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LATROBE CITY COUNCIL

MINUTES OF ORDINARY COUNCIL MEETING

HELD IN THE
NAMBUR WARIGA MEETING ROOM,
CORPORATE HEADQUARTERS, MORWELL
AT 7:00 PM ON 02 MARCH 2009

PRESENT:

Cr Lisa Price, Mayor - Farley Ward
Cr Kellie O'Callaghan, Deputy Mayor - Burnet 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 Ed Vermeulen - Gunyah Ward
Cr Darrell White - Firmin Ward
Paul Buckley Chief Executive Officer
Seona Conway General Manager Organisational Excellence
Michael Edgar General Manager Community Liveability
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

CM 286

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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 Price declared an interest in Item 11.3.2 - Regional and Local Community Infrastructure Program - Strategic Projects, and already notified the Chief Executive Officer.

Cr Kam declared a direct and indirect interest in Item 11.3.1 - Moe Activity Centre Plan - Clifton Street Precinct Project.

4. Adoption of Minutes

Moved: Cr Lougheed

Seconded: Cr Gibson

That the Minutes of the Ordinary Council Meeting, relating to those items discussed in open Council, held on 2 February 2009 (CM 284) be adopted.

CARRIED UNANIMOUSLY

Moved: Cr Lougheed

Seconded: Cr Gibson

That the Minutes of the Ordinary Council Meeting, relating to those items discussed in open Council, held on 16 February 2009 (CM 285) be adopted.

CARRIED UNANIMOUSLY

PUBLIC QUESTION TIME

**5.1 TRARALGON POSTAL SERVICES – PROGRESS REPORT /
FOLLOW UP TO QUESTION 15/12/08**

Mr Bruce Bremner 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) the Association is concerned that this could impact significantly on traffic patterns and parking in the surrounding Kay St, Franklin St, and Post Office Place area.

Consequently the Association feels that the community would like to know:

- (a) What information has Council gleaned from Australia Post concerning the future of postal services and locations in Traralgon (following the Association's earlier Question put to Council's meeting of 15/12/08)?
- (b) What are Council's preferred options for the future and will Council be making a submission to Australia Post if this has not already occurred? If it has occurred, what was the content?

Answer

The Chief Executive Officer paraphrased the question and responded that Council is still waiting for a substantive response from Australia Post and will provide an answer once received.

See interim letter on the following page.

4 March 2009

Mr Bruce Bremner
Honorary Secretary
Traralgon City and Rural Community Development Association
PO Box
TRARALGON VIC 3844

Dear Mr Bremner

TRARALGON POSTAL SERVICES

Thank you for your question presented at the Ordinary Council Meeting held on Monday, 2 March 2009. In response to your question I advise that a letter was sent to Australia Post in January 2009 seeking clarification in relation to the questions that you raised at the Ordinary Meeting of Latrobe City Council on Monday, 15 December 2008.

We have received information from Australia Post that the Traralgon Post Offices decision is still under consideration. To date, no further information has been provided to Latrobe City Council.

In relation to your question as to Latrobe City Council's preferred options for the future of postal services in Traralgon, I advise that this matter has not been considered by Council. Until such time as Australia Post provides a substantive answer to our previous correspondence no further action can be taken.

I assure you that Latrobe City Council will consider the matter as soon as Australia Post provides Latrobe City Council with a substantive answer in relation to the above issue.

Yours sincerely

CR LISA PRICE
Mayor

5.2 CLIFTON STREET PARKING

Mr Jason Potts asked the following question:

Question

Encourage Council to go ahead.

Answer

The Chief Executive Officer noted that the question was more of a statement and noted Mr Potts support.

ITEMS REFERRED BY THE COUNCIL

7.1 ASSISTANCE TO LATROBE CITY RESIDENTS DIRECTLY IMPACTED BY BUSHFIRE

AUTHOR: Chief Executive Officer
(ATTACHMENT – NO)

1. PURPOSE

The purpose of this report is to present to Council an overview of Latrobe City Council assistance provided to Latrobe City residents directly impacted by bushfire and to present a status report in relation to potential options for additional assistance.

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 – Democratic Governance

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

Community Outcome – Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Action – Democratic Governance

Ensure Council systems and processes support strategic, responsive and accountable policy development and implementation.

Strategic Action – Legislative Compliance

Continue to administer sound financial management practice.

Relevant Legislation

Valuation Land Act 1960: Section 13DF

This Act provides Council with the ability to issue a supplementary rates notice by reason of destruction or removal of buildings or other improvements on land of a permanent nature.

Local Government Act 1989: Section 171

Provides Council with the ability to defer or waive any rate or charge if Council considers the payment would cause financial hardship to the person.

3. **BACKGROUND**

The Latrobe City community has experienced devastating bushfires in recent weeks. The magnitude and severity of the Delburn Complex and the Churchill/Jeeralang/Traralgon South fires has deeply impacted the local community, region and the state of Victoria. Latrobe City Council has a vital role in the recovery phase following this devastation and is committed to supporting our strong and resilient community to recover as quickly as possible.

The number of residents directly impacted by the recent fires has not yet been confirmed. However, to date approximately more than 1,600 members of the community have presented at Latrobe City Relief/Recovery Centres. Fortunately a significant proportion of these people have been able to return to their homes. To date, Latrobe City Council has 615 registered cases (directly impacted by bushfire) which equates to 1,557 individuals. In upcoming weeks the number of registered cases is likely to be able to be decreased.

The Latrobe community has experienced the unconfirmed loss of 210 houses and over 800 sheds and outbuildings as a result of the bushfires in the municipality that commenced on 5 February 2009. These figures have been derived through a rapid impact assessment. Losses are currently being confirmed via ground crews. At the time of writing the status of the Churchill/Jeeralang/Traralgon South fire remains active.

In addition to the loss of houses, sheds and outbuildings there have also been significant losses in terms of livestock and fencing which has impacted landowners. Unconfirmed stock losses within the municipality are estimated to be approximately 300 animals.

Council resolved at the Ordinary Council Meeting held on 16 February 2009:

That the Chief Executive Officer present a written report and recommendations to Council at the next Ordinary Council Meeting to be held on 2 March 2009, addressing the possibility of the following:

1. *Waiving of Council land rates for the next financial year for those directly affected by the bush fire tragedy.*
2. *Free access to Council sport and leisure facilities.*
3. *Chief Executive Officer develop a draft eligibility criteria for items 1 and 2.*
4. *Any other items that the Council might deem to be of assistance to those affected.*

This report has been prepared in response to the resolution.

4. ISSUES

Bushfire Recovery Assistance

In response to the impact of the fires, a range of measures have been put into place by Latrobe City Council to assist directly impacted residents. The measures have been enacted under the relevant clauses of the *Local Government Act 1989* which provide Council with the ability to defer or waive any rate or charge if Council considers the payment would cause hardship to the person.

These measures include:

- Waiving of planning fees for those who have lost their homes and outbuildings until December 2010.
- A commitment to expedite the planning permit assessment process where possible including working closely with the CFA planning department and Department of Planning and Community Development as well as any applicable referral authorities.
- Locating house plans within Latrobe City Council files and archives and copying these free of charge.
- Waiving of any fees associated with Council building services (such as document searches, report and consent).
- Rapid inspection and advice regarding the condition of septic tank systems and water tanks.
- Providing the services of qualified arborists to assess the suitability of native vegetation to be removed due to fire damage, together with the assessment of trees within private property that may pose a safety risk.

- The establishment of a burial site for the disposal of dead stock. Arrangements have also been made for the collection of dead stock from fire affected properties.
- Disposal of general and hard waste from fire affected properties at Council transfer stations free of charge.
- Replacement of household garbage collection bins free of charge.
- Provision and removal of hook-lift bins on site to dispose of scrap steel.
- The establishment of specific sites at former local landfills for the disposal of burnt vegetation.

In addition to the measures outlined above Council officers are undertaking the delivery of a range of additional services that includes but is not limited to:

- Coordinating four Recovery/Relief Centres- Boolarra, Churchill, Traralgon and Traralgon South.
- Initial Needs Assessment teams comprising of Council officers, members from community service organisations and Lifeline are manning Recovery Centres and undertaking field visits to those unable to attend the Centres. The purpose of these teams is to collect and collate data in order to identify needs. These needs are then actioned by a team of case managers. Case management teams are generally comprised of representatives from Commonwealth Rehabilitation Service, Centrelink and Latrobe Community Health.
- Providing a call centre for impacted residents in relation to fire. The call centre provides an information and referral service to those residents impacted by the bushfires.
- The provision of drinking water and coordinating the Victorian Government's water replacement program.
- Ensuring safe access to impacted areas through the removal of dead and dying dangerous trees.
- Infrastructure impact assessment and maintenance.
- Provision of support to service clubs and volunteer groups in relation to media release preparation, coordination of community support in areas such as working bees and events.
- Responding to requests from Victorian and Commonwealth Government Departments and Agencies for information across a broad range of areas from housing needs to personal support requirements.
- Provision of free 'Asbestos in the Home' Removal Kits.

The assistance provided by Latrobe City Council is in addition to a broad range of assistance provided by the Victorian and Australian Governments and a range of other organisations.

Waiving of Council Land Rates

Under the *Valuation Land Act 1960* Council has the ability to issue a supplementary valuation and rate notice. A supplementary rates notice is issued when a property's capital improved value increases or decreases throughout the year.

The *Local Government Act 1989* provides Council with the authorisation to defer or waive any rate or charge where Council considers payment would cause hardship to the person. The financial implications of the waiving of rates are outlined in the financial and resource implications section of this report.

To date, Council officers have issued 20 supplementary rates notices for impacted properties affected by the Delburn Complex fire. The supplementary notice has reduced the assessment by an average of \$496.00. For residents with an arrears payment due, interest charges will be waived for this financial year.

For properties impacted by the Churchill/Jeeralang/Traralgon South fire, assessments are currently being undertaken in order for officers to be able to issue supplementary rates notices. For these residents interest charges will be waived for this financial year.

Free Access to Council Sport and Leisure Centres

Latrobe City Council operates leisure facilities including swimming pools, gymnasiums and indoor sports stadiums. There is potential for Latrobe City Council to offer free access to bushfire impacted resident's access to leisure services. The number of residents directly impacted by the recent fires has not yet been confirmed. As outlined previously, to date, Latrobe City Council has 615 registered cases (directly impacted by bushfire) which equates to 1,557 individuals. In upcoming weeks the number of registered cases is likely to be able to be decreased.

Latrobe City Council offers a gold card membership which could potentially meet this need. A gold card membership is sold on an individual basis and provides access to indoor and outdoor pools (inclusive of sauna and spa access), gymnasiums (for casual use) and fitness sessions (i.e. aerobics, spin, etc). Access to gymnasiums and related fitness sessions is generally restricted to those aged 16 years and over. People over the age of 45 are required to obtain medical clearance. A 12 month gold membership pass is currently valued at \$650 per person.

Draft Eligibility Criteria

Due to the recent nature of the fire it is not yet possible to ascertain the precise number of Latrobe City residents who have been directly impacted. However, once Latrobe City Council assessments are a list of directly impacted residents will be able to be finalised. As outlined previously, to date, Latrobe City Council has 615 registered cases (directly impacted by bushfire) which equates to 1,557 individuals. In upcoming weeks the number of registered cases is likely to be able to be decreased.

In terms of supplementary rate assessments this is currently done on an individual property basis and no draft eligibility criteria is required.

Rather than producing eligibility criteria to determine if a resident has been directly impacted it is proposed that the finalised list of registered cases of those directly impacted be utilised as a basis on which to offer a "Gold Pass". Under this scenario, Leisure Centres could provide Council's assessment crews with the "Gold Passes" for distribution when visiting impacted residents.

5. FINANCIAL AND RESOURCES IMPLICATIONS

The forecasting of financial and resource implications associated with this report is based on a number of assumptions due to the incomplete assessment of properties affected. The financial and resource implications are predicated on 210 tenements affected by fire within the boundaries of Latrobe City.

In accordance with the *Valuation Land Act 1960*, Council has issued a supplementary valuation and rate notice with an adjusted property value for each property affected by the Delburn Complex fire. Officers have also written to residents inviting them to contact Council if they are experiencing personal financial hardship. Therefore the impact on rates revenue may increase further due to some affected residents qualifying for additional rates relief.

An identical process will be followed for residents affected by the Churchill/Jeeralang/Traralgon South fire once the assessment is complete.

It is forecast that the adjustment of directly impacted property values will result in a reduction in revenue of approximately \$43,400 for the remainder of 2008/09 and \$104,160 in 2009/10. This is based on the assumption of 210 affected properties and an average loss of revenue of \$496.00 per property and detailed in the table below.

Supplementary Assessment Impact Summary Table

Year	Supplementary Assessment Impact
2008/09	\$43,400 (Based on part year impact)
2009/10	\$104,160 (full year based on 08/09 rates income)
Total	\$147,560

In addition to the provision of supplementary rates notices, Council may consider waiving the total Council rates payable for a property in accordance with section 171 of the *Local Government Act 1989*.

The implication of this decision would be a loss of income of approximately \$96,687 for the remainder of 2008/09 and \$232,050 2009/10. This is based on the assumption of 210 affected properties and an average loss of revenue of \$1105.00 per property.

Waiving Rates Payment Summary Table

Year	Waive total rates payment
2008/09	\$96,687 (Based on part year impact)
2009/10	\$232,050 (full year based on 08/09 rates income)
Total	\$328,737

Whilst Council is required to issue adjusted property valuation notices for the fire affected properties, in accordance with the *Valuation Land Act 1960* and as a result reduce Council's revenue in 2009/10 by an estimated \$104,160. Council may consider, however is not obliged, to waive the total rate notice payment for the fire affected properties to the estimated value of \$232,050 in 2009/10. This is summarised in the table below.

Option	Annual reduction in revenue
1. Supplementary valuation process	\$104,160
2. 100% Waiving of rates	\$232,050
Additional cost to Council	\$127,890

As more accurate information becomes available to Council the financial impact will be able to be more accurately forecast. The scale of the bushfires have been unprecedented in Victoria's history and have crossed several municipal boundaries. Latrobe City has held discussions with the Municipal Association of Victoria (MAV) with the intention of gaining a consistent, unified approach from fire affected Councils in relation to the coordination of rates reductions. The MAV will be meeting with the State government to advocate on behalf of the affected Councils. It is important that Local Government is addressing this issue in a consistent manner to ensure equity for the many affected residents across Victoria.

The MAV have assured Council that they will be providing guidance to affected Councils in a prompt manner.

Leisure Centre Access

The financial cost of the provision of "Gold Passes" is not able to be projected at this stage. The financial impact would be dependent on the existing membership profile of those directly impacted.

Waiving of Planning Fees

A planning fee on a single dwelling with a construction cost of more than \$100,000 is \$476 and the fee associated with outbuildings is \$232. Assuming that the unconfirmed loss of houses is indeed 210 and all houses are rebuilt the cost to Council will be almost \$100,000. Assuming that the 800 sheds all require a permit (which is unlikely given that a number of properties lost 4 or 5 sheds), the cost to Council will be in the order of \$185,000.

Planning Fees	Annual reduction in revenue
210 Dwellings (construction cost \$100,000+) @ \$476	\$99,960
800 Outbuildings @ \$232	\$185,600
Additional cost to Council	\$285,560

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

This report has been prepared based on extensive internal consultation with Council officers.

7. OPTIONS

Council has the following options:

1. To note the assistance currently being provided to those residents directly impacted by recent bushfires and await further advice from the State Government and/or MAV in relation to approving additional support through the waiving of rates; or
2. To note the assistance currently being provided to those residents directly impacted by recent bushfires and reject the provision of additional support through the waiving of rates and access to Leisure Centre; or
3. To note the assistance currently being provided to those residents directly impacted by recent bushfires, approve additional support through the waiving of rates and access to Leisure Centre as well as approve a range of additional assistance not outlined in this report.

8. CONCLUSION

The Delburn Complex and the Churchill/Jeeralang/Traralgon South fires have deeply impacted the local community, region and the state of Victoria. Latrobe City residents have experienced the confirmed loss of 210 houses and 800 buildings and sheds.

Latrobe City Council is playing a vital role in the recovery phase of this devastation. Over the longer term, Latrobe City Council has an ongoing responsibility to ensure the impacted areas of the municipality are able to rebuild their communities.

9. RECOMMENDATIONS

1. **That Council notes the assistance provided to directly impacted members of the community being provided by Latrobe City Council.**
2. **That a further report be presented to an Ordinary Council Meeting after advice has been received in relation to rates assistance for bushfire affected residents.**

Moved: Cr Gibson

Seconded: Cr Kam

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

Suspension of Standing Orders

Moved: Cr Lougheed
Seconded: Cr Middlemiss

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

CARRIED UNANIMOUSLY

Standing Orders were suspended at 7.13 pm

Ms Marilyn May, addressed Council in relation to Item 11.3.1 - Moe Activity Centre Plan - Clifton Street Precinct Project.

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

Mr Jason Potts, addressed Council in relation to Item 11.3.1 - Moe Activity Centre Plan - Clifton Street Precinct Project.

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

Mr Michael Fozzard, addressed Council in relation to Item 11.3.1 - Moe Activity Centre Plan - Clifton Street Precinct Project.

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

Resumption of Standing Orders

Moved: Cr Lougheed
Seconded: Cr White

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

Standing Orders were resumed at 7.19 pm

BUILT AND NATURAL ENVIRONMENT SUSTAINABILITY

11.3.1 MOE ACTIVITY CENTRE PLAN - CLIFTON STREET PRECINCT PROJECT

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 Clifton Street Moe Precinct masterplan and urban design guidelines.

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 Strategy

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

Strategic Action – Infrastructure Development

Deliver the principles of the Transit Cities initiative.

Latrobe Planning Scheme reference document– Latrobe Transit Centred Precincts – Moe Town Summary.

Moe Activity Centre Plan – Council adopted document and exhibited as part of amendment C62 to the Latrobe Planning Scheme.

The Clifton Street Precinct project is Project 4 of the Moe Activity Centre Plan (MACP) which was adopted by Council on 17 December 2007 with the following resolution:

1. *That Council adopts the Moe Activity Centre Plan.*
2. *That Council, as part of the planning and implementation process for projects arising from the Moe Activity Centre Plan, undertakes further community and stakeholder consultation.*
3. *That Council, requests authorisation from the Minister for Planning to prepare and exhibit a planning scheme amendment to incorporate the Moe Activity Centre Plan into the Latrobe Planning Scheme.*
4. *That Council writes to all parties who have made a submission or contributed to the development of the Moe Activity Centre Plan, advising of Council's decision and thanking them for their contribution.*

3. BACKGROUND

Transit Cities is a key regional element of Melbourne 2030, the Victorian State Government's plan for accommodating an additional million people by the recently reforecast date of 2020. Thirteen transit cities have been identified within Victoria and four of these are within the regional centres of Geelong, Ballarat, Bendigo and Latrobe. The Latrobe Transit City is made up of the centres of Traralgon, Morwell, Moe and Warragul.

The Transit Cities program is being implemented in Latrobe City according to the following principles:

- Improve the use of public transport and the integration of transport services;
- Develop high-density housing near transport centres;
- Provide a range of housing options including affordable housing;
- Provide opportunities for private investment and business innovation;
- Build communities that offer fair access for all to services and employment opportunities; and
- Improve the overall quality of the Transit Cities and encourage sustainable development.

The purpose of the program is to create vibrant, active town centres that are integrated and safe. The Moe Activity Centre Plan is based upon meeting the above objectives.

Implementation of the MACP commenced with the Clifton Street Precinct project. It was identified as a priority project due to the need to develop an urban design framework which would guide future development within the precinct. In its current state, it is poorly lit, difficult to negotiate and unattractive. A large number of the private shops have frontages that do not address the car parks and as a result appear underutilised. The study area of the precinct is identified in attachment 1.

The key objectives of the Clifton Street Precinct project are to improve the legibility, safety and amenity of the precinct for pedestrians, cyclists and vehicle users. The urban design guidelines will encourage high quality public and private development and ensure that the precinct is developed according to the masterplan.

Consultants were engaged to prepare the masterplan and urban design guidelines for the precinct in April 2008.

4. **ISSUES**

Issues with the current Clifton Street Precinct

The first consultation stage of the project consisted of workshops with both the tenants and land owners in the precinct, and the general community to identify the issues and opportunities that existed within the precinct. These initial workshops provided council officers and the consultants with a solid basis to commence preparation of the draft masterplan.

There are currently eight vehicular access/egress points in and out of the precinct. This creates significant internal confusion for pedestrians, cyclists and vehicles. There are considerable safety issues for users as there is no clear delineation of roads, car park aisles and pedestrian walkways. A number of areas also have limited sight lines. There is no signage directing traffic within the precinct and many community and business users noted the precinct is very poorly lit.

A number of businesses use publicly owned land within the precinct as unsightly delivery and storage areas resulting in safety issues for cyclists and pedestrians. The majority of businesses in the precinct back onto areas of the car park with limited or no access for customers.

The consultants also determined that whilst the precinct has significant open space there is a distinct lack of green space. They further noted that there is a lack of green space in the Moe Activity Centre generally.

Details of the masterplan

The draft masterplan for the precinct is provided in attachment 2.

The draft masterplan addresses the issues that were identified within the precinct. The implementation of the masterplan has been divided into three distinct stages to ensure minimal disruption to the operation of the precinct and the businesses that operate within it. Each stage is integral in addressing the identified issues and ensuring that the entire precinct is integrated, has improved safety, enhanced traffic management and is best placed to attract further private development.

Stage One

A draft map of the stage one works is provided as attachment 3. It is proposed that this stage of the works will see the closure of Clifton Street where it joins Albert Street. Clifton Street currently operates as an egress onto Albert Street from the precinct.

The closure of Clifton Street will see Market Street become a two way street from Saviges Road through the precinct to Albert Street.

Section 207 of the *Local Government Act 1989*, authorises Council as a road authority to exercise specific traffic management powers as set out in Schedule 11.

Clause 9 of Schedule 11, states in part:

“9. Power to place obstructions or barriers on a road permanently

(1) *A Council may block or restrict the passage or access of vehicles on a road by placing and maintaining any permanent barrier or other obstruction on the road.*

(2) *....”*

Before Council can exercise the above power it is required to comply with Section 223 of the *Local Government Act 1989 – Right to make Submissions*. The requirements of this section are summarised below:

- Council must publish a public notice inviting submissions that:
 - provides details of the proposal and the prescribed details in respect of that matter,
 - specifies the closing date to lodge a submission being not less than 28 days after the date of public notice, and
 - states that a person making a submission (or a representative specified in the submission) wishes to appear at a meeting to be heard in support of the submission.
- Council must fix the day, time and place of the meeting to consider submissions and give reasonable notice of the meeting to each person who has made a request to be heard in support of the submission.
- The Council or special committee responsible for making the decision must consider all submissions and after making a decision notify in writing, each person who has made a submission, of the decision and the reason for that decision.

A slight reduction of car parking along Market Street will be required to cater for two-way traffic however there will be no overall net loss of parking spaces in the precinct.

A specialist traffic engineering firm was engaged by Latrobe City Council to determine the impact the proposed changes would have on the intersections at both Market Street and Saviges Road, and Market Street and Albert Street. The study found that there would be no impact on either Albert Street or Saviges Road as a result of the proposed changes. The final traffic report is provided as attachment 4.

The masterplan proposes that Market Street will become a clearly defined road, distinct from car parking aisles through the use of line marking, lighting, kerb and channel and landscaping. This will enhance the legibility for users, reduce existing confusion and improve the safety of the precinct. It has been designed to look like a regular activity centre street. Speed humps will be placed on Market Street in accordance with the appropriate standards to regulate the speed of vehicles moving through the precinct.

It is proposed that a triangular green open space will be created between Market Street, the chicken shop and the northern private property boundary of the TMH hardware store. This will close the vehicular access/egress between Market Street and Purvis Lane which has been identified as a safety risk. It currently operates as a blind corner.

The park may require the closure of the access/egress between Market Street and the car park on the northern side of the video store on George Street. This car park is privately owned and this closure will be subject to negotiations between Latrobe City Council and the private owner.

The proposed green open space will also see the closure of the access/egress into the rear of TMH hardware store from Market Street. The business operator has been consulted with and is fully supportive of this closure. The operator proposes to create an alternate access from the western boundary of their property which is consistent with the masterplan.

A second green open space will be created at the northern end of Clifton Street once the road is closed. The green open space will be completed during the stage 3 works (attachment 6) to ensure that the design of this space complements the surrounding private uses at the time. The CFA, who abut Clifton Street, have indicated that they are seeking to relocate from their site on Albert Street between Clifton and Market Streets to a more appropriate site. Should this eventuate it is likely to create a development opportunity within the precinct.

There are currently overhead power lines running along the length of Market Street. This proposal would ensure that those lines are relocated underground creating additional car parking spaces and improving the amenity of the streetscape and the precinct generally.

New signage will be provided to direct both vehicular users and pedestrians and cyclists to key destinations throughout the activity centre.

These Stage 1 works are proposed to be completed in 2009.

Stage Two

The draft plan of the stage two works is provided as attachment 5. This stage proposes the reorientation of the car park in the south western corner of the precinct. The car parks currently run in a north south direction. This is proposed to be changed to an east west direction. This will improve traffic flows through the precinct as well as improve safety for all users.

The car parking aisles that connect to Market Street will be concrete spoon drains to enhance the definition of Market Street and provide a visual cue as vehicles move from a concrete spoon drain onto an asphalted surface. This enhances the legibility of the precinct as it clearly distinguishes car parking from the main road.

Landscaping between the car park and the service station will also provide greater legibility for users of the precinct by clearly distinguishing car parking aisles from the privately owned land.

The realisation of the stage 2 works will create a designated walking and cycling path from Moore Street, through Purvis Lane and the triangular green space to connect with Saviges Road.

This section of the precinct needs to be regraded to ensure that the water and drainage runs into the triangular open green space proposed in Stage 1. This will ensure that the area of green open space complies with the Water Sensitive Urban Design principles.

Stage Three

The draft plan of the stage three works is provided as attachment 6. This stage will see the conclusion of the proposed works for the precinct. It includes the finalisation of the kerb and channel and lighting along Market Street between Purvis Lane and Albert Street.

A new pedestrian walk is proposed between Purvis Plaza and the Super Cheap Auto to be known as "Clifton Walk". This will create a second pedestrian link from Moore Street, through Purvis Plaza to connect with the triangular green space proposed in the stage one works.

Delivery of this new pedestrian walk is subject to agreement with the CFA for the purchase of this parcel of land. In the event that these negotiations were unsuccessful an alternate alignment on land owned by council can be used.

This stage includes the finalisation of the second green space between the current ABC Child Care Centre and the CFA site.

A new bus stop in accordance with *Project 2: Integrated Bus Loops and Street Upgrades* of the MACP is also proposed along Albert Street.

The timing for the Stage 2 and 3 works will be programmed once funding for each stage is secured.

A sectional masterplan is provided as attachment 7.

Urban design guidelines have been developed for the precinct and are attached for consideration (attachment 8). These guidelines have a two-fold purpose:

- to provide design direction for any future development; and
- to provide planning officers with direction in assessing planning permit applications for developments within the precinct.

These guidelines have been developed in consultation with council officers across numerous divisions to ensure that they comply with their respective technical requirements.

Significant consultation has occurred in the delivery of this project and details of this consultation along with details associated with other key events are provided in the table below.

Date	Event
April 2008	Consultants are appointed to prepare masterplan
26 May 2008	Issues and opportunities workshop with landowners and business operators
23 June 2008	Issues and opportunities workshop #1 with community
26 August 2008	Councillor Briefing
10 September 2008	Traffic Engineers Engaged
17 September 2008	Traffic Engineers Interim Report delivered
26-27 September 2008	Traffic Counts undertaken
15 October 2008	Traffic Engineers Final Report provided
9 December 2008	Draft masterplan to landowners and businesses
11 December 2008	Draft masterplan to community
7 January 2009	Draft masterplan mailed to all owners and tenants
2 March 2009	Draft masterplan and urban design guidelines provided to Council for consideration

5. FINANCIAL AND RESOURCES IMPLICATIONS

This project has been broken down into three stages of implementation as indicated above.

The cost for each stage of the project has been estimated as follows:

Stage 1: \$315,000.00
 Stage 2: \$165,000.00
 Stage 3: \$300,000.00

Total \$780,000.00

The funding for stage 1 of the project is provided up as follows:

Source	Amount
Latrobe City Council Capital Works Budget 2008/2009	\$220,000
Department of Primary Industries – Power Line Undergrounding Grant (tbc)	\$71,000
Department of Planning and Community Development	\$24,000
TOTAL	\$315,000

A grant from the Department of Primary Industries Power Line Undergrounding Committee is based upon the powerlines being a visual impairment within a city centre and being one component of a street upgrade. The powerlines within the precinct fall within these criteria. Removal of these powerlines is consistent with the Urban Design Guidelines. An application has been made to obtain these funds, and should the application not be successful then this element of the works will be deferred until additional funding can be sourced.

The \$220,000 towards stage 1 is provided in the 2008/2009 capital works budget. A further \$24,000 has been provided by the Victorian Government’s Department of Planning and Community Development through the Transit Cities program.

Further funding for stages 2 and 3 works will need to be considered by Council in future capital budget processes should the masterplan be adopted. Delivery of each stage of the proposed works is critical in addressing the issues identified through the extensive consultation undertaken and ensuring that the precinct operates in an integrated and safe manner.

6. INTERNAL/EXTERNAL CONSULTATION

There has been significant community consultation during the preparation of the draft masterplan. In May 2008, all land owners and business owners within the precinct were invited via personal mail to attend a workshop in Council's Moe Service Centre. Council officers and representatives from the consultants used these workshops to identify the issues and opportunities within the study area. The community was also invited to attend one of two drop in sessions at the Moe Service Centre in May to further assist in the identification of issues and constraints for the precinct with council officers via advertisements in the Moe News and the Latrobe Valley Express.

This process provided both council officers and the representatives from the consultants with a solid basis to commence preparation of the draft masterplan and urban design guidelines.

In December, the same process was followed encouraging the business and land owners to comment on the draft masterplan. The community were also invited to comment on the draft plan via advertisements in the Moe News and Latrobe Valley Express at a drop in session at the Moe Service Centre on 11 December 2008. The draft plans have been available in all service centres since that time. The feedback received from land owners, business owners and the community has been very positive.

On 7 January 2008, the draft plans were mailed to all land owners and business operators within the precinct. The draft plans were mailed to approximately two hundred members of the community and community groups who are on the Moe Activity Centre Plan newsletter mailing list. These community groups included:

- Moe Traders Association
- Committee for Moe
- Moe Development Group
- Rotary Club of Moe
- Lions Club of Moe Inc.
- Make Moe Glow Inc.
- Moe and District Residents Association Inc.
- Invest Moe

Individual meetings have been held with the business and land owners who are directly affected by the proposed masterplan including the owners of the private car park to the north of the video store.

The consultation process has been thorough and exhaustive with land owners, business operators and the community being encouraged to contribute to these plans through several opportunities to participate in the development of the masterplan.

7. OPTIONS

There are three options available to Council:

1. That Council adopts the Clifton Street Precinct Project masterplan and urban design guidelines and commences the statutory processes to ensure implementation of this project; or
2. That Council does not adopt the Clifton Street Precinct masterplan and urban design guidelines and the precinct continues to operate in its current format; or
3. That Council amends and adopts the Clifton Street Precinct masterplan and urban design guidelines and commences the statutory processes to ensure implementation of the project.

8. CONCLUSION

This is the first project to be implemented from the Moe Activity Centre Plan adopted by Council on 17 December 2007. The masterplan and urban design guidelines provide the framework for the creation of a much improved precinct within the Moe Activity Centre. Its integration with Moore Street and the future rail station precinct will improve the accessibility and amenity of the town in accordance with the adopted Moe Activity Centre Plan.

The masterplan and urban design guidelines will dramatically improve the visual amenity and legibility of the Clifton Street Precinct through high quality urban design, landscaping and lighting.

The draft masterplan addresses the following key issues that were identified through research and the initial community consultation phases:

- The number of access/egress points for the precinct;
- Lack of legibility for vehicular users;
- Safety issues for all users of the precinct;
- Lack of definition between roads and car parking areas;
- Unsafe delivery and storage areas for business operators;
- Lack of active frontages addressing the internal car parks of the precinct;
- Lack of green space; and
- Lack of lighting.

The key features of the masterplan that address those issues are:

- The closure of two vehicular access points;
- Creation of a clearly defined Market Street through the precinct that addresses the legibility of the precinct for vehicular users;
- Creation of new pedestrian links through the precinct improving safety for pedestrians and cyclists;
- Creation of two new green open spaces;
- A refined car parking layout to improve legibility and traffic movements through the precinct;
- New delivery entrances and access points for businesses;
- Improved lighting increasing the safety of the precinct and addressing the lack of lighting; and
- Connection of the precinct with the surrounding activity centre and integration with the MACP.

Each stage of the proposed masterplan is critical in addressing the issues identified above and ensuring that the precinct operates in an integrated and safe fashion. By staging the proposed works the disruption to the business operators and customers within the precinct will be minimised.

The urban design guidelines seek to address the lack of active frontages facing the internal car parks of the precinct and encourage all future development to be of high quality. The urban design guidelines also encourage new developments to have awnings which will allow for weather protection of pedestrians and additional signage that will seek to improve way finding throughout the precinct.

9. RECOMMENDATION

- 1. That Council adopts the Clifton Street Precinct project masterplan and urban design guidelines.**
- 2. That Council requests authorisation from the Minister for Planning to prepare and exhibit a planning scheme amendment to include the Clifton Street Precinct urban design guidelines into the Latrobe Planning Scheme as a reference document.**
- 3. That Council commences implementation of the Clifton Street Precinct project in accordance with the masterplan and the urban design guidelines.**
- 4. That Council, pursuant to section 207 and schedule 11 of the *Local Government Act 1989*, gives public notice of its intention to place a permanent barrier or other obstruction on the northern end of Clifton Street, Moe which adjoins Albert Street, Moe to block the passage of vehicles.**
- 5. That Council, pursuant to section 207 and schedule 11 of the *Local Government Act 1989*, gives public notice of its intention to place a permanent barrier or other obstruction on the western end of Purvis Lane, Moe which adjoins Market Street, Moe to block the passage of vehicles.**
- 6. That Council, in accordance with section 223 of the *Local Government Act 1989*, considers any submissions received in relation to the proposal to place a permanent barrier or other obstruction on Clifton Street and Purvis Lane, Moe at the Ordinary Council Meeting to be held on 6 April 2009.**
- 7. That the closure of the vehicular access/egress between Market Street and the privately owned car park on the northern side of the video store be subject to further consultation with the private owner.**

Cr Kam left the Council Chamber at 7.20 pm

Moved: Cr Lougheed
Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

Cr Kam returned to the Council Chamber at 7.23 pm

**11.3.2 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE
PROGRAM - STRATEGIC PROJECTS**

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

1. PURPOSE

The purpose of this report is to advise Council of additional funding made available under the Federal Governments Regional and Local Community Infrastructure Program, and to seek approval to submit an application for funding for improvement works at the Ted Summerton Reserve 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 – 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 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.

In addition to the above, Council's adopted Moe Newborough Outdoor Recreation Plan and adopted resolution to locate the Moe Early Learning Centre at Ted Summerton Reserve Moe provides further policy context for consideration of this matter.

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 Federal Government will contribute \$300 million to local councils and their communities in 2008-09 to stimulate growth and economic activity across Australia.

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

At its 15 December 2008 ordinary meeting, Council approved the following projects to be funded from the \$1.6 million allocation:

- Latrobe Leisure Moe Newborough – additional court and Centre upgrade
- Latrobe Leisure Churchill – additional courts and Centre upgrade (gymnasium component)
- Waterhole Hole Creek Morwell – completion of lighting project for shared path from Princes Hwy to MERA Park
- Northern Reserve Newborough – change room / public toilets / entry upgrade
- Agnes Brereton Park – shared path / bridge replacement over Traralgon Creek
- Small Town Capital Works Program

A \$50 million component of the \$300 million funding package announced in November 2008 was for “Strategic Projects”. At that time, Latrobe City Council did not have a project sufficiently advanced in the planning or community consultation phase that met the criteria for this portion of funding; therefore an application was not made under the Strategic Project category.

On the 13 February 2009, the Federal Government made an additional \$500 million available for the Regional and Local Community Infrastructure Program – Strategic Projects (RLCIP-SP).

Under the RLCIP-SP the Federal Government is making up to \$550 million available to local government to stimulate additional growth and economic activity across Australia as a part of the Federal Government’s contribution to addressing the global economic crisis.

Under the RLCIP – Strategic Projects funding will be available for a limited number of large strategic projects seeking a minimum Commonwealth contribution of \$2 million or greater. Larger projects and projects which include partnership funding will be given preference.

Projects will be allocated funding on a nationally competitive basis and will be assessed by the Department of Infrastructure, Transport, Regional Development and Local Government (the Department) on a short timetable.

All local councils, or groups of councils, are eligible to apply for funds under RLCIP-SP. Eligible projects must be ‘ready-to-proceed’ (the project must be ready to commence construction within six months of signing the Funding Agreement (contract)), or be additional stages of projects that are currently underway.

Community organisations’ projects can also be submitted as long as they are sponsored by a local government authority.

RLCIP-SP will provide funding for community infrastructure including new and major renovations or refurbishments such as:

- social and cultural infrastructure (e.g. art spaces, gardens);
- recreational facilities (e.g. swimming pools, sports stadiums);
- tourism infrastructure (e.g. walkways, tourism information centres);

- children, youth and seniors facilities (e.g. playgroup centres, senior citizens' centres);
- access facilities (e.g. boat ramps, footbridges); and
- environmental initiatives (e.g. drain and sewerage upgrades, recycling plants).

Funding can be used for:

- construction or fit out;
- preparatory work such as necessary engineering and geotechnical studies;
- land surveys and site preparation; and
- project management costs.

Funding applications must be received by the Federal Government no later than 4 pm Friday, 6 March 2009.

Guidelines for the RLCIP-SP are included as attachment 1 to this report.

4. ISSUES

In considering projects that may be nominated 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 commencement within six months of signing a funding agreement?
- 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?

Council officers considered a range of projects across the municipality against the funding criteria and project delivery parameters set by the Federal Government. Ted Summerton Reserve was considered to be the one project that met the program criteria, was eligible for funding and was able to be commenced within the required timeframe.

Council has previously identified Ted Summerton Reserve Moe as a key community facility that is in need of significant upgrade and redevelopment. Two separate Council initiated planning projects and processes have identified this site as significant key strategic value to the Moe community, and have proposed the site be developed further. These include:

- Moe Newborough Outdoor Recreation Plan
- Moe Early Learning Centre Redevelopment Project

Ted Summerton Reserve Moe is a recreational reserve which is bounded by Vale Street to the north, South Street to the south, Bealiba Road to the east and Worth Court to the West. The reserve is currently utilised by the Moe Football and Netball Club, the Moe Cricket Club and the Moe Urban Fire Brigade, and existing facilities include:

- one football / cricket oval (with turf wicket and lighting)
- one asphalt netball court
- two turf and four synthetic practice cricket nets
- CFA training track
- Playground
- Three pavilions
- Public toilets
- EPA pollution monitoring station

Ted Summerton Reserve is located on Crown Land, with Latrobe City Council being the appointed Committee of Management.

The Moe Early Learning Centre Redevelopment Project

During a recent Council community consultation process, Ted Summerton Reserve was selected as the preferred site for the construction of the Moe Early Learning Centre (MELC). Latrobe City Council intends to develop a children's hub through the MELC project which will integrate a range of early year's services which may include:

- Preschool
- Toy Library
- Maternal & Child Health
- Child Immunisations
- Parenting Room
- Playgroup
- Meeting Rooms
- Before / After School Care
- Community Kitchen

The project is supported by both the Commonwealth and State Governments.

South Street Primary School borders the eastern boundary of Ted Summerton Reserve and the school has expressed interest in taking this opportunity to explore opportunities for closer integration of some services and/or facilities between the school and the new MELC/Children's Hub facilities.

At its 6 October 2008 ordinary meeting, Council adopted Ted Summerton Reserve Moe as its preferred site for the redevelopment of the Moe Early Learning Centre. The report submitted to Council for consideration included the following comment in respect to the Ted Summerton Reserve:

This site is a large area of open space located between the Ted Summerton Reserve oval and the South Street Primary School. It has an excellent northerly aspect, good drainage and considerable flexibility in building location and potential for future development. It is within walking distance of the Moe Central Activity District (1.2 km) and located close to two major streets in Moe (Wirraway and Fowler Streets).

The site offers a unique opportunity to co-locate with the primary school and possibly integrate some facilities. In addition there may be an opportunity for joint use of facilities such as car parks and meeting rooms with possible capital efficiencies to be made.

The site also offers the prospect of supporting a redevelopment of the Ted Summerton Reserve precinct including improvements to traffic management, public amenity and visual presentation. Traffic and parking have been identified as issues to address by the community but not as an impediment to development on this site.

Moe Newborough Outdoor Recreation Plan

The Moe Newborough Outdoor Recreational Plan provides a policy position and clear directions for Council and the community in the provision of outdoor recreation facilities in Moe Newborough in line with Council's 2021 vision.

The development of the plan involved significant consultation with the community and enabled Council to develop a clear set of recommendations for the future benefit of the Moe Newborough community.

At its ordinary meeting held 5 November 2007, Council adopted the Moe Newborough Outdoor Recreation Plan and allocated funding for the upgrade works at the Ted Summerton Reserve.

The project description in the Moe Newborough Outdoor Recreation Plan applicable to Ted Summerton Reserve is:

Major Projects referred to 2008/09 budget	Preliminary indicative Costings	Source
Renovate main pavilion to cater for all reserve user groups and incorporate public toilets	\$400,000	Football Netball Grant \$60,000 Council Contribution \$340,000 (including sale of land funds)

The MELC / Ted Summerton Reserve Masterplan

The Moe Newborough Outdoor Recreation Plan was completed in October 2007, and outlined a Masterplan for Ted Summerton Reserve. The inclusion of the MELC within the Reserve created a requirement for this Masterplan to be reviewed and updated to reflect the changed circumstances.

The updated Masterplan will be prescriptive and will provide a vision for the entire reserve and will encourage a vibrant recreation / education community precinct.

While the plan is primarily for Ted Summerton Reserve, consideration is also being given to surrounding land uses, connectivity to both the town centre and surrounding residential areas and overall integration of the facility into the broader township.

The key objective is to create and plan a Masterplan for Ted Summerton Recreation Reserve that clearly identifies:

- the most appropriate location of the MELC building / Children's Hub and the possible integration with South Street Primary School as well as consideration of the possibility of resource sharing e.g. indoor sports hall incorporating a gymnasium, meeting rooms, community facilities. In selecting the location of the MELC building, consideration should be given to allow for further development opportunities, should the need arise;
- current and future functional requirements of Ted Summerton Recreation Reserve;
- the appropriate location for parking and vehicle and pedestrian access, ensuring clear access ways and linkages with surrounding uses and including traffic management within the reserve and at the entrances;
- Landscaping opportunities;
- Physical, visual, cultural and social connections to the wider Moe community which establishes Ted Summerton Reserve as an iconic community precinct;
- Water Sensitive Urban Design opportunities including water harvesting and reuse, and other relevant environmentally sustainable design features;
- Urban design guidelines for the entire site.

The study area for the MELC at Ted Summerton Reserve Masterplan is included as attachment 2 to this report.

The community engagement process for the Ted Summerton Recreation Masterplan is well underway and the Masterplan will be presented to Council for consideration in May 2009. Consultation undertaken through this process and the Moe Newborough Outdoor Recreation Plan has identified that significant upgrade and redevelopment works are required within this precinct. The works include:

- Sealing of unsealed roads and car park (including line marking)
- Shared path network within reserve (including lighting)
- New reserve entry
- Replacement of main oval irrigation system
- Installation of water tanks to address oval irrigation issues
- Undercover seating
- BBQ and passive recreation areas
- Playground facility (including shade)
- Directional and Reserve signage
- Upgrade of school oval (including lighting)

- Removal of trees and replacement with appropriate species
- Improved netball change and playing facilities
- Upgraded football and cricket change room facilities

It is these works identified in both the Moe Early Learning Centre Redevelopment Project & Moe Newborough Outdoor Recreation Plan that will form the basis of the proposed application to the Federal Governments Regional and Local Community Infrastructure Program.

Establishment of the Moe Early Learning Centre at Ted Summerton Reserve is subject to separate funding applications / contributions to both the State and Federal Governments for construction of the physical facility. Subsequently, this will not form part of the RLCIP-SP application should Council endorse its submission.

An application to the RLCIP-SP presents Council with an opportunity to obtain funding to provide additional infrastructure improvements at the Reserve, as identified by both the Moe Newborough Outdoor Recreation Plan and the Moe Early Learning Centre Redevelopment Masterplan project.

A range of benefits will be delivered for the Moe community through completion of the Ted Summerton Reserve upgrade project. These include:

- Creation of a vibrant recreation / education community precinct
- Improved connectivity to the Moe Town Centre and the surrounding residential areas
- Improved activity and usage of the reserve precinct
- Improved access and movement within and surrounding the precinct
- Enhanced and improved landscaping and urban amenity
- Modern drainage systems and water sensitive urban design features
- Improved irrigation practices including potable water substitution
- Improvement to tree species within the precinct
- Greatly enhanced physical facilities for users of the reserve

5. FINANCIAL AND RESOURCES IMPLICATIONS

In its 2008/09 capital works budget, Council has allocated \$400,000 to the Ted Summerton Reserve upgrade project for pavilion upgrade works.

It is this existing budget allocation that will form the basis of Council's co-contribution for application under RLCIP-SP.

The amount requested from the Federal Government under the Regional and Local Community Infrastructure Program – Strategic Projects is an estimated further \$3.0 million, thereby indicating a total estimated project spend of \$3.4 million.

Staff resources will be required to manage and supervise construction of the project. Construction supervision will be able to be delivered utilising existing internal staff resources.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Ted Summerton Reserve Moe Redevelopment Project has been subject to two separate community consultation processes, including:

- The Moe Early Learning Centre Redevelopment Project
- Moe Newborough Outdoor Recreation Plan

As projects are required to be submitted to the Federal Government by 4 pm Friday 6 March 2009, it is not considered practical to undertake further specific community engagement and consultation. However, should funding be approved under the RLCIP-SP program, a range of community information provision activities would be undertaken as a key part of the project delivery phase.

7. OPTIONS

Council has the following options:

1. Approve the submission of an application to the Federal Government Regional and Local Community Infrastructure Program – Strategic Projects for the Ted Summerton Reserve Moe Redevelopment Project.

2. To not approve the submission of an application to the Federal Government Regional and Local Community Infrastructure Program – Strategic Projects for the Ted Summerton Reserve Moe Redevelopment Project.
3. Nominates an alternate project for inclusion in the Federal Government Regional and Local Community Infrastructure Program – Strategic Projects, giving consideration to the program criteria and delivery factors identified in Section 4 above.

8. CONCLUSION

The Ted Summerton Reserve Moe Redevelopment Project nominated for submission to the Federal Government Regional and Local Community Infrastructure Program – Strategic Projects, provides an opportunity to deliver significant benefit to the Moe Newborough community and improve the quality of the City's built environment.

9. RECOMMENDATION

That Council submits an application to the Federal Government Regional and Local Community Infrastructure Program – Strategic Projects for the Ted Summerton Reserve Moe Redevelopment Project.

Cr Price, Mayor left the Council Chamber at 7.23 pm and Cr O'Callaghan, Deputy Mayor took the chair.

Moved: Cr Lougheed
Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

Cr Price, Mayor returned to the Council Chamber at 7.42 pm and resumed the chair.

Cr Vermeulen entered the Council Chamber at 7.43 pm

ATTACHMENT 1

Guidelines

Regional and Local Community Infrastructure Program – Strategic Projects 2008-09 – \$550 million

1. INTRODUCTION

On the 13th February 2009, the Australian Government made an additional \$500 million available for the Regional and Local Community Infrastructure Program – Strategic Projects (RLCIP-SP). Under the RLCIP-SP the Australian Government is making up to \$550 million available to local government to stimulate additional growth and economic activity across Australia as a part of the Australian Government's contribution to addressing the global economic crisis.

Under the RLCIP – Strategic Projects funding will be available for a limited number of large strategic projects seeking a minimum Commonwealth contribution of \$2 million. Larger projects and projects which include partnership funding will be given preference. Projects will be allocated funding on a nationally competitive basis and will be assessed by the Department of Infrastructure, Transport, Regional Development and Local Government (the Department) on a tight timetable.

All local councils, or groups of councils, are eligible to apply for funds under RLCIP-SP. Local councils may also apply on behalf of local not-for-profit organisations. Eligible projects must be additional 'ready-to-proceed' (the project must be ready to commence construction within six months of signing the Funding Agreement (contract)), or be additional stages of projects that are currently underway.

2. PROJECT ELIGIBILITY

2.1 What can the funding be spent on?

RLCIP – Strategic Projects will provide funding for community infrastructure including new and major renovations or refurbishments such as:

- social and cultural infrastructure (e.g. art spaces, gardens);
- recreational facilities (e.g. swimming pools, sports stadiums);
- tourism infrastructure (e.g. walkways, tourism information centres);
- children, youth and seniors facilities (e.g. playgroup centres, senior citizens' centres);
- access facilities (e.g. boat ramps, footbridges); and
- environmental initiatives (e.g. drain and sewerage upgrades, recycling plants).

Projects that can be funded need to be consistent with the attached list at Annexure A.

Funding can be used for:

- construction or fit out;
- preparatory work such as necessary engineering and geotechnical studies
- land surveys and site preparation; and
- project management costs.

2.2 What will not be funded?

Funding will not be available for activities such as ongoing costs (e.g. operational costs and maintenance), transport infrastructure, such as roads, or related infrastructure covered by the Roads to Recovery or Black Spots programs.

Local councils are required to complete the application form available from
<<http://www.infrastructure.gov.au/local/index.aspx>>.

A completed application submitted through the Department's website is preferred.

The Department is aware that if a large number of councils decide to lodge their application by email, applicants may experience technical problems during lodgement due to the anticipated large size of application attachments. This may create difficulty for the Department and yourself in submitting applications by the deadline.

A separate communication will be sent to you advising the process for uploading your application on the nominated website.

Also, application forms can be sent in hard copy to:

Regional and Local Community Infrastructure Program – Strategic Projects
Department of Infrastructure, Transport, Regional Development and Local
Government.
GPO Box 594
Canberra Centre
ACT 2601

Or emailed to < RegionalGrants@infrastructure.gov.au>.

Deliveries mailed to the Department's postal address (GPO Box 594, CANBERRA ACT 2601) will need to be in the Department's post office box by 4:00pm AEDT on 6 March 2009.

Please note that for security reasons, the Department does not have the facility to receive applications delivered by hand or courier to its National Office at 111 Alinga Street, Canberra.

To reduce the risk that your application is not submitted by the required time (as detailed below) the Department recommends that applicants use the web based solution for lodgement.

A final and complete application form should be submitted by **4:00pm (Australian Eastern Daylight Savings Time) on 6 March 2009**. Applications being submitted electronically will be deemed to have been received on time if sent or submitted by 4:00pm AEDT on 6 March 2009. The judgement of the Department as to the actual time an application has been submitted will be final. Submission by post is only complete when the full and complete application is received at the post box detailed above. Where electronic submission of an application has commenced prior to the required submission time set out above but concluded after that time, the application will not be deemed to be late. Where an application consists of multiple parts due to the number and/or size of the files, applicants must ensure that uploading or transmission of all parts is completed before the required time.

Applicants need to be aware that the Commonwealth of Australia takes no responsibility for any problems arising in the application submission process, including for example any problems arising from email system capacity, postal system delays, or problems with applicants' infrastructure and/or the Department's or applicants' Internet connectivity. Applicants are responsible for ensuring submission of applications has occurred on time and in accordance with the requirements of these Guidelines. The Department recommends that applicants provide sufficient time for any problem analysis and resolution.

The file formats of electronically submitted applications are required to be MS Office 2007 and compatible, Adobe pdf, and image files (jpeg, tiff, png). The Department reserves the right to reject electronically submitted applications that are in other formats.

Incomplete applications will not be considered for funding.

2.3.2 Obtaining information about the project

In order that RLCIP – Strategic Projects can be assessed for funding by the Australian Government, each proponent will need to provide information about their organisation and the Council. This information includes:

- details of the Council;
- details of the project, including funding arrangements;
- financial information including quotations, cost estimates and budgets;
- project timeframes;
- project delivery information including project and business plans; and
- all statutory and other approvals required if relevant for the project.

Councils will also need to provide authorisation for the Department to undertake an Independent Viability Assessment if necessary.

2.3.3 Assessment of Applications

Based on the information provided, the Department will undertake a risk analysis of the Council to undertake the proposed project.

Proponent viability

In the risk analysis of the project, consideration will be given to the financial viability of the proponent.

Project viability

Project viability will be considered from two perspectives. Whether the project can be completed on time and within budget, and whether the project will be sustainable.

Important aspects that may be considered in relation to the overall viability of the project include:

- evidence of the Council's expertise/skills to deliver the project, and sustain it into the future.
- ownership and/or lease arrangements of equipment or facilities or other assets to be used in the delivery of the project;
- the level and status (e.g. contribution received; contribution committed but yet to be received; contribution in negotiation) of any of the funding contributions for the project and whether there are conditions attached to this funding;
- the budget and costings;
- feasibility studies or project plans;
- information on whether there is any need for planning approvals or licences and that these requirements have been met or fully considered;
- business and project plans and cash flow projections;
- ongoing maintenance and management strategies;
- funding that may be required for any future stages of the project;
- whether the project had previous stages, how it was funded in the past; and
- the results of any independent viability assessments if undertaken (copies of independent viability assessments undertaken by the Council should be provided).

Independent Viability Assessments

Where the Australian Government believes there are risks with the viability of the proponent or project that require further consideration, an Independent Viability Assessment (IVA) will be undertaken by a qualified external consultant engaged by the Department. The findings of the IVA will be considered in the project analysis.

Ranking applications

The Department will rank applications under three categories:

- recommended;
- not recommended; and
- non-compliant.

2.4 Approval of Funding

Following the due diligence assessment and ranking of the project by the Department a decision on funding will be sought from the Minister for Infrastructure, Transport, Regional Development and Local Government.

The Minister will consider whether the project is consistent with the requirements of Commonwealth legislation and whether any risk treatments will need to be imposed as a condition of funding, based on risk assessments undertaken.

A letter will be sent to the Council advising whether funding has been approved and if there are any conditions attached to that funding.

Before any funding can be paid, the proponent will need to enter into a Funding Agreement (contract) with the Australian Government that will set out the terms and conditions under which the funding is provided. Proponents should **not** make financial commitments based on notification of funding approval from the Australian Government until the Funding Agreement (contract) has been executed by both parties.

Requests for additional funding from the Australian Government will not be approved. Changes to the partnership arrangements or requests to change the scope of the project that do not involve the provision of additional funding by the Australian Government will be considered.

The Minister for Infrastructure, Transport, Regional Development and Local Government expects to announce successful projects.

3. Contracting and Funding

3.1 Accountability

The provision of funding for RLCIP- Strategic Projects will be conditional upon proponents entering into Funding Agreements (contracts) with the Commonwealth (represented by the Department of Infrastructure, Transport, Regional Development and Local Government). The Funding Agreement (contract) is a legally enforceable document which defines the obligations of both parties.

3.2 Funding Agreements and Payments

The Department will work with the proponent with the aim of finalising the Funding Agreement (contract) within **4 weeks**. The offer of funding may be withdrawn if the proponent cannot meet these timeframes, has not obtained agreement from the Department to obtain an extension to this timeframe, or if there are significant reasons as to why the project cannot commence.

An indicative Funding Agreement (contract) will be made available on the Department's website so that proponents are aware of the likely format of a Funding Agreement (contract) with the Australian Government.

The executed Funding Agreement (contract) will define the obligations of both parties. It will describe the purpose for which Australian Government funding must be used and will provide a description of how, when and where the project must be delivered.

Construction must commence within six months of the Funding Agreement (contract) being signed. Funding Agreements (contracts) will be structured to schedule the release of between 25-50% of funds to proponents, depending on the funding amount. On receiving the signed Funding Agreement and a tax invoice the first payment will be made. Prior to payment, confirmation of commencement date of construction must be received. Remaining funds will be paid incrementally depending upon achievement of negotiated milestones.

Action may be taken by the Department to terminate Funding Agreements (contracts) where requirements have not been met.

3.3 Progress reports

Once funding is confirmed the proponent will be required to actively manage the project. It is recommended that proponents consider appointing appropriate project management arrangements proportionate to the size and nature of the project.

The Department will monitor the project's progress through reports received under the Funding Agreement (contract) and may conduct site visits.

Annexure A

Examples of Community Infrastructure

Social and cultural infrastructure

- Town halls
- Community centres
- Libraries
- Local heritage sites
- Museums
- Cultural centres
- Enhancement of main streets and public squares
- Theatre/music/art spaces
- Historic buildings
- Parks and gardens
- Internet kiosk infrastructure
- Kitchens for organisations
- Community market areas

Recreation facilities

- Sports grounds and facilities
- Sports stadiums
- Community recreation spaces
- Playgrounds
- Rail trails
- Swimming pools
- Walking tracks and bicycle paths
- Skate Parks
- BMX/Mountain Bike parks/trails
- Surf lifesaving clubs

Tourism infrastructure

- Convention or trade centres
- Memorial halls/walkways
- Tourism information centres
- Local infrastructure to support or provide access to tourist facilities
- Community public attractions
- Buildings for exhibits

Children, youth and seniors facilities

- Playgroup centres
- Youth centres
- Scout/guide halls
- Senior citizens' centres

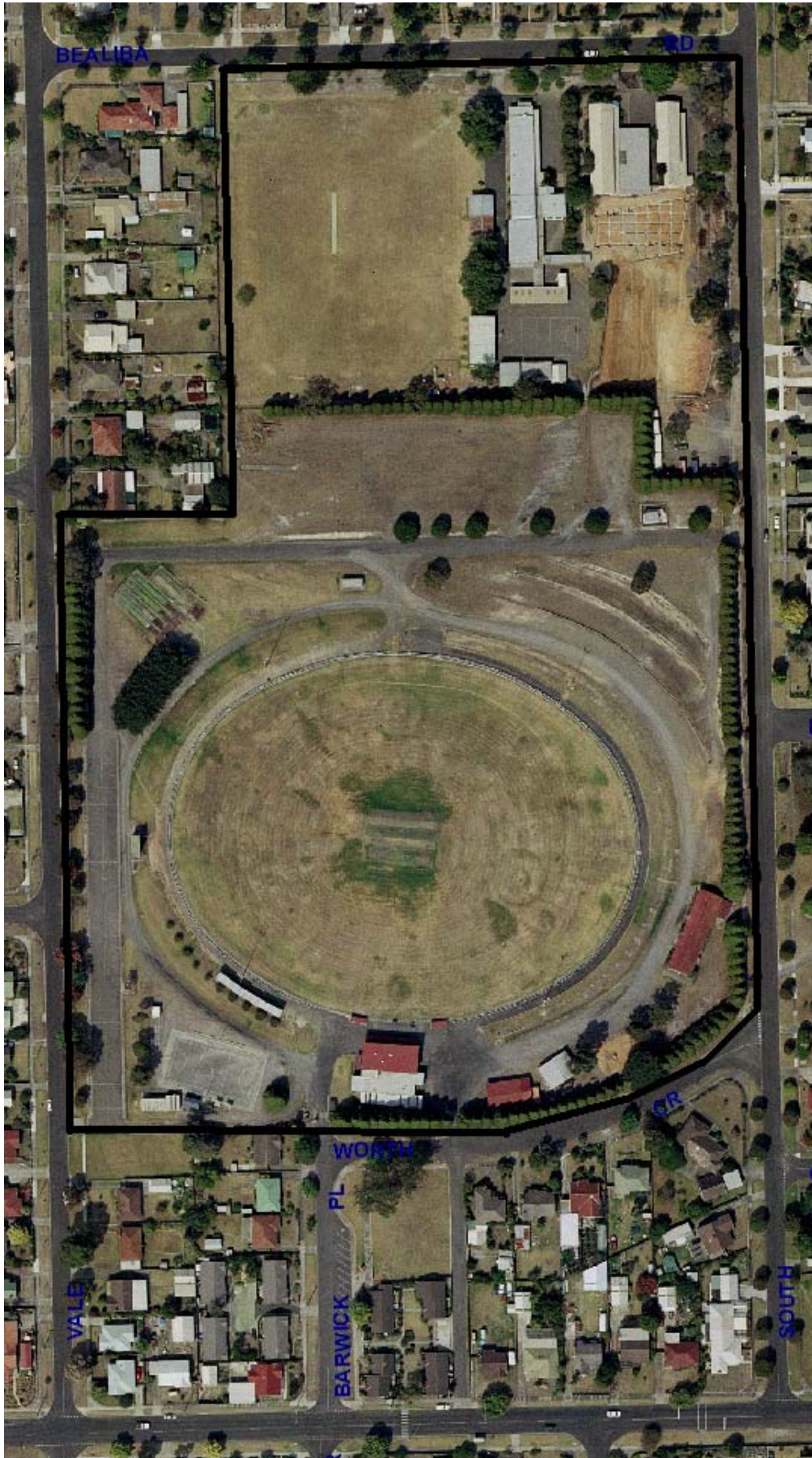
Access facilities

- Disabled access infrastructure
- Footbridges
- Bus/rail terminal upgrade
- Jetties/wharves/piers/pontoons
- Foreshore development
- Boat ramps

Environmental Initiatives

- Water source and treatment
- Drain and sewerage upgrades
- Water conservation infrastructure
- Waste management and processing infrastructure
- Wastewater infrastructure
- Water recycling plants
- Water catchments
- Recycling plants

ATTACHMENT 2



GOVERNANCE

11.6.1 DOCUMENTS PRESENTED FOR SIGNING AND SEALING**AUTHOR:** General Manager Governance**(ATTACHMENT - NO)**

PP2006/362	Charge of an Annuity under Section 74(1)(b) of Transfer of Land Act over the land contained in Certificates of Title Volume 10199 Folios 232-234, 238-240, 246 and 248-251 (all inclusive); Volume 10583 Folios 338-341 inclusive; and Volume 10530 Folios 237-245 inclusive between Thirty-Sixth Penny Pty Ltd as Chargor and Latrobe City Council as Annuitant pursuant to the Deed of Carpark Construction and Maintenance between the parties for the Land comprising the Southern Carpark being Lot 6 PS 73980 Balfour Place, Churchill in relation to Planning Permit 2006/362 for the Churchill Shopping Centre Redevelopment. Term: Minimum 15 years Amount payable: whatever necessary to maintain and repair carpark to the same standard as when construction was completed to Council's satisfaction.
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RECOMMENDATION

That Council authorises the Chief Executive Officer to sign and seal the Charge of an Annuity between Council and Thirty-Sixth Penny Pty Ltd over Certificates of Title Volume 10199 Folios 232-234, 238-240, 246 and 248-251 (all inclusive); Volume 10583 Folios 338-341 inclusive; and Volume 10530 Folios 237-245 inclusive pursuant to the Deed of Carpark Construction and Maintenance between the parties for the Land comprising the Southern Carpark, Balfour Place, Churchill.

Moved: Cr Middlemiss**Seconded:** Cr Lougheed**That the Recommendation be adopted.****CARRIED UNANIMOUSLY**

11.6.2 FEES AND CHARGES 2009/2010

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present the proposed Fees and Charges 2009/2010 and to seek Council's endorsement to invite submissions from the public.

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 and legislative requirements.

Community Outcome - Legislative Governance

By ensuring adherence to legislative requirements.

Strategic Action

Ensure compliance with the Local Government Act.

3. BACKGROUND

Annually, as part of the budget preparation process, Council reviews user fees and charges. In order to incorporate any proposed changes to the fees and charges into the 2009/10 budget from 1 July 2009, the adoption of the fees and charges is required earlier than the adoption of the budget.

4. ISSUES

The majority of the draft fees and charges proposed for 2009/10 have been prepared on the basis of CPI increases, with rounding factors as appropriate. Other considerations include competitive market influences, the percentage increase in the previous year and the type of service.

A significant number of Council's fees and charges require notice to be given to users. This notice can vary from one to two months depending upon the service. Undertaking community consultation in March followed by adoption in April 2009, allows the required notice to be given for any changes to fees and charges in adequate time for implementation from 1 July 2009.

5. FINANCIAL AND RESOURCES IMPLICATIONS

The proposed fees and charges form the basis of Council's budget. The consideration, community consultation and adoption of the fees and charges prior to the finalisation of the budget provides certainty in relation to this income component.

6. INTERNAL/EXTERNAL CONSULTATION

The proposed fees and charges for 2009/10 will be advertised in accordance with Council's Community Engagement Policy and Strategy. This will include displaying them at Council's Service Centres, placing them on Council's website and consulting with service users.

7. OPTIONS

Council has the following options for consideration:

1. Release the proposed fees and charges schedule to the community in order to receive feedback and provide adequate notice to the community of any changes to fees and charges to come into effect on 1 July 2009; or
2. Defer the release the proposed fees and charges schedule to the community, and incorporate the fees and charges schedule and the budget into a single consultation process. The implication of this is option is the uncertainty associated with considering a budget without the finalisation of fees and charges and the delay in effect of any adjustments to fees and charges.

8. CONCLUSION

To allow adequate time for community comment and consultation, the draft proposed Fees and Charges 2009/2010 are recommended for public advertising. In accordance with the requirements of the *Local Government Act 1989* a four week period for comment will be allowed.

9. RECOMMENDATION

- 1. That Council gives public notice of its intention to consider the draft Fees and Charges 2009/2010 and invites submissions in accordance with Council's Community Engagement Policy and Strategy; and**
- 2. That Council considers submissions in relation to Council's draft Fees and Charges 2009/2010 at the Ordinary Council Meeting to be held on 6 April 2009.**

Moved: Cr O'Callaghan

Seconded: Cr Gibson

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

13. TEA BREAK

Adjournment of Meeting

The Mayor adjourned the Meeting at 7.47 pm for a tea break.

Resumption of Meeting

The Mayor resumed the Meeting at 8.00 pm

Meeting Closed to the Public

The Meeting closed to the public at 8.00 pm