building Code of Australia 2007, Australian Standards and relevant municipal local laws.

Moved: Cr White
Seconded: Cr Lougheed

That Council defers this item to allow title particulars to be further clarified.

CARRIED UNANIMOUSLY

ATTACHMENTS



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SP 31337

SCHEDULE FOR UNIT ENTITLEMENT AND LIABILITY

FOR CURRENT OWNERS CORPORATION DETAILS SEE OWNERS CORPORATION SEARCH REPORT

LEGEND

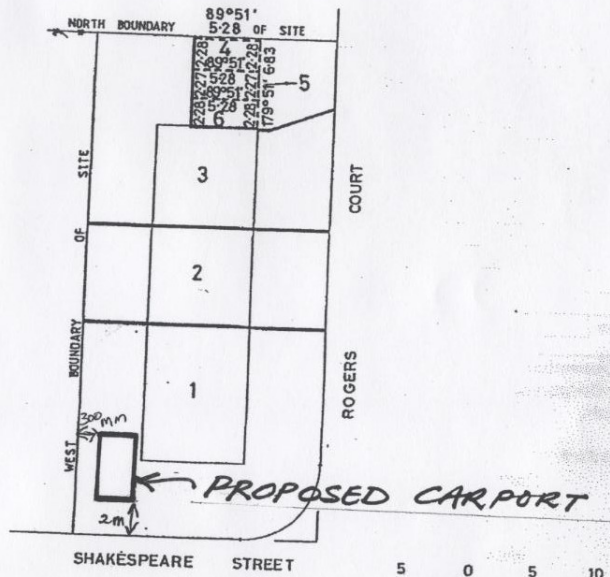
(RELATING TO THE DIAGRAM HEREUNDER)

1. THE BUILDING IN THE PARCEL A PART OF WHICH IS CONTAINED IN EACH OF UNITS 1-6 (BOTH INCLUSIVE) IS A SINGLE STOREY BUILDING.
2. THE UPPER BOUNDARY OF EACH OF UNITS 1-6 (BOTH INCLUSIVE) LIES 10 METRES ABOVE THAT PART OF THE SITE WHICH IS WITHIN THE VERTICAL OR NEAR VERTICAL BOUNDARIES OF THE RELEVANT UNIT AS SHOWN ON THE DIAGRAM BELOW; THE LOWER BOUNDARY OF EACH OF THESE UNITS LIES ONE METRE BELOW THAT PART OF THE SITE.
3. UNIT BOUNDARIES WHICH LIE ALONG EXTERNAL WALLS OF A BUILDING LIE ALONG THE OUTSIDE FACE OF THE SAID WALLS.
4. THE COMMON PROPERTY IS ALL OF THE LAND IN THE PARCEL EXCEPT THE LAND CONTAINED IN EACH OF UNITS 1-6 (BOTH INCLUSIVE).
5. UNITS 4, 5 & 6 ARE ACCESSORY UNITS.
6. NOTICE OF RESTRICTION

THE UNITS SPECIFIED IN COLUMN 1 HEREUNDER ARE RESTRICTED UNITS.
 THE UNITS SPECIFIED IN COLUMN 2 HEREUNDER ARE CAR PARK UNITS.
 REGISTRATION OF DEALINGS WITH THE UNITS SPECIFIED IN COLUMN 1 IS RESTRICTED.

COLUMN 1
 UNITS 1, 2 & 3

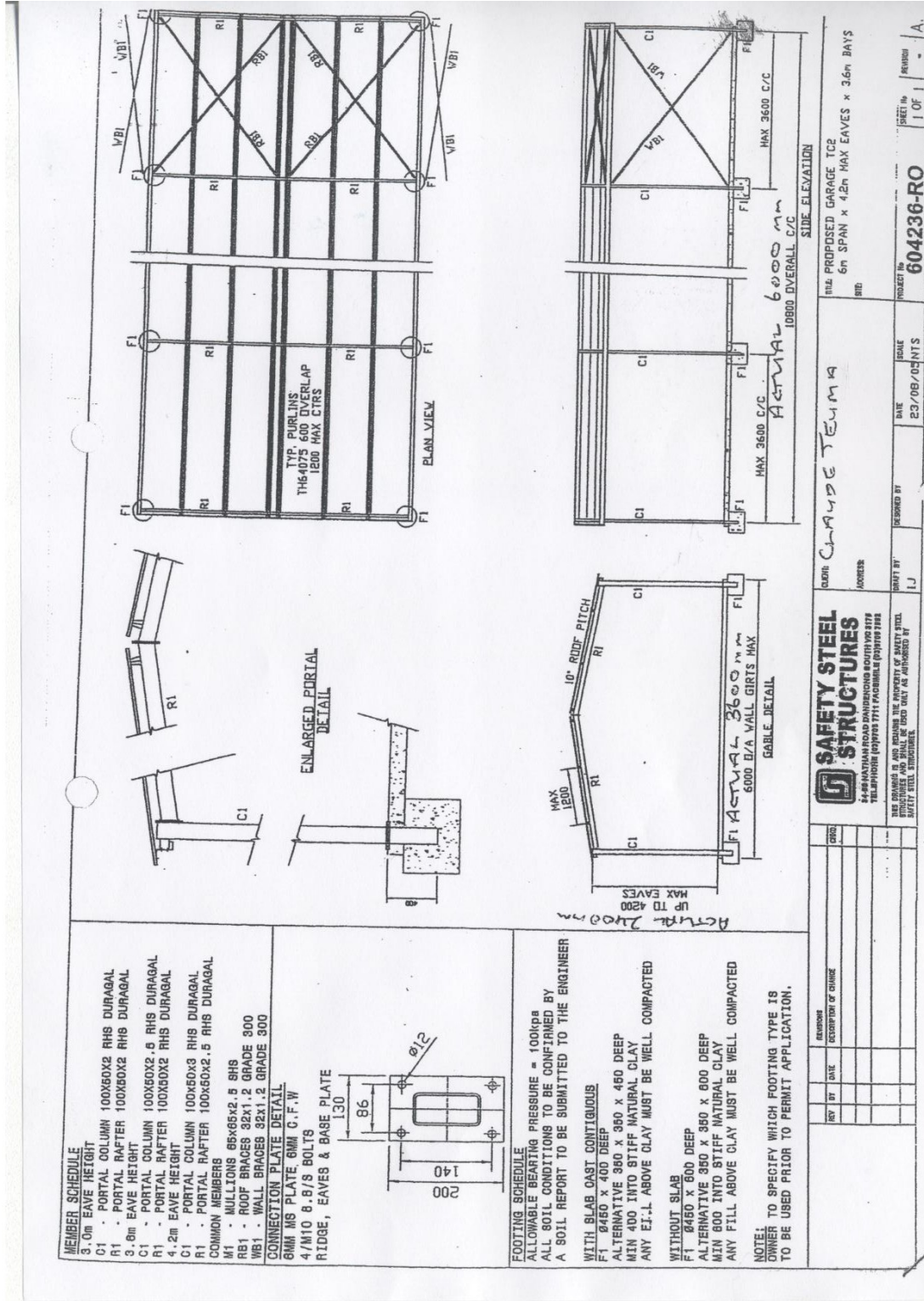
COLUMN 2
 UNITS 4, 5 & 6

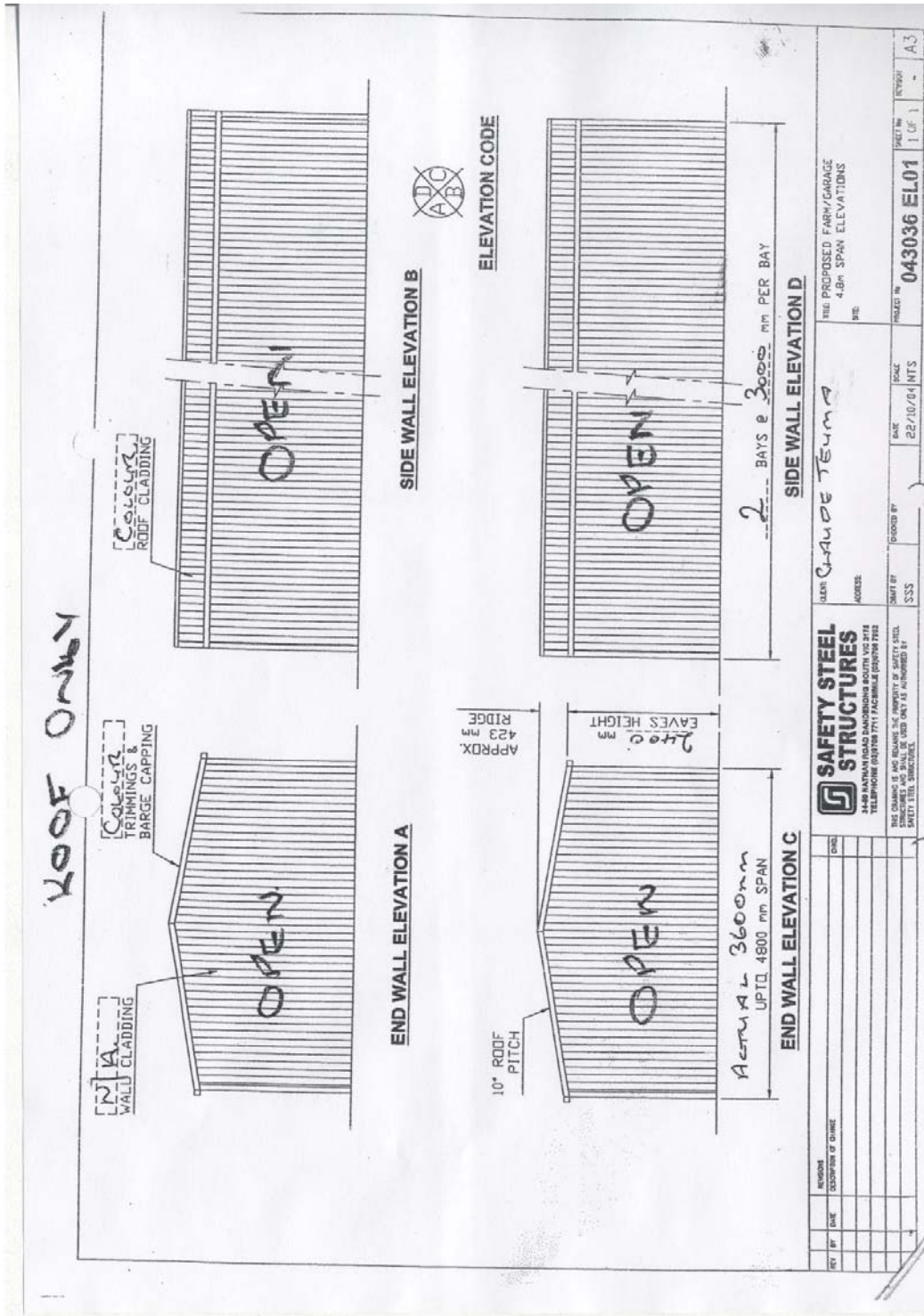


REF. No. 87.2.028

SIGNED: *John Dell*
Sheet 2 of 2 sheets

DATE: 20-7-87





I KENNETH PEARSON HEREBY WISH TO
OBJECT TO A PLANNING PERMIT APPLICATION
FOR A CARPORT AT 1-120 SHAKESPEARE ST
TRARALGON UNTIL THE ISSUE OF COMMON
GROUND HAS BEEN SORTED OUT BY ALL
(OWNERS) OWNERS OF 120 SHAKESPEARE ST. TRARALGON

I FURTHER WISH TO COMPLAIN OF
WORKS CARRIED OUT ON SUCH UNIT WITH
OUT A PERMIT BEING ISSUED. THESE
WORKS INCLUDE ALFRESCO LIVING AREA AND
BRICK WALLS SURROUNDING SAME.

K Pearson 8/9/08
K. PEARSON

Latrobe City Council

8 SEP 2008

03 5197 7363 AH.

0428 977 363 mob.

Latrobe City	
- 9 SEP 2008	
Doc. No:	336744
Action Officer:	
Disposal Code:	
Comments:	

SCHEDULE FOR UNIT ENTITLEMENT AND LIABILITY					
UNIT No.	ENTITLEMENT	LIABILITY	UNIT No.	ENTITLEMENT	LIABILITY
1	30	30	4	1	1
2	30	30	5	1	1
3	30	30	6	1	1
			TOTAL	93	93

LEGEND

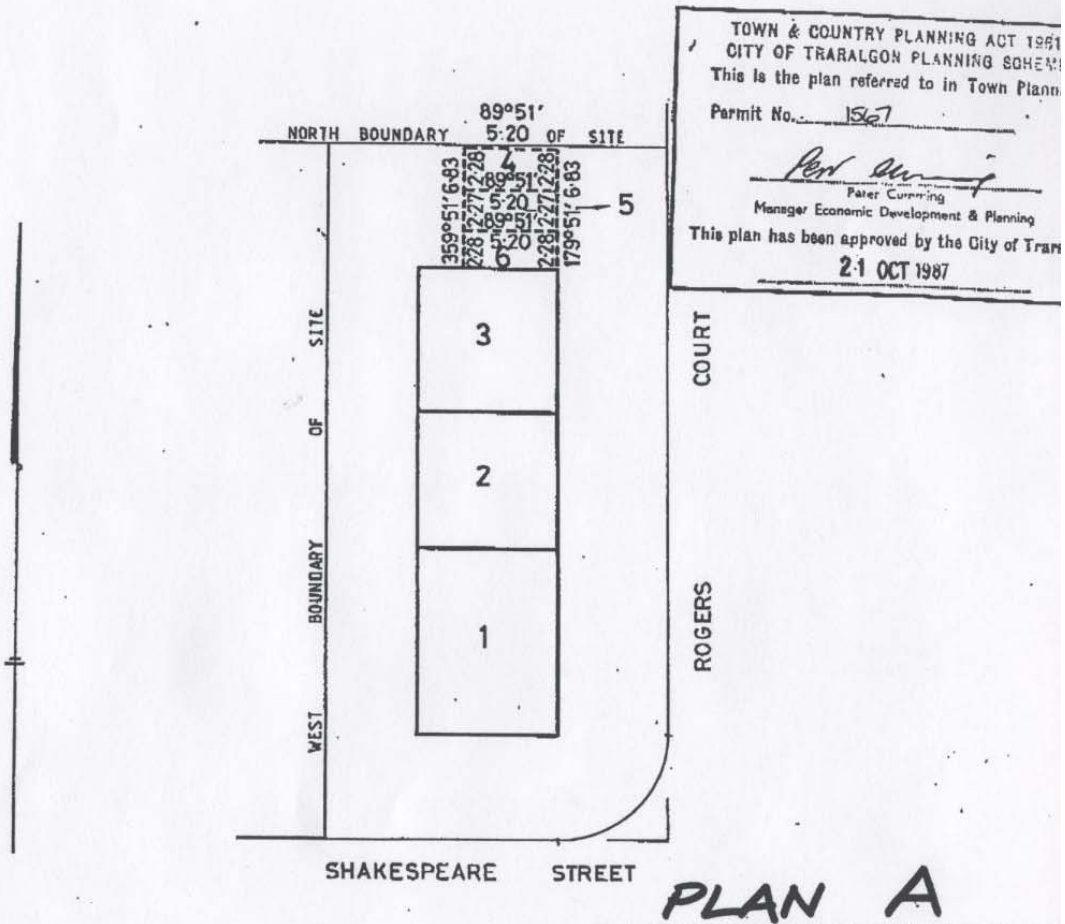
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 REGISTRATION OF DEALINGS WITH THE UNITS SPECIED IN COLUMN 1 IS RESTRICTED.

COLUMN 1
UNITS 1, 2 & 3

COLUMN 2
UNITS 4, 5 & 6



TOWN & COUNTRY PLANNING ACT 1961
 CITY OF TRARALGON PLANNING SCHEME
 This is the plan referred to in Town Planning
 Permit No. 1567
Peter Cumming
 Peter Cumming
 Manager Economic Development & Planning
 This plan has been approved by the City of Traralgon
 21 OCT 1987

Delivered by LANDATA®. Land Victoria timestamp 05/09/2008 09:10 Page 2 of 2

SP 31337

SCHEDULE FOR UNIT ENTITLEMENT AND LIABILITY

FOR CURRENT OWNERS CORPORATION DETAILS
SEE OWNERS CORPORATION SEARCH REPORT

LEGEND

(RELATING TO THE DIAGRAM HEREUNDER)

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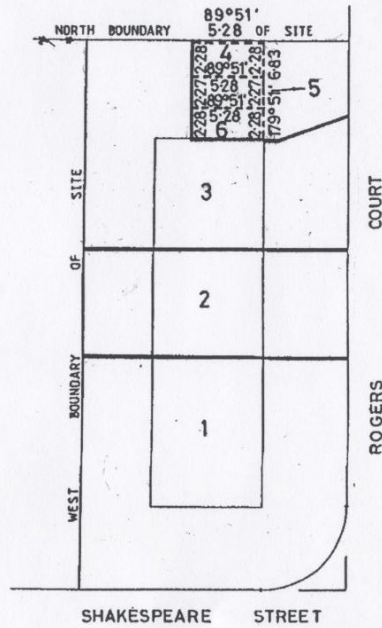
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COLUMN 1

UNITS 1, 2 & 3

COLUMN 2

UNITS 4, 5 & 6



PLAN B

5 0 5 10
LENGTHS ARE IN METRES

SIGNED: *John Dole*

DATE: 20-7-87

REF. No. 87.2.028

Sheet 2 of 2 sheets

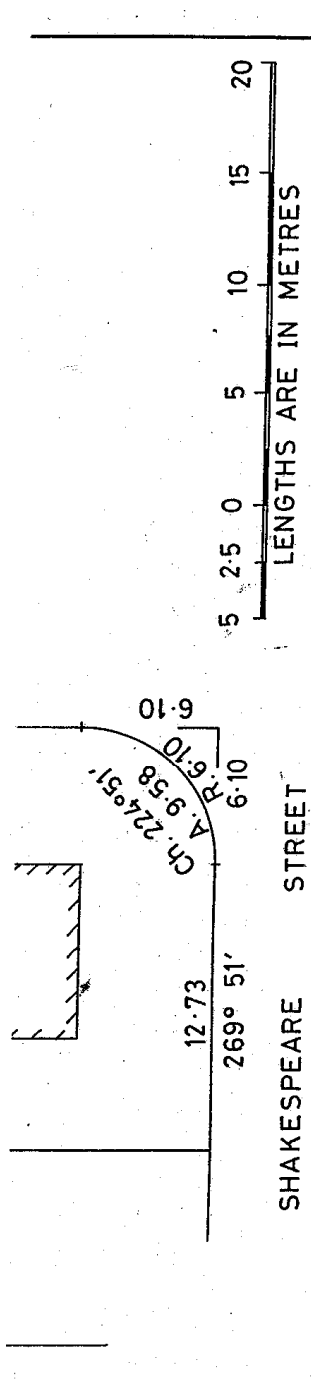


Diagram showing external boundaries of the site and the location in relation thereto at ground level of all buildings in the parcel.

I, PETER GORDON DELL of SUITE 3, 6-8 GREY ST., TRARALGON a Surveyor licensed under the Land Surveyors Act 1958 certify that this plan and any measurements on which it is based have been made by me or under my personal direction and supervision; that the standard of accuracy of any measurements made to determine the external boundaries of the site complies with the requirements of and under the Land Surveyors Act 1958; that the plan accurately represents as at the 20TH day of JULY 1987 in the manner required by or under the Strata Titles Act 1967 and by or under the Land Surveyors Act 1958 and within the limitations of the scale used and the standard of accuracy required, the boundaries of the units and the location, at ground level, of all buildings in the parcel in relation to the external boundaries of the site; and that all units are within the parcel.

SIGNATURE: Peter Dell DATE: 20-7-87

FOR SCHEDULE OF UNIT ENTITLEMENT AND UNIT LIABILITY SEE SHEET 2 RECERTIFIED AS AT 20-10-88 Peter Dell L.S.

REF. No. 87.2.028

SEAL OF MUNICIPALITY AND ENDORSEMENT

Pursuant to Section 6(1) of the Strata Titles Act 1967 the Common Seal of the Mayor, Councillors & Citizens of the City of TRARALGON was hereunto affixed this FIRST day of NOVEMBER 1988 in pursuance of a resolution of the Council and in the presence of

COUNCILLOR..... [Signature]

COUNCILLOR..... [Signature]

TOWN CLERK..... [Signature]

SIGNED: [Signature]
DATE: 20-7-87
Sheet 1 of 2 sheets

PLAN C

**11.3.9 PLANNING PERMIT APPLICATION 2008/296 - TWO LOT
SUBDIVISION, 6 TARAGO COURT, TRARALGON**

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

1. PURPOSE

The purpose of this report is to determine Planning Permit Application 2008/296 for a two lot subdivision at Lot 63 on Plan of Subdivision 519259P, more commonly known as 6 Tarago Court, Traralgon.

2. POLICY IMPLICATIONS

The provisions of the *Planning and Environment Act 1987* (the Act) 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 Latrobe Valley. To provide leadership and to facilitate a well connected, interactive economic environment in which to do business.

Community Outcome - Built Environment Sustainability

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

Strategic Action - Infrastructure Development

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

3. BACKGROUND

3.1 SUMMARY

Land: 6 Tarago Court, Traralgon, known as Lot 63 on Plan of Subdivision 519259P.
Proponent: L Potenza, A Tucci, L Di Pasquale and Australian Vending Services Pty Ltd C/- Beveridge Williams & Co Pty Ltd
Zoning: Residential 1 Zone.
Overlay: No overlays affect the subject land.

A Planning Permit is required to subdivide land in the Residential 1 Zone in accordance with Clause 32.01-2 of the Scheme.

3.2 PROPOSAL

Subject land:

The application is for a two lot subdivision of a vacant residential lot.

The subject site is relatively flat and is irregular in shape, with a total area of 1,314m². The site has a 13.79 metre frontage to Tarago Court along its western boundary, a 41.86 metre long north-western (side) boundary, a 69.70 metre long eastern (rear) boundary and a 43.59 metre south-western (side) boundary. The side and rear boundaries of the site are delineated by timber paling fences.

The site has been cleared of native vegetation and is covered in pasture grass. No vehicle crossovers are currently provided to the land and no pedestrian footpaths are located within Tarago Court.

Proposed Lot 1 and 2 will both be irregular in shape. Each lot will front Tarago Court along its western boundary and access to each is to be obtained via Tarago Court. Lot 1 is to have an area of 637m², whilst Lot 2 will have an area of 678m².

One covenant applies to the subject land. Covenant AD360079A stipulates:

- *'Not to permit or allow to be built any temporary, relocatable building or structure on the lot';*

- *'Not use or permit or allow to be built any building to be used for anything other than residential purposes';*
- *'Not without obtaining the consent of the vendor to permit or allow to be erected upon the lot:*
 - *any building or structure constructed of cement sheeting or fibro cement sheeting other than sheeting as may be necessarily used in eave cladding;*
 - *any building or structure the outer walls of which are weatherboard or a weatherboard like material;*
 - *any outbuildings not constructed of brick, brick veneer, timber or colorbond;*
 - *any building or structure consisting wholly or partly of second hand materials other than second hand bricks or stone'; and*
- *'Not to erect or construct or permit to remain any fence upon the property any fence unless such fence or fences meet the following Requirements:*
 - *Fence – side. Material – Vertical lapped treated pine palings. Specification – Not to exceed 1 meter in height over a 2.8 meter distance from the front boundary of the lot, thereafter angular grading over a distance of 2.5 meters to fixed 1.8 meters in height.*
 - *Fence – rear. Material - Vertical lapped treated pine palings. Specifications – Fixed 1.8 meters in height.*
 - *Fence – corner lots (& lots abutting corner fenced lots). Material – No second hand materials. Specification – By prior approval or direction from the Vendor.*
 - *Fence – lots abutting reserves. Material – Vertical lapped treated. Specification – Fixed 1.8 metres in height.'*

The proposal does not breach the abovementioned covenant. No other restrictive covenants, caveats or Section 173 Agreements apply to the subject land. The subject site does not contain any easements.

Surrounding Land Use:

- North: Single dwelling (one storey) on a lot of 1,486m².
- South: Single dwelling (one storey) on a lot of 1,356m².

- East: Single dwellings (one storey) on lots ranging from 1,002m² to 1,101m².
- West: Road – sealed with kerb and channel (Tarago Court).

3.3 HISTORY OF APPLICATION

The application was received on 15 September 2008.

The application was advertised on 22 September 2008 to adjoining property owners and occupiers pursuant to section 52(1)(a) of the Act and a sign displayed on the subject land pursuant to section 52(1)(d) of the Act.

Two submissions in the form of objections were received. The first was received on 8 October 2008, and the second on 10 October 2008.

3.4 LATROBE PLANNING SCHEME

State Planning Policy Framework

Clause 14.01 'Planning for urban settlement' contains the following 'Objectives':

- *'To ensure a sufficient supply of land is available for residential, commercial, industrial, recreational, institutional and other public uses'; and*
- *'To facilitate the orderly development of urban areas.'*

Clause 16.01 'Residential development for single dwellings' contains the following 'Objectives':

- *'To encourage subdivisions in locations with access to physical and community infrastructure and providing a range of lot sizes, a convenient and safe road network, appropriate pedestrian and cycle paths, sufficient useable public open space and low vulnerability to fire';*
- *'To encourage residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water-sensitive design principles and encourages public transport use'; and*
- *'To encourage opportunities for increased residential densities to help consolidate urban areas.'*

Clause 18.09 'Water supply, sewerage and drainage' contains the following 'Objective':

- *'To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.'*

Clause 19.01 'Subdivision' contains the following 'Objectives':

- *'To ensure the design of subdivisions achieves attractive, livable and sustainable neighbourhoods';*
and
- *'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.'*

Local Planning Policy Framework

Municipal Strategic Statement (Clause 21)

Clause 21.01 (Municipal Profile):

Under 'Urban settlement and form' (Clause 21.01-3) it is recognised that:

- *'The three main urban settlements of Moe, Morwell and Traralgon are located along a linear spine of the main transport corridor formed by the Princes Freeway and the Melbourne railway line.'*

and under 'Housing' (Clause 21.01-7) it is stated:

- *'The diversity in housing types available in the municipality contributes to the lifestyle choices provided and the overall attractiveness of the municipality as a place to live and invest.'*

Clause 21.02 (Key Influences):

Under 'Housing' (Clause 21.02-2) it is stated:

- *'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.'*

Clause 21.03 (Vision – Strategic Framework):

The Latrobe 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 contained urban development within distinct boundaries and maximise the use of existing infrastructure. Strategies to implement this include:

- *'To contain urban development within distinct boundaries in order to reinforce, strengthen and increase the attractiveness of the existing urban settlements and the activity centre pattern and to maximise the use of existing infrastructure';*
- *'To provide the flexibility for development to occur in each town to accommodate the needs of its local and surrounding population as well as to contribute in a complementary way to the municipal networked city';*
- *'To retain clear boundaries between urban areas and their surrounding rural environment'; and*
- *'To sustain local employment and retail opportunities by offering a high degree of self containment for residents of Latrobe.'*

Clause 21.04-4 has a 'Containment and renewal' objective (Element 1) to encourage the containment of new residential subdivision within residential areas shown on the local structure plans for each town. Strategies to implement this include:

- *'Support new residential subdivisions within the existing zoned land provided they contribute to the integrated development of the neighbourhood or town'; and*
- *'Encourage infill and renewal at a variety of housing densities, from large, low density housing lots through to medium and higher density developments, depending on the location of the development, the quality of the living environment being created and the value added to property in the area.'*

Local Planning Policy (Clause 22)

Clause 22.06 (Urban Residential Land Supply):

The policy basis and objectives identify the concepts of the MSS as outlined above, and has a 'Policy Basis':

- *'The containment and consolidation of urban areas.'*

'Objective':

- *'To encourage consolidation within the defined urban boundaries.'*

'Policy':

- *'The strategic land use framework plans be used for each town and community to assist in co-ordinated land use and development planning.'*

Zoning

The subject site is zoned 'Residential 1'. Pursuant to Clause 32.01-2 a planning permit is required to subdivide land. The proposed subdivision must also meet the requirements of Clause 65 (Decision Guidelines). 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'; and*
- *'In appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs.'*

Overlay

No overlays affect the subject land.

Particular Provisions

Clause 56 Residential Subdivision:

The proposed development must meet the requirements of Clause 56 (the ResCode provisions). The purpose of Clause 56 'Residential Subdivision' is:

- *'To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies';*
- *'To create livable and sustainable neighbourhoods and urban places with character and identity';*
- *'To achieve residential subdivision outcomes that appropriately respond to the site and its context for:*
 - *Metropolitan Melbourne growth areas.*
 - *Infill sites within established residential areas.*
 - *Regional cities and towns'; and*
- *'To ensure residential subdivision design appropriately provides for:*
 - *Policy implementation.*
 - *Livable and sustainable communities.*
 - *Residential lot design.*
 - *Urban landscape.*
 - *Access and mobility management.*
 - *Integrated water management.*
 - *Site management.*
 - *Utilities.'*

Decision Guidelines (Clause 65):

The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the 'Decision Guidelines' of Clause 65. In accordance with Clause 65.01 the Responsible Authority must consider, as appropriate:

- *'The matters set out in Section 60 of the Act';*
- *'The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies';*
- *'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 effect on the amenity of the area';*
- *'The proximity of the land to any public land';*
- *'Factors likely to cause or contribute to land degradation, salinity or reduce water quality';*

- *'Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site';*
- *'The extent and character of native vegetation and the likelihood of its destruction';*
- *'Whether native vegetation is to be or can be protected, planted or allowed to regenerate'; and*
- *'The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.'*

Incorporated Documents (Clause 81):

No Incorporated Documents apply to this application.

4. INTERNAL/EXTERNAL CONSULTATION

Engagement Methods Used:

Notification:

The application was advertised pursuant to section 52 of the *Planning and Environment Act 1987* (the Act). Notices were sent to all adjoining and adjacent property owners and occupiers and a notice was displayed on the subject site for 14 days.

External:

The application did not require referral pursuant to section 52(1)(c) and (d) and section 55 of the Act.

Internal:

Internal officer comments were sought from Council's Project Services Team, who gave consent to approval subject to appropriate conditions, which the team have provided.

Details of Community Consultation following Notification:

Following the advertising of the application, two submissions in the form of objections were received.

At the request of the planning permit applicant, a planning mediation meeting did not take place.

Consensus has not been 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:

It is considered that the application complies with the strategic direction of the State and Local Planning Policy Frameworks.

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

It is considered that the application complies with the 'Purpose' and 'Decision Guidelines' of the Residential 1 Zone.

'Purpose' and 'Decision Guidelines' of Clause 56 'Residential Subdivision':

It is considered that the application complies with the 'Purpose' and 'Decision Guidelines' of Clause 56 'Residential Subdivision'.

Clause 65 (Decision Guidelines):

It is considered that the application is consistent with Clause 65 'Decision Guidelines'.

Submissions:

The application received two submissions in the form of objections. The issues raised were:

1. Subdividing larger blocks in the middle of the court bowl will undermine the clever layout of the original subdivision and will ultimately ruin the character of Tarago Court, and in turn, decrease property values.

Comment:

No specific Neighbourhood Character Policy concerning lot sizes apply to the estate. There is no prescribed zoning density applicable under the Residential 1 Zone, and the zoning of the land allows for the consideration of further subdivision.

The proposal is considered to be consistent with ResCode as it applies to residential subdivision (Clause 56). The proposal is also considered to be consistent with State and Local Planning Policy and the zone 'Purpose' which encourages consolidation of urban areas and diversity of lot sizes.

Devaluation of property is not considered a valid ground of objection unless it can be justified by a sworn professional valuation, and is usually disregarded by VCAT.

2. The application makes reference to the proposed lots each being able to contain a rectangle measuring 10 x 15 metres. The other dwellings in Tarago Court are similar in size as to that of the dwelling located at number 7, which is 13 x 23 metres.

Comment:

The proposed lots have been designed to satisfy Clause 56 (the ResCode provisions) of the Latrobe Planning Scheme (the Scheme). This includes Standard C8 'Lot area and building envelopes objective'. The purpose of this standard is to provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

This is achieved on lots exceeding 500m² by demonstrating that a 10 x 15 metre building envelope can be accommodated on site. Each of the proposed lots have demonstrated that they are able to contain this building envelope.

The proposed subdivision is to be assessed under the ResCode provisions which do not specify that dwellings must be of similar size to that of neighbouring lots. The proposal is consistent with and satisfies Standard C8 of the ResCode provisions.

3. The restrictive size of the lots will lead to future owners building double storey dwellings. This will result in a loss of privacy and overshadowing.

Comment:

The proposal is creating two vacant lots in which single dwellings may be developed. There is no evidence that suggests that smaller lot sizes will encourage the development of double storey dwellings, and this claim is also not considered to be a relevant planning consideration.

Any subsequent development on the lots created will require a Building Permit. To gain building approval, development must be considered under the Building Regulations 2006. Regulation 418 addresses issues of overshadowing and Regulation 419 addresses the issue of overlooking.

4. Creating another lot in the bowl of the court will result in an increase in traffic, which will increase the danger of accidents occurring.

Comment:

The increased traffic levels created by one additional lot (10 vehicle movements over a 24 hour period) is considered normal for a residential area, minimal and unlikely to generate detrimental impacts on amenity or safety.

Traffic management advice was obtained from Council's Project Services Team, which had no objection to the granting of a planning permit.

5. The two proposed crossovers will take up the entire frontage of 6 Tarago Court. This will result in a loss of on street parking. People visiting number six will have to park in front of other residents' dwellings. This extra congestion will be unsafe.

Comment:

The proposed shared crossover will measure six metres along the subject site's 13.79 metre frontage.

Any subsequent development must comply with Clause 54 'One dwelling on a lot' (the ResCode provisions). This includes Standard A9 'Parking objective'. The purpose of this standard is to ensure that car parking is adequate for the needs of residents, which includes visitors to properties. Adequate car parking for residents and visitors is to be provided on-site in accordance with this standard.

6. An additional dwelling in the court will create more noise in the quiet location.

Comment:

Compliance of all relevant legislation that relates to noise in residential areas will be required of any potential residents. The potential impact on neighbouring residents is considered to be minimal.

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; or
- 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 the 'Purpose' and 'Decision Guidelines' of Clause 56 'Residential Subdivision';
- 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 objection does 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 a Two Lot Subdivision at 6 Tarago Court, Traralgon (Lot 63 on Plan of Subdivision 519259P, Parish of Traralgon), with the following conditions:

1. The layout of the subdivision as shown on the endorsed plan must not be altered without the permission of the Responsible Authority.
2. All stormwater and surface water discharging from the site, buildings and works must be conveyed separately for each lot 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 Certification of the Plan of Subdivision, a site drainage plan must be submitted and approved by Council's Coordinator Project Services. 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 Built and Natural Environment Sustainability 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 Built and Natural Environment Sustainability division. The applicant is to note that for the subdivision of multi-dwelling developments for which it is proposed that no Body Corporate be created, it is a requirement of Council that each future lot must be provided with a separate stormwater connection to the legal point of discharge.

3. Prior to the issue of Statement of Compliance, a property connection must be constructed for Lot 2 in accordance with Council's standard drawing LCC 209.
4. 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.
5. 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 1. Prior to the commencement of works, the Council's Asset Protection Officer 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 Kam
Seconded: Cr Gibson

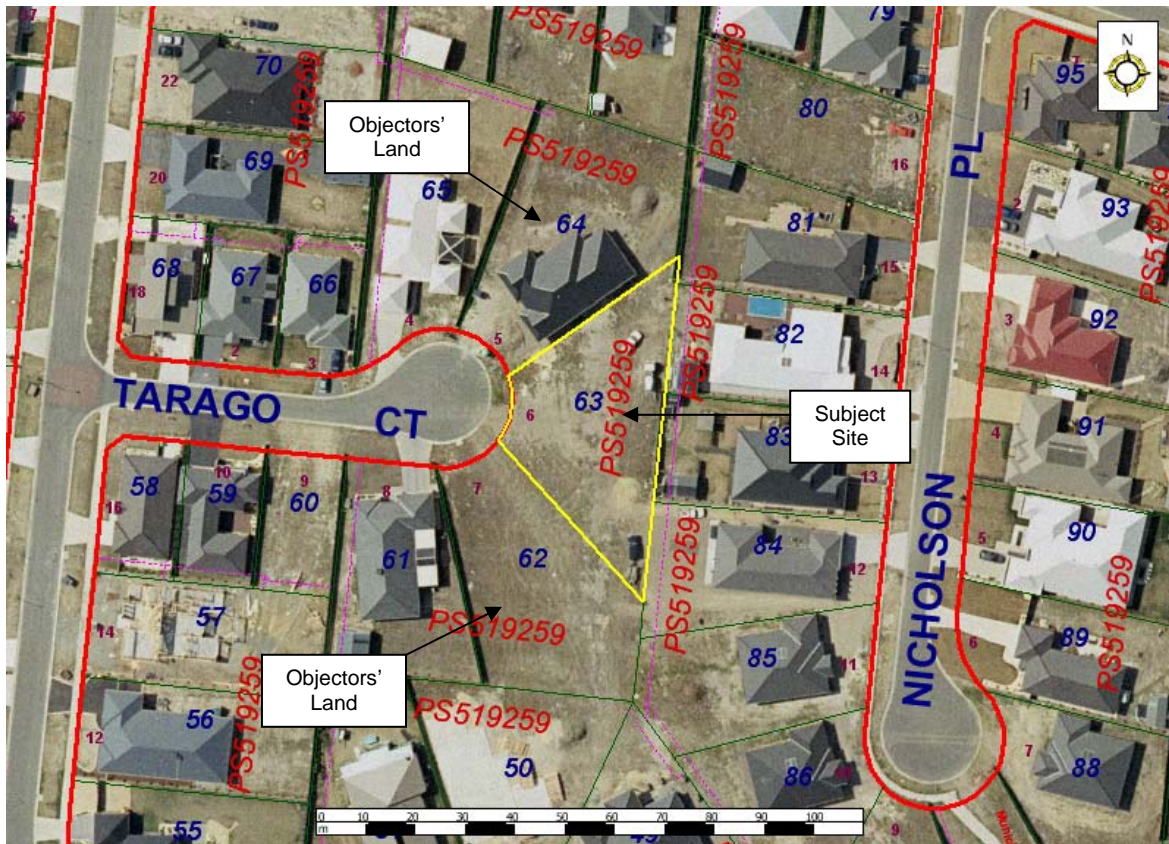
That Council DECIDES to issue a Notice of Refusal to Grant a Permit for a Two (2) Lot Subdivision at 6 Tarago Court, Traralgon (being Lot 63 on Plan of Subdivision 519259P) on the following grounds:

1. **The proposed subdivision is not considered to respond to and integrate with the surrounding urban environment.**

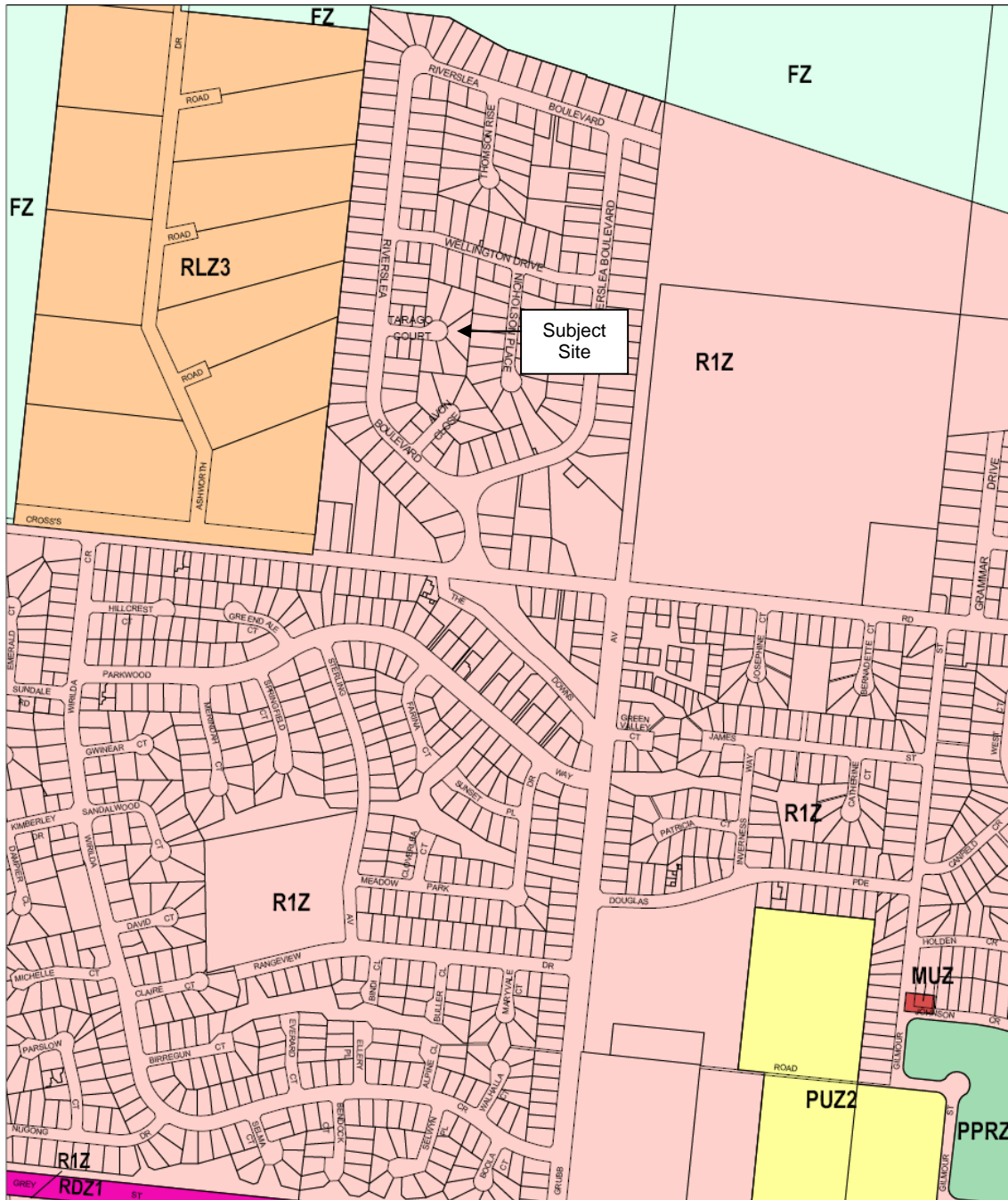
CARRIED UNANIMOUSLY

ATTACHMENTS

Locality Plan for Planning Permit Application 2008/296



LATROBE PLANNING SCHEME - LOCAL PROVISION



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This map should be read in conjunction with all Council Planning Documents. Major amendments are indicated on the REDDIT to MAPS.

Public Land	Public Use and Recreation Zone	Public Use Zone - Education	Road Zone Category 1	Special Use Zone	Residential Zone	Residential Zone - Schedule 1	Farming Zone	Planning Zone - Schedule 2
[Green]	[Blue]	[Yellow]	[Red]	[Purple]	[Pink]	[Light Pink]	[Orange]	[Light Green]



ZONES

MAP No 48

Legalco Online Information System

Information provided through Legalco Management Pty Ltd an approved LPINSW Information Broker.

Register Search Statement

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REGISTER SEARCH STATEMENT Land Victoria

Security no : 124026945949D

Volume 10835 Folio 868

Produced 11/08/2008 01:34 pm

LAND DESCRIPTION

Lot 63 on Plan of Subdivision 519259P.
PARENT TITLE Volume 09655 Folio 096
Created by instrument PS519259P 20/10/2004

REGISTERED PROPRIETOR

Estate Fee Simple

TENANTS IN COMMON

As to 1 of a total of 4 equal undivided shares

Sole Proprietor

LUCIA POTENZA of 49 RAINER STREET PASCOE VALE SOUTH VIC 3044

As to 1 of a total of 4 equal undivided shares

Sole Proprietor

ANTONIO TUCCI of 38 JUKES ROAD FAWKNER VIC 3060

As to 1 of a total of 4 equal undivided shares

Sole Proprietor

LAURA DI PASQUALE of 8 HULME COURT HILLSIDE VIC 3037

As to 1 of a total of 4 equal undivided shares

Sole Proprietor

AUSTRALIAN VENDING SERVICES PTY LTD of 5 EDEN PLACE GREENVALE VIC 3059
AD360078C 12/01/2005

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AD360079A 12/01/2005
NATIONAL AUSTRALIA BANK LTD

COVENANT AD360078C 12/01/2005

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS519259P FOR FURTHER DETAILS AND BOUNDARIES

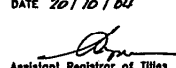

ACTIVITY IN THE LAST 125 DAYS

NIL

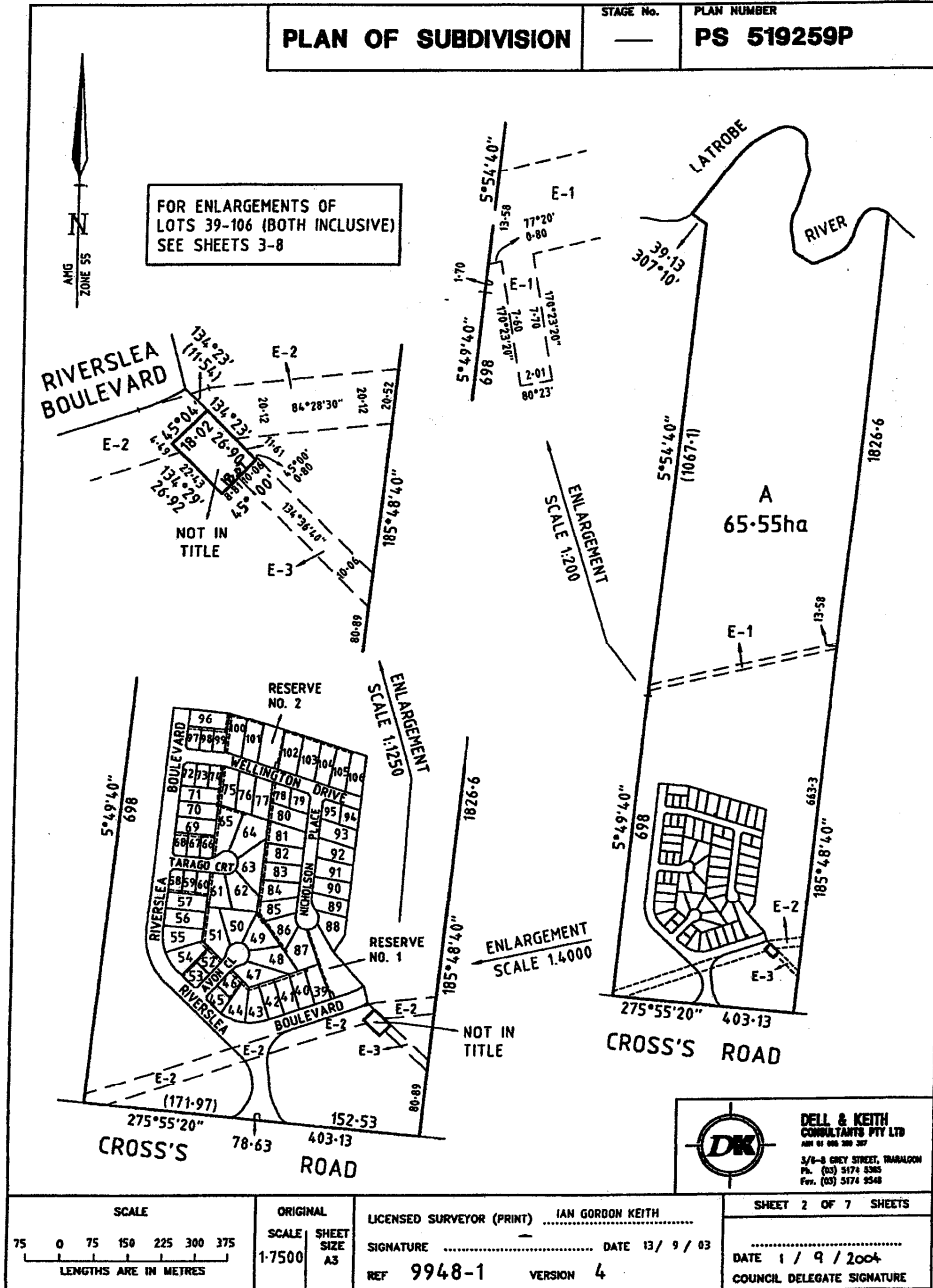
The following information is provided for customer information only.

Street Address: 6 TARAGO COURT TRARALGON VIC 3844

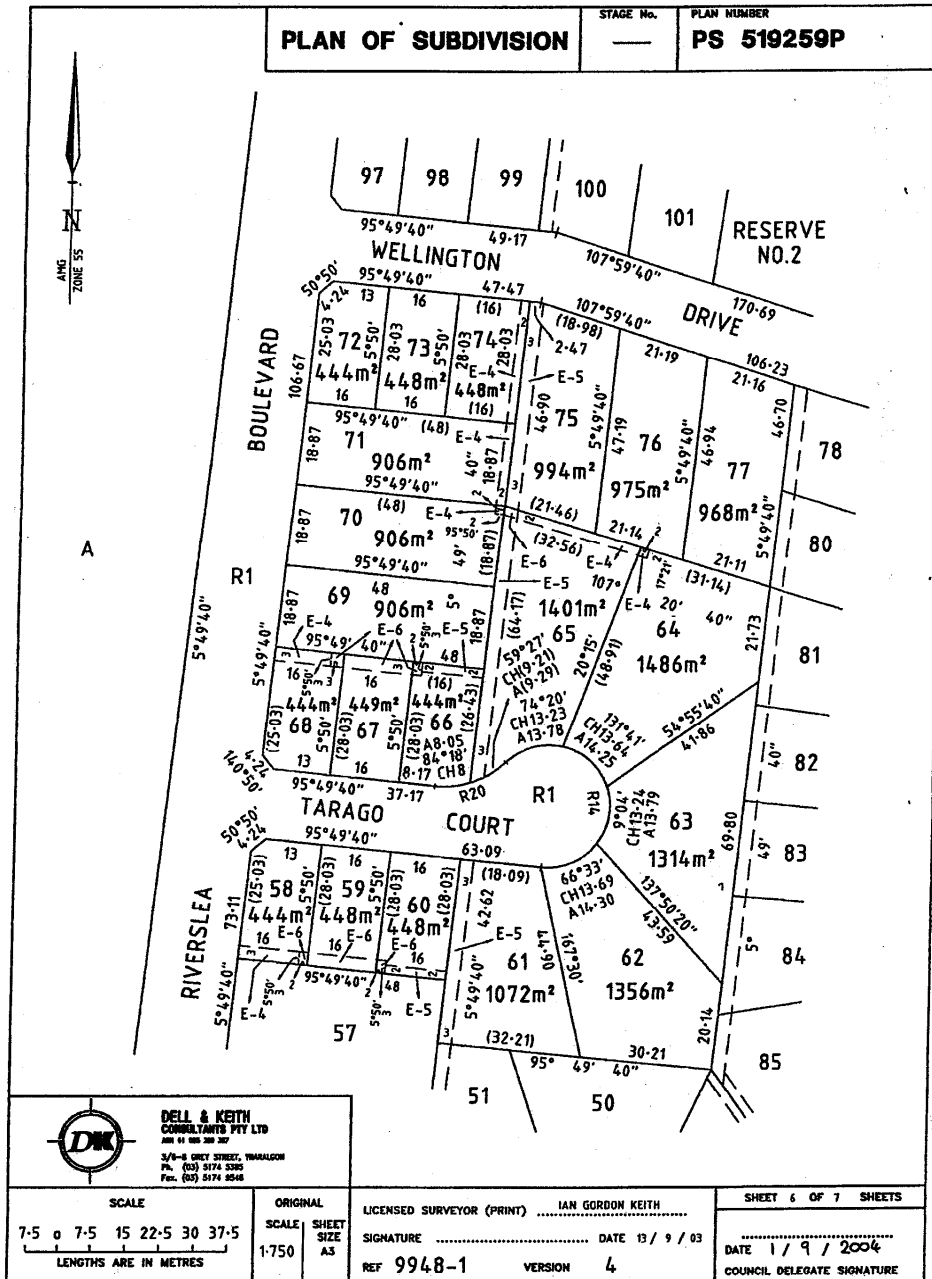
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PLAN OF SUBDIVISION		STAGE No. _____	LR USE ONLY	PLAN NUMBER
			EDITION 1	PS 519259P
LOCATION OF LAND		COUNCIL CERTIFICATION AND ENDORSEMENT		
PARISH: TRARALGON SECTION: _____ CROWN ALLOTMENTS: 29 ^A , 27(PART), 28(PART), 29(PART) & 30(PART) TITLE REFERENCES: C/T VOL 9655 FOL 896 LAST PLAN REFERENCE/S: LP 73138 LOT 2 POSTAL ADDRESS: CROSS'S ROAD (At time of subdivision) TRARALGON VIC 3844 AMG Co-ordinates E 457 410 ZONE: 55 N 5,774 530		COUNCIL NAME: CITY OF LATROBE REF: 03020 1. This plan is certified under Section 6 of the Subdivision Act 1988. 2. This plan is certified under Section 11(7) of the Subdivision Act 1988. Date of original certification under Section 6: _____ 3. This is a statement of compliance issued under Section 21 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has/has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage Council Delegate Council Seal Date 1 / 9 / 2004 Re-certified under Section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date / /		
VESTING OF ROADS AND/OR RESERVES		NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON	STAGING This is/ is not a staged subdivision. Planning permit No. 03020		
ROAD R1 RESERVE NO. 1 RESERVE NO. 2 RESERVE NO. 3 RESERVE NO. 4	LATROBE CITY COUNCIL LATROBE CITY COUNCIL LATROBE CITY COUNCIL TXU ELECTRICITY LIMITED TXU ELECTRICITY LIMITED	DEPTH LIMITATION: DOES NOT APPLY		
		LOT A IS NOT FULLY SURVEYED		
		LOTS 1-38 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN THE AREA OF LOT A HAS BEEN OBTAINED BY DEDUCTION FROM TITLE.		
		SURVEY. THIS PLAN IS/ IS NOT BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No.(s) 235 IN PROCLAIMED SURVEY AREA No. _____		
EASEMENT INFORMATION				
LEGEND	A-Appurtenant Easement	E-Encumbering Easement	R-Encumbering Easement (Road)	
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	TRANSMISSION OF ELECTRICITY	SEE DIAG.	INST. E45809	SECV
E-2	SEWERAGE	SEE DIAG.	INST. A899580	LATROBE VALLEY WATER & SEWERAGE BOARD
E-3	SEWERAGE	10-06	INST. C82589	TRARALGON SEWERAGE AUTHORITY
E-4	DRAINAGE	SEE DIAG.	THIS PLAN	CITY OF LATROBE
E-5	PIPELINE AND ANCILLARY PURPOSES	SEE DIAG.	THIS PLAN - SEC 136 WATER ACT 1989	CENTRAL GPPSLAND REGION WATER AUTHORITY
E-6	PIPELINE AND ANCILLARY PURPOSES	SEE DIAG.	THIS PLAN - SEC 136 WATER ACT 1989	CENTRAL GPPSLAND REGION WATER AUTHORITY
E-7	DRAINAGE	SEE DIAG.	THIS PLAN	CITY OF LATROBE
	POWER LINE	1-50	THIS PLAN - SEC 88 OF THE ELECTRICITY INDUSTRY ACT 2000	TXU ELECTRICITY LIMITED
LR USE ONLY STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT RECEIVED <input checked="" type="checkbox"/> DATE: 4 / 10 / 04 LR USE ONLY PLAN REGISTERED TIME 11.13 DATE 20 / 10 / 04  Assistant Registrar of Titles SHEET 1 OF 7 SHEETS				
 DELL & KEITH CONSULTANTS PTY LTD ABN 61 003 288 387 3/6-8 GREY STREET, TRARALGON Ph. (053) 5174 5385 Fax. (053) 5174 9548		LICENSED SURVEYOR (PRINT) IAN GORDON KEITH SIGNATURE DATE 13 / 9 / 03 REF 9948-1 VERSION 4		DATE 1 / 9 / 2004 COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3

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TRANSFER OF LAND Section 45 Transfer of Land Act 1958



AD360078C



Lodged by: Name: National Australia Bank Limited 2000 Phone: Address: Ref.: Customer Code:

MADE AVAILABLE/CHANGE CONTROL Land Titles Office Use Only

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed— together with any easements created by this transfer; subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer; and subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land: (volume and folio reference)

Certificate of Title Volume 10935 Folio 868

Estate and Interest: (e.g. "all my estate in fee simple")

All its estate in fee simple



Consideration:

\$78,500.00

Transferor: (full name)

WESTEND RISE PTY LTD ACN 104 728 270

Transferee: (full name and address including postcode)

LUCIA POTENZA of 49 Rainer Street, Pascoe Vale South 3044 as sole proprietor as to one equal undivided quarter share or part, ANTONIO TUCCI of 38 Jukes Road, Fawkner 3060 as sole proprietor as to one undivided quarter share or part, LAURA DI PASQUALE of 8 Hulme Court, Hillside 3037 as sole proprietor as to one equal undivided quarter share or part and AUSTRALIAN VENDING SERVICES PTY LTD of 5 Eden Place, Greenvale 3059 as sole proprietor as to the remaining one equal undivided quarter share or part as tenants in common ACN 101 773 279

Directing Party: (full name)

Not applicable

Creation and/or Reservation and/or Covenant:

The purchasers for themselves, their executors, administrators and transferees to the intent that the burden of the covenants below shall run with and bind the land hereby transferred ("the burdened land") HEREBY COVENANTS with the vendor and the registered proprietors for the time being of every lot (other than the burdened land) in Plan of Subdivision 519259P ("the plan") and collectively referred to as "the dominant land" whether the lots are transferred by the vendor before or after the burdened land to the intent that the said covenants may be enforceable by the vendor and such persons as part of or for the purpose of effecting a general building scheme affecting all the dominant land

- 1. Not to permit or allow to be built any temporary, relocatable building or structure on the lot.

Continued on T2 Page 2

Approval No. 571007L

ORDER TO REGISTER

Please register and issue title to

T2



Signed

Cust. Code:

STAMP DUTY USE ONLY

Handwritten: \$1,684

Original Land Transfer Stamped with \$1,684.00 Doc ID 1899726, 30 Dec 2004 SRO Victoria Duty, MD60

Handwritten: 12/1/05

THE BACK OF THIS FORM MUST NOT BE USED

Delivered by LANDATA®. Land Victoria timestamp 21/08/2008 14:36 Page 2 of 3

- 2. Not use or permit or allow to be built any building to be used for anything other than residential purposes.
- 3. Not without obtaining the consent of the vendor to permit or allow to be erected upon the lot:
 - 3.1 any building or structure constructed of cement sheeting or fibro cement sheeting other than sheeting as may be necessarily used in eave cladding;
 - 3.2 any building or structure the outer walls of which are weatherboard or a weatherboard like material;
 - 3.3 any outbuildings not constructed of brick, brick veneer, timber or colorbond;
 - 3.4 any building or structure consisting wholly or partly of second hand materials other than second hand bricks or stone.

Fencing

- 4. Not to erect or construct or permit to remain any fence upon the property any fence unless such fence or fences meets the following Requirements :

Fence	Material	Specification
SIDE	Vertical lapped treated pine palings	Not to exceed 1 meter in height over a 2.8 meter distance from the front boundary of the lot, thereafter angular grading over a distance of 2.5 meters to fixed 1.8 meters in height.
REAR	Vertical lapped treated pine palings	Fixed 1.8 meters in height.
CORNER LOTS (& lots abutting corner fenced lots)	No second hand materials	By prior approval or direction from the Vendor.
LOTS ABUTTING RESERVES	Vertical lapped treated	Fixed 1.8 meters in height.

Dated: 03/11/04.

Execution and attestation:

The covenants in this transfer shall cease to apply or affect the land upon the expiration of 15 years after the Date of this transfer.



EXECUTED by WESTEND RISE PTY. LTD.
ACN 10 728 270 by being signed by those persons
who are authorized to sign for the company:
in the presence of:

DIRECTOR *[Signature]*
Lex Warren Grigg,
17 Breed Street, Traralgon 3844

DIRECTOR *[Signature]*
CS Carolyn Storti, Caroline Storti
17 Breed Street, Traralgon 3844

[Signatures]
Approval No. 571007L

T2 Page 2



AD360078C



Latrobe City	
- 8 OCT 2008	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	

6/10/2008.

Sender:
Brent & Megan Russell
7 Tarago Court
Traralgon, 3844

To Whom It May Concern:

*RE : Proposed Two (2) Lot Subdivision of 6 Tarago Court, Traralgon.
Application Reference Number: 2008/296*

This letter is to notify the Latrobe City Council of our strong objection to the above proposed subdivision. As the residents and owners of number 7 Tarago Court we share the South-western boundary with the affected block and we have a number of concerns if the proposal is allowed to go ahead.

Firstly, we would like to make a comment on the suggestion made in the application for a planning permit that the proposed subdivision "will complement the existing neighbourhood character." We don't believe this will be true at all. If you look at the design of the Riverslea Park Estate each court has a similar layout. On entry or at the start of each court the original designer has located smaller blocks for two or three blocks on each side of the road and then as you travel further into the bowl of the court the blocks open up and increase in size. It was this clever layout which first attracted us to this position because like sized blocks were grouped together and not scattered here, there and everywhere. We felt this would give better security for future property values as our home would be surrounded by homes of similar stature and size. To subdivide one of the larger blocks right in the middle of the court bowl will undermine the clever layout thought out by the original subdivision designer and will ultimately ruin the character of Tarago Court.

In relation to our comments above the application makes reference to the proposed two new allotments being able to contain a rectangle measuring 10 x 15 metres (in reference to possible future dwelling dimensions). Our residence measures approximately 13 x 23 metres (not including the garage). I believe other existing residences in the bowl of Tarago Court would be at least of similar size to ours. We believe placing two smaller dwellings in the courts most prominent position in between the already established homes only strengthens our argument that this subdivision will ruin the existing character of the court. Also, as the future dwelling footprint is somewhat restricted due the reduced size of the two proposed blocks will this lead to the future owners having to resort to building multiple storey homes to make up for the lack of space? If this happens then our living zone will be dramatically affected by an obvious loss of privacy and also reduced northerly aspect and loss of sunshine through the early to middle parts of the day.

Adding another block to the bowl of the court will mean an increase in traffic traveling in and out the length of the court. We are a family with young children and living in the bowl of a quiet court was a big attraction when we purchased this location. The extra traffic coming in and out is an unwanted consequence of adding an extra residence to the court bowl - as it is not only the extra occupier's vehicles that need to be counted but also the extra visitors their presence will attract.

1.)

Sender:
Brent & Megan Russell
7 Tarago Court
Traralgon, 3844

As a follow on to the previous point there is the question of what happens with kerb side parking in the bowl of our court? Currently each block in the court has room for one vehicle to park against the kerb. The application for this subdivision states that each new block will have its own 3 metre wide crossover for individual access. Two crossovers will take up the entire frontage of number 6 and leave no room for on street parking. This means people visiting the two new blocks will be forced to park elsewhere in front of neighbouring residences such as ours. The net effect is instead of 5 parking spaces for 5 properties in the bowl of the court we will have 4 parking spaces to share between 6 properties. We believe the extra congestion this will cause is unsafe and should not be allowed to happen. Tarago Court has no footpaths and the parking congestion will lead to dangerous interaction between pedestrians and vehicles trying to exit properties. In the bowl of a court safe parking is always an issue and to add more congestion through subdividing an already tight space is not conducive to smart urban design.

We trust that the Latrobe City Council will consider our objection to this proposed subdivision seriously and vote in our favor and **not** allow it to go ahead. We feel it will have a detrimental effect on the character of Tarago Court and future property values for surrounding homes. We feel it is unfair to existing residents of Tarago Court who in good faith purchased their blocks because they loved the position and current court layout to proceed with this subdivision.

Yours faithfully,

Brent & Megan Russell
7 Tarago Court,
Traralgon, 3844

October 9th 2008

RE: Subdivision of 6 Tarago Court, Application Reference number 2008/296

In response to an objection of this application our reasons are enclosed:

- It would create more traffic in our court and as a family that would mean my children would be in more danger of accidents.
- Parking, there is not a lot of space in the court & if there are too many vehicles for spaces provided that means people parking on the street which can create less space in the court.
- Will these single storey dwellings be owned or rented; this can also cause problems for parking spaces which will be available.
- Having two buildings on one block does create more traffic as there are more people, which will also create more noise in our quiet court location.

Thank you for your time & consideration.

Family of 5 Tarago Court, Traralgon

Latrobe City	
10 OCT 2008	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	

BEVERIDGE WILLIAMS

Incorporating Dell & Keith Consultants

OUR REFERENCE 11424

RETURN OFFICE TRARALGON

10 November, 2008

Chief Executive Officer
Latrobe City Council
PO Box 264
MORWELL VIC 3840

Latrobe City	
11 Nov 2008	
Doc. No:	
Action Officer:	
Special Officer:	
Comments:	



**BEVERIDGE WILLIAMS
& CO PTY LTD**
ACN 006 197 235
ABN 44 622 029 694
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PLANNERS
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ENVIRONMENTAL
CONSULTANTS
PROJECT MANAGERS**

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CAULFIELD NORTH VIC 3161
PO BOX 2205
CAULFIELD JUNCTION VIC 3161
TELEPHONE (03) 9528 4444
FACSIMILE (03) 9528 4477

LEONGATHA
52A BAIR STREET
PO BOX 161
LEONGATHA VIC 3953
TELEPHONE (03) 5662 2690
FACSIMILE (03) 5662 3578

WONTHAGGI
134 GRAHAM STREET
PO BOX 129
WONTHAGGI VIC 3995
TELEPHONE (03) 5672 1505
FACSIMILE (03) 5672 1642

BALLARAT
CNR CURTIS STREET &
HUMFRAY STREET NORTH
BALLARAT VIC 3350
PO BOX 1465
BALLARAT MAIL CENTRE VIC 3354
TELEPHONE (03) 5331 3877
FACSIMILE (03) 5333 3509
ENGINEERING
TELEPHONE (03) 5331 4602
FACSIMILE (03) 5331 4694

TRARALGON
18 HOTHAM STREET
PO BOX 684
TRARALGON VIC 3844
TELEPHONE (03) 5176 0374
FACSIMILE (03) 5176 0631

Attention: *Kristy Crawford – Statutory Planner*

Dear Kristy,

**RE: APPLICATION PLANNING PERMIT NO. 2008/296
TWO LOT SUBDIVISION
6 TARAGO COURT, TRARALGON**

We refer to the above application and thank you for providing a copy of the objection from B & M Russell.

We are also in receipt of an objection from (we assume) the owners of 5 Tarago Court. We question if this objection is valid, as no contact names have been provided and it has not been signed. It is requested that Council investigate whether this is indeed a valid objection under the provisions of the Planning and Environment Act 1987.

After receiving the objection from B & M Russell, we investigated whether the existing light pole adjacent to 6 Tarago Court could be relocated further north, in line with the northern boundary of the property. This would allow the construction of a single six metre wide driveway crossover centrally located along the site frontage, to be utilised as a shared access arrangement to both proposed allotments. We consider that this will reduce any potential impact on the availability of on-street parking within Tarago Court. A copy of the amended plan of subdivision is enclosed for your reference. Please note that we forwarded a copy of this amended plan to B & M Russell on 21 October 2008, but as yet have not received a response.

We understand that the Council is now in 'caretaker mode' and no planning mediation meetings are proposed to be held during this period. Subsequently, it is requested that this matter proceed directly to the next available Council Meeting for a decision.

We also wish to take this opportunity to make the following comments in response to the matters raised in the objections:

- **Building envelopes**
Clause 56.04-2 of the Latrobe Planning Scheme states that allotments greater than 500m² do not need to contain building envelopes. However, it does require that each allotment should be able to contain a rectangle measuring 10 x 15 metres. The proposed plan of



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Endorsed
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ISO 9001 Lic: 3079
Standards Australia
Melbourne Office

subdivision has been designed to demonstrate compliance with this particular clause of the planning scheme. It does not imply that future dwellings will have the dimensions of these rectangles. However, it does demonstrate that the dimensions and size of both allotments allow for future dwelling setbacks that respect the prevailing front setback distances of adjacent dwellings.

▪ **Loss of privacy and access to sunlight**

Any future dwellings (either single or double storey) on the proposed allotments must be designed to comply with the relevant standards of ResCode, which are enforced via the Victorian Building Regulations. These standards ensure that the amenity of adjacent dwellings is maintained (eg. access to sunlight, protection from overlooking and overshadowing).

▪ **Removal of on-street parking**

There is no evidence to suggest that the creation of one additional allotment will result in parking congestion within Tarago Court.

As stated above, any future dwellings on the site will need to be designed to comply with the relevant standards of ResCode, which includes adequate provision of on-site car parking based on the number of bedrooms within the dwelling.

We note that all existing dwellings in Tarago Court have been designed with two-car garages and driveways which can accommodate at least one additional car space. It is not anticipated that residents of these dwellings should need to utilise on-street parking.

There are no restrictions in Tarago Court which would preclude the parking of vehicles in the street, if required.

▪ **Noise and vehicle pollution**

Tarago Court is a sealed road with adequate capacity to accommodate the anticipated additional traffic movements generated by the future development of a single dwelling on each proposed allotment. Based on the accepted standard of 10 vehicle movements per dwelling per day, the proposal is expected to generate an additional 20 vehicle movements within Tarago Court on a daily basis. The impact of this number of additional vehicle movements is not considered significant.

Vehicle speeds within Tarago Court are expected to be low and there is an onus on drivers to take due care when reversing out of driveways, to minimise any potential traffic impacts.

Any noise associated with the subdivision and future dwellings is expected to be within levels acceptable for a residential area. Noise and vehicle pollution above acceptable levels is regulated by the Environment Protection Authority.

▪ **Property devaluation**

No evidence has been presented to demonstrate that the proposal will impact property values and is therefore not a relevant town planning consideration.

▪ **Usage of dwellings**

The future usage of dwellings by either owner-occupiers or tenants is not a relevant town planning consideration.

3

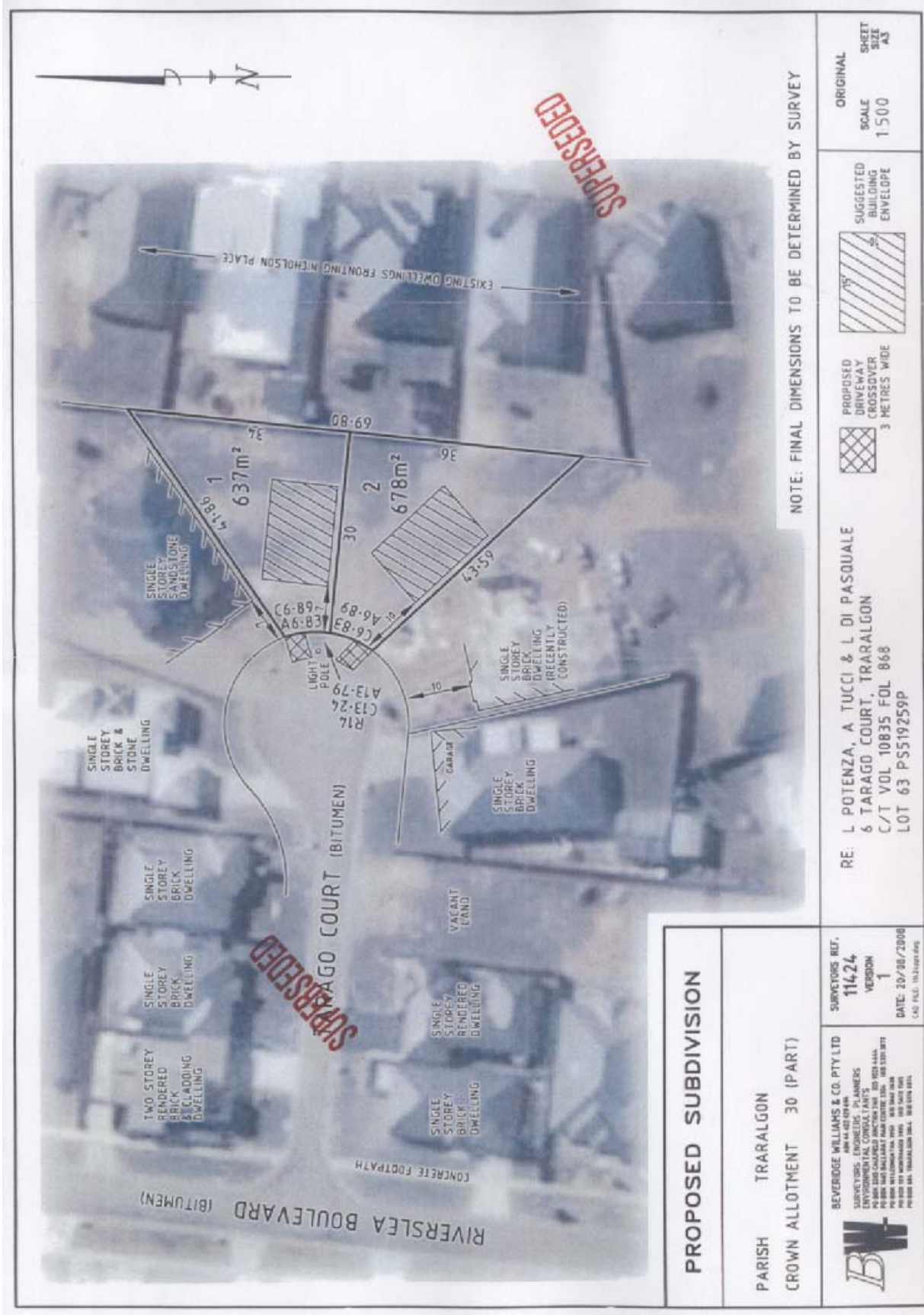
Should you require any further information, please do not hesitate to contact the writer at the Traralgon office. We await confirmation of the Council Meeting date in due course.

BEVERIDGE WILLIAMS & CO PTY LTD



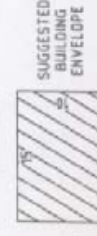
NICOLE STOW
Senior Town Planner

Enc.



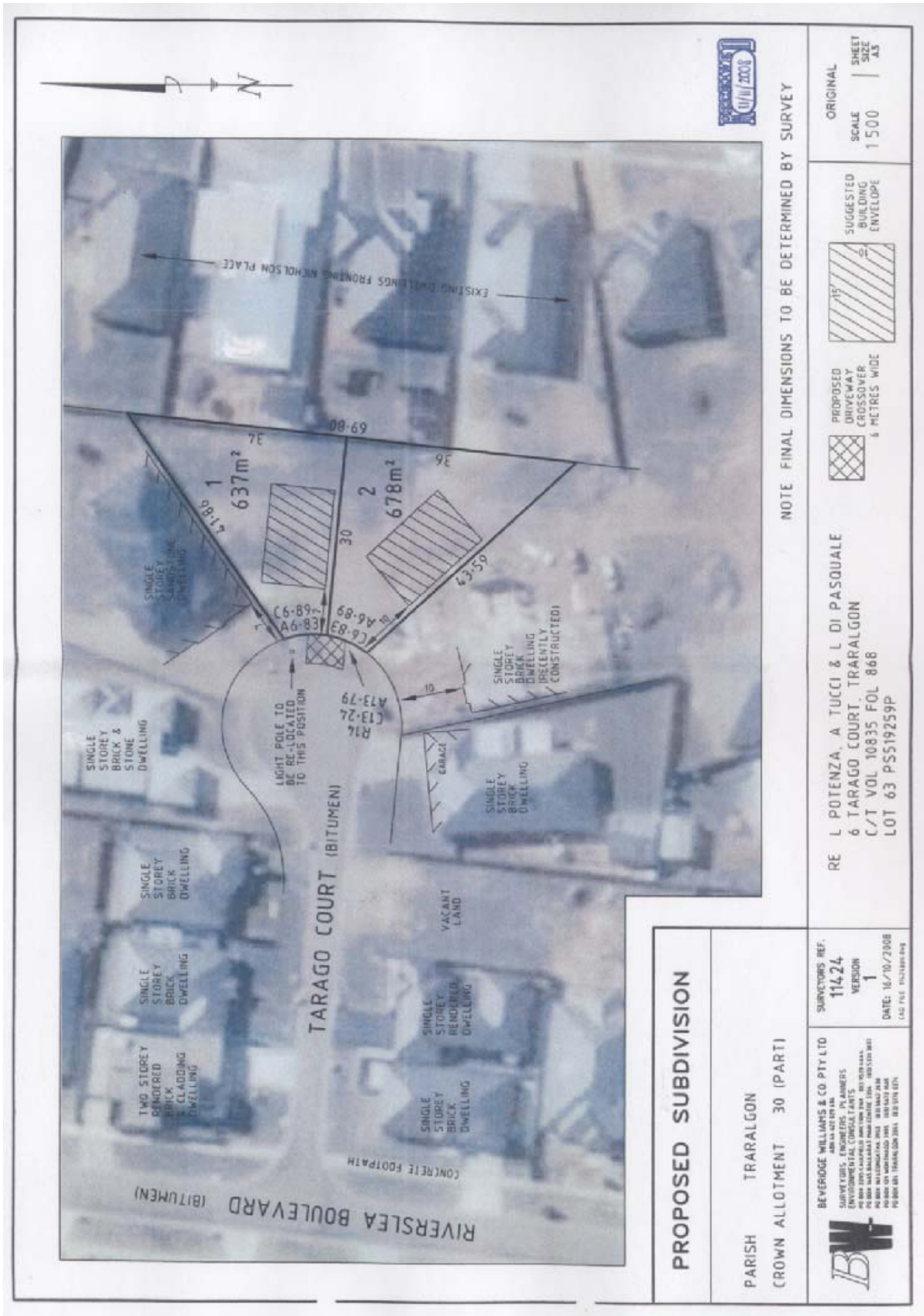
NOTE: FINAL DIMENSIONS TO BE DETERMINED BY SURVEY

ORIGINAL SCALE 1500 SHEET SIZE A3



RE: L POTENZA, A TUCCI & L DI PASQUALE & TARAGO COURT, TRARALGON C/T VOL 10835 FOL 868 LOT 63 P5519259P

<p>PROPOSED SUBDIVISION</p> <p>PARISH TRARALGON</p> <p>CROWN ALLOTMENT 30 (PART)</p>	<p>BEVERIDGE WILLIAMS & CO. PTY LTD</p> <p>SURVEYORS, ENGINEERS, PLANNERS</p> <p>ENVIRONMENTAL CONSULTANTS</p> <p>PO BOX 2000 CALFIELD JUNCTION VIC 3015</p> <p>PH 03 9488 1111 FAX 03 9488 1111</p> <p>PER 002 031 WESTWOOD ROAD 3003 VIC 3048</p> <p>PER 002 041 TRARALGON HILL 380 VIC 3841</p>	<p>SURVEYORS REF. 11424</p> <p>VERSION 1</p> <p>DATE: 20/08/2008</p> <p>CAD FILE: 1022008.dwg</p>
	<p>RE: L POTENZA, A TUCCI & L DI PASQUALE & TARAGO COURT, TRARALGON C/T VOL 10835 FOL 868 LOT 63 P5519259P</p>	



NOTE FINAL DIMENSIONS TO BE DETERMINED BY SURVEY

ORIGINAL SCALE 1500 SHEET SIZE A3



SUGGESTED BUILDING ENVELOPE



PROPOSED DRIVEWAY CROSSOVER 6 METRES WIDE

RE L POTENZA, A TUCCI & L DI PASQUALE
6 TARAGO COURT, TRARALGON
C/T VOL 10835 FOL 868
LOT 63 PS519259P

PROPOSED SUBDIVISION

PARISH TRARALGON
CROWN ALLOTMENT 30 (PART)

BEVERIDGE WILLIAMS & CO PTY LTD
SURVEYORS, ENGINEERS, PLANNERS
ENVIRONMENTAL CONSULTANTS
114.24
VERSION 1
DATE: 16/10/2008
LOG FILE: PL210808.DWG

11.3.10 PROPOSED AMENDMENT TO INTRODUCE DESIGN AND DEVELOPMENT OVERLAYS TO LAND SURROUNDING THE HELIPAD AT LATROBE REGIONAL HOSPITAL

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

1. PURPOSE

The purpose of this report is for Council to consider a request from the Department of Human Services to amend the Latrobe Planning Scheme to introduce two Design and Development Overlays (DDO) for land at Village Avenue Traralgon, (Latrobe Regional Hospital), and for land within a 926m radius from the Latrobe Regional Hospital Helipad Site to protect the helipad area from inappropriate height developments.

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.

Community Outcome - Built Environment Sustainability

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

Strategic Action - Infrastructure Maintenance

Promote and support private and public sector investment in the development and maintenance of key asset infrastructure in the municipality.

3. BACKGROUND

The Department of Human Services has developed a statewide helipad strategy to guarantee long-term viability of the air ambulance helicopter network by ensuring flightpaths are protected from inappropriate developments. A request to amend the Latrobe Planning Scheme has been received by the Department of Human Services.

The proposed amendment affects land located at Village Avenue, Traralgon (Helipad at Latrobe Regional Hospital, known as Crown Land, Part 60A) and encompasses land within a radius of approximately 926m. The proposed amendment affects a total of 40 allotments; zoned Special Use Zone (SUZ), Rural Living Zone (RLZ) and Farming Zone (FZ). (Refer Attachment A – Extent of DDO area).

The proposed amendment will introduce two Design and Development Overlay (DDO) Schedules to Clause 43.02 of the Latrobe Planning Scheme. These DDO Schedules are reflected in Attachment A as DDOH1 and DDOH2 and in Attachment B and C as DDO# (Refer Attachment B and C – Draft Schedules DDO#).

DDOH1 will require a permit for the construction of a building, construction or carrying out of works which exceed 56.44m above the Australian Height Datum (AHD). In effect, this will mean that most buildings and works within DDOH1 will require a planning permit.

DDOH2 will require a permit for the construction of a building, construction or carrying out of works which exceed 68.4m above the AHD. In effect this will mean that most buildings and works within DDOH2 above 8 – 12 metres will require a planning permit.

Statutory Requirements

In accordance with Section 9 of the *Planning and Environment Act 1987*, the Minister for Planning may authorise a municipal council to prepare an amendment to State and local standard provisions of a planning scheme in force in its municipal district.

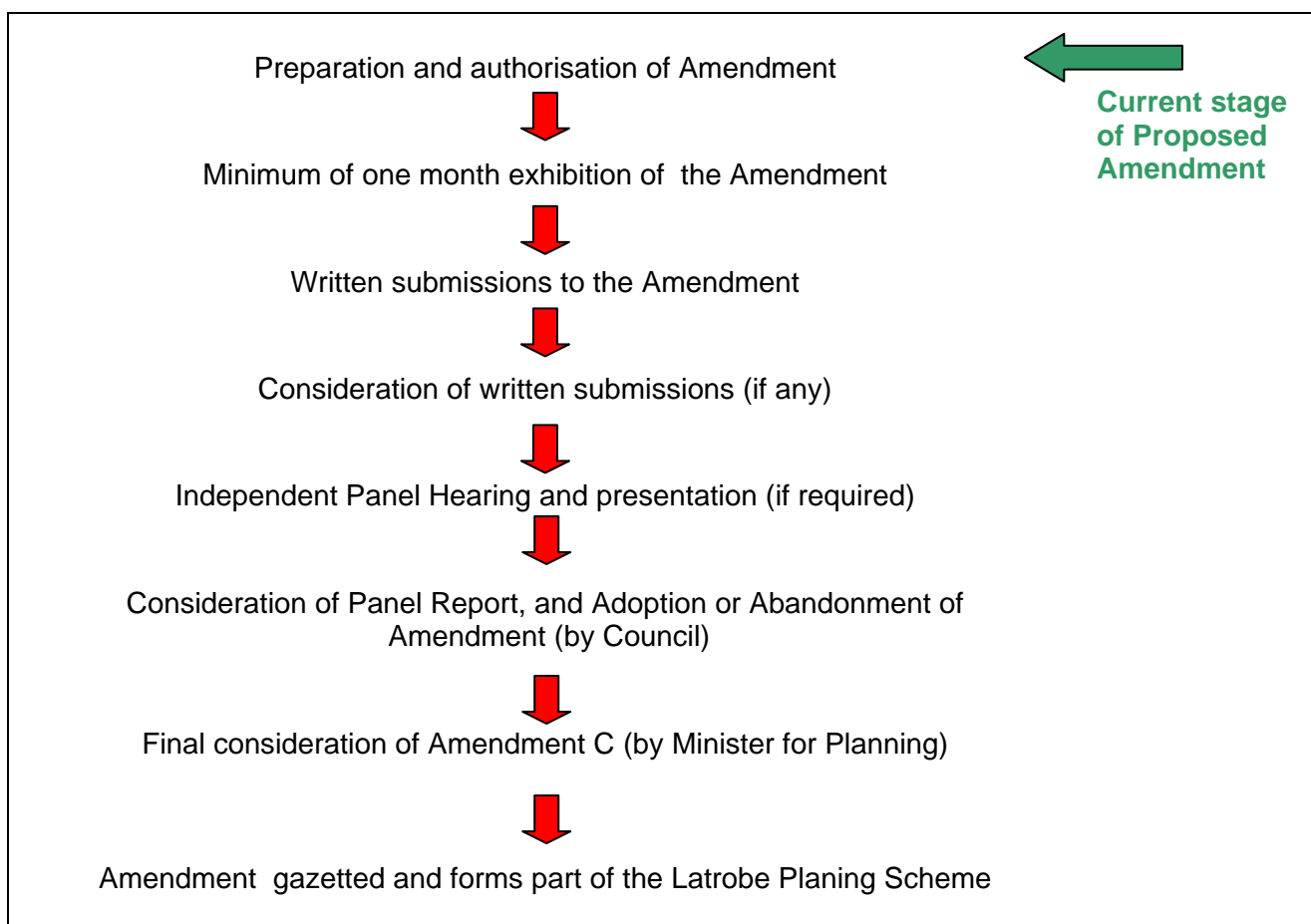
When a municipal council is authorised by the Minister to prepare an amendment to a planning scheme, they also become the planning authority.

Municipal councils, as the planning authority, have a number of duties and powers. These duties and powers are listed at Section 12 of the Act. Under Section 12 a planning authority must have regard to (inter alia):

- The objectives of planning in Victoria;
- The Minister's directions;
- The Victoria Planning Provisions;
- The Latrobe Planning Scheme;
- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any use or development envisaged by the amendment.

This Amendment proposal has had regard to Section 12 of the Act and is consistent with the requirements of Section 12. The planning scheme amendment process is shown in the figure below and provides an indication of the current stage of the proposed amendment.

Planning Scheme Amendment Process



4. **ISSUES**

A proportion of the land at Latrobe Regional Hospital and land within the 926m radius of the Latrobe Regional Hospital helipad site, have the following overlays:

- Airport Environs Overlay (AEO)
- Environment Significance Overlay (ESO), and
- Public Acquisition Overlay (PAO).

A key issue is that the current zones and overlays do not protect the emergency medical service helicopter operations from incompatible developments. In particular, current planning controls do not provide the opportunity to regulate the height of new developments so as to ensure the operation of the Helimed service is not compromised.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

The costs associated with the statutory amendment process of the rezoning are to be met by the proponent, Department of Human Services.

6. **INTERNAL/EXTERNAL CONSULTATION**

The amendment is subject to the prescribed process in accordance with section 19 of the *Planning and Environment Act 1987*.

Consultation with representatives of the Latrobe Regional Airport Board took place on the 28 October 2008.

All statutory and servicing authorities likely to be affected by the proposal will be notified of the proposed amendment and will be given the opportunity for input during the exhibition period.

7. **OPTIONS**

The options available to Council are as follows:

1. Pursue an amendment which seeks to introduce two DDO schedules in the Latrobe Planning Scheme for the Latrobe Regional Hospital and land within a 926m radius of the helipad site.

2. Refuse the proposed amendment which seeks to introduce two DDO schedules in the Latrobe Planning Scheme for the Latrobe Regional Hospital and land within a 926m radius of the helipad site.

8. CONCLUSION

The proposed amendment seeks to introduce two DDO schedules:

1. For land at Village Avenue (Helipad at Latrobe Regional Hospital, known as Crown Land, Part 60A), Traralgon and land within a 250m radius of the Helimed 1 Helipad Site; and
2. For land which encompasses a 926m radius of the Helimed Helipad site.

It is considered that the introduction of the two DDO schedules is appropriate to protect the emergency medical service helicopter flightpaths from incompatible developments.

9. RECOMMENDATION

That Council seeks authorisation from the Minister for Planning to prepare and exhibit the proposed amendment to the Latrobe Planning Scheme, which will:

1. **Introduce two Design and Development Overlays for land at Latrobe Regional Hospital, Village Avenue, Traralgon, Crown Allotment PT60A, and land within a 250m and 926 radius of the Helimed 1 Helipad site respectively.**

Cr Fitzgerald and Cr O'Callaghan left the Council Chamber at 9.52 pm due to an indirect interest.

Moved: Cr White

Seconded: Cr Lougheed

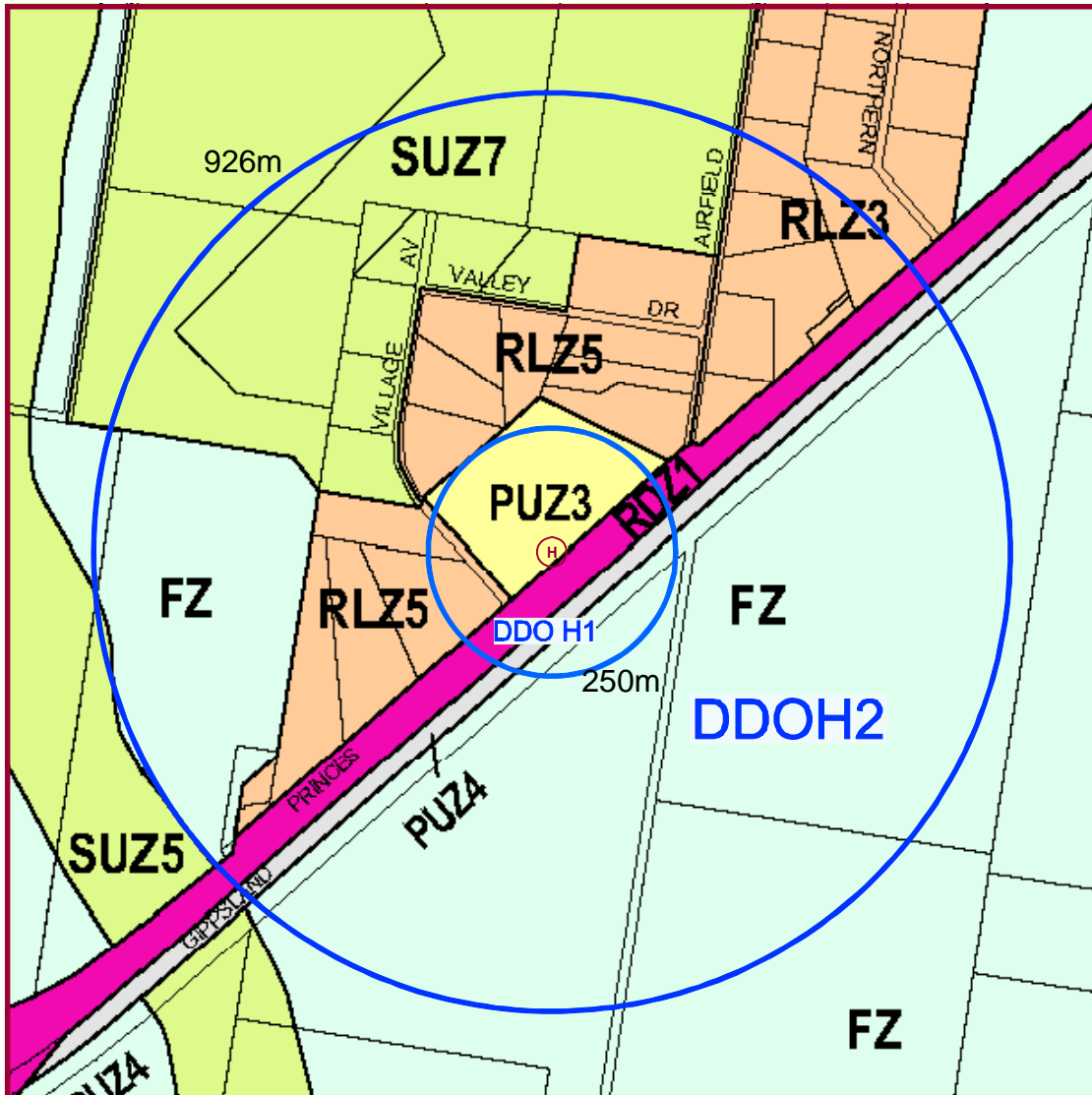
That the Recommendation be adopted.

CARRIED UNANIMOUSLY

Cr Fitzgerald and Cr O'Callaghan returned to the Council Chamber at 9.55 pm.

ATTACHMENT A

Details of the Proposed Design and Development Overlay Areas and
Helimed 1 Helipad Location



ATTACHMENT B

DRAFT SCHEDULE # TO THE DESIGN AND DEVELOPMENT OVERLAY

??/20??
C??

Shown on the planning scheme map as **DDO#**

AVIATION OBSTACLE REFERRAL HEIGHT AREA NO H1

1.0

Design objectives

??/20??
C??

To implement the Airfields Policy set out in the State Planning Policy Framework of this planning scheme.

To ensure that the height of all buildings and works are constrained within specified limits to avoid creating a hazard to aircraft in the vicinity of the Latrobe Regional Hospital, and to facilitate safe Emergency Medical Service (EMS) helicopter operations.

To ensure that flight paths associated with the Latrobe Regional Hospital EMS helipad are protected from the encroachment of inappropriate obstacles which may affect the safe and effective operation of the Latrobe Regional Hospital Helipad.

2.0

Buildings and works

??/20??
C??

A permit is required to construct a building or construct or carry out works the height of which exceeds 56.44 meters Australian Height Datum.

An application for buildings and works must be referred to the Department of Human Services and the Chief Executive Officer, Latrobe Regional Hospital under section 55 of the Planning and Environment Act unless in the opinion of the Responsible Authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the Department of Human Services and the Chief Executive Officer, Latrobe Regional Hospital.

A permit must not be granted for building and works which exceed the obstacle height referral criteria, unless with the consent of the Department of Human Services and the Chief Executive Officer, Latrobe Regional Hospital.

Notes: For the purposes of this clause buildings and works include radio masts, antenna and flagpoles and any construction equipment associated with the building and works.

3.0

Decision guidelines

??/20??
C??

Before deciding on an application for buildings and works the responsible authority will consider the views of the Department of Human Services and the Chief Executive Officer, Latrobe Regional Hospital.

ATTACHMENT C

DRAFT SCHEDULE # TO THE DESIGN AND DEVELOPMENT OVERLAY

??/20??
C??

Shown on the planning scheme map as **DDO#**

AVIATION OBSTACLE REFERRAL HEIGHT AREA NO H2

1.0

Design objectives

To implement the Airfields Policy set out in the State Planning Policy Framework of this planning scheme.

??/20??
C??

To ensure that the height of all buildings and works are constrained within specified limits to avoid creating a hazard to aircraft in the vicinity of the Latrobe Regional Hospital, and to facilitate safe Emergency Medical Service (EMS) helicopter operations.

To ensure that flight paths associated with the Latrobe Regional Hospital EMS helipad are protected from the encroachment of inappropriate obstacles which may affect the safe and effective operation of the Latrobe Regional Hospital Helipad.

2.0

Buildings and works

??/20??
C??

A permit is required to construct a building or construct or carry out works the height of which exceeds 68.4 meters Australian Height Datum.

An application for buildings and works must be referred to the Department of Human Services and the Chief Executive Officer, Latrobe Regional Hospital under section 55 of the Planning and Environment Act unless in the opinion of the Responsible Authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the Department of Human Services and the Chief Executive Officer, Latrobe Regional Hospital.

A permit must not be granted for building and works which exceed the obstacle height referral criteria, unless with the consent of the Department of Human Services and the Chief Executive Officer, Latrobe Regional Hospital.

Notes: For the purposes of this clause buildings and works include radio masts, antennas and flagpoles and any construction equipment associated with the building and works.

3.0 Decision guidelines

??/20??
C??

Before deciding on an application for buildings and works the responsible authority will consider the views of the Department of Human Services and the Chief Executive Officer, Latrobe Regional Hospital.

GOVERNANCE

11.6.1 AUTHORISATION OF COUNCIL OFFICERS**AUTHOR:** General Manager Governance**(ATTACHMENT – YES)****1. PURPOSE**

The purpose of this report is to allow Council to consider authorising additional Council officers pursuant to section 224 of the *Local Government Act* 1989 and other Acts as appropriate.

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.

Community Outcome – Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Actions – Legislative Compliance

Ensure compliance with the Local Government Act.

Ensure compliance with other relevant legislation.

3. BACKGROUND

Section 224 of the *Local Government Act* 1989 allows the following:

224. Authorised officers

- (1) *A Council may appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.*

- (1A) *A Council must maintain a register that shows the names of all people appointed by it to be authorised officers.*
- (2) *The Council must issue an identity card to each authorised officer.*
- (3) *An identity card must—*
- (a) *contain a photograph of the authorised officer; and*
 - (b) *contain the signature of the authorised officer; and*
 - (c) *be signed by a member of Council staff appointed for the purpose.*

By authorising officers a council is authorising or appointing a person to a particular statutory position. Once a person is authorised by Council, that person has the powers of that statutory position; as distinct from being delegated the powers of the Council.

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

Therefore it is important, for the proper functioning of the Council, to authorise officers generally under the *Local Government Act 1989* and specifically under other appropriate Acts.

4. **ISSUES**

Currently Council has a number of persons authorised to act in various statutory positions.

To ensure good governance it is appropriate for Council to periodically review its authorisations register and ensure that only appropriate persons are provided with authorisation.

Council has recently recruited a number of new planners that require authorisation from Council.

The Chief Executive Officer's delegation precludes him from authorising an officer under the *Planning and Environment Act 1987*. Therefore any authorisations under this Act must be specifically made by Council.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

There is no direct cost to Council in authorising various powers and functions.

6. **INTERNAL/EXTERNAL CONSULTATION**

Engagement Method Used:

No external consultation has been engaged.

Details of Community Consultation / Results of Engagement:

Community consultation has not been undertaken as this is a statutory function required by the *Local Government Act 1989*.

7. **OPTIONS**

Council has the following options in relation to the authorisation of officers:

- (a) Not authorising various officers under the *Planning and Environment Act 1987* however this may impede Council officers' ability to fully perform their expected duties; or
- (b) Authorise all of the officers proposed in Council Instrument of Authorisation - December 2008.

8. **CONCLUSION**

Some Acts under which Council operates require direct authorisation from Council to Council officers to perform certain statutory duties.

By authorising various Council officers under the *Planning and Environment Act 1987*, Council will ensure that Council officers can fully perform their duties under the Act.

Should Council accept the recommendation, the Chief Executive Officer will simultaneously authorise various officers and persons in accordance with his delegation.

9. RECOMMENDATION

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

1. appoints and authorises the members of Council staff referred to in the Council Instrument of Appointment and Authorisation – December 2008; and
2. authorises the Chief Executive Officer to sign and seal the Council Instrument of Appointment and Authorisation – December 2008 and that this Instrument comes into force immediately the common seal of Council is affixed.

Moved: Cr Gibson

Seconded: Cr White

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

**11.6.2 CONTRACT ACTIVITIES AT PREVIOUS COUNCIL MEETINGS
AND BY THE CHIEF EXECUTIVE OFFICER UNDER
DELEGATION**

AUTHOR: General Manager Governance
(ATTACHMENT – NO)

The following is a summary of contracts awarded at the Latrobe City Council meeting held on 17 November 2008

ITEM NO 14.4 INVITATION TO TENDER 12549
Footpath Maintenance Program in high, medium
and low risk areas within Latrobe City

1. That Council accepts the tender submitted by Ace Earthmoving Pty Ltd for invitation to tender 12549, footpath replacement program in high, medium and low risk areas within Latrobe City, for the lump sum of \$393,047.60 exclusive of GST, for the reason that this tender provides quality and value for money for the community when assessed against the evaluation criteria.
2. That Council delegates the authority to the Chief Executive Officer, to sign and seal contracts with Ace Earthmoving Pty Ltd resulting from invitation to tender 12549, footpath maintenance program in high, medium and low risk areas within Latrobe City.

ITEM NO 14.5 INVITATION TO TENDER 12543
Traralgon Station Precinct Master Plan

1. That Council accepts the tender submitted by Coomes Consulting Group for invitation to tender 12543, Traralgon Station Precinct Master Plan, for the lump sum of \$152,609.00 exclusive of GST, for the reason that this tender provides quality and value for money for the community when assessed against the evaluation criteria.
2. That Council delegate the authority to the Chief Executive Officer, to sign and seal contracts with Coomes Consulting Group resulting from invitation to tender 12543, Traralgon Station Precinct Master Plan.

The following is a summary of contracts awarded by the Chief Executive Officer under delegation on 13 November 2008

INVITATION TO TENDER 12552
Cleaning of Senior Citizens Centre buildings

That tender submitted by Menzies International (Aust) Pty Ltd for invitation to tender 12552 cleaning of senior citizens centre buildings be accepted, for the sum of \$44,059.94 exclusive of GST, as this tender provides the best value for money outcome for the community when assessed against the evaluation criteria.

The following is a summary of contracts awarded by the Chief Executive Officer under delegation on 19 November 2008

INVITATION TO TENDER 12550

Design, manufacture & installation of gross pollutant traps at Northern Avenue, Newborough

That the tender submitted by Ecosol Pty Ltd for invitation to tender 12550 design, manufacture and installation of gross pollutant traps at Northern Avenue, Newborough be accepted, for the sum of \$66,992.00 exclusive of GST, as this tender provides the best value for money outcome for the community when assessed against the evaluation criteria.

The following is a summary of contracts signed and sealed by the Chief Executive Officer under delegation on 19 November 2008.

CONTRACT NO	DESCRIPTION	CONTRACTOR	DATE AWARDED BY COUNCIL
12529	Moe Newborough Sports Stadium Refurbishment	Kirway Constructions Pty Ltd	Item no: 14.5 7/07/2008

The following is a summary of contract variations approved by the Chief Executive Officer under delegation on 13 November, 2008.

CONTRACT NO	DESCRIPTION	CONTRACTOR	ORIGINAL CONTRACT AMOUNT	PREVIOUS VARIATION AMOUNT	VARIATION AMOUNT	ADJUSTED CONTRACT AMOUNT
12516	Construction of sealed access roads and taxi lanes at Latrobe Regional Airport	Sure Constructions (Vic) Pty Ltd	\$249,522.40	\$0.00	\$82,544.00	\$332,066.40

RECOMMENDATION

That Council notes this report on contract decisions from the Council Meeting held on 17 November 2008 and by the Chief Executive Officer under delegation on 11 November 2008 and 19 November 2008.

Moved: Cr Lougheed
Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

11.6.3 DOCUMENTS PRESENTED FOR SIGNING AND SEALING**AUTHOR:** General Manager Governance**(ATTACHMENT - NO)**

517/2008-CR	Section 173 Agreement pursuant to the Planning and Environment Act 1987 between Latrobe City Council and Bevan Wayne Bell and Linda Sydone Bell as the Owners of 144 Kay Street, Traralgon, being the land described in Certificate of Title Volume 8490, Folio 448, Lot 20 on Plan of Subdivision No. 15435 to allow the construction of a building over an easement at 144 Kay Street, Traralgon.
PP 2008/33	Section 173 Agreement pursuant to the Planning and Environment Act 1987 between Latrobe City Council and Michael William Killeen of 65 Bickertons Road, Glengarry, being the land described in Certificate of Title Volume 10868, Folio 668 pursuant to Planning Permit No. 2008/33 dated 23 June 2008, which provides that the land will not be further subdivided so as to increase the number of lots.
PP 2008/120	Section 173 Agreement pursuant to the Planning and Environment Act 1987 between Latrobe City Council and Stable Property Group Pty Ltd ACN 085 516 445 of Firmans Lane, Hazelwood North, being the Owners of Lot 1 on Plan of Subdivision No. 449993W, being the whole of the land described in Certificate of Title Volume 10872, Folio 440 pursuant to Planning Permit No. 2008/120 dated 16 June 2008 for a Two Lot Subdivision which requires that prior to any commercial business operating from the new allotments (Lot 1 and 2) the existing access must be modified to the satisfaction of VicRoads Eastern Region.

RECOMMENDATION

1. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement between Latrobe City Council and Bevan Wayne Bell and Linda Sydone Bell as the Owners of 144 Kay Street, Traralgon, being the land described in Certificate of Title Volume 8490, Folio 448, Lot 20 on Plan of Subdivision No. 15435 to allow the construction of a building over an easement at 144 Kay Street, Traralgon.
2. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement between Latrobe City Council and Michael William Killeen of 65 Bickertons Road, Glengarry, being the land described in Certificate of Title Volume 10868, Folio 668 pursuant to Planning Permit No. 2008/33 dated 23 June 2008, which provides that the land will not be further subdivided so as to increase the number of lots.

3. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement between Latrobe City Council and Stable Property Group Pty Ltd being the Owners of Lot 1 on Plan of Subdivision No. 449993W, being the whole of the land described in Certificate of Title Volume 10872, Folio 440 pursuant to Planning Permit No. 2008/120 dated 16 June 2008 for a Two Lot Subdivision which requires that prior to any commercial business operating from the new allotments (Lot 1 and 2) the existing access must be modified to the satisfaction of VicRoads Eastern Region.

Moved: Cr Lougheed

Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

13. TEA BREAK

Adjournment of Meeting

The Mayor adjourned the Meeting at 9.58 pm for a tea break.

Resumption of Meeting

The Mayor resumed the Meeting at 10.14 pm.

Meeting Closed to the Public

The Meeting closed to the public at 10.15 pm.