



LatrobeCity
a new energy

LATROBE CITY COUNCIL

MINUTES OF ORDINARY COUNCIL MEETING

HELD IN THE
NAMBUR WARIGA MEETING ROOM,
CORPORATE HEADQUARTERS, MORWELL
AT 7:00 PM ON 16 MARCH 2009

PRESENT:

Cr Lisa Price, Mayor - Farley Ward
Cr Kellie O'Callaghan, Deputy Mayor - Burnet Ward
Cr Rohan Fitzgerald - Dunbar Ward
Cr Sandy Kam - Galbraith Ward
Cr Bruce Lougheed - Tanjil Ward
Cr Graeme Middlemiss - Rintoull Ward
Cr Ed Vermeulen - Gonyah Ward
Cr Darrell White - Firmin 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
Carole Salerno, Council Operations Administration Officer

INDEX

OPENING PRAYER	4
APOLOGIES FOR ABSENCE	4
DECLARATION OF INTERESTS	4
ADOPTION OF MINUTES	4

PUBLIC QUESTION TIME

NOTICES OF MOTION

ITEMS REFERRED BY THE COUNCIL

7.1	COUNCIL POLICY REVIEW - SEALING OF UNSEALED RURAL ROADS	14
7.2	ESTABLISH LATROBE CITY AS A GENETICALLY MODIFIED FREE ZONE	21

CORRESPONDENCE

PRESENTATION OF PETITIONS

10.1	PETITION - CONSTRUCTION OF A FOOTPATH ALONG MARYVALE ROAD, MORWELL	43
10.2	PETITION - REALIGNMENT OF KERB AND CHANNEL IN HAZELWOOD ROAD, TRARALGON	48

CHIEF EXECUTIVE OFFICER

ECONOMIC SUSTAINABILITY

BUILT AND NATURAL ENVIRONMENT SUSTAINABILITY

11.3.1	LATROBE PLANNING SCHEME AMENDMENT C62 - MUNICIPAL STRATEGIC STATEMENT REVIEW STAGE 3	57
11.3.2	PROPOSED TRAFFIC CALMING - GORDON STREET AND MOORE STREET, TRARALGON	88
11.3.3	TRARALGON WEST LOW DENSITY RESIDENTIAL ZONE INTERIM INFRASTRUCTURE DEVELOPMENT POLICY	120

RECREATIONAL AND CULTURAL LIVEABILITY

COMMUNITY LIVEABILITY

GOVERNANCE

11.6.1	CONTRACT DECISIONS FROM PREVIOUS COUNCIL MEETINGS AND BY THE CHIEF EXECUTIVE OFFICER UNDER DELEGATION	139
11.6.2	DOCUMENTS PRESENTED FOR SIGNING AND SEALING	141

ORGANISATIONAL EXCELLENCE

URGENT BUSINESS

TEA BREAK

ITEMS CLOSED TO THE PUBLIC

14.1	MEETING CLOSED TO THE PUBLIC	145
14.2	ADOPTION OF MINUTES	146
14.3	CONFIDENTIAL ITEMS	147

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

Cr Sharon Gibson - Merton Ward

3. Declaration of Interests

Cr Kam declared a direct interest in Item 10.2 – Petition – Construction of a footpath along Maryvale Road, Morwell and an indirect and direct interest in Item 11.3.1 – Latrobe Planning Scheme Amendment C62 – Municipal Strategic Statement Review Stage 3.

Cr White declared a direct interest in Item 11.3.1 – Latrobe Planning Scheme Amendment C62 – Municipal Strategic Statement Review Stage 3.

4. Adoption of Minutes

The adoption of the Minutes of the Ordinary Council Meeting, held on 2 March 2009 (CM 286) relating to those items discussed in open Council, be deferred due to a problem with distribution, until the Ordinary Council Meeting to be held on 6 April 2009.

PUBLIC QUESTION TIME

5.1 TRARALGON POSTAL SERVICES

Mr Bruce Bremner asked the following question:

Question

Previously stated background:

“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.”

Following a question at the meeting on 2 March 2009, Council has advised that a letter was sent to Australia Post in January 2009.

The Association therefore now asks:

- (a) Has a response to Council’s January letter been received (be it written or verbal)? If so, what was the content?
- (b) If no response has been received does Council intend to follow the matter? If so, when?
- (c) Why it was seemingly not considered appropriate for Council to determine a stance in relation to the future to postal services in Traralgon – based on the information already in the public domain – and make this known to Australia Post (in Council’s January letter).

Answer

The Chief Executive Officer responded that the Latrobe City Council has not received a written response to the letter sent to Australia Post in January 2009 in respect of the future of postal services in Traralgon. Council will follow this matter up with a letter to Australia Post.

5.2 LANEWAY BETWEEN JILL AND MARGARET STREETS

Mr Merv Geddes asked the following questions:

Question

When was the Gazettal to have this laneway closed?; and

What is the progress of the independent valuation in preparation for sale of the property owned by Manthos Investments (Private Trust of Manny's Market)?

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

5.3 PROPOSED WASTE LANDFILL LOY YANG/TRARALGON SOUTH

Mr Bill Barber asked the following questions:

Question

Is it true that Latrobe City has concluded some type of arrangement with Baw Baw Shire Council to allow them access to the new refuse / waste complex near Loy Yang Power Station?

Is it a fact that the Baw Baw land facility region used by Latrobe City will be full by 2010/11? Is part of the deal to allow them access to our landfill facilities, when they can no longer use their wasteland fill?

Has Latrobe City factored into our landfill facilities, the wear and tear of our roads in that region, especially if we will also see Baw Baw trucks using our landfill? Was the deal struck with Baw Baw Shire, to include funding derived from using our landfill, to be used in road upgrades and maintenance?

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

5.4 ASSISTANCE BY COUNCIL THROUGH MEALS ON WHEELS AND HOME HELP

Mr Bill Barber asked the following question:

Question

Is it usual to have to wait between five to six weeks to be accessed by Council to those who have been hospitalised?

The writer contacted Latrobe City Council about a month ago, advising that a retired widowed Clergyman had been released from Latrobe Regional Hospital and was fitted with a brace and would require assessment for possible Home Help and Meals on Wheels.

The Council staff member promptly returned a telephone call and approximately one week after rang again to advise she would contact this gentleman. There have since been a number of calls to arrange, and then re-arrange a visit to this pensioner. In the interim church members have been undertaking Councils service on their behalf.

It now appears that after almost five weeks, a visit may now take place tomorrow (Tuesday). Do you believe this a good service, or does this department need managerial supervision? Given that I made contact with the office of the CEO on another matter on 29th January and am still awaiting a return call from his office, I wonder if the Reverend Gentleman has been discriminated against because I originally made the call.

Answer

The Chief Executive Officer responded that it was inappropriate for arrangements regarding individuals to be made public; however a response about access to services will be provided in writing and also included in the Minutes of this meeting (see below).

Copy of letter to be inserted when finalised

5.5 C62 PLANNING SCHEME AMENDMENT

Mr C Williams asked the following question:

Question

If Council are successful in getting a Planning Panel, will it be clear of restrictions on its powers to resolve C62 issues?

Answers

The Chief Executive Officer explained that it was a complex process; a Planning Panel report will be provided to Council and then Council will be required to make a decision as to the future of the amendment.

Suspension of Standing Orders

Moved: Cr O'Callaghan

Seconded: Cr Lougheed

That Standing Orders be suspended to allow a presentation to Council.

CARRIED UNANIMOUSLY

Standing Orders were suspended at 7.10 pm

Mr Tom Lawless representing the Victorian Farmers' Federation addressed Council in relation to item 7.1 – Council Policy Review – Sealing of Unsealed Rural Roads and answered questions put to him.

Mr Graeme O'Hara representing the Farm Ratepayers Association addressed Council in relation to item 7.1 – Council Policy Review – Sealing of Unsealed Rural Roads and answered questions put to him.

Cr Kam and Cr White left the Council Chamber at 7.16 pm

Mr Tony Paul addressed Council in relation to item 11.3.1 – Latrobe Planning Scheme Amendment C62 – Municipal Strategic Review Stage 3 and answered questions put to him.

Cr Kam and Cr White returned to the Council Chamber at 7.25 pm

Ms Linda Reid addressed Council in relation to item 11.3.2 – Proposed Traffic Calming – Gordon Street and Moore Street, Traralgon and answered questions put to her.

Mr Lawrence Murphy addressed Council in relation to item 11.3.2 – Proposed Traffic Calming – Gordon Street and Moore Street, Traralgon and answered questions put to him.

The Mayor thanked everyone for addressing Council and for their submissions.

Resumption of Standing Orders

Moved: Cr Loughheed

Seconded: Cr Middlemiss

That the Standing Orders be resumed.

CARRIED UNANIMOUSLY

Standing Orders were resumed at 7.35 pm

ITEMS REFERRED BY THE COUNCIL

7.1 COUNCIL POLICY REVIEW - SEALING OF UNSEALED RURAL ROADS

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 revised Council Policy 09 POL-3 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 Action - Built Environment Sustainability

Develop and implement asset management strategies for Latrobe City infrastructure.

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

Policy No. GEN-MD 009 Sealing of Rural Unsealed Roads

This is the current policy that is the subject of this report.

3. BACKGROUND

There are approximately 600km of unsealed roads, not including reserve access roads and car parks, within Latrobe City. Access and minor access roads account for approximately 348km of these roads.

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 of prioritising the sealing of unsealed rural access roads using a measurable and transparent assessment framework.

The working party also considered various comparisons with a number of municipalities in relation to funding and cost apportionment scenarios.

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. The submissions were presented to the Council Meeting of 15 December 2008 and the following resolution was adopted:

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.*

The following groups attended a meeting on 18 February 2009 to discuss their submissions: Yinnar Branch Victorian Farmers Federation (VFF), Yinnar Branch United Dairy Farmers (UDF) and the Latrobe City Farm Ratepayers Association. The table below summarises the key points raised at the meeting:

Representative Group	Key Issues
Latrobe City Farm Rate Payers Association	Difficult to produce quality food due to the dust factor.
	Council's proposed contribution of 20% in the draft policy should be increased to 40%.
	If a farm is in separate titles, there should not be a separate charge for each title – just one charge for the combined farming property.
	Happy to cost share with Council and accepts the principle of owner contributions.
United Dairy Farmers –Yinnar Branch	Not in agreement with cost sharing arrangements.
	Roads servicing farms should be in a special category compared to roads in rural residential areas (hobby farms).
	Multi title issue needs to be reviewed in terms of contributions.
	Roads to Recovery funds should be used on sealing rural roads.
	Grossly unfair to charge road sealing costs to farms that have been continuously farmed over many years.
	Should only consider sealing "important" roads that service farms
Victorian Farmers Federation –Yinnar Branch	Dust creation is a serious issue for food producing farms.
	Road sealing should be weighted in favour of food producing properties.
	More emphasis on scoring system – eg strategic significance.
	More of Roads to Recovery funds should be spent on rural roads.

Representative Group	Key Issues
	Preference is for farm roads to be sealed at full cost to Council.

The new draft policy is included as an attachment to this report together with a copy of the existing policy.

4. **ISSUES**

After considering all submissions from the draft policy presented to Council on 20 October 2008 and the ensuing additional consultation with the stakeholders, the original draft policy has been amended for Council's consideration.

The changes to the draft policy have been summarised below.

Number of property titles and owner contribution

The alternative policy includes an indexed "capped" owner contribution per rateable property, which would include farms that have multiple titles. A nominal contribution amount of \$5,000 per rateable property is has been nominated as the base figure which is similar to the figure in the current policy. Previous experience has shown that owners are not prepared to contribute large sums to Special Charge Schemes. An example is included in the attached spreadsheet titled "Unsealed Road Options" which demonstrates how the revised policy will work. In this example there are 14 titles and eight rateable properties in Farrans Road, Hazelwood South which would result in a total owner contribution of \$40,000 compared to \$70,000 if the calculation was based on separate titles.

Where an owner has multiple titles per rateable property, a Section 173 Agreement will be lodged on the titles stating that if separate titles are sold off at any time in the future, a further charge of \$5,000 plus applicable CPI increases would be applied to that property.

Dairying and other Food Producing Farms/Entities

The public consultation process resulted in a very clear message that dairying and other food producing farms should be recognised more strongly in the scoring system of the Assessment Framework that is used to determine priorities when more than one proposal is being considered. It is suggested that the score for strategic significance be increased to 10 with a weighting factor of also 10. This will increase the ranking of a road in a food producing area compared to other areas such as rural residential zones. The Assessment Framework scoring system is to be used to prioritise roads where applications are received from two or more groups of people owning property adjacent to an unsealed rural road.

It is also suggested that Council give priority to sealing roads in rural areas to roads where the majority abutting property owners are prepared to enter into a Special Charge Scheme and contribute the capped amount of \$5,000 (Indexed) per rateable property. It is also considered that through roads should also be placed as a higher priority – this issue is addressed in the Assessment Framework under the scores for traffic volumes and percentage of commercial vehicles.

The following Table sets out a comparison of three policy positions:

COMPARISON OF KEY ELEMENTS OF THREE POLICY OPTIONS

	1. Existing Policy	2. Draft policy presented to Council 20 October 2008	3. Revised draft policy
Property owner contribution	Capped amount since June 2006 (cpi indexed). Figure for 2008-09 is \$4,834.	Variable amount, no cap, figures will generally be substantially higher than the current policy.	Capped amount \$5,000 plus cpi indexed annually.
Basis for Charge	Per separate property title.	Per separate property title.	Per rateable property.
Council contribution	Full cost less total property contribution.	20% + additional community benefit amount based on traffic counts. This will generally result in lower Council Contributions.	Full cost less total property contribution.

	1. Existing Policy	2. Draft policy presented to Council 20 October 2008	3. Revised draft policy
Process used to determine priority if more than one application is being considered	Assessment Framework – score based on traffic volumes, strategic significance, maintenance assessment, safety assessment, No. of houses and impact on tank water.	Same as for existing policy.	Same as for existing policy with an increased emphasis on scores for strategic significance to recognise importance of food producing farms.

The revised policy presented to Council 20 October 2008 will result in higher owner contributions than the current policy as demonstrated by the worked examples on the attached spreadsheet titled Unsealed Road Options.

It could be reasonably assumed that it would be unlikely for residents to agree to higher owner contributions than the current policy.

The revised draft policy No. 09 POL-3 Sealing of Unsealed Rural Roads takes into account the concerns raised by the industry groups during the consultation process.

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.

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, web page, written notification to township committees, media release and direct mail out to focus groups including the Victorian Farmers Federation.

Details of Community Consultation / Results of Engagement:

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

A meeting of key stakeholders was held on 18 February 2009 and is discussed in Section 4 of this report.

7. OPTIONS

Council has the following options to consider:

1. Adopt the revised draft policy that was submitted to Council on 20 October 2009.
2. Adopt the revised draft policy incorporating changes made during the consultation process.
3. Retain the current policy.
4. Abandon the current policy and carry out sealing works at full cost to Council.

8. CONCLUSION

An extensive process has been undertaken in the development of a revised policy dealing with the sealing of unsealed rural roads. Comparisons have been made with neighbouring municipalities as well as similarly sized regional municipalities.

During the research and consultation process it became evident that there are many different methods and/or systems that are available to Council in formulating a policy to deal with the issue of sealing rural roads.

The proposed policy provides a reasonable process of prioritising roads to be sealed and suggests relatively low owner contribution figure in comparison to the overall cost of constructing a sealed rural road.

9. RECOMMENDATION

1. **That Council adopts the Sealing of Rural Unsealed Roads Policy 09 POL-3.**
2. **That persons who made submissions in relation to the adoption of the Sealing of Rural Unsealed Roads Policy 09 POL-3 be advised of Council's decision.**

Moved: Cr White

Seconded: Cr Vermeulen

That the Recommendation be adopted.

CARRIED

7.2 ESTABLISH LATROBE CITY AS A GENETICALLY MODIFIED FREE ZONE

AUTHOR: General Manager Economic Sustainability
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to seek a Council's decision in response to a petition requesting that Latrobe City be declared a GM free zone, and a range of related requests.

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 – Economic Sustainability

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

Strategic Action

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

Policy

There is no relevant Policy.

3. BACKGROUND

At its ordinary meeting held on 2 February 2009, Council resolved the following:

1. *That Council lays the petition requesting the establishment of Latrobe City as a Genetically Manipulated - free zone on the table until the Ordinary Council Meeting to be held on 16 March 2009.*
2. *That the head petitioner be advised of Council's decision in relation to the petition requesting the establishment of Latrobe City as a Genetically Manipulated - free zone.*

That Council investigates the effects of genetically manipulated crops on people's health and report back to Council on or before 16 March 2009.

The petition requests that Council declare Latrobe City a Genetically Manipulated free zone. The petition also requests that Council write to the Premier, Commonwealth and State Health and Agriculture Ministers regarding the issue.

The petition was received on 9 January 2009 and contains 102 signatures. Of the signatures received, 85% are from Latrobe City residents.

The petition requests that Council complete the following actions:

1. *Write to the Premier to ask the State Government to:*
 - a. *extend the ban on commercial GM canola for at least another 5 years;*
 - b. *use its powers to create GM and GM-free areas and to declare our municipality a GM-free zone; and*
 - c. *establish a public on-line register (including maps) showing all GM release sites, experimental and commercial, so those who want to stay GM-free can avoid those sites.*
2. *Declare the Council's jurisdiction a GM-free zone by:*
 - a. *amending Council's food service contracts to require GM-free foods in all council food services;*
 - b. *posting GM-free zone signage in and around the municipality;*
 - c. *publicly signing and distributing a GM-free zone declaration;*
 - d. *publicising the GM-free zone declaration in local media, on the website and on notice boards;*
 - e. *asking local businesses and organisations to support the GM-free zone by signing a GM-free statement; and*
 - f. *if necessary, establishing a local register to record and map the location of any GM sites in the area.*

3. *Write to the Commonwealth and State Health and Agriculture Ministers, advocating that:*
 - a. *no state or territory government allow its GM crop ban expire without the agreement of all states;*
 - b. *all foods made using GM technology and processes be fully labelled; and*
 - c. *strict liability laws are enacted to hold GM companies fully responsible for GM contamination.*

GM Canola Moratorium

In 2003, The Federal Office of the Gene Technology Regulator (OGTR) approved the commercial release of Bayer CropScience InVigor® genetically modified GM canola and Monsanto Australia's Roundup Ready® GM canola. At the time the OGTR concluded that these varieties of canola posed no greater risk to human health or the environment than conventionally grown canola.

In 2004, the Victorian Government concluded that the timing was not right for a full commercial release of the two GM canola varieties. Reasons cited were "divisions and uncertainty within the industry, the farming sector and regional communities about the impact of GM canola on markets".

On 12 May 2004, the Minister for Agriculture declared a four year moratorium on commercial growing of GM canola within the state. This was in place until 29 February 2008.

All other States and Territories, except Queensland and the Northern Territory, introduced moratoria either on GM canola or on GM crops, for various lengths of time. In May 2007 a review of the Victorian moratorium was announced. The review concluded that the ban on GM canola would expire on 29 February 2008.

Whilst the petition states Genetic Manipulation, officers have used the more common term Genetic Modification.

4. ISSUES

Genetically Modified Organisms

Information provided by the Office of the Gene Technology Regulator provides the following description of the key concepts involved in GM technology.

Biotechnology is a broad term that covers the practical use of biological systems to produce goods and services. It encompasses the transformation of materials by micro-organisms (eg. Fermentation), methods of propagation, such as plant cloning or grafting, and may involve genetic alteration through methods such as selective breeding.

Recent advances in biotechnology provide ways of introducing very precise changes to genetic material that allow, for the first time, the transfer of properties of a single gene from one organism to another. These new techniques, commonly referred to as “gene technology”, involve the modification of organisms by the direct incorporation (or deletion) of one or more genes to introduce or alter a specific characteristic or characteristics.

Organisms created using gene technology techniques are commonly referred to as “genetically modified organisms” (GMOs).

Agricultural examples of the use of gene technology include the genetic modification of crops to incorporate resistance to pests and diseases, herbicide tolerance, slow the ripening of fruit and alter the timing and duration of flower production.

Gene technology in agriculture

The use of gene technology in agricultural crops has been developed widely throughout the world. There are currently 13 different varieties of GM plants available worldwide, which are commercially grown and used in the production of food and animal feeds. Only six of these 13 plants have GM varieties that are currently approved for use in food for human consumption in Australia, these include corn, potatoes, oil and linters from cotton, canola and oil from canola. Most of these GM foods are grown overseas and imported. GM foods must be labelled under Australian food law.

Latrobe City has 1,287 rateable farms, none of which produce registered GM crops.

Current Legislative Framework

The administration of legislation regarding gene technology is overseen by the OGTR. The OGTR is the only authority who can determine whether licences will be granted to gene technology activities. Supporting the OGTR is the Gene Technology Ministerial Council, which has representation from all states and territories.

All activities involving genetically modified organisms in Australia form part of the national regulatory framework, which is agreed by state and federal Governments. The *Gene Technology Act 2000*, and the *Gene Technology Regulations 2001*, provide a formal legislative framework to guide GM activities and aims to protect the environment and the public's health and safety by identifying any issues as a result of GM activities.

Marketing and trade impacts as a result of gene technology are outside the scope of the legislation. At a national level there is a range of other authorities that regulate the sale and safety of GM products, these include the therapeutic goods administration and the Food Standards Authority Australia New Zealand.

In Victoria, two Acts govern gene technology. The *Gene Technology Act Vic 2001* is essentially the same as the Australian Government legislation and, whilst amendments can be made, the intention is that gene technology activities are managed consistently across Australia. Each piece of legislation recognises the other and does not provide duplication.

The *Control of Genetically Modified Crops Act 2004*, governs the regulation of GM crops in the state. The Act provides the Victorian Minister for Agriculture the power to designate the whole of the state of Victoria, or an area within the state as GM or non-GM for the purpose of preserving the identity of a crop or crops for marketing purposes. The recently expired GM canola moratorium is an example of this.

Gippsland Local Government Areas

Officers understand that petitions for GM free zones are being received by many Victorian Councils, particularly in Gippsland. The City of Greater Bendigo and South Gippsland Shire Council have both applied for GM free zoning from the Victorian Government. Bendigo's request has been refused and South Gippsland Shire Council has not yet been notified of the result of its application.

East Gippsland Shire Council also requested GM free status from the Victorian Government, and also advocated to the Victorian and Australian Governments for an extension to the GM canola moratorium. East Gippsland Shire Council has not yet been notified of the result of its application.

Bass Coast Shire Council received a petition identical to that received by Latrobe City Council. It resolved to complete all actions within the petition except for requesting GM free status from the Victorian Government.

The following sections address each of the requests made in the petition.

- 1a. *Write to the Premier and ask the State Government to extend the ban on commercial canola for at least another 5 years.*

The moratorium on GM canola was initiated in 2003 and expired on 29 February 2008, at that time the Victorian Government stated that the moratorium would *“not be replaced by any further order restricting the commercial cultivation of GM canola”*.

In 2007 a review panel was established to review the moratorium, the review panel found that *“there are no valid trade and market grounds to maintain a moratorium that prevents farmers from having choice about the type of canola they wish to grow”*.

As the ban has been lifted for more than 12 months, Council would need to request that the ban be reinstated rather than extended. Given the review panel findings and the statements made by the Victorian Government it is unlikely that another moratorium on GM canola would be approved.

- 1b. *Write to the Premier and ask the State Government to use its powers to create GM and GM free areas and to declare our municipality a GM free zone.*

Under section 21 of the Australian Government's Gene Technology Act *The Ministerial Council may issue policy principles in relation to the following:*

- (a) *ethical issues relating to dealings with GMOs;*
 - (aa) *recognising areas, if any, designated under State law for the purpose of preserving the identity of one or both of the following:*
 - (i) *GM crops;*
 - (ii) *non-GM crops;**for marketing purposes;*
- (b) *matters relating to dealings with GMOs prescribed by the regulations for the purposes of this paragraph.*

There is no Australian Government legislation related specifically to GM Free zones. However, the Victorian *Control of Genetically Modified Crops Act 2001* does provide the Victorian Minister for Agriculture the power to designate the whole of the state of Victoria, or an area within the state as GM or non-GM for the purpose of preserving the identity of a crop or crops for marketing purposes.

The issue of declaring Latrobe City as a GM free zone is a controversial one, and there are two clear sides to the debate. Information provided throughout the consultation process from information provided with the petition, discussions held with representatives of the Victorian Farmers Federation, information from the Department of Primary Industries and OGTR for the preparation of this report has identified the following perceptions for declaring Latrobe City as a GM free zone:

- This feature could be promoted to new residents and businesses.
- It may prevent Latrobe City producers' access to new crops or products that could improve their economic viability.
- It would minimise any harm to the public whilst the long term health effects of GM crops are determined.
- If effective, it would limit the capacity of contamination to farms that wish to remain GM free.
- It may place Latrobe City at a disadvantage compared to those that have embraced new technology.
- It may limit the spread of herbicide resistant weeds.
- It could limit the restricted ownership and control of seeds in the area.
- It could limit the choices available to farmers in developing their farms, potentially reducing their competitiveness.
- It could prevent the more efficient use of land or limit the municipalities' ability to deal with climate change through new plant varieties.

Latrobe City currently has no GM crops within the municipality.

- 1c. *Write to the Premier and ask the State Government to establish a public on-line register (including maps) showing all GM release sites, experimental and commercial, so those who want to stay GM free can avoid those sites.*

The OGTR has an online facility that enables the community to search for GM crops across Australia. The "GMO Finder" shows the location of releases of specific GMOs across Australia and the location of sites covered under individual licences issued by the Gene Technology Regulator. Latrobe City does not have any identified GM sites.

The search tool does not identify property owners, but does identify sites of GM crops. The establishment of a Victorian Government register would only be a duplication of the OGTR information.

2a. Declare the Council's jurisdiction a GM free zone by amending Council's food service contracts to require GM free foods in all Council food services.

The only food service contract that Council holds is for the Meals on Wheels program. This contract is valued at around \$190,000 per annum and is not due to expire until July 2010.

Council could request that this contract be amended to exclude GM foods. Potatoes, corn, canola and canola oil are all approved GM crops; these would commonly be used in preparation of meals for the Meals on Wheels program. Should this occur, officers would have no way of ensuring that the food served was GM free.

2b. Declare the Council's jurisdiction a GM free zone by posting GM free signage in and around the municipality.

The placement of GM free signage around the municipality would only have real effect should the Victorian Government declare the City a GM free zone. The Council currently has no ability to enforce Latrobe City being a GM free zone.

2c. Declare the Council's jurisdiction a GM free zone by publicly signing and distributing a GM free zone declaration.

Encouraging businesses to support a GM free zone by signing a declaration would only have genuine impact if the Victorian Government was to declare GM free status for the municipality, as the Council has no legislative ability to make or enforce such a declaration.

2d. Declare the Council's jurisdiction a GM free zone by publicising the GM free zone declaration in local media, on the website and on notice boards.

Promoting Latrobe City as a GM free zone would only have a real effect should the Victorian Government declare Latrobe City GM free. A municipality wide approach to such marketing may lead to confusion amongst the community as they would still be able to produce and grow GM products in a “GM free” municipality.

2e. Declare the Council's jurisdiction a GM free zone by asking local businesses and organisations to support the GM free zone by signing a GM free statement.

Whilst businesses may believe there are benefits in promoting themselves as GM free, Council would be unable to monitor whether participating businesses were actually GM free.

2f. Declare the Council's jurisdiction a GM free zone by if necessary, establishing a local register to record the location of any GM sites in the area.

The OGTR “GMO Finder” allows individuals to search for GM crops across Australia. The facility shows the location of releases of specific GMOs across Australia and the location of sites covered under individual licences issued by the Gene Technology Regulator. Latrobe City does not have any identified GM sites.

The search tool does not identify property owners, but does identify sites of GM crops. The establishment of a local register would only be a duplication of the OGTR information.

3a. Write to the Commonwealth and State Health and Agriculture Ministers, advocating that no state or territory government allow its GM crop ban to expire without the agreement of all states.

Tasmania and South Australia are the only Australian states that still have bans on GM crops. Tasmania's ban will be in place until 2014, and South Australia's ban will be in place indefinitely.

Victoria, New South Wales and Western Australia have all lifted their moratoria on GM canola in the past 12 months. The Northern Territory and Queensland have not implemented any GM legislation.

Given that three states have reviewed their GM laws in the past two years, and those areas that have not conducted a review already allow GM crops, it is unclear what writing to the Commonwealth Health and Agriculture Ministers would achieve.

3b. Write to the Commonwealth and State Health and Agriculture Ministers, advocating that all foods made using GM technology and processes are fully labelled.

Officers understand that foods made using GM technology and processes are fully labelled. GM Food labelling is the responsibility of Food Standards Australia New Zealand (FSANZ), this organisation also regulates the sale of GM foods. Imported GM organisms and materials are managed by the Australian Quarantine and Inspection Service.

FSANZ agreed to the introduction of GM food labelling in 2001, this was implemented through the "Food Produced Using Gene Technology" Food Standards Code.

The standards require that:

- All foods produced using gene technology be assessed and approved before sale and use; and
- All genetically modified food and ingredients, as defined by the standard, to be labelled where they contain DNA and/or novel protein in the final food or have altered characteristics.

There are some foods and ingredients that are exempt from the requirements. In summary these are:

- Highly processed food where the processing removes all of the DNA;
- Minor ingredients, processing aids and food additives;
- Flavours present in food in a concentration of no more than 1 gram per kilogram;
- Foods in which an approved GM food is unintentionally present in a quantity of no more than 10grams per 1% of ingredients;
- Foods intended for immediate consumption that are prepared and sold from food premises and vending machines; and
- Foods used for stockfeeds.

The Food Standards Code is adopted as regulations in each state through the relevant food and health agencies. It is the responsibility of state agencies to enforce the standards.

The central issue regarding labelling is people's ability to make informed choices regarding the food that they consume. Information sourced from the documentation supplied by the head petitioner indicates potential issues to consumers may include:

- Food additives could potentially pose a concern for the community, as they may like to know if GM additives are used in the products they consume;
- Labelling of meat from animals who have consumed GM stockfeeds may be an issue for many. Although the livestock may be GM free (i.e. the DNA was not modified in breeding), many people may like to know if the meat, eggs or milk products were derived from animals that consumed GM stockfeed; and
- GM additives with cultural or religious overtones (eg. using genes from pigs) are still required to be labelled even though they may come out of the general exemptions.

FSANZ state that they carry out safety assessments on GM food on a case by case basis, and that each new genetic modification is assessed individually for its potential to impact on the safety of the food.

3c. Write to the Commonwealth and State Health and Agriculture Ministers, advocating that strict liability laws are enacted to hold GM companies fully responsible for GM contamination.

The legislation specifies areas that the Gene Technology Regulator must consider when assessing the risks associated with a GM crop. The regulator takes the short and long term effects into account when assessing:

- The potential of GMO to be harmful to humans or other organisms;
- The potential for GMO to adversely affect ecosystems;
- The transfer or spread of genetic material to another organism;
- The spread or persistence of the GMO in the environment.
- Whether the GMO may have a selective advantage in the environment; and
- Whether the GMO is toxic, allergenic or pathogenic to other organisms.

Once a licence is granted the Office of the Gene Technology Regulator (OGTR) monitors the applicants' adherence to the licence conditions. The OGTR has the power to enforce penalties up to \$220,000 for breaches of the Act.

Effects on human health

Officers do not have the technical expertise to be able to provide advice on the effects of GM foods on human health. Information supplied from the World Health Organisation (WHO) indicates:

"The use of GMOs may involve potential risks for human health and development. Many genes used in GMOs have not been in the food supply before. While new types of conventional food crops are not usually subject to a safety assessment before marketing, assessments of GM foods were undertaken before the first food crops were commercialised...GM foods currently traded on the international market have passed risk assessments in several countries and are not likely to, nor have been shown, to present risks for human health".

In addition, the Victorian Government develops its biotechnology policies according to five broad principles, these are:

- To optimise the economic, environmental and societal benefits available through biotechnology;
- To protect and promote the health of the Victorian community;
- To assure environmental safety and sustainability;
- To require all actions are undertaken within an ethical framework; and
- To ensure there is full consultation, communication, transparency, monitoring and accountability.

5. FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial or resources implications at this time. Should Council implement the actions in relation to signage, promotion and mapping detailed costs would need to be determined at a later stage.

6. INTERNAL/EXTERNAL CONSULTATION

In preparing this report officers have consulted widely with a broad range of stakeholders. The Office of the Gene Technology Regulator, World Health Organisation, Food Standards Australia and the Department of Primary Industry supplied officers with relevant legislation, background and specialist advice.

The Victorian Farmers Federation (VFF) were consulted at both a local and Victorian level, representatives provided Officers with the organisations views regarding GM crops and information supplied to the GM moratorium enquiry.

Gippsland Local Government Network Councils were engaged to provide officers with resolutions made at Council meetings.

7. OPTIONS

1. That Council accepts the petitions recommendations and agrees to undertake the range of actions requested. Likely implications of this option include ongoing costs for signage, promotion, mapping and marketing of Latrobe City as a GM free zone. Future impacts on Council's food service contracts and industry development opportunities are unclear.
2. That Council takes no action in relation to the petition based on Latrobe City currently having no GM crops and Council not having the jurisdiction to declare the municipality a GM free zone.
3. That Council accepts part of the petition and writes to the Premier requesting Latrobe City be declared a GM free zone and to the Commonwealth Minister for Agriculture regarding the exemptions to food labelling laws. Similar requests have been made by other Councils; these are still under consideration.

8. CONCLUSION

GM crops and food is a controversial issue, with much of the debate having already occurred at a Victorian and State Government level. As such Council has no legislative ability with regard to GM free areas.

With the ban on GM canola expiring over 12 months ago, it is unlikely that Council will be able to reverse the decision to cease the moratorium on GM canola. Currently no GM canola or other GM varieties are grown within the City.

9. RECOMMENDATION

1. That Council takes no action in relation to the petition requesting Latrobe City be declared a GM free zone.
2. That Council notifies the Head Petitioner of the petition 'A GM-Free Zone Petition to Latrobe City Council' of Council's decision in relation to the petition requesting Latrobe City be declared a genetically modified free zone.

Moved: Cr Vermeulen

Seconded: Cr White

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

Latrobe City

- 6 JAN 2009

A GM-FREE ZONE PETITION TO LATROBE CITY COUNCIL

We, the undersigned residents of the council area, ask our Council to take every possible action to help ensure that Genetically Manipulated (GM) crops are not grown in our region, and that our region remains GM-free. We therefore ask our Council to make and implement the following resolutions:

1. **Write to the Premier to ask the State Government to:**
 - a. extend the ban on commercial GM canola for at least another five years;
 - b. use its powers to create GM and GM-free areas and to declare our municipality a GM-free Zone (these powers conferred as per Section 21 of the Commonwealth Gene Technology Act 2000); and
 - c. establish a public on-line register (including maps) showing all GM release sites, experimental and commercial, so those who want to stay GM-free (farmers, beekeepers, etc) can avoid those sites.
2. **Declare the Council's jurisdiction a GM-free Zone by:**
 - a. amending council's food service contracts, to require GM-free foods in all council food services;
 - b. posting GM-free Zone signage in and around the municipality;
 - c. publicly signing and distributing a GM-free Zone Declaration;
 - d. publicising the GM-free Zone declaration in local media, on the website and on notice boards;
 - e. asking local businesses and organisations to support the GM-free Zone by signing on to a GM-free statement; and
 - f. if necessary, establishing a local register to record and map the location of any GM sites in the area.
3. **Write to Commonwealth and State Health and Agriculture Ministers, advocating that:**
 - a. no state or territory government allow its GM crop ban to expire without the agreement of all states;
 - b. all foods made using GM technology and processes are to become fully labelled; and
 - c. strict liability laws are enacted to hold GM companies fully responsible for GM contamination.

NAME	ADDRESS	SIGNATURE	PHONE	DATE / EMAIL
G. Pither	7 Tarwin St Boolarra	G. Pither	51696209	1-11-08
N. CARMONANT	38 GUTHRIES RD BOOLARRA	N. CARMONANT		1-11-08
M. Hassett	Guthries Hill Rd Boolarra	M. Hassett		1-11-08
C. M. Curth	2300 Budgetree Rd	C. M. Curth	516616424	3-11-08
C. Craddock	200 Morwell River Rd	C. Craddock	51696640	5-11-08
CHRIS GRAY	30 PENALUNA, BOOLARRA	CHRIS GRAY	51696750	5-11-08
L. Spence	1 Church St Boolarra	L. Spence	51696686	5-11-08
Ray Math	2 Austin St Boolarra	Ray Math	51696612	5/11/08
Jennifer Deaton	112 Mirboo Nth Rd Boolarra	Jennifer Deaton	51165125	5/11/08
C. Watt	33 Tarwin St. Boolarra	C. Watt	51696554	6/11/08
Jackie McBlade	825 Mirboo Nth Rd Boolarra	Jackie McBlade	51696507	6/11/08
Russell McClellan	" " " "	Russell McClellan	51696507	6-11-08
DAVID STALLON	55 AIRS RD BOOLARRA	DAVID STALLON	0851696294	6-11-08
Elizabeth Black	65 Schidels Rd Boolarra	Elizabeth Black	51631221	6-11-08
L. Smith	55-57 Lemonite Rd Boolarra	L. Smith	0414-841497	6-11-08
B. RYE	1435 GRAND RIDGER ST, BOOLARRA	B. RYE	51696596	6/11/08
SHANNON	115 MCINTOSH RD BOOLARRA	SHANNON		6/11/08
J. Field	115 McIntosh Rd. Boolarra	J. Field	0401087440	6-11-08
E. Ewert	10 Juncus Rd Boolarra	E. Ewert		
G. MORGAN	2/1-3 Church St Boolarra	G. Morgan	51696721	6-11-08
Leo Thorne	16 Penaluna	Leo Thorne	51696518	6-11-08

Please return this petition to Organic Agriculture Association P.O. box 1263 Bairnsdale 3875

A GM-FREE ZONE PETITION TO LATROBE CITY COUNCIL

We, the undersigned residents of the council area, ask our Council to take every possible action to help ensure that Genetically Manipulated (GM) crops are not grown in our region, and that our region remains GM-free. We therefore ask our Council to make and implement the following resolutions:

1. **Write to the Premier to ask the State Government to:**
 - a. extend the ban on commercial GM canola for at least another five years;
 - b. use its powers to create GM and GM-free areas and to declare our municipality a GM-free Zone (these powers conferred as per Section 21 of the Commonwealth Gene Technology Act 2000); and
 - c. establish a public on-line register (including maps) showing all GM release sites, experimental and commercial, so those who want to stay GM-free (farmers, beekeepers, etc) can avoid those sites.
2. **Declare the Council's jurisdiction a GM-free Zone by:**
 - a. amending council's food service contracts, to require GM-free foods in all council food services;
 - b. posting GM-free Zone signage in and around the municipality;
 - c. publicly signing and distributing a GM-free Zone Declaration;
 - d. publicising the GM-free Zone declaration in local media, on the website and on notice boards;
 - e. asking local businesses and organisations to support the GM-free Zone by signing on to a GM-free statement; and
 - f. if necessary, establishing a local register to record and map the location of any GM sites in the area.
3. **Write to Commonwealth and State Health and Agriculture Ministers, advocating that:**
 - a. no state or territory government allow its GM crop ban to expire without the agreement of all states;
 - b. all foods made using GM technology and processes are to become fully labelled; and
 - c. strict liability laws are enacted to hold GM companies fully responsible for GM contamination.

NAME	ADDRESS	SIGNATURE	PHONE	DATE / EMAIL
MICHAEL WILSON	FAIRMONT ST BOOLARRA	[Signature]	51696205	12-11-08
STEFAN LADIBSON	50 LATROBE RD, BOOLARRA	[Signature]	51342324	14/11/08
200 Strengers	33 Tarwin St. Boodawa	[Signature]	51696554	18/11/08
Kristy Mill	37 Church St	[Signature]	51696226	17/11/08
Samantha Brich	lot 2420 Monash Way Boodawa	[Signature]	51631212	19.11.08
STEVE MIDDLE	5 FAIRMONT ST B/O	[Signature]	51696580	19-11-08
MATT BOWCH	33 CHURCH ST B/O	[Signature]	31696423	20/11/08
Rodney Ward	FAIRMONT ST B/O	[Signature]	51696747	21/11/08
W WISE	MIRBOO WITH AN B/O	[Signature]	51699717	21/11/08
J. ROBERTS	110 MIRSTS RD, BOOLARRA	[Signature]	51696653	21.11.2008
M. Birkbeck	35 Limonite Rd Boodawa	[Signature]	51696756	21/11/08
Mynia Weller	20 McLuship Rd Boodawa	[Signature]	51696700	21/11/08
Margie Munkia	49 LIMONITE RD B/O	[Signature]	51696363	21-11-08
Sylvio Scuppo	820 Limonite Rd Boodawa	[Signature]	51696377	21/11/08
[Signature]	1016 DEERUNDA RD B/O	[Signature]	088500527	21/11/08
L Spencer	1 Church St B/O	[Signature]	51696490	22/11/08
S DYLES	Maxwell Rivers Rd	[Signature]	51696770	24/11/08
J. MATHSFIELD	70 TODDS RD B/O	[Signature]	51696246	25/11/08
D. Charlesman	Grand Ridge Rd, Boodawa St	[Signature]	56648310	27/11/08
P. Richards	PO Box 164, Boodawa	[Signature]	0432512618	28/11/08

Please return this petition to Organic Agriculture Association P.O. box 1263 Bairnsdale 3875

A GM-FREE ZONE PETITION TO LATROBE CITY COUNCIL

We, the undersigned residents of the council area, ask our Council to take every possible action to help ensure that Genetically Manipulated (GM) crops are not grown in our region, and that our region remains GM-free. We therefore ask our Council to make and implement the following resolutions:

1. **Write to the Premier to ask the State Government to:**
 - a. extend the ban on commercial GM canola for at least another five years;
 - b. use its powers to create GM and GM-free areas and to declare our municipality a GM-free Zone (these powers conferred as per Section 21 of the Commonwealth Gene Technology Act 2000); and
 - c. establish a public on-line register (including maps) showing all GM release sites, experimental and commercial, so those who want to stay GM-free (farmers, beekeepers, etc) can avoid those sites.
2. **Declare the Council's jurisdiction a GM-free Zone by:**
 - a. amending council's food service contracts, to require GM-free foods in all council food services;
 - b. posting GM-free Zone signage in and around the municipality;
 - c. publicly signing and distributing a GM-free Zone Declaration;
 - d. publicising the GM-free Zone declaration in local media, on the website and on notice boards;
 - e. asking local businesses and organisations to support the GM-free Zone by signing on to a GM-free statement; and
 - f. if necessary, establishing a local register to record and map the location of any GM sites in the area.
3. **Write to Commonwealth and State Health and Agriculture Ministers, advocating that:**
 - a. no state or territory government allow its GM crop ban to expire without the agreement of all states;
 - b. all foods made using GM technology and processes are to become fully labelled; and
 - c. strict liability laws are enacted to hold GM companies fully responsible for GM contamination.

NAME	ADDRESS	SIGNATURE	PHONE	DATE / EMAIL
J Minter	city Rempsay Rd		57992498	7/9/08 jminter@taylora.com.au
C Minter	"		"	"
F Jucka	55 Miltaco Cr Miltaco		56648218	07/09/08
L Hammoud	95 AMANES TR, Trafalgar		56331993	07/09/08
R. Neville	PO Box 56 Mirboo North		50681667	07/09/08
E. Neville	"	Eric Neville	" "	07/07/08
J Frankh	PO Box 23 Yinnar		51631491	jfrankh@net-tech.com.au
UWISPA	74 Alamein St Mordialloc		04052299	7/7/08
K. Jacobs	St Ewen's Rd Mirboo Nth		56688276	7/9/08
A. Sumner	75 Elliotts St Trafalgar		04136019	7/9/08
N. Phillips	300 Sisters Rd GORDONVILLE		51942262	7/9/08
R. Bishop	155 Jumbuck Rd Yinnar		51221303	7/9/2008
R. CARSTAIRS	55 PIGGERY RD BULARRA		51696445	7/9/08
J. McCLADG	825 Mirboo Nth Rd Bucarra		51696507	7/9/08
M. Grant	36 Church St Bodara St. Grant		51696405	7/9/08
S Cyphers	50 Hills Rd Beekena		0414531421	7/9/08
M. COFFEY	12 IRBY ST Sale		51430084	7/9/08
D MILES	408 CONNECTION RD		56348205	7 SEP 08
H Booth	10 Reids rd.		51222964	7 September 08
S. Hough	2 Gunn Ct, Mirboo North		56681851	21-10-08
L. Taylor	2 Scarlose St Miltaco		56682447	21/10/08

Please return this petition to Organic Agriculture Association P.O. box 1263 Bairnsdale 3875

A GM-FREE ZONE PETITION TO LATROBE CITY COUNCIL

We, the undersigned residents of the council area, ask our Council to take every possible action to help ensure that Genetically Manipulated (GM) crops are not grown in our region, and that our region remains GM-free. We therefore ask our Council to make and implement the following resolutions:

1. **Write to the Premier to ask the State Government to:**
 - a. extend the ban on commercial GM canola for at least another five years;
 - b. use its powers to create GM and GM-free areas and to declare our municipality a GM-free Zone (these powers conferred as per Section 21 of the Commonwealth Gene Technology Act 2000); and
 - c. establish a public on-line register (including maps) showing all GM release sites, experimental and commercial, so those who want to stay GM-free (farmers, beekeepers, etc) can avoid those sites.
2. **Declare the Council's jurisdiction a GM-free Zone by:**
 - a. amending council's food service contracts, to require GM-free foods in all council food services;
 - b. posting GM-free Zone signage in and around the municipality;
 - c. publicly signing and distributing a GM-free Zone Declaration;
 - d. publicising the GM-free Zone declaration in local media, on the website and on notice boards;
 - e. asking local businesses and organisations to support the GM-free Zone by signing on to a GM-free statement; and
 - f. if necessary, establishing a local register to record and map the location of any GM sites in the area.
3. **Write to Commonwealth and State Health and Agriculture Ministers, advocating that:**
 - a. no state or territory government allow its GM crop ban to expire without the agreement of all states;
 - b. all foods made using GM technology and processes are to become fully labelled; and
 - c. strict liability laws are enacted to hold GM companies fully responsible for GM contamination.

NAME	ADDRESS	SIGNATURE	PHONE	DATE / EMAIL
L NINTER	1208 Foster Rd,	[Signature]	51696702	
T NINTER	" " "	[Signature]	51696702	
R SCHERER	770 JERBAKANG WEST STERILANG 3870	[Signature]	51222728	
N SILVER	" "	[Signature]	" "	
S. BROWN	96NALUNAST BOOLARRA	[Signature]	0438846114	
C. Howard	841 Nec. Penrose Rd	[Signature]	51601224	
G. DANGER	" "	[Signature]	" "	
Ben Lawrence	105 Princes Drive	[Signature]	51339066	
R. Warren	81 C. M. ...	[Signature]	51886170	
Linton Young	1/1A Grandview Gue Morwell.	[Signature]	51344914	7-9
T. Brown	115 Pioneer Rd Boolarra	[Signature]	51696466	
S. Mansfield	70 TODD RD 3870	[Signature]	51696246	
J. DENTON	1192 MURKIN RD BOOLARRA	[Signature]	51165125	
E. SMART	142 Pennington St Boolarra	[Signature]	51696643	
T. SCRAV	2 Pennington Rd	[Signature]	51696211	
R. SEAR	" "	[Signature]		
P. ELKINS	21 Liqueur St Dromana	[Signature]	041351145	
S. REID	41 Ross St Neerim	[Signature]	51647420	
L. EASTGATE	Roxdale PO Box 148	[Signature]	0359992909	
P. WARREN	10 Linton Rd Boolarra	[Signature]	51696597	
P. Stasinowski	10 Linton Rd Boolarra	[Signature]	51696557	

Please return this petition to Organic Agriculture Association P.O. box 1263 Bairnsdale 3875

PRESENTATION OF PETITIONS

10.1 **PETITION - CONSTRUCTION OF A FOOTPATH ALONG
MARYVALE ROAD, MORWELL**

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

1. PURPOSE

The purpose of this report is to present Council with a petition received requesting the construction of a footpath along the west side of Maryvale Road, Morwell between the Heritage Manor Aged Care Facility and Horsefall Street.

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 Action - Built Environment Sustainability

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

Policy No. GEN MD - 014 - Construction of Footpaths in Residential Areas

This policy sets out cost responsibilities and a method of prioritising requests for new paths in residential areas.

3. **BACKGROUND**

Latrobe City Council received a petition from the residents of Heritage Manor, Maryvale Road, Morwell on 1 December 2008. Eighteen of the residents have signed the petition. The petition requests that a new section of footpath be constructed on the west side of Maryvale Road between Horsefall Street and the entrance to Heritage Manor.

4. **ISSUES**

Heritage Manor Aged Care Facility opened in 2008. There is currently no footpath connecting Heritage Manor to the existing residential areas to the south, along the western side of Maryvale Road. There is an existing footpath along the eastern side of Maryvale Road.

The residents have expressed concerns about their safety due to the lack of a designated footpath along the western side of Maryvale Road.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

There are no financial or resource implications as a result of laying the petition on the table.

6. **INTERNAL/EXTERNAL CONSULTATION**

Engagement Method Used:

Not required at this time.

Details of Community Consultation / Results of Engagement:

Not required at this time.

7. **OPTIONS**

Council has the following options to consider:

- Lay the petition on the table until the Ordinary Council Meeting to be held on 20 April 2009 or a later meeting.
- Resolve to consider the petition at this meeting.

8. CONCLUSION

It is usual practice for petitions to lay on the table as per Clause 100 of Council's Local Law No.1 until the next ordinary meeting of Council. However, given that the petition will require time to be fully investigated, the 20 April 2009 Ordinary Council Meeting is proposed.

9. RECOMMENDATION

1. That Council lays the petition requesting the construction of a footpath servicing Heritage Manor Aged Care facility and others, on the table until the Ordinary Council Meeting to be held on 20 April 2009.
2. That the head petitioner be advised of Council's decision in relation to the petition requesting the construction of a footpath servicing Heritage Manor Aged Care Facility.

Moved: Cr Lougheed

Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

Mr Colin Hower
Room 56
Heritage Manor Aged Care
147-163 Maryvale Rd
Morwell Vic 3840
VICTORIA

Mr Paul Buckley
CEO
City of Latrobe Valley
PO Box 264
Morwell 3840

November 24, 2008

Dear Sir,

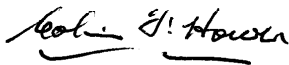
Being one of the residents living at Heritage Manor Aged Care Facility in Maryvale Rd Morwell, I am requesting that some thought be given to extending the footpath and the bike track on the western side of Maryvale Rd between Horsefall St and the entrance to Heritage Manor.

As some of the residents use electric scooters and others like to walk, it is very hazardous to do so with these paths (or lack of) in their present states. The general feeling is, if this work can be done, it may decrease the risk of any dangerous situation that may arise.

Please find attached a petition signed by other residents of Heritage Manor in support of this request.

Trusting you will give this matter some consideration.

Yours sincerely,



Colin Hower

Latrobe City	
- 1 DEC 2008	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	

10.2 **PETITION - REALIGNMENT OF KERB AND CHANNEL IN
HAZELWOOD ROAD, TRARALGON**

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

1. PURPOSE

The purpose of this report is to present Council with a petition received requesting the realignment of a section of kerb and channel on the eastern side of Hazelwood Road, Traralgon opposite the intersection of Poplar Avenue.

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 Action – Built Environment Sustainability

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

There are no specific Council policies dealing with the subject of this petition.

3. **BACKGROUND**

Latrobe City Council received a petition on 19 January 2009 with 28 signatures. The petition requests that a section of kerb and channel on the east side of Hazelwood Road be straightened to improve traffic and cyclists safety at the intersection of Poplar Avenue.

4. **ISSUES**

The section of kerb and channel in question was constructed a number of years ago as part of an on-road bicycle route project along Hazelwood Road between Bank Street and the end of the existing residential area.

Hazelwood Road is part of the main road network and therefore the matter will need to be referred to VicRoads for comment.

The petition claims that kerbing is dangerous for vehicles and cyclists travelling southwards along Hazelwood Road.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

There are no financial or resource implications as a result of laying the petition on the table.

6. **INTERNAL/EXTERNAL CONSULTATION**

Engagement Method Used:

Not required at this time.

Details of Community Consultation / Results of Engagement:

Not required at this time.

7. **OPTIONS**

Council has the following options:

- Lay the petition on the table until the Ordinary Council Meeting to be held on 20 April 2009 or a later meeting.
- Resolve to consider the petition at this meeting.

8. CONCLUSION

It is usual practice for petitions to lay on the table as per Clause 100 of Council's Local Law No.1. However, given that the petition will require time to be fully investigated, the 20 April 2009 Ordinary Council Meeting is proposed

9. RECOMMENDATION

1. That Council lays the petition requesting the realignment of a section of kerb and channel in Hazelwood Road, Traralgon, on the table until the Ordinary Council Meeting to be held on 20 April 2009.
2. That the head petitioner be advised of Council's decision in relation to the petition requesting the realignment of a section of kerb and channel in Hazelwood Road, Traralgon.

Cr Kam left the Council Chamber at 8.00 pm due to a direct interest.

Moved: Cr Fitzgerald

Seconded: Cr O'Callaghan

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

Latrobe City	
Doc. No:	
Action Office:	
Disposal Code:	
Comments:	

16 Myrtle Crescent

TRARALGON VIC 3844

Email: ralphbr77@gmail.com

17th January 2009

Councillor Rohan Fitzgerald

Latrobe City Council

PO Box 264

MORWELL VIC 3840

Dear Sir,

I enclose copy of petition addressed to the CEO of the Council for your information and possible action.

I hope you will help by pursuing this matter as the petitioners believe the kerb is a danger to the public and needs attending to.

Yours sincerely



Ralph N Bridges

Preferred contact: email

16 Myrtle Crescent
TRARALGON VIC 3844

Postal address: PO Box 2138
TRARALGON VIC 3844

Mobile phone: 0448 719 200

Email: *ralphb777@gmail.com*

16 January 2009

The CEO
Latrobe City Council
PO Box 264
MORWELL VIC 3840

Dear Sir

Re: Petition regarding Hazelwood Road, Traralgon

I enclose a petition signed by the residents of Myrtle Crescent, Traralgon, regarding the kerb and gutter alignment on Hazelwood Road, Traralgon, opposite the junction of Poplar Avenue and Hazelwood Road.

There has been an accident at this corner, as a car travelling southward had to dodge the jutting area of kerb, and hit a car waiting to turn into Poplar Avenue. One of the residents of Myrtle Crescent saw this accident.

The jutting kerb is also a danger to bicycle riders travelling along Hazelwood Road, as they have to dodge the kerb and this means that they are in the path of cars.

Please advise me as soon as possible whether something can be done to straighten the kerb and gutter in line with the rest of Hazelwood Road.

Yours sincerely



Ralph N Bridges

(preferred contact : email)

Petition

To The Latrobe City Council

The CEO
Latrobe City Council
PO Box 264
Morwell Vic 3840

Dear Sir

We, the undersigned residents, would like to request that the kerb and gutter alignment on the Eastern side of Hazelwood Road, Traralgon, opposite the junction of Poplar Avenue, be straightened. This piece of jutting concrete is dangerous as it makes it difficult for any car travelling south to pass a car waiting to turn into Poplar Avenue. It is also dangerous for bicycle riders travelling southwards in Hazelwood Road, and this can be seen by the large number of skid marks on the concrete.

Please send any correspondence to Mr Ralph Bridges, 16 Myrtle Crescent, Traralgon Vic 3844.

Name	Address	Signature
B. RUTTEN	14 MYRTLE CRESC	B. Rutten
G. O'CONNOR	20 MYRTLE CRESC	G. O'connor
S. REID	9 MYRTLE CRESC	S. Reid
K. RUTTER	MYRTLE CRESC. 14	K. Rutter
C. RUTTS	" " 14	C. Rutt
N. LOCKETT	MYRTLE CRESC 12	N. Lockett
M. ZAPPALÀ	" " 12	M. Zappala
R. BRIDGES	16 MYRTLE CRESC	R. Bridges
L. BENN	16 Myrtle Cr, Traralgon	L. Benn
A. COOPER	18 MYRTLE CRESC TRARALGON	A. Cooper
V.A. COOPER	18 MYRTLE CRESC TRARALGON	V.A. Cooper
D. ENQUELL	13 Myrtle Cres Traralgon	D. Enquell
K. ENQUELL	13 MYRTLE CRESC TRARALGON	K. Enquell

Petition

To The Latrobe City Council

The CEO
Latrobe City Council
PO Box 264
Morwell Vic 3840

Dear Sir

We, the undersigned residents, would like to request that the kerb and gutter alignment on the Eastern side of Hazelwood Road, Traralgon, opposite the junction of Poplar Avenue, be straightened. This piece of jutting concrete is dangerous as it makes it difficult for any car travelling south to pass a car waiting to turn into Poplar Avenue. It is also dangerous for bicycle riders travelling southwards in Hazelwood Road, and this can be seen by the large number of skid marks on the concrete.

Please send any correspondence to Mr Ralph Bridges, 16 Myrtle Crescent, Traralgon Vic 3844.

Name	Address	Signature
J. GREY	9 MYRTLE CRES TRARALGON	J. Grey
S. HASSETT	7 MYRTLE CRES TRARALGON	S. Hassett
B. GRAHAM	7 MYRTLE CRES TRARALGON	B. Graham
A. Parnsken	1 MYRTLE CRES TRARALGON	A. Parnsken
S. SIMMONS	4 MYRTLE CRES TRARALGON	S. Simmons
B. HURSELL	10 MYRTLE CRES TRARALGON	B. Hursell
R. Jansen	16 MYRTLE CRES TRARALGON	Roland Jansen
C. DHERING	20 MYRTLE CRES TRARALGON	C. Dhering
J. Roodenrys	11 MYRTLE CRES T'GON	J. Roodenrys
J. Roodenrys	11 MYRTLE CRES T'GON	J. Roodenrys
T. LITTLE	5 MYRTLE CRES T'GON	T. Little
Jo SIMMONS	4 MYRTLE CRES T'GON	Jo Simmons
L. POLLARD	6 MYRTLE CRES T'GON	L. Pollard

BUILT AND NATURAL ENVIRONMENT SUSTAINABILITY

**11.3.1 LATROBE PLANNING SCHEME AMENDMENT C62 - MUNICIPAL
STRATEGIC STATEMENT REVIEW STAGE 3**

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

1. PURPOSE

The purpose of this report is to consider all submissions received to Amendment C62 and seek Council's resolution to request the Minister for Planning to establish a planning panel to consider the submissions for Amendment C62 and prepare a report in accordance with Sections 22 and 23 of the *Planning and Environment Act 1987* ("the Act").

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 – Built Environment Sustainability

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.

A key priority and action of the Council Plan 2008-2012 is to:

- *Progress stages 2 and 3 of the Planning Scheme (Municipal Strategic Statement) Review.*

- *Progress the planning scheme amendment to introduce the Main Town Structure Plans into the Latrobe Planning Scheme.*

3. **BACKGROUND**

Planning Scheme Amendment C62 forms part of the Municipal Strategic Statement Review project and includes a new Municipal Strategic Statement (MSS). In accordance with the recommendations of the Four Year Planning Scheme Review report and consistent with the Making Local Policy Stronger report released by the Minister for Planning in October 2007, all local policies are deleted but are included where relevant, in appropriate sections of the new MSS clause 21.

Existing clauses 21 and 22 of the Local Planning Policy Framework (LPPF) are consolidated into one new MSS clause 21 which reflects the structure of Latrobe 2021. The new clause 21 which forms the body of the new LPPF is primarily based on the foundations of the Sustainability and Liveability principles in Latrobe 2021.

The new MSS also reflects other adopted strategic studies including the Latrobe City Council Structure Plans for Churchill, Moe/Newborough, Morwell and Traralgon; Latrobe City Council Moe Activity Centre Plan; Latrobe City Council Churchill Town Centre Plan; Latrobe City Council Transit Centred Precinct Reports for Moe, Morwell and Traralgon; and the Latrobe City Council Natural Environment Sustainability Strategy.

MSS Review Project Stages

Stage 1	Planning scheme review.	Completed. May 2008
Stage 2	Redrafting of new LPPF/MSS.	Completed. September 2008
Stage 3	Public exhibition and panel.	Underway. October 2008 – current

The MSS Review project consists of three stages. Stage one reviewed the strengths and weakness of the current Latrobe Planning Scheme and recommended changes to the scheme. Stage one resulted in the Latrobe Planning Scheme four yearly review report April 2008 which was adopted by Council at its Ordinary Council Meeting on 5 May 2008. Stage one has been completed.

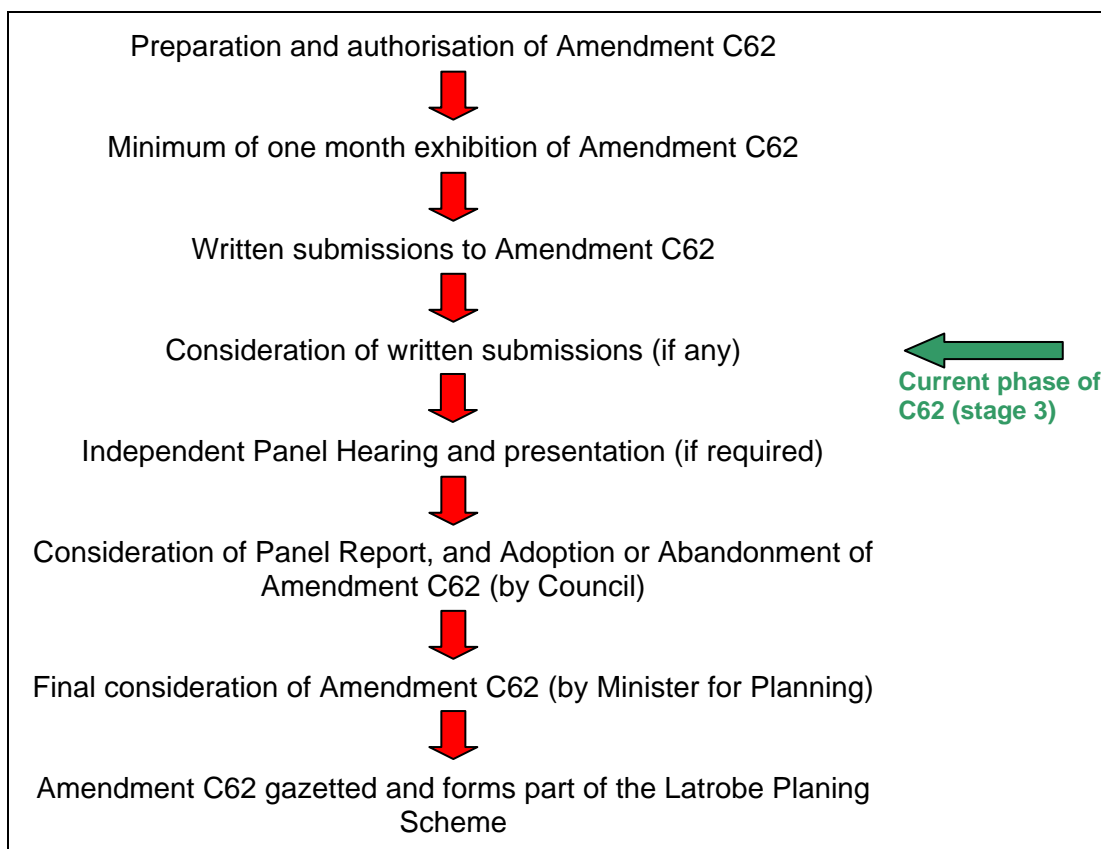
Stage two involved the technical drafting of the Local Planning Policy Framework (including the MSS). This included rewriting and updating the Local Planning Policy Framework in the Latrobe Planning Scheme to reflect Council's current adopted strategic work. The draft of the stage two MSS rewrite directly implemented some of the key recommendations of the stage one review report. The stage two MSS rewrite was endorsed by Council to be suitable for a request for Ministerial authorisation at the Ordinary Council Meeting on 1 September 2008. Stage two has been completed.

Stage three is yet to be completed. Stage three includes the public exhibition of the redrafted Local Planning Policy Framework (including MSS) and the subsequent Panel process. Stage three is the subject of this Council report.

Statutory Requirements

The C62 planning scheme amendment process is shown in the figure below and provides an indication of the current phase of C62.

C62 Planning Scheme Amendment Process (Stage 3)



In accordance with the Act, the municipal Council as a 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.

Amendment C62 has had regard to Section 12 of the Act and is consistent with the requirements of Section 12. In addition, each amendment must address the Department of Planning and Community Development (DPCD) publication *Strategic Assessment Guidelines for Planning Scheme Amendments*. A response to these guidelines is outlined in the attached Explanatory Report, (refer attachment 1).

C62 is consistent with the State Planning Policy Framework objectives and strategies contained within the Latrobe Planning Scheme. The amendment has been prepared in the context of a considerable amount of strategic work prepared by Latrobe City Council over the last eight years. The amendment is a complete review and replacement of Clauses 21 and 22 (including some maps) arising out of the strategic work undertaken. While the majority of the existing MSS is significantly outdated, some sections of the existing LPPF are still relevant and have been included in the new MSS.

Sections 22 and 23 of the Act require that Council must consider all submissions received to C62 and where a submission requests a change that can't be satisfied, request the Minister for Planning to establish a planning panel to consider submissions.

4. ISSUES

Section 6 of this Council Report provides a summary of the submissions received. Attachments 2 and 3 provide a précis of the issues raised in each submission and planning consideration of each issue raised.

Fifty five percent of the submissions received either objected to or requested changes to C62. Some of the requested changes are minor in nature and others are significant. Council has a responsibility to ensure that the changes requested do not impinge on *natural justice* rights of the community or result in C62 being *transformed* into a different proposal to that which was exhibited. In other words, the community may not have had an opportunity to consider the requested significant change because it did not form part of the exhibition documents. If a member of the community was aware of the change they may have wished to make a written submission regarding the change. If C62 is significantly transformed there is a risk that a planning panel or the Minister for Planning may not support or refuse to approve C62 and require a new planning scheme amendment to be prepared and re-exhibited.

There are a number of minor mapping anomalies contained within the C62 structure plans at clause 21.04.

C62 Mapping anomalies

Churchill	- Churchill Traralgon Road should be shown as Tramway Road.
Moe / Newborough	- Haigh Street, Moe. West of Narracan Creek. The extent of Existing Residential Opportunity and Existing Urban Areas is incorrect. Should be shown as Future Residential. - East of Torres Street, Newborough. Extent of Urban Coal Buffer is incorrect. The Urban Coal Buffer is to be removed. - North of John Field Drive, Newborough. Extent of Existing Open Space is incorrect. Should be shown as Existing Urban Areas. - Ollerton Avenue Bushland Reserve, Newborough. Proposed Public Open Space is incorrectly shown. Should be shown as Existing Open Space. - Coalville Road, Newborough. Extent of Town Boundary is incorrect. Town Boundary is to include residential land. - General. Legend on the Moe/Newborough Structure Plan does not provide for Non Urban Land. Include Non Urban land in legend.
Morwell	- Existing industrial land north of Princes Freeway. The location of Area 9 is incorrect. Area 9 annotation is to be moved further east away from the proposed intermodal freight terminal.
Traralgon	- South of Marshall's Road near Traralgon Creek. Extent of Future Residential is incorrect. Should be shown as Non Urban Land. - East of Dunbar Road near industrial estate. Extent of Future Urban is incorrect. Should be shown as Future Residential. - South of Old Melbourne Road. Extent of Town Boundary is incorrect. Town Boundary is to be realigned with title boundaries. - South of Lansdowne Road and Retreat Road. Extent of Existing Urban Areas and application of Possible Future Residential is incorrect. Should be Future Residential. - West of Leinster Avenue (Erin Park). Extent of Future Residential is incorrect. Should be Urban Coal Buffer.

There is an opportunity at the panel hearing for Council to present their consideration of each submission to the panel. The figure titled *C62 Planning Scheme Amendment Process (Stage 3)* in this report shows that after the panel report has been received by Council there is an opportunity for Council to adopt or abandon C62. Therefore while Council is currently required to form a view if the requested changes in the submissions can be accommodated, Council should not feel that it is mandated to make a final determination of all C62 matters at this point in time. The recommendations of the future panel report should assist Council in their deliberation of C62 matters and particularly those submissions that request significant changes to C62.

5. FINANCIAL AND RESOURCES IMPLICATIONS

The prescribed fees for planning scheme amendments are detailed in the *Planning and Environment (Fees) Regulations 2000*. The costs associated with a planning scheme amendment include: considering a request to amend a planning scheme, consideration of submissions, providing assistance to a panel and adoption and approval of an amendment.

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

6. INTERNAL/EXTERNAL CONSULTATION

The amendment is subject to the prescribed process in accordance with the public notice and consultation requirements of Section 19 of the Act. In accordance with Section 19 of the Act, C62 was placed on public exhibition during October 2008 to the 12 December 2008. There has been a high level of enquiry from the public regarding the C62 proposal. One on one information sessions were held in Churchill, Moe, Morwell, and Traralgon in November 2008. Sixty five persons attended the information sessions. One hundred and five telephone and counter enquiries have been received since late October 2008. Seventy seven written submissions from the community have been received. The submissions are further discussed below.

Public Submissions

Seventy seven written submissions were received by Latrobe City Council to C62. The table below provides a break up of the type and interest of the submissions.

C62 Summary of submissions

	Churchill	Moe / Newborough	Morwell	Traralgon	Others	Agencies / Authorities	Total	
No. of subs	16	16	16	21	3	5	77	100%
Subs of support*	9	10	8	12	0	1	*40	45%
Subs that object*	14	7	13	13	0	2	*49	55%
General comment subs	0	1	0	1	2	3	6	8%

* Note: Some submissions support and object to particular parts of the amendment within the one submission and have been counted twice.

A summation of the key issues raised in each submission and planning consideration of each submission received by Council to C62 are provided in attachment 2. A full copy of each submission is provided in attachment 3.

7. OPTIONS

The options available to Council are as follows:

1. That Council after considering all written submissions received to Amendment C62, resolve to make no changes to C62 or support making minor changes to C62 and request the Minister for Planning to establish a planning panel to consider submissions and prepare a report.
2. That Council abandon the exhibited planning scheme amendment C61 or part of the amendment and inform the Minister that Council will not pursue the amendment or part of the amendment.

It should be noted that if Council wish to make substantial changes to C62 or abandon parts of C62, there is a risk that a planning panel or the Minister for Planning may not support or refuse to approve C62 and require a new planning scheme amendment to be prepared and re-exhibited.

8. CONCLUSION

C62 directly implements some of the key recommendations of the Latrobe Planning Scheme four yearly review report April 2008 which was adopted by Council on 5 May 2008. C62 reflects the draft MSS that was endorsed at the Ordinary Council Meeting on 1 September 2008.

C62 has considered the views of key internal and external stakeholders and addressed a number of strategic urban land use planning issues that are relevant to Latrobe City. C62 better reflects Latrobe 2021 and adopted strategic Council land use planning polices and strategies.

There has been a high level of enquiry from the public regarding the C62 proposal. The 77 written submissions received represent a good cross section from the community, particularly those communities around the main towns. While not all submission requests have been able to be accommodated, there are a high number of submissions in support to C62. It is appropriate for Council to request a planning panel to be appointed to consider all of the submissions for C62 and prepare a report.

9. RECOMMENDATION

- 1. That Council, in accordance with Sections 22 and 23 of the *Planning and Environment Act 1987*, considers all submissions received to Amendment C62 and requests the Minister for Planning to establish a planning panel to consider submissions and prepare a report.**
- 2. That Council notes the planning comment in the *C62 Consideration of Submissions V:16 March 09* report and supports representation of these comments to a forthcoming planning panel.**

Cr White left the Council Chamber at 8.01 pm due to a direct interest.

Moved: Cr Middlemiss

Seconded: Cr Lougheed

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

Cr Kam and Cr White returned to the Council Chamber at 8.03 pm.

ATTACHMENTS

ATTACHMENT 1 - LATROBE PLANNING SCHEME AMENDMENT C62 MUNICIPAL STRATEGIC STATEMENT REVIEW STAGE 3

Planning and Environment Act 1987

LATROBE PLANNING SCHEME

AMENDMENT C62

EXPLANATORY REPORT

1.0 Who is the planning authority?

This amendment has been prepared by Latrobe City Council, which is the planning authority for this amendment.

The amendment has been made at the request of Latrobe City Council.

2.0 Land affected by the amendment.

The amendment affects land in all areas of the municipality.

3.0 What the amendment does.

The amendment proposes to implement the recommendations of Council's recently completed four year Planning Scheme Review. The amendment also implements a number of strategic planning projects undertaken and adopted by Council as well as state government initiatives, all of which have informed the proposed changes to the Latrobe Planning Scheme. Some of the significant documents include (but are not limited to):

- Latrobe City Council Four Year Planning Scheme Review Report 2008.
- Latrobe 2021: The Vision for Latrobe Valley 2nd Edition 2006.
- Latrobe City Council Plans 2007 – 2011 and 2008 - 2012.
- Latrobe City Council Structure Plans Churchill, Moe/Newborough, Morwell and Traralgon 2007.
- Latrobe City Council Moe Activity Centre Plan 2007.
- Latrobe City Council Churchill Town Centre Plan 2007.
- Latrobe City Council Transit Centred Precinct Reports Moe/Newborough, Morwell and Traralgon 2004 and 2006.
- Latrobe City Council Natural Environment Sustainability Strategy 2008.
- Traralgon Bypass Supplementary Inquiry Advisory Committee Report July 2007.
- Cutting Red Tape in Planning 2006.
- Making Local Policy Stronger 2007.

The Four Year Planning Scheme Review Report evaluates the entire Latrobe Planning Scheme. However this amendment only makes changes to the Local Planning Policy Framework (LPPF) and doesn't modify the existing zone and overlay regime in the Latrobe Planning Scheme. Zone and overlay changes are to form subsequent council and private initiated planning scheme amendments.

Clause 21 and 22 – LPPF Changes.

The amendment comprises a new Municipal Strategic Statement (MSS) that reflects the changes in the format of Municipal Strategic Statements introduced since the preparation of the initial new format Latrobe Planning Scheme in 1999. In accordance with the recommendations of the Four Year Planning Scheme Review report and consistent with the Making Local Policy Stronger report released by the Minister for Planning in October 2007, all local policies are to be deleted with relevant guidance to be included in appropriate sections of the new MSS clause 21.

Latrobe 2021 is Latrobe City Council's main strategic document which informs other important Latrobe City Council documents such as the Council Plan. Latrobe 2021 is the principal corporate road map for Council with its foundation principles of:

- Sustainability (economic, natural environment, built environment);
- Liveability (recreational, community, cultural);
- Governance (democratic, legislative compliance);
- Community Capacity Building (advocacy and leadership, partnerships and inclusiveness).

Existing clauses 21 and 22 of the LPPF are to be consolidated into one new MSS clause 21 which utilises the structure of Latrobe 2021. The new clause 21 which will form the body of the new LPPF is primarily based on the foundations of the Sustainability and Liveability principles in Latrobe 2021.

The new MSS also reflects other adopted strategic studies including the Latrobe City Council Structure Plans Churchill, Moe/Newborough, Morwell and Traralgon; Latrobe City Council Moe Activity Centre Plan; Latrobe City Council Churchill Town Centre Plan; Latrobe City Council Transit Centred Precinct Reports Moe/Newborough, Morwell and Traralgon 2004 and 2006; and the Latrobe City Council Natural Environment Sustainability Strategy.

The Latrobe City Council Structure Plans Churchill, Moe/Newborough, Morwell and Traralgon; Latrobe City Council Moe Activity Centre Plan; and Latrobe City Council Churchill Town Centre Plan are shown in appendix 1 to this explanatory report.

These studies are introduced into the Planning Scheme as reference documents as part of this amendment.

It should be noted 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.

The following table provides a full description of the changes sought to Clause 21:

Clause No.	Existing Clause	New Clause	Explanation
21.01	Municipal Profile	Municipal Profile	The existing Municipal Profile clause has been revised to closer align with Latrobe 2021, Council Plan, updated ABS 2006 population data, and consultation input.
21.02	Key Influences	Municipal Vision	Key influences have been removed from the existing clause and merged within each of the new clauses. A new Municipal Vision clause has been revised to closer align with Latrobe 2021, Council Plan, and consultation input. The new Municipal Vision clause includes a revised Strategic Land Use Framework Plan.
21.03	Vision and Strategic Framework Plan	Natural Environment Sustainability	Revision of existing Vision and Strategic Framework Plan clause (refer to 21.02 above). New Natural Environment Sustainability clause has been created to closer align with Latrobe 2021, Council Plan, the West Gippsland Regional Catchment Strategy, the Natural Environment Sustainability Strategy, and consultation input.
21.04	Objectives, Strategy and Implementation Settlement and Urban Form Environment Heritage Housing Economic Development Retail Industry Tourism Infrastructure	Built Environment Sustainability Settlement Rural Living Heritage Urban Design Infrastructure Specific Town Strategies	Objectives, Strategies and Implementation have been removed from the existing clause and merged within each of the new clauses. A new Built Environment Sustainability clause has been created to closer align with Latrobe 2021, Council Plan, Transit Centred Precinct Reports Moe/Newborough, Morwell and Traralgon 2004 and 2006, the Latrobe Structure Plans August 2007, Latrobe City Heritage Study 2008, and consultation input. New town centre plans for Churchill and Moe, and structure plans for Churchill, Moe/Newborough, Morwell, and Traralgon are included in the new Built Environment Sustainability clause. The new structure plans replace the structure plans in existing Objectives, Strategies and Implementation clause. The existing 'Network City' principles have been further refined.

Clause No.	Existing Clause	New Clause	Explanation
21.05	Monitoring and Review	Economic Sustainability Economic Development Coal Agriculture Retailing Industry Timber Tourism Stone Resources Basslink Electricity Interconnector	Monitoring and Review has been removed from the existing clause and has been replaced with new clauses 21.07 and 21.08 (refer below). A new Economic Sustainability clause has been created to closer align with Latrobe 2021, Council Plan, Latrobe City Council Economic Development Strategy, Latrobe City Council Retail Strategy, Rural Zones Review, existing coal planning scheme provisions, and consultation input. The existing Gippsland Coalfields and Extractive Industries Interest Areas policy maps from Clause 21.01 are included in the Economic Sustainability clause.
21.06		Liveability Design Guidelines Residential Liveability Community Liveability Open Space Liveability	A new Liveability clause has been created to closer align with Latrobe 2021, Council Plan, Healthy by Design Guidelines, and consultation input.
21.07		Implementation Program	A new Implementation Program clause has been created and replaces the existing Monitoring and Review clause.
21.08		Further Strategic Work Program	A new Further Strategic Work Program clause has been created and replaces the existing Monitoring and Review clause. The clause has been primarily informed by the Four Year Planning Scheme Review Report.
21.09		Reference Documents	A new Reference Documents clause has been created to better articulate the strategic direction arising from recent strategic studies adopted by Council.

The following table provides a full description of the changes sought to Clause 22:

Clause No.	Existing Clause (Policy)	New Clause	Explanation
22.01	Coal Resources Policy	Existing Clause 22.01 is to be deleted and merged with new Clause 21.	The existing policy is absorbed into new Clause 21.05. The existing Coal Policy map is already repeated in the Gippsland Coalfields map at existing Clause 21.01-17 and new Clause 21 and therefore has been deleted. The existing coal provisions have been translated into new Clause 21 on a policy neutral basis.
22.02	Coal Buffers Policy	Existing Clause 22.02 is to be deleted and merged with new Clause 21.	The existing policy is absorbed into new Clause 21.05. The existing coal provisions have been translated into new Clause 21 on a policy neutral basis.
22.03	Car Parking Policy	Existing Clause 22.03 is to be deleted and merged with new Clause 21.	Clause 52.06 already addresses car parking requirements and the state government review of car parking may make Latrobe City Council's existing policy redundant. However part of the existing policy is absorbed throughout new Clause 21.
22.04	Latrobe Regional Airport and Environs Policy	The existing Clause 22.04 is to be deleted and merged with new Clause 21.	Part of the existing policy is absorbed throughout new Clause 21.
22.05	Protection of Stone Resources Policy	The existing Clause 22.05 is to be deleted and merged with new Clause 21.	Clause 52.09 already addresses extractive industry and search for stone uses. Part of the existing policy including the Extractive Industries Interest Areas policy map is absorbed into new Clause 21.05.
22.06	Urban Residential Land Development Policy	The existing Clause 22.06 is to be deleted and merged with new Clause 21.	Part of the existing policy is absorbed into new Clause 21.04. Another part of the existing policy is better placed in a Development Plan Overlay Schedule and therefore this part of the policy is deleted.
22.07	Mixed Use Argyle Street Traralgon Policy	Existing Clause 22.07 is to be deleted.	The existing policy is addressed by the zone and overlay regime for the site and therefore the policy is deleted.

4.0 Strategic assessment of the amendment

- **Why is the amendment required?**

The amendment to the Latrobe Planning Scheme has arisen from a recent review of the entire Planning Scheme. The review was undertaken as a consequence of the requirement in the *Planning and Environment Act 1987* to review the planning scheme around every four years. The amendment implements some of the recommendations from the review specifically relating to the State Planning Policy Framework (SPPF).

The review raised a number of strategic urban land use planning issues and provides a background to why the amendment is required. The extract below from Section 16 of the review report summarises these issues:

'In terms of the current review it remains clear that the MSS is structurally poor and is strategically limited on things such as identifying residential development areas in its townships and it is lacking in clear direction on many of the recurrent, day-to-day issues confronting the Council and the community including rural living, medium density housing, the natural environment, the various activity centres, agriculture and some social issues. Council has either commissioned, completed (or is completing) strategic work on some of these issues and such research now needs to be absorbed into the scheme as the highest priority, once it is adopted.

Additionally, in the course of the review it has become apparent that there is no clear link between the MSS (and therefore the whole planning scheme) and the main strategic document within Council being Latrobe 2021. This document is the principal corporate road map for Council with its foundation principles of:

- *Sustainability*
- *Liveability*
- *Governance*
- *Community Capacity Building*

These are supported by town structure plans for all eleven settlements.

None of this is reflected in the current MSS and at the very least, the new MSS dovetails better with this document. On top of this, the following important and recently adopted strategic work including (but not limited to) now needs to be reflected in the scheme.

- *Latrobe Town Structure Plans*
- *Economic Development Strategy*
- *Activity Centre Plans for Moe and Churchill*
- *Transit City Reports*

Inclusion of this material will provide Council and its community with a contemporary planning document.

In the context of the recommendations of "Making Local Policy Stronger", it is recommended that Council prepare and exhibit a new streamlined MSS which contains only the most critical land use planning strategies and policies of relevance to Council. This streamlined MSS would then be the 'template' for the inclusion of further strategic work once adopted. Beyond this, Council should embark on a zone and overlay amendment to implement the outcomes of the strategic work.'

Latrobe City Council has adopted a number of strategic studies completed over recent years. The amendment is required to align the strategic directions of the planning scheme with Latrobe 2021 and to give statutory affect to the recommendations of these strategic studies to assist Council in its decision making in relation to future land use and development in Latrobe City's urban centres and rural areas.

The proposed improvements to the LPPF section of the planning scheme will contribute towards implementation of action 10 – making local policy stronger of the 'Cutting the Red Tape in Planning Report'. The state government's 'Making Local Policy Stronger 2007' document recommends the need to increase the effectiveness of local policy by simplifying the way it is presented in planning schemes and to restructure MSS clauses 20 – 22 to produce a simplified MSS. The amendment combines the existing Latrobe Planning Scheme MSS clauses 20 – 22 into one new MSS clause 21. The new MSS reduces the existing LPPF pages from 83 down to approximately 41 (including maps) thereby increasing the effectiveness of the local policy in the Latrobe Planning Scheme.

• **How does the amendment implement the objectives of planning in Victoria?**

The amendment will implement the following objectives of planning in Victoria under section 4 of the *Planning & Environment Act 1987*:

- 4(1)(a) to provide for the fair, orderly, economic and sustainable use, and development of land;
- 4(1)(b) *to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
- 4(1)(c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- 4(1)(d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
- 4(1)(f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).

The amendment will implement these objectives by providing the strategic directions through the MSS which will:

- provide an updated and clear policy framework for the fair, orderly, economic and sustainable use and development of land in Latrobe City, particularly through Clauses 21.04 Built Environment Sustainability and 21.05 Economic Sustainability.

- protect and enhance natural and man-made resources and the maintenance of ecological processes and genetic diversity through the creation of a new Clause 21.03 Natural Environmental Sustainability;
 - provide a pleasant, efficient and safe working and living environment through the creation of a new Clause 21.06 Liveability; and
 - conserve the cultural heritage values of the land through providing for updated heritage objective and strategies in Clause 21.04 Built Environment Sustainability.
- **How does the amendment address the environmental effects and any relevant social and economic effects?**

A focus of the new MSS is to ensure that the planning and development of Latrobe City aligns itself with Latrobe 2021 by taking a fair and balanced account of existing and future social, environmental and economic effects. In particular many of the changes made to the LPPF that will guide future urban and rural development, highlight these considerations and the opportunity to provide positive impacts through well planned development.

The new MSS provides consideration of a core set of issues and principles that require proper assessment to be made of social, economic and environmental effects, with an emphasis on delivering a greater level of certainty for major investment decisions. The new MSS achieves this by introducing recently council adopted strategic work into the planning scheme. The new Latrobe Structure Plans for Churchill, Moe/Newborough, Morwell, and Traralgon are one such example.

The new Natural Environment Sustainability clause 21.03 provides a focus on environmental issues with factors such as catchment management, native vegetation and biodiversity, greenhouse and climate change, water quality, waste management, flood and fire being identified and encouraged to be protected ahead of potential urban development pressures. This policy objective will deliver better environmental outcomes and will prove important in meeting the challenges faced in balancing development needs with environmental and social management issues.

The new Economic Sustainability clause 21.05 provides a focus on economic issues with factors such as areas of employment, coal, agriculture, retailing, industry, timber, and tourism being identified at the same time as potential urban development pressures. This policy objective will deliver better economic sustainability outcomes and will prove important in meeting the challenges faced in balancing development needs with environmental and social management issues.

The Department of Primary Industries (DPI) has been consulted regarding the proposed coal related sections of the new MSS. Other than condensing the length of the coal provisions, the new MSS has included the intent and wording as it exists in the current Latrobe Planning Scheme and therefore results in a policy neutral position. DPI has provided feedback to the new MSS and their comments have been considered.

The amendment proposes to introduce a revised MSS that includes Council's strategic and policy position on natural environment, built environment, economic sustainability, and liveability. Some of these positions include aligning the MSS with Latrobe 2021; updating the Network City concept; directing growth to key townships through up to date structure plans; ensuring an adequate supply of land for development (especially housing); encouraging medium density housing in the main townships; preparing town centre strategies in the main townships; providing rural lifestyle opportunities at appropriate locations; protecting significant vegetation, biodiversity values and water quality; and balancing the demand for significant coal resource and settlement growth. This policy framework provides **the context for planning** decisions and will ensure the appropriate consideration of environmental, social and economic effects.

- **Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment complies with Minister's Direction No 11, Strategic Assessment of Amendments. All requirements to be met under the direction have been considered and met in the preparation of the amendment.

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

- **How does the amendment support or implement the State Planning Policy Framework (SPPF)?**

The amendment supports and builds on the principles outlined in clause 11 of the SPPF in regard to settlement, environment, management of resources, infrastructure, economic well being, social needs and regional cooperation and specifically clauses 14 (Settlement), 15 (Environment), 16 (Housing), 17 (Economic Development) and 18 (Infrastructure) of the SPPF. Appropriate guidance is provided through the new MSS in each of these key areas.

The amendment supports and implements the SPPF through ensuring the LPPF is current and accurately reflects the local response to State Policy. The LPPF includes Council's specific policy positions on settlement, environment, economic development and infrastructure which are consistent with State Policy. The amendment is consistent with, and gives effect to the following specific sections of the SPPF:

- **Settlement SPPF Clause**

- Clause 14.01-1 Settlement – seeks 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.*”

This is to be implemented through the new Built Environment Clause 21.04 by:

- Accommodating projected population growth over at least a 10 year period, taking into account opportunities for redevelopment and intensification of existing urban areas.

- Encourage consolidation of urban areas while respecting neighbourhood character.
- Preparation of structure plans.

The new Municipal Profile and Municipal Vision Clauses 21.01 and 21.02 are also consistent with SPPF Clause 14.01 regarding planning for urban settlement.

The new Implementation Program and Further Strategic Work Program Clauses 21.07 and 21.08 provide a further commitment to implement various future local provisions that are supported by the SPPF.

- Environment SPPF Clause

Clause 15.01-2 – Protection of catchments, waterways and groundwater - requires planning authorities to *“consider the impacts of catchment management on downstream water quality”*.

Clause 15.02-2 – Floodplain management – *“flood risk must be considered in the preparation of planning schemes”*.

Clause 15.07-2 – Protection from wildfire – *“Planning authorities must identify wildfire risk environment in planning schemes”*.

Clause 15.09 – Conservation of native flora and fauna – Planning authorities must have regard to relevant Acts, strategies and plans when preparing planning scheme amendments or municipal strategic statements.

Clause 15.12 – Energy Efficiency – *“Planning authorities should encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions”*.

This amendment responds directly to these elements of the SPPF by providing objectives and strategies for each element in the new Natural Environment Sustainability Clause 21.03.

The new Municipal Profile and Municipal Vision Clauses 21.01 and 21.02 are also consistent with SPPF Clauses 15.02 and 15.09 regarding floodplain management and conservation of flora and fauna.

The new Implementation Program and Further Strategic Work Program Clauses 21.07 and 21.08 provide a further commitment to implement various future local provisions that are supported by the SPPF.

Clause 15.04-2 – Air quality – *“Planning authorities should ensure that development is not prejudiced and community design is not reduced by air emissions...”*

Clause 15.05-2 – Noise abatement – *“Planning authorities should ensure that development is not prejudiced and community design is not reduced by noise emissions...”*

Clause 15.10-1 - Open space – *“Planning authorities should plan for regional open space networks to be used for recreation and conservation of natural and cultural environments.”*

Clause 15.11- Heritage – *“Planning authorities should identify, conserve and protect places of natural or cultural value from inappropriate development”.*

This amendment responds directly to these elements of the SPPF by providing objectives and strategies for most of these elements in the new Built Environment and Liveability Clauses 21.04 and 21.06. The new Latrobe Structure Plans also provide a number of detailed recommendations regarding each of these SPPF elements.

The new Implementation Program and Further Strategic Work Program Clauses 21.07 and 21.08 provide a further commitment to implement various future local provisions that are supported by the SPPF.

- Housing SPPF Clause

Clause 16.01-1 – Residential development for single dwellings - seeks to encourage subdivisions that provide a range of lot sizes, sufficient usable open space and opportunities for increased residential densities to help consolidate urban areas.

Clause 16.02-1 – Medium density housing - seeks to encourage the development of well-designed medium density housing.

Clause 16.03 – Rural living and rural residential development - has the objective to identify land suitable for rural living and rural residential development that is located close to existing towns but in areas not required for fully serviced urban development and does not encroach on high quality productive agricultural land or adversely impact on waterways or other natural resources.

This amendment responds directly to these elements of the SPPF by providing objectives and strategies for each element in the new Built Environment Clause 21.04. The new Latrobe Structure Plans also provide a number of detailed recommendations regarding each of these SPPF elements.

The new Municipal Profile and Municipal Vision Clauses 21.01 and 21.02 are also consistent with SPPF Clauses 16.01 and 16.03 regarding residential development and rural living and rural residential development.

The new Implementation Program and Further Strategic Work Program Clauses 21.07 and 21.08 provide a further commitment to implement various future local provisions that are supported by the SPPF.

- Economic Development SPPF Clause

Clause 17.01-1 - Activity centres – has the objective to encourage the concentration of major retail, commercial, administrative, entertainment and cultural developments into activity centres.

Clause 17.02 – Business - has the objective to encourage developments which meet the community’s needs for retail, entertainment, office and other commercial services and provide net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

Clause 17.03 – Industry - aims to ensure that sufficient land is zoned for industrial development in urban growth areas, where good access for employees and freight transport is available, and where appropriate buffer areas can be provided between the proposed land and sensitive uses.

Clause 17.04 – Tourism - aims to encourage the development of a range of well designed and sited tourist facilities.

Clause 17.05 – Agriculture - aims to protect against the unplanned loss of productive agricultural land and to enable protection of productive farmland which is of strategic significance in the local or regional context.

Clause 17.07 – Forestry and timber production – has the objective to facilitate the establishment, and harvesting of plantations and native forests consistent with relevant government policy documents.

Clause 17.08 – Mineral Resources – *“Planning authorities in Central Gippsland must act to protect the brown coal resource to ensure that”* the winning of coal is not compromised and that there are adequate buffers in place to separate coal activities and sensitive uses.

The new MSS has consolidated the coal policy provisions as it exists in the current Latrobe Planning Scheme. However the intent and general wording of the coal policy provisions have not changed and this has therefore resulted in a **policy neutral position** being achieved in the new MSS in Clause 21.05.

Clause 17.09 – Extractive industry – has the objective to identify and protect stone resources.

This amendment responds directly to these elements of the SPPF by providing objectives and strategies for each element in the new Economic Sustainability Clause 21.05. The new Latrobe Structure Plans and the Moe and Churchill Town Centre Plans also provide a number of detailed recommendations regarding the activity centre, business, and industry SPPF elements.

The new Municipal Profile and Municipal Vision Clauses 21.01 and 21.02 are also consistent with SPPF Clauses 17.03, 17.05, 17.07, and 17.08 regarding industry, agriculture, forestry and timber production and mineral resources.

The new Implementation Program and Further Strategic Work Program Clauses 21.07 and 21.08 provide a further commitment to implement various future local provisions that are supported by the SPPF.

- Infrastructure SPPF Clause

Clause 18.01 – Declared highways, railways and tramways – aims to integrate land use and transport planning around existing planned and declared railways

Clause 18.02-1 - Car parking and public transport access to development and Clause 18.03 Bicycle transport – encourages consideration be given to all modes of travel, including walking, cycling, public transport, taxis and private vehicles in providing access to new developments.

Clause 18.04 – Airfields – has the objective to facilitate the siting of airfields and extensions to airfields, restrict incompatible land use and development in the vicinity of airfields, and recognise the role of airfields as focal points within the state's economic and transport infrastructure.

Clause 18.06 – Health facilities and Clause 18.07 Education facilities – encouraged hospitals and secondary and tertiary education facilities in areas which are highly accessible to public, private transport, and are located to maximise access by walking.

Clause 18.09 – Water supply, sewerage and drainage - requires that urban development is provided with sewerage at the time of subdivision and that water catchments are protected from contamination.

Clause 18.10 – Waste management – has the objective to prevent pollution and land degradation by controlling the generation, transport and disposal of waste.

Clause 18.12 – Developer contributions to infrastructure - encourages the timely provision of planned infrastructure to communities through the preparation and implementation of development contribution plans.

Clause 19.03 – Design and built form – aims to achieve high quality urban design and architecture.

This amendment responds directly to the elements of the SPPF Clauses 18.01, 18.02, 18.03, 18.04, 18.09, 18.12 and 19.03 by providing objectives and strategies for most of the elements in the new Built Environment Sustainability Clause 21.04.

The new Latrobe Structure Plans and the Moe and Churchill Town Centre plans also provide a number of detailed recommendations regarding the declared highways, car parking, public and bicycle transport, education facilities, water supply, sewerage and drainage, and design and built form SPPF elements.

This amendment responds directly to the elements of the SPPF Clauses 18.06, 18.07, and 19.03 by providing objectives and strategies for each element in the new Liveability Clause.

The new Municipal Profile and Municipal Vision Clauses 21.01 and 21.02 are also consistent with SPPF Clauses 18.01, 18.04, 18.06, and 18.07 regarding declared highways, airfields, health facilities, and education facilities.

This amendment responds directly to the elements of the SPPF Clause 18.10 by providing objectives and strategies for each element in the new Natural Environment Sustainability Clause 21.03.

The new Implementation Program and Further Strategic Work Program Clauses 21.07 and 21.08 provide a further commitment to implement various future local provisions that are supported by the SPPF.

• **How does the amendment support or implement the Local Planning Policy Framework?**

The amendment has been prepared in the context of a considerable amount of strategic work prepared by Latrobe City Council over the last eight years. The amendment is a complete review and replacement of Clauses 21 and 22 (including some maps) arising out of the strategic work undertaken. While the majority of the existing MSS is significantly outdated, some sections of the existing LPPF are still relevant and have been included in the new MSS.

• **Does the amendment make proper use of the Victoria Planning Provisions?**

The amendment uses the MSS to deliver the broader strategic land use direction for Latrobe City Council. The review of the LPPF has resulted in the removal of all local policies that were either inconsistent with the VPPs, duplicated requirements already in the SPPF or were more appropriately included in a revised form in the MSS. The revised LPPF focus is on directing the use of discretion on planning applications to implement Latrobe City Council's key strategic actions.

The amendment has been prepared with reference to the following VPP Practice Notes, General Practice Notes, and Advisory Notes:

- Strategic Assessment Guidelines April 2008.
- Review of Planning Schemes February 2006.
- Format of Municipal Strategic Statements February 1999.
- Monitoring and Review of Planning Schemes October 2000.
- Writing a Local Planning Policy December 1999.
- Incorporated and Reference Documents August 2000.

The amendment has been prepared with reference to the following state government policy documents:

- Making Local Policy Stronger June 2007.
- Continuous Improvement Review Kit February 2006.
- Cutting Red Tape in Planning 2006 (and subsequent reports).

All the MSS changes proposed are considered to be consistent with relevant VPP Practice Notes and state government policy documents. The structure of the new MSS is generally consistent with the VPP Practice Note Format of Municipal Strategic Statements February 1999 although the new MSS uses different headings over those suggested in the Practice Note. The new MSS is closer aligned with Latrobe City Council's Latrobe 2021 strategy headings but the main themes of in the Practice Note are still addressed in the new MSS.

- **How does the amendment address the views of any relevant agency?**

Significant consultation was held with relevant agencies during the preparation of the strategic studies underpinning this amendment, including (but not limited to) the Planning Scheme Review Report, Latrobe 2021, Latrobe Structure Plans, Towns Centre Plans, and the Natural Environmental Sustainability Strategy.

Service authorities, other government departments, local planning consultants, and local developers have attended workshops and made submissions which have been incorporated into the base studies and the new MSS.

Latrobe City Council has worked closely with the Department of Planning and Community Development and the Department of Primary Industries in preparing the amendment.

It is also anticipated that the views of relevant agencies will also be submitted to Latrobe City Council during the public exhibition process.

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

It is considered that the proposed controls will have a positive effect on Latrobe City Council resources and decrease administrative costs by providing improved guidelines in relation to urban and rural development. The proposed controls will provide greater certainty to land owners and developers which will flow on to reduced resource and administrative costs to Latrobe City Council.

Where you may inspect this Amendment.

The amendment is available for public inspection, free of charge, during office hours at the following places.

**Department of Planning and Community
Development** web site at:

www.dpcd.vic.gov.au/planning/publicinspection

Latrobe City Council Headquarters

Corporate Headquarters
141 Commercial Road
Morwell VIC 3840

**Department of Planning and
Community Development**

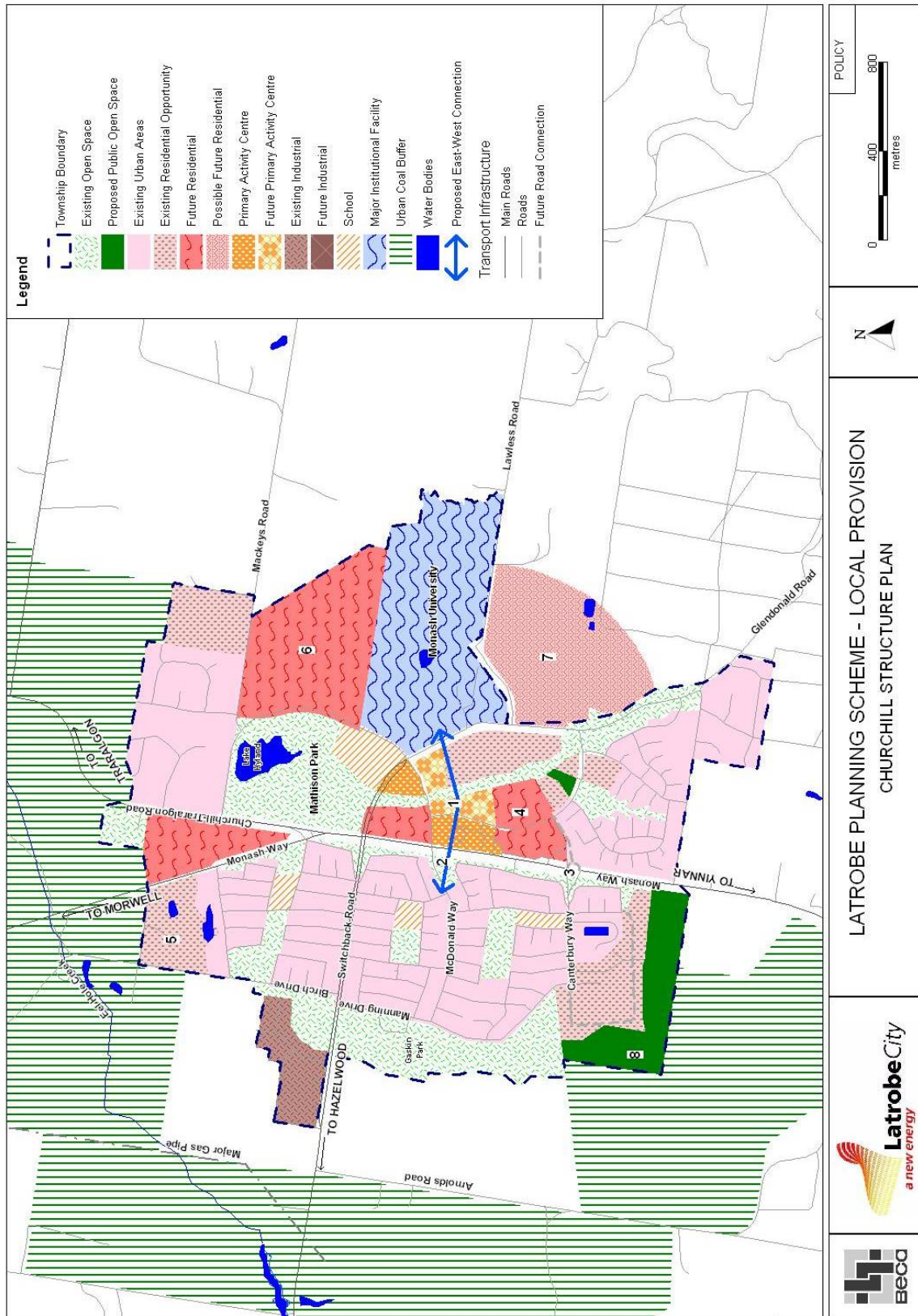
Traralgon Regional Office
71 Hotham Street
Traralgon VIC 3844

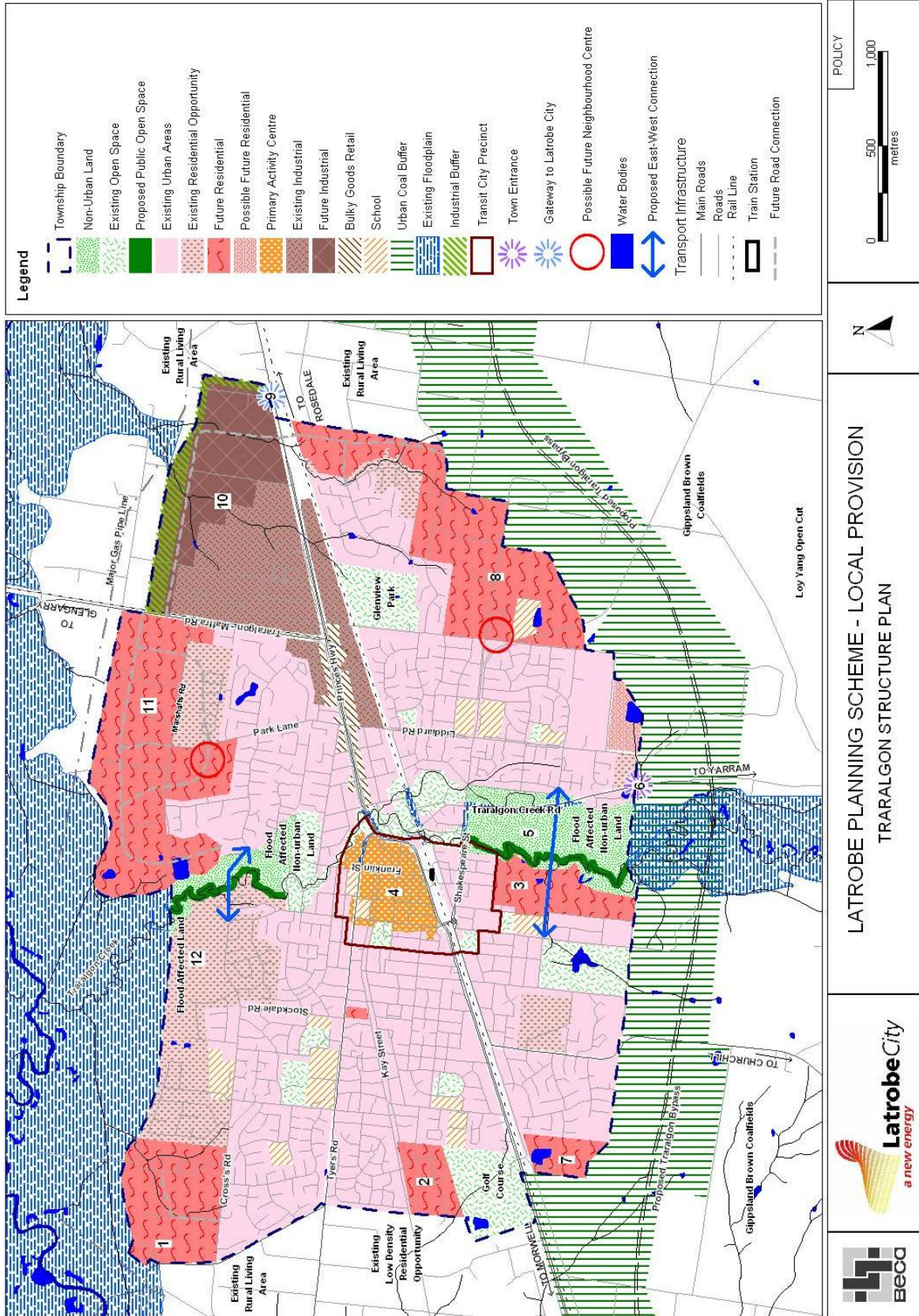
**Latrobe City Council Service
Centres**

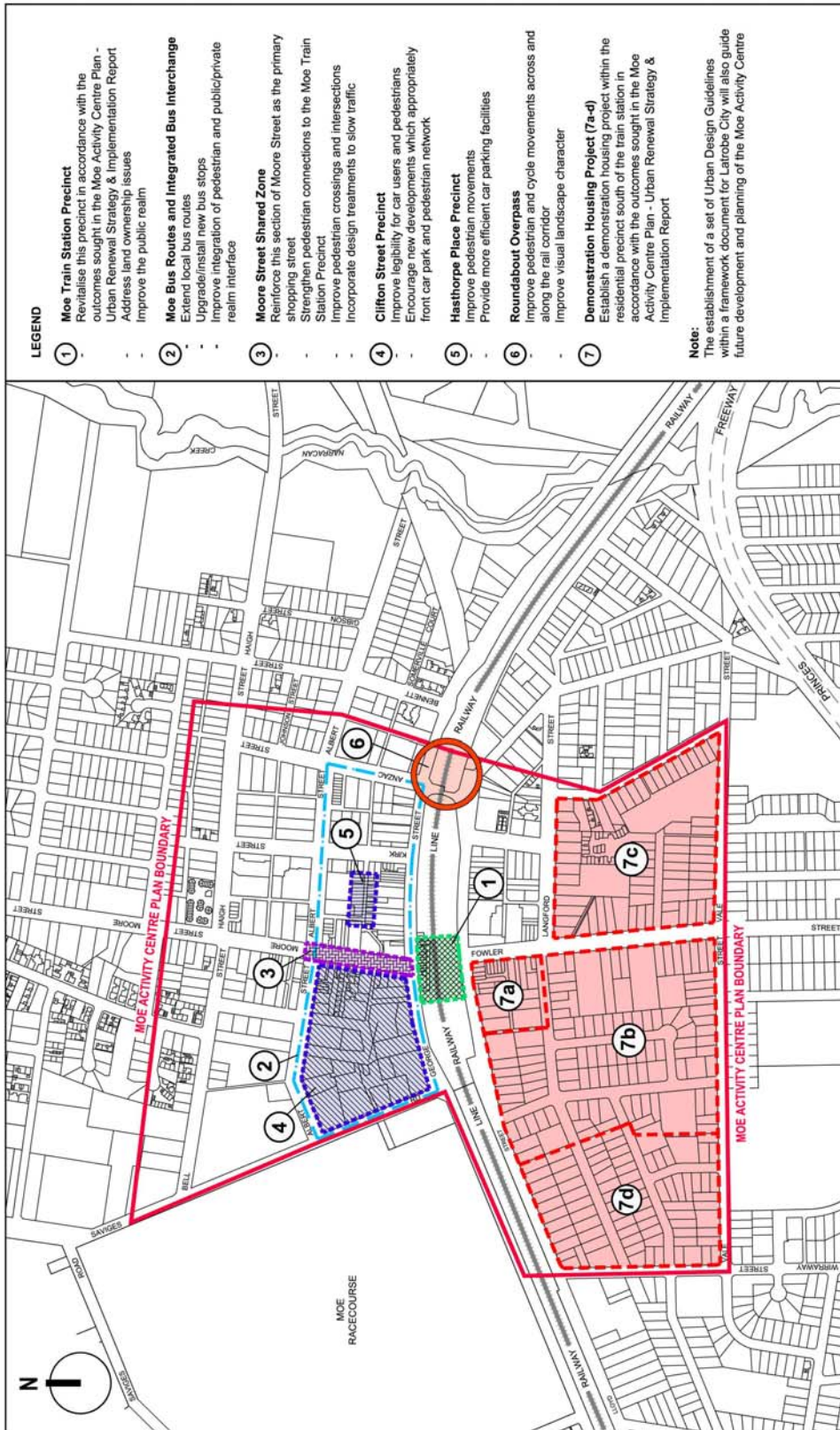
Traralgon Service Centre
34-38 Kay Street
Traralgon VIC 3844

Moe Service Centre
44 Albert Street
Moe VIC 3825

Appendix 1 - Structure and Town Centre Plans - 6 total plans







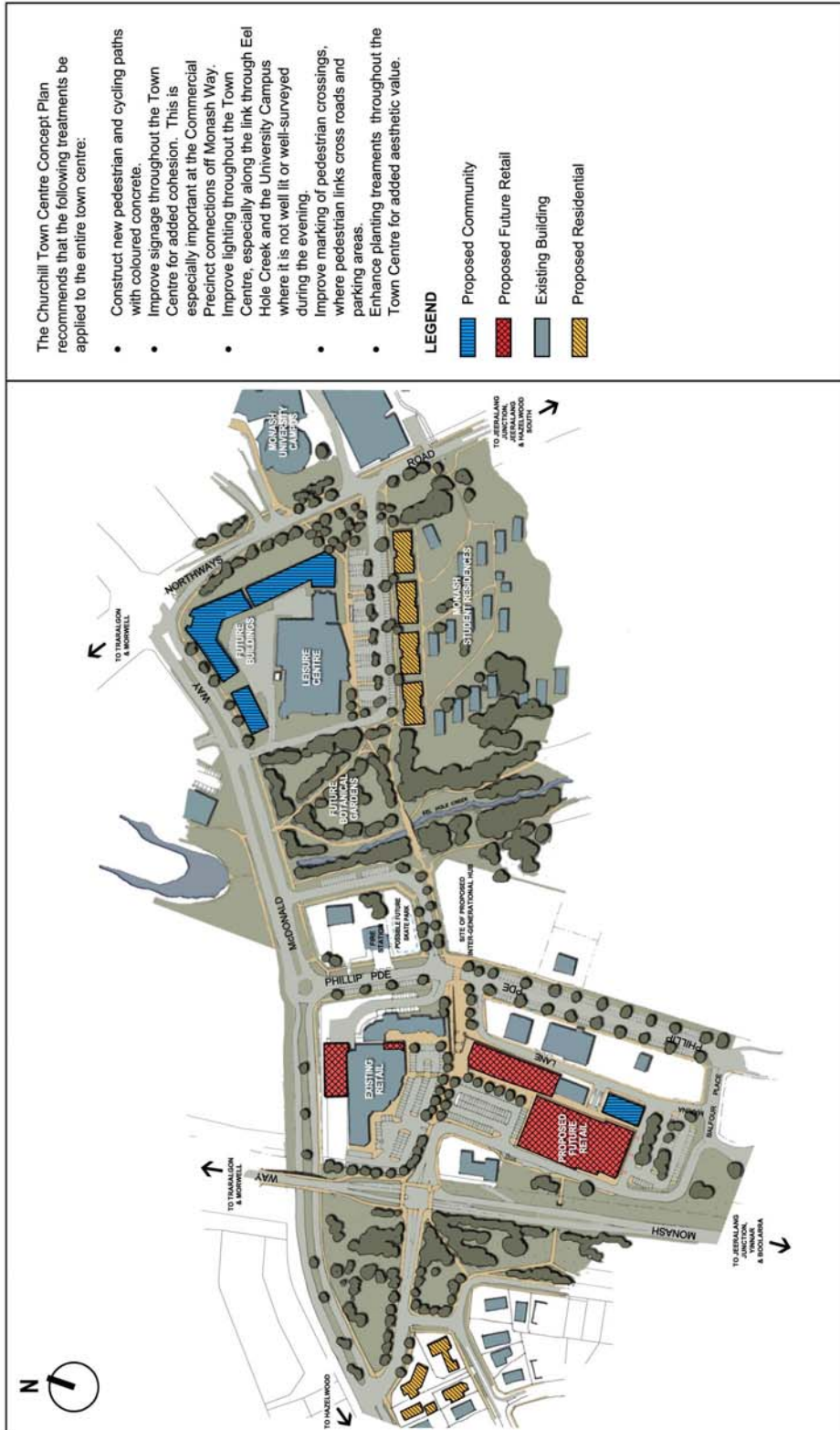
LATROBE PLANNING SCHEME - LOCAL PROVISION

LatrobeCity
a new energy

SCALE: 0 250 500 750
Metres
Australian Map Grid Zone 55

MOE ACTIVITY CENTRE PLAN

POLICY

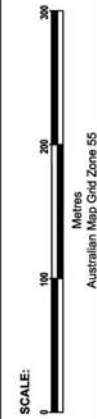


- The Churchill Town Centre Concept Plan recommends that the following treatments be applied to the entire town centre:
- Construct new pedestrian and cycling paths with coloured concrete.
 - Improve signage throughout the Town Centre for added cohesion. This is especially important at the Commercial Precinct connections of Monash Way.
 - Improve lighting throughout the Town Centre, especially along the link through Eel Hole Creek and the University Campus where it is not well lit or well-surveyed during the evening.
 - Improve marking of pedestrian crossings, where pedestrian links cross roads and parking areas.
 - Enhance planning treatments throughout the Town Centre for added aesthetic value.

LEGEND

- Proposed Community
- Proposed Future Retail
- Existing Building
- Proposed Residential

LATROBE PLANNING SCHEME - LOCAL PROVISION



CHURCHILL TOWN CENTRE CONCEPT PLAN

POLICY

**ATTACHMENT 2 - LATROBE PLANNING SCHEME AMENDMENT C62
MUNICIPAL STRATEGIC STATEMENT REVIEW STAGE 3**

SUMMARY OF SUBMISSIONS SPREADSHEET

**ATTACHMENT 3 - LATROBE PLANNING SCHEME AMENDMENT C62
MUNICIPAL STRATEGIC STATEMENT REVIEW STAGE 3**

COPY OF ALL SUBMISSIONS

PLEASE NOTE THAT COPIES OF THESE SUBMISSIONS ARE AVAILABLE ON
CD UPON REQUEST

11.3.2 **PROPOSED TRAFFIC CALMING - GORDON STREET AND
MOORE STREET, TRARALGON**

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

1. PURPOSE

The purpose of this report is to provide Council with the findings of a traffic investigation into excessive vehicle speeds along those sections of Gordon Street and Moore Street, Traralgon located between Franklin Street and Breed Street.

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 - Liveability

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

Community Outcome - Community

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

Strategic Action - Community Liveability

Support government agencies, non-government agencies and the community in reducing crime, violence and antisocial behaviour, by implementing ongoing actions to reduce family violence, drug and alcohol abuse, improve road safety and enhance safety at home.

Council does not currently have a specific policy dealing with traffic management matters. The following documents were used as the basis for assessing this matter and providing advice to Council for consideration:

- Latrobe City Council's "*Design Guidelines for Subdivisional Developments, Urban & Rural Road and Drainage Construction, and Traffic Management Projects*";
- Latrobe City Council's "*Community Engagement Policy and Strategy*";
- Austroads "*Guide to Traffic Engineering Practice*"; and
- VicRoads "*Traffic Engineering Manual*".

3. **BACKGROUND**

This report considers the results of the community engagement process conducted with the residents of this area and recommends that traffic calming works be undertaken.

The following table summarises the dates and actions that have been undertaken to investigate traffic issues in the area north of Grey Street between Franklin Street and Breed Street, Traralgon.

15 November 2004	Initial Council request to undertake a traffic investigation in the area bounded by Franklin Street, Grey Street, Brown Street and Chenhall Crescent/Michael Court.
6 June 2005	Council called for a public meeting to discuss traffic management issues in Gordon Street and Moore Street in the area between Franklin Street and Breed Street.
30 August 2005	Public meeting held and general agreement reached to reduce vehicle speeds and improve local amenity of area (notes from meeting are attached)
December 2005	Survey of residents undertaken to gauge support for a number of separate traffic calming options. Results of survey are discussed in section 6 of this report.
June 2008	Council approved an allocation of \$60,000 for stage 1 of traffic calming works along Gordon Street and Moore Street in the 2008-09 Capital Works program.
December 2008	Further survey of residents undertaken incorporating new options for traffic calming. Results of this survey are discussed in section 6 of this report.

4. ISSUES

The sections of both Gordon Street and Moore Street located in this area are classified as Minor Access Streets under Council's road hierarchy (planning). This means these streets should only provide for local residential access and should not provide for any through traffic function.

Under Council's Design Guidelines the **average vehicle speed** along a minor access street should be approximately **30 km/h**. Traffic counts revealed that the average mid-block vehicle speeds along these streets were generally 10 km/h higher than desirable in Moore Street and up to 18 km/h higher than desirable in Gordon Street.

Traffic volumes along Gordon Street are also considerably above the nominal limit of 500 vehicles per day for a minor access street. At more than 2200 vehicles per day these volumes would be more appropriate for a collector road classification.

On-site inspections along Gordon Street found that many drivers use this street as a "rat-run" between the estates to the east of Franklin Street and the schools to the west of Stockdale Road. The alternate route along Franklin Street/Grey Street/Stockdale Road has significant delays at the major intersections and Gordon Street currently offers a more attractive alternate route.

Traffic calming options for the area were therefore aimed at reducing vehicle speeds along the street and deterring the use of the streets by traffic from outside the area.

INITIAL OPTIONS

Copies of plans and explanatory notes of the threshold entry options 1A and 1B, and mid-block treatment options 2A, 2B and 2C as initially presented to the residents of the area, are attachments to this report.

CURRENT OPTIONS

Copies of plans and explanatory notes of the current options 1, 2 and 3 are attachments to this report.

The traffic calming works shown in Option 3 were nominated as Latrobe City Council's recommended treatment for this area. This recommendation was made following consideration of the previous consultation undertaken, the effectiveness of the traffic calming treatments, the net resultant effect on the amenity of the area and previous experience of the use of these devices.

RESIDENTS PROPOSAL

A letter received jointly signed by residents representing 29 properties in the area, suggests that a solution to the traffic issues in Gordon Street and Moore Street is the construction of an additional bridge across the Traralgon Creek down stream from the Franklin Street Bridge. A copy of the letter is attached.

This issue was previously considered in a report prepared by consultants as part of the Traralgon West Traffic Study undertaken in 2002 and presented to Council. This report advised that "*the demand for traffic relief in the Traralgon area is towards the CBD and cross-town traffic volumes would probably not be high enough to warrant the expense*" of a new creek crossing north of Franklin Street. "*An east-west link providing a crossing of Traralgon Creek is unlikely to ever be justified based on economic and traffic volumes. Even constructing a low level structure would still incur considerable cost and provide little benefit due to the likely low cross-town demand around the CBD*".

Costs in 2002 were estimated at between \$10,000,000 and \$20,000,000 for a ford treatment or a new bridge over the Traralgon Creek and adjacent floodplain.

In September 2002 Council decided not to construct an east-west link across the Traralgon Creek and agreed that traffic management improvements in the area be implemented as appropriate measures are identified and funded. However at its Ordinary Meeting on 6 June 2005 Council resolved:

"That Council undertake appropriate planning for the east-west link across the northern boundary of the urban area of the township of Traralgon."

The Traralgon Structure Plan adopted in August 2007 acknowledges the need to provide an additional east-west route for all modes of transport in this area of Traralgon via *Objective 9: Improve transport routes and ease of movement. Alleviate the need for residents living in the northeast to travel via the city centre in order to connect to community facilities in the northwest, and vice-versa.*

This matter will require the allocation of significant additional resources for consultancies including modelling stream flows, bridge design, native vegetation, geotechnical and cultural heritage studies. Any proposal will also require approval from the West Gippsland Catchment Management Authority.

The joint letter also suggests that if temporary traffic calming measures are required in the interim until a new crossing can be constructed, then temporary chicanes could be constructed. It was suggested that these temporary chicanes could be filled with soil and planted.

Chicanes (or angled slow points) were raised as one of the initial options for traffic calming along these streets. When the new options were prepared, chicanes were not offered to the residents for further consideration and should not be considered now for the following reasons:

- In the initial consultation more residents disagreed with the chicane options than voted for them.
- Austroads advises that single lane slow points should not be used where traffic volumes exceed 1000 vehicles per day. The options currently under consideration will increase travel times along Gordon Street and Moore Street by reducing vehicle speeds therefore improving safety. However traffic volumes would be expected to remain well above 1000 vehicles per day as these streets would still be more attractive due to the delays currently experienced along Grey Street.
- The current road widths along Gordon and Moore Streets meant that the slow points could not be designed and located to adequately reduce vehicle speeds to the required level without adversely restricting access to and from vehicle crossings to adjacent properties.

A new creek crossing is likely to be a long term project, therefore any works installed in Gordon and Moore Streets would need to be in place for more than a few years.

The filling of temporary islands with soil and plants is also not desirable as the depths of soil would not be sufficient to adequately support plant life – particularly during periods of low rainfall and high temperatures.

The recommended traffic calming treatment is the installation of road humps and road narrowings at four locations along Gordon Street and at four locations along Moore Street with kerb extensions to narrow the road and the construction of road humps at two locations along Anderson Street and at one location in Church Street, Traralgon.

5. FINANCIAL AND RESOURCES IMPLICATIONS

In the 2008/09 Capital Works program \$60,000 has been allocated for the construction of stage 1 of traffic management works to reduce vehicle speeds along Gordon Street and Moore Street.

The estimated cost to install road humps and road narrowings as per the recommended Option 3 is \$120,000. However as the available funding is less than this amount it is proposed that the stage one works would include the installation of the road humps at all eleven locations within the area (four in Gordon Street, four in Moore Street, two in Anderson Street and one in Church Street) and the construction of road narrowings at the two road hump locations in Gordon Street between Franklin Street and Church Street.

The remaining six proposed road narrowings (two more in Gordon Street and four in Moore Street) would need to be referred to the Capital Works Program for further consideration.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Correspondence and public meetings.

Details of Community Consultation / Results of Engagement:

Following the public meeting, letters, information and opinion forms were sent in December 2005 to all owners and occupiers of the 112 properties with direct abuttal to those sections of Gordon Street, Moore Street, Church Street and Anderson Street within the area. The Traralgon Urban Fire Brigade, Rural Ambulance Victoria, Victoria Police (Traralgon), Victoria Police (Latrobe Traffic Management Unit), Latrobe Valley Bus Lines and the Department of Infrastructure were also consulted.

A summary of the responses received is shown below. Note that a total of 43 responses were received. It is clear from the responses that a majority of the respondents agree that action needs to be taken in Gordon Street and Moore Street.

However the results are inconclusive in determining the type of devices that should be installed. There was an indication of support from the Gordon Street residents for the installation of half road closures at each end of Gordon Street. However the half road closures were objected to by the residents of other streets who thought that this would result in more traffic using their streets.

There were similar numbers of respondents both in favour of and against the installation of either single lane slow points single lane angled slow points (chicanes).

	strongly agree	agree	neutral	disagree	strongly disagree	No response	TOTAL
1. Would you support the installation of traffic management devices in Gordon & Moore Streets?	25	4	1	1	6	75	112
2. Do you support the construction of treatments to restrict or deter through traffic using Gordon and Moore Streets:							
- by the installation of half road closures such as Option 1A ?	18	2	1	6	10	75	112
- by the installation of entry thresholds such as Option 1B ?	7	9	5	5	11	75	112
3. Do you support the construction of treatments to reduce traffic speeds along Gordon and Moore Streets:							
- by the installation of mid-block single lane slow points such as Option 2A ?	9	7	3	8	9	76	112
- by the installation of mid-block single lane angled slow points such as Option 2B ?	11	7	0	9	11	74	112
- by the installation of speed humps such as Option 2C ?	9	6	4	6	13	74	112

As funding has been allocated to commence stage 1 of the traffic calming works and due to the above results being inconclusive, further consultation was undertaken in the form of another opinion survey.

Letters and forms were sent in December 2008 to all owners and occupiers of properties abutting these streets and to the emergency service authorities. Included were plans of new options and information explaining the effectiveness and other issues associated with each option and the process by which these options were developed. This information was also placed on Council’s website and advertised in The Express.

These letters also advised that of the new options, Option 3 was Latrobe City Council’s recommended treatment for the area, based upon the previous consultation undertaken, the effectiveness of the proposed traffic calming treatments, the net resultant effect on the amenity of the area and previous experience of the use of these devices.

Property owners and occupiers were clearly advised in the letter and the feedback form that if no response was received it would be interpreted as an indication of support for the recommended option, Option 3.

A summary of the responses received is shown below:

	strongly agree	agree	neutral	disagree	strongly disagree	No response	TOTAL For/Against	
Option 1 - Road humps at several locations along Gordon, Moore, Anderson and Church Streets	13	3	22	4	27		16	31
Option 2 - Road humps at several locations along Gordon, Moore, Anderson and Church Streets and half road closures at each end of Gordon and Moore Streets	6	3	19	5	36		9	41
Option 3 - Road humps at several locations along Gordon and Moore Street with kerb extensions to narrow the road and road humps at two locations along Anderson Street and at one location in Church Street (RECOMMENDED OPTION)	18	9	8	3	31	48	75*	34

* Including the 48 who did not respond

A majority have indicated a preference for the recommended option, Option 3. A response from the Victoria Police (Latrobe TMU) indicated strong support for Option 3, the response from Victoria Police (Traralgon) supported the need to take action along these streets but did not favour any particular option and the Traralgon Fire Brigade provided a neutral response to all options.

Also received in response to this consultation was a letter jointly signed by residents representing 29 properties within the area, suggesting that a solution to the traffic issues in Gordon Street and Moore Street is the construction of an additional bridge across the Traralgon Creek down stream from the Franklin Street Bridge.

Of the 29 properties represented on the joint letter, 11 individually responded to Council's survey, with five of these indicating support for Option 3 and four also indicating support for Option 1. The 18 properties in the joint letter from which no individual survey response was received, are represented in the summary table of responses above as if they had returned a "*strongly disagree*" response for both options 1 and 3.

7. OPTIONS

Council's options on the matters raised in this report include:

- Not proceed with any works and re-allocate the funds to other projects; or
- Implement the recommended Option 3 works to improve traffic safety in the area.

8. CONCLUSION

Significant consultation has already been undertaken on this matter. On every occasion the residents have indicated that they want Council to take action to improve safety and amenity in the area by reducing vehicle speeds and through traffic volumes.

Options to remove traffic are either not warranted nor economic in the short term (a new road crossing over the Traralgon Creek north of Franklin Street) or did not gain support from the residents (half road closures) due to likely adverse effects on surrounding streets.

Treatment options for traffic calming along the streets in the area such as roundabouts and slow points require greater road widths than those in this area, can adversely affect on-street parking and property access and are in-appropriate for use where traffic volumes are above prescribed limits. Resident support for the installation of slow points (chicanes) was also almost equally divided for and against.

In view of the support received from a majority of the residents it is recommended that Council should now approve the installation of road humps and road narrowings, as shown as Option 3 on the attached plan, as the means to improve road safety and local amenity in this area.

9. RECOMMENDATION

1. That Council approves the traffic calming scheme proposed for the Traralgon area north of Grey Street between Franklin Street and Breed Street as shown on the attached Option 3 plan, of road humps and road narrowings at four locations along Gordon Street and four locations along Moore Street and the construction of road humps at two locations along Anderson Street and at one location in Church Street.
2. That Council approves the construction of the following works from the allocation in the 2008/09 Capital Works program:
 - road humps at all eleven locations within the area (four in Gordon Street, four in Moore Street, two in Anderson Street and one in Church Street); and
 - road narrowings at the two locations in Gordon Street between Franklin Street and Church Street.
3. That the construction of road narrowings at the remaining two proposed locations in Gordon Street and four proposed locations in Moore Street be referred to the Capital Works Program for further consideration.
4. That Council advises the owners and occupiers of the streets in the area north of Grey Street, Traralgon between Franklin Street and Breed Street and also the Traralgon Urban Fire Brigade, Rural Ambulance Victoria, Victoria Police (Traralgon) and Victoria Police (Latrobe Traffic Management Unit) of Council's decision in relation to the construction of traffic calming works along Gordon Street, Moore Street, Church Street and Anderson Street, Traralgon including a full explanation of the reasons for Council's decision.

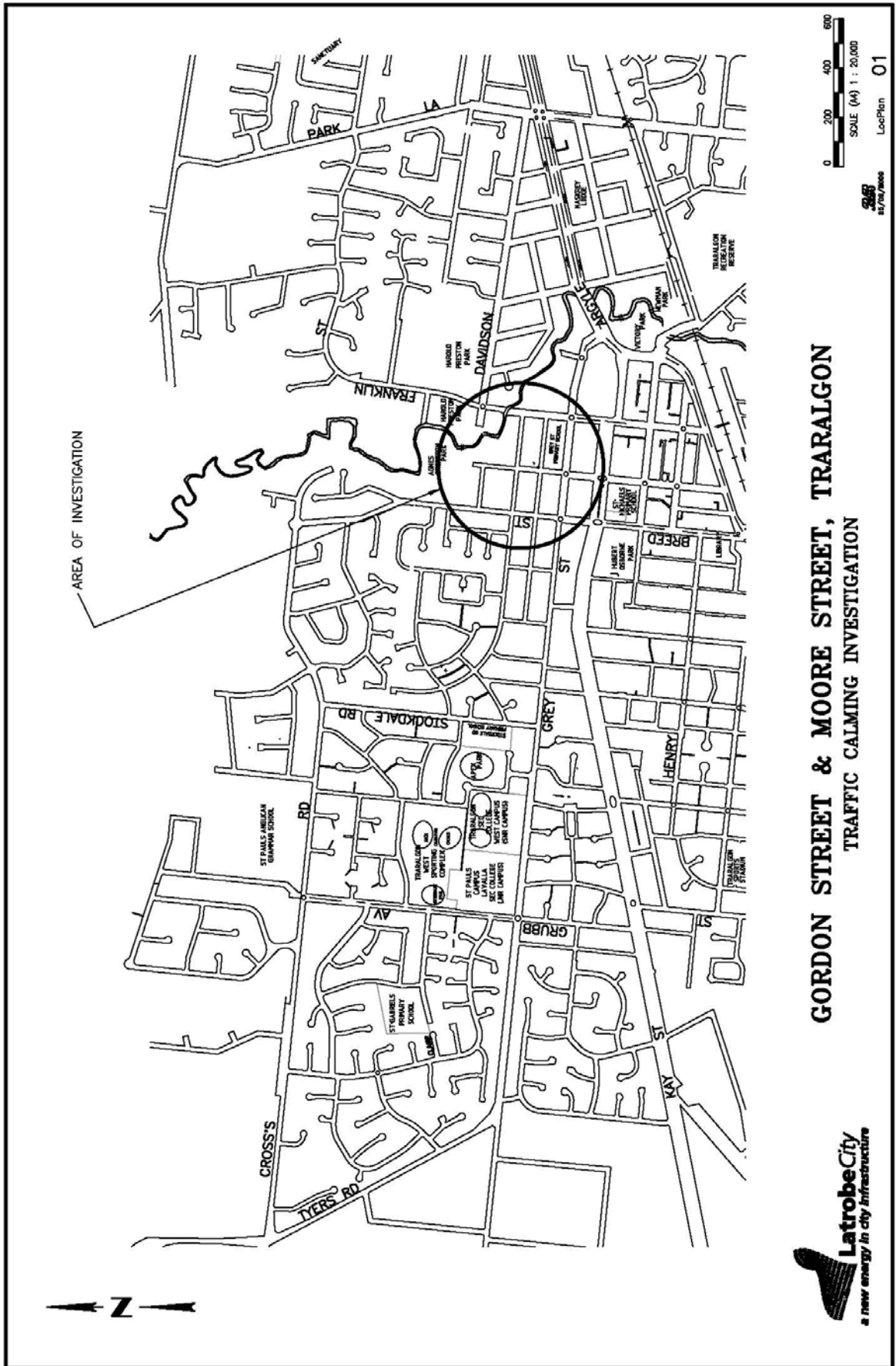
Moved: Cr O'Callaghan

Seconded: Cr Lougheed

That Council defers consideration of this item until the Ordinary Council Meeting to be held on 4 May 2009.

CARRIED UNANIMOUSLY

ATTACHMENT





**GORDON & MOORE STREETS, TRARALGON
(FROM FRANKLIN ST. TO BREED ST.)
TRAFFIC MANAGEMENT MEETING**

NOTES FROM MEETING HELD IN THE
FUNCTION ROOM AT THE CIVIC CENTRE,
KAY STREET, TRARALGON
TUESDAY, 30 AUGUST 2005

Meeting started: 7:05 PM

In attendance: Ray Bright (Latrobe City Traffic Planner) and 20 residents

APOLOGIES: Councillor Sheridan Bond, Robert & Ann Ashworth, Teresa Pugliese, Desmond & Linda Dalton

Ray opened the meeting by welcoming all those attending and apologising for Councillor Bond's absence due to a meeting in Melbourne. Ray then explained that the purpose of the meeting was to discuss concerns raised about traffic issues in Gordon and Moore Streets east of Breed Street. A separate meeting is to be held with the residents of Gordon Street west of Breed Street.

Those attending were informed of the background of the concerns raised about the speed and the volume of vehicles using Gordon and Moore Streets and the results of the traffic investigation carried out by the City. Ray made reference to how these types of investigations are conducted including traffic volume and speed counts, accident data and on-site observations. This data is then compared to accepted standards for streets of that classification type.

A plan was presented to the meeting that detailed the traffic volumes and average speeds of traffic using Gordon and Moore Streets. The result of the investigation is that Council believe that there is a problem in these streets that needs to be addressed. Vehicle speeds and traffic volumes are excessive in Gordon Street and vehicle speeds are too fast in Moore Street. Many drivers use Gordon Street as a "rat-run" between the estates to the east of Franklin Street and the schools to the west of Stockdale Road. The alternate route along Franklin Street/Grey Street/Stockdale Road has significant delays at the major intersections and Gordon Street currently offers a more attractive route.

Discussion of the issues followed with residents advising that the problems are most noticeable between 8:00 and 9:30 AM. Other factors also discussed included the increase in traffic volumes along Breed Street particularly on Saturday mornings, the lack of a road to the north of Grey Street connecting directly from Cross's Road across the Traralgon Creek to the eastern end of

GORDON & MOORE STREETS TRAFFIC MANAGEMENT – NOTES FROM MEETING 30/08/2005

Traralgon, parking enforcement issues in Moore Street and the number of accidents occurring at Breed/Gordon and in Franklin at Gordon and Moore. There was general agreement that there are traffic issues in these streets that need to be resolved.

Options for treating these issues by removing the traffic and/or by slowing all vehicles were then discussed. Suggestions included a new road connection from Cross's Road to Franklin Street (already being planned by the City), road closures to prevent traffic entering the street, and speed humps and slow points to reduce vehicle speeds. The meeting was advised that roundabouts in Breed Street or in Franklin Street were not a realistic option as this would make access into and out of Moore and Gordon easier for through traffic and there was not sufficient width in Breed Street without acquiring adjacent property. Those at the meeting were also advised that traffic needed to be managed in both streets as works in one street alone would shift the problems to the other street.

It was suggested that plans be drawn up of the streets so that the resident could appreciate how the various traffic management treatments might appear.

Ray advised those attending that following the preparation of plans of options for these streets, information would be sent to all residents of these sections of Gordon and Moore Streets seeking comment and opinions to a number of options. This advice would then be provided to the Council for a decision regarding action to be taken.

MEETING CLOSED ABOUT 8:45 PM.

INITIAL OPTIONS



GORDON & MOORE STREETS, TRARALGON (FROM FRANKLIN ST. TO BREED ST.)

EXPLANATION OF PROPOSED TRAFFIC MANAGEMENT OPTIONS

THRESHOLD TREATMENTS

Proposed options for treatment of each end of Gordon Street and Moore Street at the intersections with Breed Street and with Franklin Street

Option 1A – half road closures in Gordon Street and Moore Street at the intersections with Breed Street and at Franklin Street. Closures in Gordon Street allow vehicles only to exit from Gordon Street onto Breed Street or onto Franklin Street. Closures in Moore Street allow vehicles to enter from Breed Street and Franklin Street but not exit into those streets. The result is that vehicles cannot enter at one end and leave at the other end of the same street and would result in a substantial decrease in through traffic. This option would require Gordon Street residents to enter the area via Moore Street, Anderson Street or Church Street and for Moore street traffic to leave via Gordon Street, Anderson Street or Church Street.

Option 1B – entry thresholds in Gordon Street and Moore Street at the intersections with Breed Street and at Franklin Street. Entry to the street is narrowed to 5 metres in width and is constructed with a tactile pavement such as pavers or patterned concrete.

MID-BLOCK TREATMENTS

Mid-block treatments are generally designed to reduce vehicle speeds at the device and are located at specific regular intervals to ensure that vehicle speeds between the devices generally do not exceed acceptable levels.

Option 2A – mid-block single lane slow points. Road width is narrowed to 3 metres and can be combined with a tactile road pavement (eg. pavers or patterned concrete) or with speed humps to more effectively reduce speeds. Road is narrowed to one lane width requiring vehicles to give way to on-coming traffic.

Option 2B – mid-block single lane angled slow points. Road width through the slow point is narrowed to 3 metres, ie. one lane width, requiring vehicles to give way to on-coming traffic.

Option 2C – speed humps. Most effective means of reducing vehicle speeds but can create noise issues for adjacent residents.

INITIAL OPTIONS



GORDON & MOORE STREETS, TRARALGON
PROPOSED TRAFFIC MANAGEMENT

- OPTION 1A - proposed half road closures at Bred Street and Franklin Street
- OPTION 2A - mid-block single lane road narrowings





INITIAL OPTIONS



GORDON & MOORE STREETS, TRARALGON
PROPOSED TRAFFIC MANAGEMENT

OPTION 2C - speed humps (can be combined with road narrowings)



**CURRENT
OPTIONS**



**GORDON STREET & MOORE STREET,
TRARALGON**

TRAFFIC CALMING OPTIONS FROM FRANKLIN STREET TO BREED STREET

It was agreed at a public meeting that action should be undertaken by Latrobe City Council to reduce the inappropriate vehicle speeds and excessive traffic volumes along both Gordon Street and Moore Street in the area between Breed Street and Franklin Street.

To address these issues, a number of new options have been developed as discussed below. In proposing these new options, the following general considerations applied to the selection of traffic calming devices for use:

- Effects on other streets – it is agreed that any works along Gordon and Moore Streets will result in the diversion of traffic along both Anderson Street and Church Street. It is therefore proposed that traffic calming works should also be undertaken along Anderson Street and that part of Church Street between Breed Street and Gordon Street.
- The spacing of the devices – the proposed devices should be no more than 100 to 120 metres apart to achieve required target vehicle speeds.
- The location of existing intersections - some devices such as road humps, cushions, slow points and centre blisters are mid-block treatments and cannot be installed within intersections. The spacing of the intersections of Gordon Street and Moore Street with Breed Street, Church Street and Franklin Street does not allow the sole use of intersection treatments only along these streets. The length between the intersections is more than the 100 to 120 metres as required above and excessive vehicle speeds would still occur between the intersections.
- Maintaining property access - the layout of some devices is such that they could not be used or were difficult to locate without unduly restricting access to adjacent property. Centre blisters and angled slow points were not considered for this reason.
- Bus routes – as a general rule buses must be able to negotiate all traffic calming devices situated on bus routes and on access routes to schools. The agreement of the bus operator is required to the use of any proposed traffic calming devices. Modification of some devices such as angled slow points, to permit the passage of buses can significantly reduce the affect of the device preventing their use along a bus route. As none of these streets is part of a bus route, no consideration for buses needed to be made when choosing the type of traffic calming devices to be used.

GORDON & MOORE STREETS EAST – TRAFFIC CALMING OPTIONS

- 2 -

- Existing street widths – some devices require a minimum width of road pavement to be effective, for example to provide for adequate vehicle path deflection through an angled slow point. Other devices such as at roundabouts require a minimum road area to provide for all vehicles movements. In many local areas, this road area is not available without encroaching significantly into adjacent properties.

Option 1 – Road Humps

The installation of road humps at four locations along Gordon Street, four locations along Moore Street, two locations along Anderson Street and at one location in Church Street north of Gordon Street, generally as shown on the attached plan. Road humps are normally constructed of asphalt.

Effectiveness

When installed at the correct spacings road humps are an effective vehicle speed control device for most vehicles.

Road humps would discourage 'through' traffic from using the streets in the area by reducing vehicle speeds along the street and therefore increasing the time taken to travel through the area.

Other effects

Road humps can result in an increase in traffic noise for local residents due to vehicles braking and accelerating, in addition to goods moving within the cabins or trays of larger vehicles as they go over the humps.

Road humps may also affect access by emergency vehicles.

Option 2 – Road Humps & Half Road Closures

The installation of road humps at four locations along Gordon Street, four locations along Moore Street, two locations along Anderson Street and at one location in Church Street north of Gordon Street, generally as shown on the attached plan. Road humps are normally constructed of asphalt.

Half road closures would also be installed at each end of Gordon Street and Moore Street at the intersections with Breed Street and at Franklin Street. Closures in Gordon Street would only allow vehicles to exit from Gordon Street onto Breed Street or onto Franklin Street. Closures in Moore Street would only allow vehicles to enter from Breed Street and Franklin Street but not exit into those streets.

The half road closures would be concrete kerbed and landscape planted.

Effectiveness

When installed at the correct spacings road humps are an effective vehicle speed control device for most vehicles.

GORDON & MOORE STREETS EAST – TRAFFIC CALMING OPTIONS

- 3 -

The half road closures would discourage 'through' traffic from using the streets in the area by increasing the length of vehicle travel paths through the area. Vehicles could enter the area by one street but would have to travel along another street to leave the area. The result is that vehicles cannot enter at one end and leave at the other end of the same street and would result in a substantial decrease in through traffic.

Other effects

Road humps can result in an increase in traffic noise for local residents due to vehicles braking and accelerating, in addition to goods moving within the cabins or trays of larger vehicles as they go over the humps.

The half road closures would require Gordon Street residents to enter the area via Moore Street, Anderson Street or Church Street and for Moore Street traffic to leave via Gordon Street, Anderson Street or Church Street. This would also result in more traffic using Church Street and Anderson Street than at present.

These devices may also affect access by emergency vehicles.

Option 3 – Road Humps & Kerb Extensions

The installation of road cushions at four locations along Gordon Street, four locations along Moore Street, two locations along Anderson Street and at one location in Church Street north of Gordon Street, generally as shown on the attached plan. The road humps in Gordon and Moore Streets would be constructed with kerb extensions to reduce the road pavement width to five metres.

Road humps are normally constructed of asphalt. The kerb extensions would be concrete kerbed and either concrete paved or landscape planted depending upon drainage conditions

Effectiveness

When installed at the correct spacings road humps when combined with the narrower road pavement, are more effective at controlling the speeds of most vehicles.

Road humps would discourage 'through' traffic from using the streets in the area by reducing vehicle speeds along the street and therefore increasing the time taken to travel through the area.

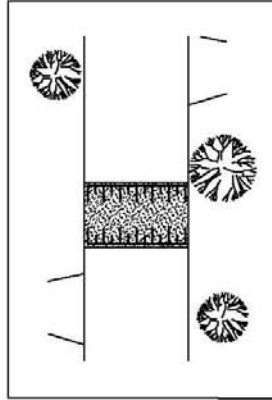
Other effects

Road humps can result in an increase in traffic noise for local residents due to vehicles braking and accelerating, in addition to goods moving within the cabins or trays of larger vehicles as they go over the humps.

There would also be a loss of on-street parking adjacent to these devices.

Road humps may also affect access by emergency vehicles.

CURRENT OPTIONS



ROAD HUMPS



OPTION 1

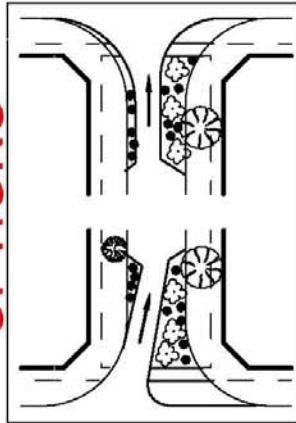
- road humps at four locations along Gordon Street, four locations along Moore Street, two locations along Anderson Street and at one location in Church Street

GORDON ST & MOORE ST, TRARALGON
 TRAFFIC MANAGEMENT INVESTIGATION
 - EAST OF BREED STREET

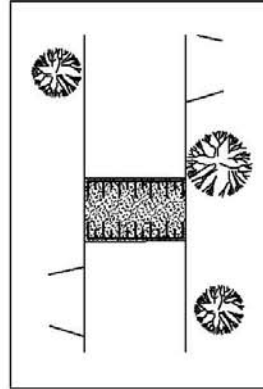
SCALE (A1) 1 : 3000
 05/12/2008
 SHEET NO. 1 OF



CURRENT OPTIONS



HALF ROAD CLOSURES



ROAD HUMP



OPTION 2

- half road closures at each end of Gordon and Moore Streets
- road humps at four locations along Gordon Street, four locations along Moore Street, two locations along Anderson Street and at one location in Church Street

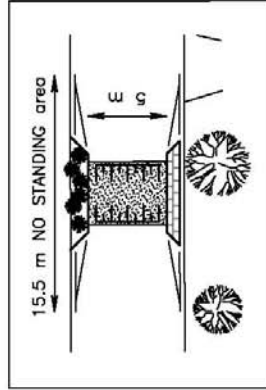
**GORDON ST & MOORE ST, TRARALGON
TRAFFIC MANAGEMENT INVESTIGATION
- EAST OF BREED STREET**



SCALE (A) 1 : 3000
05/12/2008

SHEET NO. 2 OF

CURRENT OPTIONS



ROAD HUMPS WITH KERB EXTENSIONS



OPTION 3

- road humps at four locations along Gordon Street and four locations along Moore Street all with kerb extensions to narrow the road
- road humps at two locations along Anderson Street and at one location in Church Street

GORDON ST & MOORE ST, TRARALGON TRAFFIC MANAGEMENT INVESTIGATION - EAST OF BREED STREET



COPY

Paul Gardiner
25 Gordon Street
Traralgon VIC

Latrobe City Traffic Planning
Attn: Ray Bright.
Your ref: DW161606

RE: TRAFFIC CALMING OPTIONS – EASTERN END OF GORDON & MOORE STREETS TRARALGON.

Dear Mr Bright,

Firstly, thank you for addressing the traffic issue in this area. I'd like to offer my apologies for not attending the public meetings and providing my input previously as I've been working away for some time and was unaware that this issue was being addressed.

My home is in Gordon Street on the block closest to Franklin Street.

I don't tend to find speeding a problem but the volume of traffic is often a concern, having said that I must also say that the prospect of having any of the proposed traffic calming measures installed is a much greater concern.

As a resident I would naturally like this street to be a pleasant place to live and to have convenient access. Road humps and restrictors of any sort that discourage the use of Gordon Street would naturally also increase the inconvenience for the residents.

It goes without saying that through traffic uses Gordon and Moore streets instead of a heavily congested Grey Street simply because it is more expedient to do so and they will continue to do so until it is more convenient to use a different route.

I would like to see a solution that increases the convenience of using other routes rather than decreasing the convenience of using Gordon or Moore streets. It seems to me to be contradictory that the measures being proposed to reduce the inconvenience upon residents actually increase the inconvenience of using these streets.

Additionally, surely the proposed traffic calming proposals would only increase the congestion on Grey Street, particularly the roundabout at the Franklin street intersection.

It seems to me, and to many people I've spoken to, that what is needed to effectively address many of these traffic problems is an additional bridge across Traralgon Creek down stream from the Franklin Street Bridge, a proposal unaddressed by the documentation distributed by Latrobe City.

If I could ask you to refer to the enclosed image - it's obvious that apart from avoiding the Grey Street congestion, people in the new areas shown by the red square will use Gordon or Moore streets to access the nearest creek crossing at Franklin Street. I do it myself!

Perhaps I'm naïve when it comes to these situations but it seems very clear to me that the solution to traffic congestion is to increase the roads infrastructure not to install traffic restrictions which will introduce a nuisance to the residents and unquestionably increase traffic congestion even further!

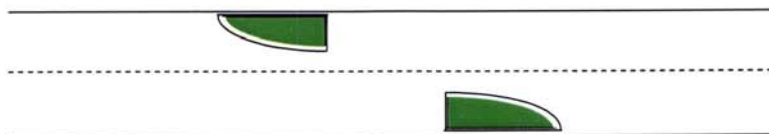
An additional creek crossing would greatly reduce the volume of traffic trying to pass through the Gordon/Moore streets area and, in my opinion, eliminate the need for unwelcome traffic calming measures in my street. Which I absolutely do not want installed near my home.

I do not want the noise of vehicles passing over these humps outside of my home 24 hours a day and I do not want to have to be inconvenienced by them every time I come and go from my home. Seriously, I would rather put up with the through traffic.

I know an additional crossing is an expensive option but as the town expands a new crossing will become inevitable. And the thought of having to listen to, and deal with a street full of humps everyday is quite unacceptable.

Traralgon is expanding and the arterial roadways need to expand accordingly.

If temporary traffic calming measures are deemed necessary to be incorporated in the interim (while a new crossing is being constructed) then I would suggest installing restrictors of the following nature:-



These temporary chicanes could be cheaply constructed using precast concrete kerb sections attached to the existing road surface and filled with earth and low shrubs or similar. This would restrict traffic, discourage speeding and be able to be cheaply and easily removed once the additional creek crossing is built.



(Example images)

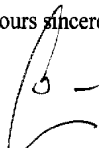
From talking to some of my neighbours I got the very strong impression that I wasn't alone in my thoughts regarding the installation of the proposed traffic calming measures. I decided from those conversations to take a petition from door to door to further gauge the opinion of the residents affected by the proposals.

I enclose the results of that exercise. I would like to point out that I went up and down Anderson, Gordon and Moore streets once only, and therefore didn't catch all the residents at home. The response was overwhelmingly against speed humps, some responses were surprisingly fervent in their opposition. Only two people I talked to were in favour of humps and only one of those actually lived in the affected streets. I have outlined the properties represented by signatories of the petition on an image of the area for your convenience.

One last question - does Latrobe City have plans for the additional creek crossing in the near future? From looking at the aerial photograph it's hard to see where provision for the necessary high volume road access has been taken into account.

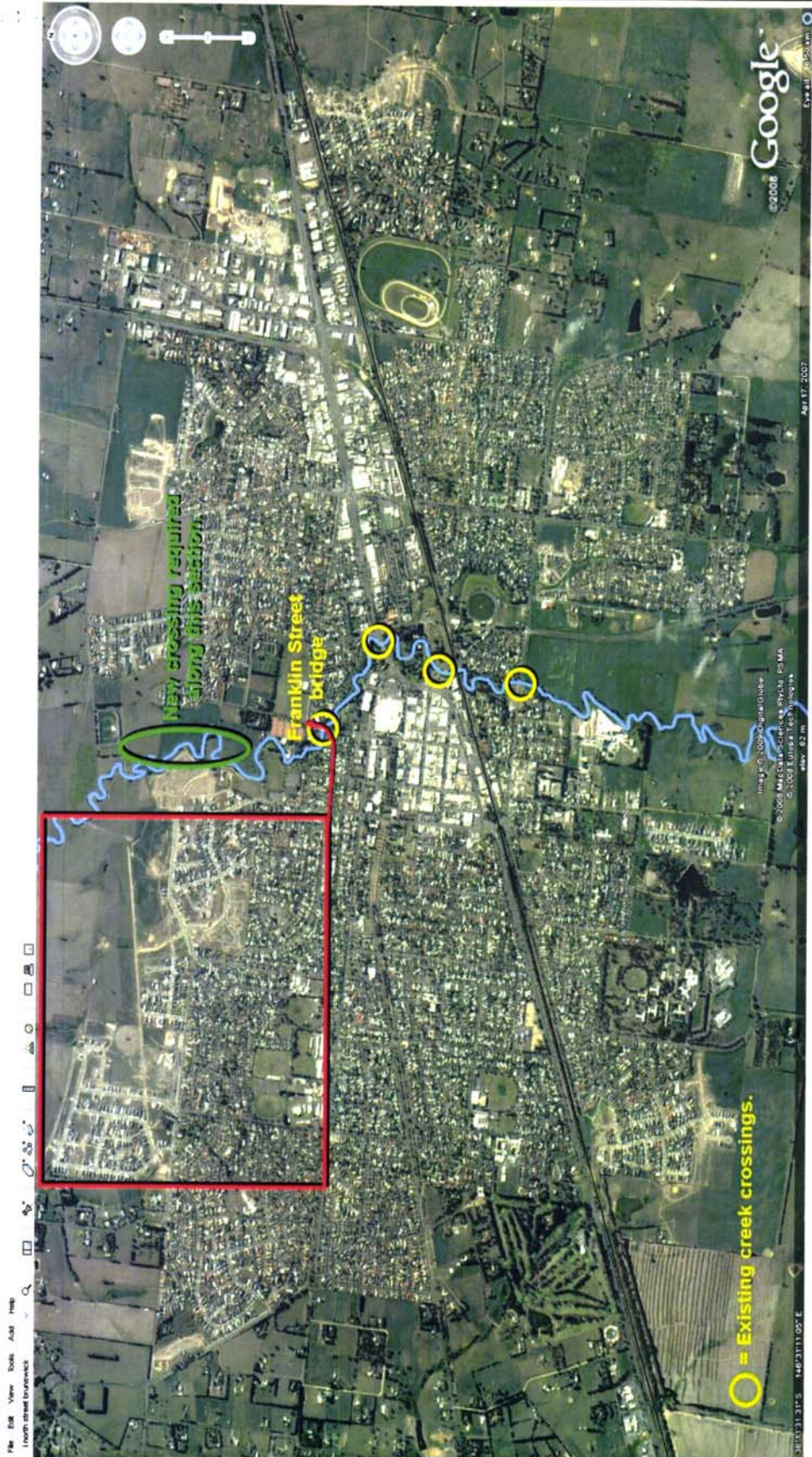
Again, thank you for your time and efforts in working towards an agreeable resolution to this issue.

Yours sincerely



Paul Gardiner

Cc **Councillor Kellie O'Callaghan** BURNET WARD
Latrobe Valley Express.



January 2009.

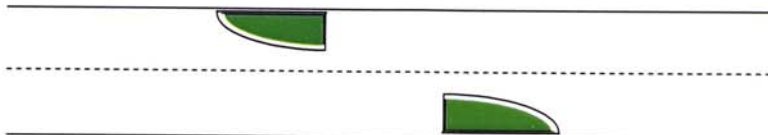
To: Latrobe City.
RE: TRAFFIC CALMING OPTIONS – EASTERN END OF GORDON & MOORE STREETS
TRARALGON.

We the undersigned, residents of the streets affected by the proposed traffic calming works for Anderson and the eastern end of Gordon and Moore streets, respectfully petition the Latrobe City **NOT** to install road humps or cushions on the above mentioned streets.

We regard the installation of humps and/or cushions as being an unwelcome nuisance both in terms of the access to our homes, parking restrictions and in the noise they will generate as vehicles slow down to approach, pass over and accelerate past them.

If temporary traffic calming measures are deemed necessary to be incorporated we request instead that temporary chicanes be installed to reduce these streets to single lanes at regular intervals to discourage through traffic and speeding vehicles.

We request the installation of traffic restrictors of the following nature:-



These temporary chicanes could be cheaply constructed using precast concrete kerb sections attached to the existing road surface and filled with earth and low shrubs or similar. This would restrict traffic, discourage speeding and be able to be cheaply and easily removed when they are no longer required, for instance - once an additional bridge/crossing is built over the Traralgon Creek, downstream of the existing Franklin street bridge.

The following images are examples of the chicane traffic calming measures this petition refers to:-

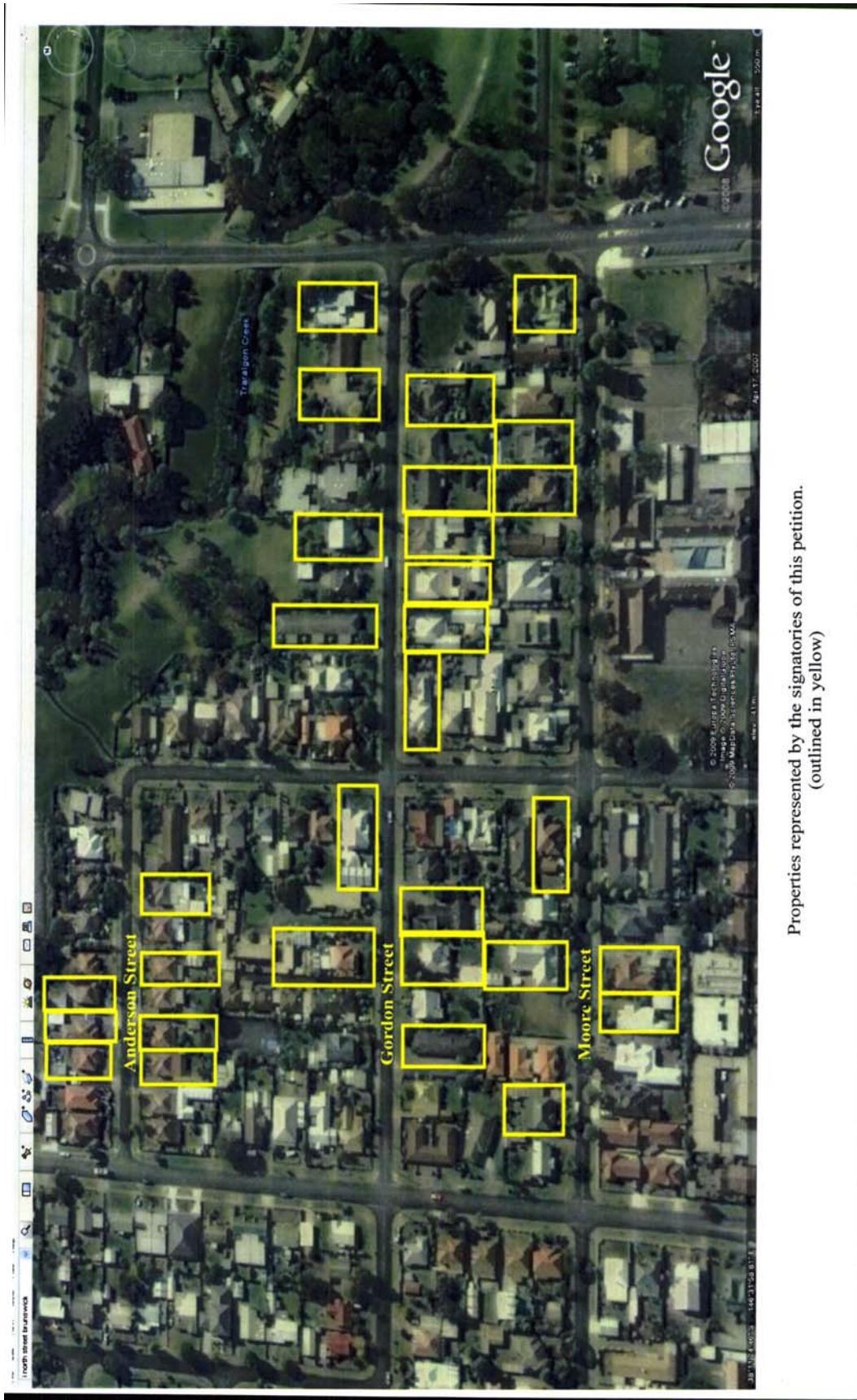


We find that chicanes are formed naturally when cars are parked in our streets, and observe that these demonstrate the effectiveness and value of such traffic calming devices being installed in the above mentioned manner. We are confident that the 'hoon' factor can be addressed through appropriate chicane design and construction.

Cc **Councillor Kellie O'Callaghan** BURNET WARD

Signature	Name	Address
	Paul Gardiner	25 Golden St.
	LAURENCE MURPHY	90 CHURCH ST T'GON
	Maribeth Murphy	90 Church St. T'gon
	3 Gordon St	Edith Halkins
	G. BLACKNEY	6 GORDON ST T'GON
	ANDREW KNORR	19 GORDON ST TRARALGON
	ALAN MASTERS	20 GORDON ST TRARALGON
	JEFF WHITE	21 GORDON ST TRARALGON
	Margaret Stockdale	23 Gordon St. Traralgon
	JOHN FRANKEN	24 GORDON ST T'GON
	GARRY WRIGHT	" "
	George McCulloch	93 Church St T'gon
	A. GILLARD	32 GORDON ST T'GON
	B STRATTON	1 SOMER PL TRARALGON
	K. SCANDRETT	2/33 Gordon St Traralgon.
	S. Cavanagh	29 Gordon st, Traralgon

Signature	Name	Address
	LORI DEERING	27A Gordon St
	ALLAN P DAY	5 ANDERSON ST T/Gen
	HAROLD M. PHERSON	9 ANDERSON ST T/G.
	CRAIG SHAWAHAN	13 ANDERSON ST T/GEN
	Babu. P. L.	12, ANDERSON ST.
	AARON MARSH	15. ANDERSON ST.
	SHARNADEI MARSH	15 Anderson st.
	JUDE MARSH	15 Anderson st
	Marika Brown	16 Anderson st T/gen
	Mark Brown	#VERY OPPOSED 16 Anderson st T/gen
	Jordan Brown	16 Anderson st T/gen
	Isaac Brown	16 Anderson st T/gen
	Gary Davis	14 Anderson St T/gen.
	Sue Davis	14 Anderson st Transgen
	Bill Filipe	2 Gordon St Transgen
	Leanne Filips	2 Gordon St T/gen.



Properties represented by the signatories of this petition.
(outlined in yellow)

**11.3.3 TRARALGON WEST LOW DENSITY RESIDENTIAL ZONE
INTERIM INFRASTRUCTURE DEVELOPMENT POLICY**

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

1. PURPOSE

The purpose of this report is to present for Council's consideration the Traralgon West Interim Infrastructure Development Policy 09 POL-1.

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

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

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

Municipal Strategic Statement (proposed):

Clause 21.04-3 Objectives – Settlement:

To provide the flexibility for development to occur in each town to accommodate the needs of its population as well as to contribute to the municipal networked city.

To contain urban development within distinct boundaries.

Clause 21.04-4 Strategies – Settlement:

Consolidate development within and around the existing towns and avoid unnecessary urban expansion and rural subdivision.

To protect areas for future urban growth, particularly the fragmentation of rural land on the urban fringe of major towns.

Clause 21.04-5 Specific Town Strategies – Traralgon:

Engage landowners to work towards developing a Development Plan Overlay for Area 2 and encourage residential intensification of this area.

(NOTE: Area 2 forms part of the Traralgon West precinct).

Engage with landholders on the western border of Traralgon to work towards a Development Plan for the area.

Clause 21.08 Further Strategic Work Program - Built Environment Sustainability:

Prepare Development Plan and Development Contribution Plan for Traralgon West low density residential precinct.

3. BACKGROUND

This proposed policy outlines the process by which planning permit applications for the subdivision of land within the Traralgon West, Low Density Residential Zone (LDRZ) will be assessed by Council.

The Traralgon West Low Density Residential precinct consists of approximately 179 hectares of land to the West of Traralgon. The land extends from the Princes Highway in the south, to Traralgon West Road in the north. The land is currently zoned LDRZ and adjoins the existing Traralgon R1Z area to the east and Rural Living Zone 3 to the north and west (refer Appendix B).

Provision of Road and Stormwater Infrastructure
Amendment C7 to the Latrobe Planning Scheme was approved in September 2004, based on recommendations from the Latrobe Rural Living Study, completed 2002. The amendment rezoned the subject land from Rural Living Zone (RLZ) to LDRZ, allowing lot sizes of 1 acre or greater. The average size of lots prior to the rezoning was approximately 8 acres, with approximately 40 new lots since created following the transition to LDRZ.

In response to increased land subdivision occurring within the LDRZ precinct, the preparation of a Development Plan Overlay (DPO) and Development Contributions Plan Overlay (DCPO) is necessary. The inclusion of these overlays within the Planning Scheme will ensure a logical subdivision pattern across the precinct and enable the equitable distribution of infrastructure contributions to service newly created lots.

The preparation of the DPO and DCPO for the precinct will commence during the 2009 / 2010 financial year.

Opportunities for Medium Density Residential Development State Planning Policy Framework (Clause 14.01-2) requires that 'planning authorities should plan to accommodate projected population growth over at least a 10 year period, taking account of opportunities for redevelopment and intensification of existing urban areas...'

Following the decision of the Traralgon By-pass Supplementary Inquiry July 2007, Traralgon's long term residential land supply is now significantly constrained, with the panel concluding that:

"there is an immediate need for additional land to be zoned and made available for residential development in Traralgon; and that, Traralgon does not have significant capacity to accommodate long term residential development."

The need to consider opportunities for future medium density residential development opportunities within the Traralgon LDRZ precinct has become a necessity.

A significant portion of the Traralgon LDRZ precinct has been identified for medium density residential development by the Council's adopted Traralgon Structure Plan (Beca 2007). Public exhibition of the Traralgon Structure Plan was completed 12 December 2008 as part of the revised Municipal Strategic Statement. The exhibited MSS also includes actions and strategies directing Council to engage landholders for the preparation of a development plan overlay for this area which will assist in the provision of infrastructure services.

Resolution of medium density residential opportunities for remaining areas within the LDRZ precinct will be resolved during the completion of the Traralgon Growth Areas Review to be completed during 2009. The outcomes of this study will influence the determination of appropriate road and stormwater infrastructure services to be provided for both existing and future developments (Refer Appendix B).

4. ISSUES

The establishment of a framework for the equitable distribution and sequencing of infrastructure contributions from landholders and Council's capital works program have yet to be adequately resolved. In the absence of an agreed framework this may place Council with additional risks associated with providing capital for essential infrastructure works 'up-front', while placing significant financial constraints on single development or subdivision proposals.

Increased stormwater volumes from the Traralgon LDRZ precinct may result in detriment to downstream landholders. Due to the limited capacity and extent of Council's piped drainage infrastructure within and around the Traralgon LDRZ precinct, the only current means of allowing development to continue whilst maintaining drainage integrity is by the provision of drainage retention or retardation systems. The preparation, design and timing of construction of such systems to service the precinct is yet to be resolved.

The continuation of low density residential subdivision will continue to jeopardise future residential development potential of the Traralgon LDRZ precinct, particularly locations presently identified by the Traralgon Structure Plan for medium density residential development.

Statutory Provisions

Pursuant *Section 60 (1A) of the Planning and Environment Act 1987*, before deciding on an application the responsible authority, if the circumstances appear to so require, may consider the following provision:

"(g) any other strategic plan, policy statement, code or guideline which has been adopted by a Minister, government department, public authority or municipal council;"

It is in accordance with the above provision which Council will consider the approval of future subdivision applications, referencing the Interim Infrastructure Development Policy. In addition, the Decision Guidelines provided by the Latrobe Planning Scheme at Clause 32.03-3 and Clause 65 will provide additional guidance for the assessment of subdivision applications within the Traralgon LDRZ precinct.

The policy is intended as an interim measure pending the preparation and inclusion of a DPO and DCPO within the Planning Scheme, as within the following table.

ACTION	TIMELINE
1. Implement the Traralgon LDRZ <i>Interim Infrastructure Development Policy</i> to prevent inappropriate subdivision.	March 2009 (Expiry March 2011)
2. Commence Traralgon Growth Areas Study to determine the need for this precinct (or parts there of) to provide for future medium density residential development.	March 2009
3. Commence preparation of a stormwater management plan for the provision of necessary stormwater infrastructure and the mitigation of increased stormwater volumes resulting from new subdivision and development proposals.	July 2009
4. Commence preparation of a Development Plan Overlay (DPO) and Development Contributions Plan Overlay (DCPO) for inclusion within the Latrobe Planning Scheme, detailing preferred road networks, stormwater infrastructure, open space requirements and other essential services to enable further subdivision and development.	September 2009 (Completion of DPO & DCPO March 2011)

5. FINANCIAL AND RESOURCES IMPLICATIONS

The adoption of the Traralgon West Interim Infrastructure Development Policy will not result in any financial implications for Council.

This policy is a first step in Council's commitment to the investigation and provision of agreed road and stormwater infrastructure, with the preparation of a DPO and DCPO to be completed during the 2010 / 2011 financial year.

The continuation of inappropriate subdivision and development within the Traralgon West precinct may increase the risk of stormwater flooding on down stream properties, to which Council may need fund retrospective flood mitigation works. Further, in the absence of an agreed DPO and DCPO for the area, Council may be required to fund the total cost road and stormwater infrastructure required to service newly created allotments.

6. INTERNAL/EXTERNAL CONSULTATION

Council's Project Services and Strategic Planning teams have identified necessary steps to resolve infrastructure related issues emerging within the Traralgon West Low Density Residential precinct (refer Appendix B).

Following Council's consideration of the Interim Infrastructure Development Policy, key stakeholders and landowners will be informed of the policy and the actions Council will undertake to resolve identified infrastructure needs. It is noted that during the preparation and inclusion of both the DPO and DCPO within the Planning Scheme, that comprehensive consultation and formal public exhibition will take place in accordance with Section 19 of the *Planning and Environment Act 1987*.

7. OPTIONS

The options available to Council are as follows:

1. That Council adopt the Traralgon West Interim Infrastructure Development Policy; or
2. That Council not adopt the Traralgon West Interim Infrastructure Development Policy.

8. CONCLUSION

In the absence of agreed policy or strategy to ensure an appropriate subdivision pattern and the provision of infrastructure services, the Interim Infrastructure Development Policy has been prepared.

The Interim Infrastructure Development Policy will provide Council with additional guidance and statutory support to prevent further inappropriate subdivision from occurring within the precinct.

9. RECOMMENDATION

1. **That Council adopts the Traralgon West Interim Infrastructure Development Policy 09 POL-1.**
2. **That Council commences comprehensive consultation with landholders to progress the preparation of a Development Plan Overlay (DPO) and Development Contributions Plan Overlay (DCPO) in relation to the Traralgon West Low Density Residential Precinct.**

Moved: Cr Middlemiss

Seconded: Cr Kam

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

APPENDIX A:

Document Name: Traralgon West Interim Infrastructure Development Policy
Version No: 1
Adopted by Council: <insert date of Council Meeting>

Policy Goals

This policy sets out the Latrobe City Council's procedure for the assessment of subdivision proposals and the equitable provision and management of stormwater and road infrastructure within the Traralgon West Low Density Residential Precinct.

This policy outlines the process by which Latrobe City Council will consider further subdivision of land within the Traralgon Low Density Residential Zone precinct, pending:

- resolution and construction of agreed road and stormwater infrastructure services to be provided for the precinct;
- mitigation of potential detriment to downstream landholders resulting from increased stormwater volumes;
- establishment of an appropriate framework to assure the equitable distribution and sequencing of landowner financial contributions to agreed road and stormwater infrastructure services;
- resolution of opportunities for the immediate and long term provision of medium density residential development within the LDRZ precinct.

Relationship to Council Plan & Latrobe 2021

This policy relates to the following Strategic Objectives contained within the Council Plan and outlined in Latrobe 2021: The Vision for Latrobe Valley:-

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.*

Built Environment: *"By developing clear directions and strategies through consultation with the community ensuring sustainable and balanced development."*

- Strategic Action: *"Promote and support private and public sector investment in the development and maintenance of key asset infrastructure in the municipality".*
- Strategic Action: *"Strive to ensure proposed developments enhance the liveability and sustainability of the community".*

Policy Statement:

The provision of new or upgraded stormwater or road infrastructure is subject to council approval via its annual budget and inclusion in its capital works program. The approval of any individual subdivision applications under this procedure does not commit council to the provision of any new or upgraded stormwater or road infrastructure.

Policy Implementation – Statutory Planning & Project Services:

An application to subdivide land affected by the *‘Traralgon Low Density Residential Precinct – Interim Infrastructure Development Procedure’* must be referred to Manager of City Planning and Development in accordance with Section 52 of the *Planning & Environment Act 1987*.

Before deciding on an application to subdivide land, the responsible authority must also consider:

- The directions of this policy.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The Decision Guidelines provided by the Latrobe Planning Scheme at Clause 32.03-3 and Clause 65.
- The need to prevent the subdivision of land which may compromise future opportunities for future residential development within the precinct.
- Whether the proposal will result in increased stormwater volumes being generated and whether this is likely to have an adverse impact on other property.
- Whether a stormwater management plan has been submitted and that the plan is to the satisfaction of the responsible authority.
- Whether each proposed lot has a legal point of vehicle access via a government road.
- Consideration of any management plan or infrastructure contribution scheme being prepared for the precinct.
- The need to include a condition requiring specified works or services to be provided or paid for in accordance with an agreement under Section 173 of the Planning and Environment Act 1987. The 173 Agreement is to be prepared to ensure:
 - (A) present and future landowner awareness of the possible higher density residential development occurring within the Traralgon LDRZ precinct.
 - (B) financial contributions are provided for the provision of future stormwater and road infrastructure within the Traralgon LDRZ precinct.

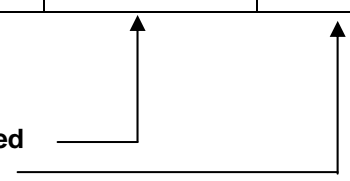
This policy is implemented in conjunction with the following table:

No.	Question	Pass	Fail
1.	Are all proposed lots able to be accessed via a constructed government road?	Yes	No
2.	Does the property have adequate drainage	Yes	No
3.	Is there any detrimental effect to the use and development of other property?	No	Yes
4.	Will any detriment result from the subdivision for sewerage / domestic waster water treatment?	No	Yes
5.	Where applicable, does the proposal provide an acceptable interface to allow the subdivision to integrate into Councils drainage catchment system and preferred road network?	Yes	No
6.	Is the provision and maintenance of the proposed drainage system acceptable to Council?	Yes	No
7.	Is Council's liability adversely affected and are there any major risk implications to other property?	No	Yes
8.	Are any Council policy objectives compromised by the proposal?	No	Yes
9.	Are there any other detrimental affects? Details _____ _____	No	Yes

PASS/FAIL

Pass = Pass on all questions – Approval recommended

Fail = Fail on any item – Approval not recommended



Mandatory Permit Note:

The following permit note is to be included on any planning permits issued for subdivision:

The provision of new or upgraded stormwater infrastructure is subject to council approval via its annual budget and inclusion in its capital works program. The approval of any individual subdivision's stormwater system under this policy does not commit council to the provision of any new or upgraded stormwater infrastructure.

Signed : _____

Date : / / 2009

Chief Executive Officer

APPENDIX B:

Traralgon West Low Density Residential Precinct

**Interim Infrastructure Development
Procedure**

Background Report

(Version 1.3 - February 2009)



1. Introduction:

This report provides a summation of the key infrastructure and development issues emerging within the Traralgon West Low Density Residential Zone (LDRZ), outlining key actions Latrobe City Council will undertake in response to these issues. In particular, the report provides the strategic justification in support of Council's adoption of an *Interim Infrastructure Development Procedure* for the Traralgon LDRZ precinct pending resolution of the issues identified by this report.

The report outlines the process by which planning permit applications for the subdivision of land within the Traralgon LDRZ precinct will be considered by Council, while detailing necessary steps to enable the coordination and equitable provision of agreed road and stormwater infrastructure services in the future. Further, this report outlines the process by which future opportunities for medium density residential development within the Traralgon LDRZ precinct will be resolved.

2. Site Description & Location:

The site consists of approximately 179 hectares of land to the West of Traralgon. The land extends from the Princes Highway in the south, to Traralgon West Road in the north. The land is currently zoned LDRZ and adjoins the existing Traralgon R1Z area to the east and Rural Living Zone 3 to the north and west.

Figure 2.1 Traralgon LDRZ Precinct Development & Context Plan:

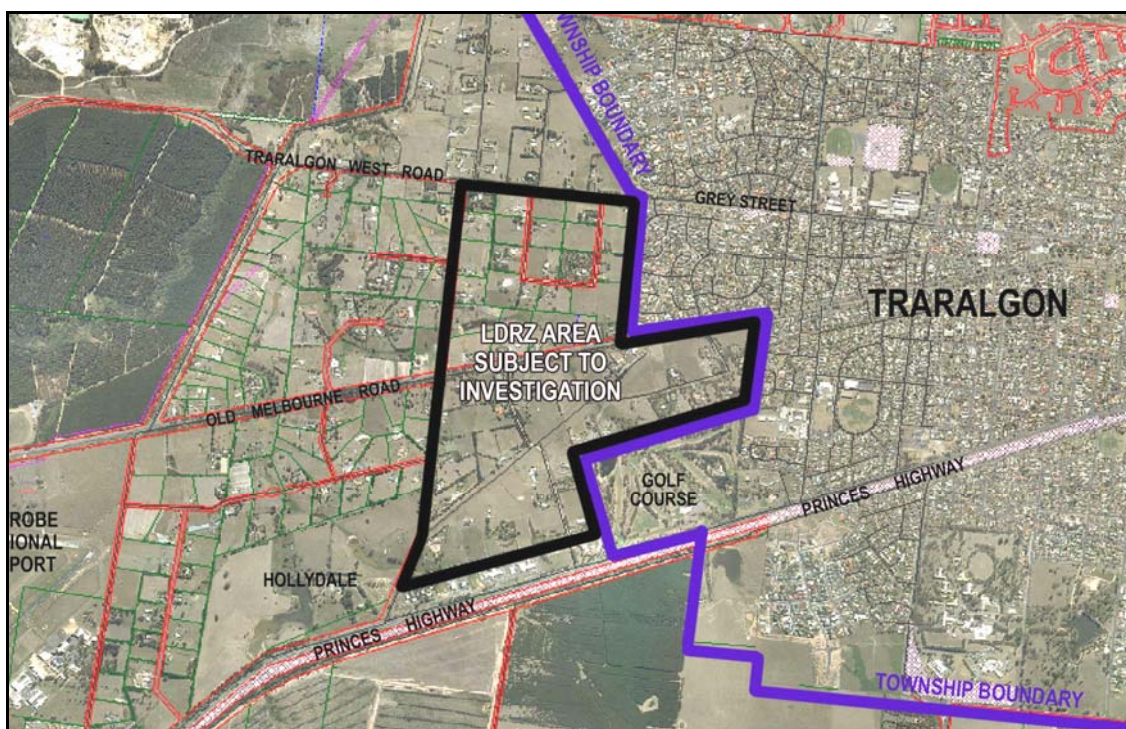
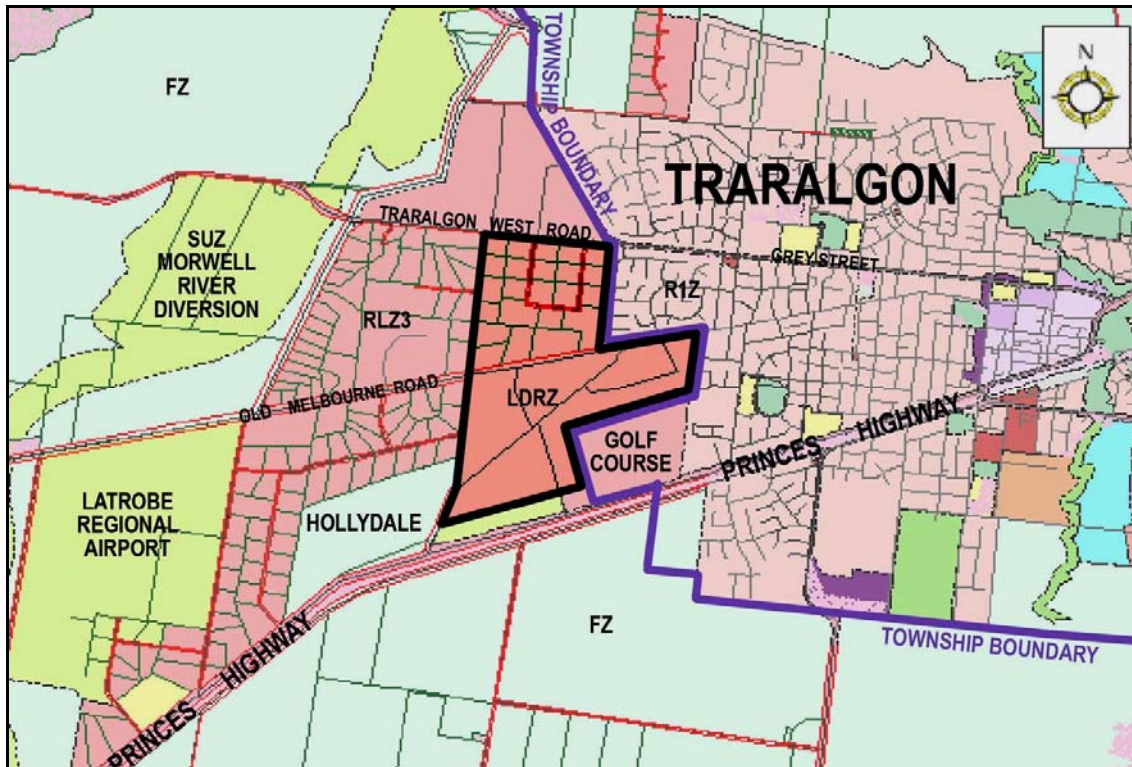


Figure 2.2 Traralgon LDRZ Precinct Zone & Context Plan:



3. Background:

3.1. Provision of Agreed Road and Stormwater Infrastructure Services:

Amendment C7 to the Latrobe Planning Scheme was approved in September 2004, based on recommendations from the Latrobe Rural Living Study, completed 2002. The amendment rezoned the subject land from Rural Living Zone (RLZ) to LDRZ, allowing lot sizes of 1 acre or greater. The average size of lots prior to the rezoning was approximately 8 acres, with approximately 40 new lots since created following the transition to LDRZ.

Unfortunately no supporting planning controls or agreed infrastructure standards accompanied the amendment to assist the coordination and funding of essential infrastructure services at this time (i.e. preferred road network orientation, appropriate stormwater infrastructure requirements and the coordination of landowner contributions for the provision of essential infrastructure).

In 2006 Earth Tech consultants were engaged by Council to assess flooding and drainage issues at which time the Traralgon West Drainage Study – Concept Development Plan was produced. The study recommended upgrades to existing stormwater infrastructure, to be funded progressively via proportional landholder contributions as land is subdivided. However, the potential detriment to downstream landholders resulting from increased stormwater volumes were not adequately addressed by this plan therefore it was not adopted by Council. This is of primary concern to Council as further subdivision and developments within the LDRZ precinct are likely to exacerbate the risk of stormwater flooding to downstream properties in the absence of appropriate stormwater retention and detention measures being designed and constructed. The preferred location and cost of such works have yet to be resolved.

Two draft development plans (DP's) identifying the preferred location of road networks were also prepared by Earth Tech during 2006, one showing a possible combination of high & low density residential zoning (i.e. R1Z & LDRZ) and the other, showing low density development (LDRZ) being retained. The aim of the DP's was to ensure:

'coordinated approach to development of the area by individual landowners, ensuring issues such as drainage, road construction requirements and open space requirements are distributed fairly and equitably.'

In late 2006 Council requested SM Urban to cease work on the completion of the draft plans, due to areas within the LDRZ precinct being considered for medium density residential development during the preparation of the Traralgon Structure Plan, Corridor Structure Plan & pending resolution of the location of the Traralgon By-pass route.

3.2. Opportunities for Medium Density Residential Development:

State Planning Policy Framework (Clause 14.01-2) requires that *'planning authorities should plan to accommodate projected population growth over at least a 10 year period, taking account of opportunities for redevelopment and intensification of existing urban areas...'*

Following the decision of the Traralgon By-pass Supplementary Inquiry July 2007, Traralgon's long term residential land supply is now significantly constrained, with the panel concluding that:

- *"there is an immediate need for additional land to be zoned and made available for residential development in Traralgon; and that,*
- *Traralgon does not have significant capacity to accommodate long term residential development."*

Given the above, the need to consider opportunities for future medium density residential development opportunities within the Traralgon LDRZ precinct has become a necessity, with a review to identify such opportunities commencing during 2009.

A significant portion of the Traralgon LDRZ precinct has been identified for medium density residential development by the Council's adopted Traralgon Structure Plan (Beca 2007). Public exhibition of the Traralgon Structure Plan was completed 12 December 2008 as part of the revised Municipal Strategic Statement. The exhibited MSS also includes actions and strategies directing Council to engage landholders for the preparation of development plan overlays for this area. Recent subdivision approvals within the Traralgon LDRZ have however significantly jeopardised medium density residential development opportunities.

It is noted that the resolution of medium density residential opportunities for remaining areas within the LDRZ precinct will be resolved during the completion of the Traralgon Growth Areas review to be completed during 2009. The outcomes of this study will influence the determination of appropriate road and stormwater infrastructure services to be provided for both existing and future developments.

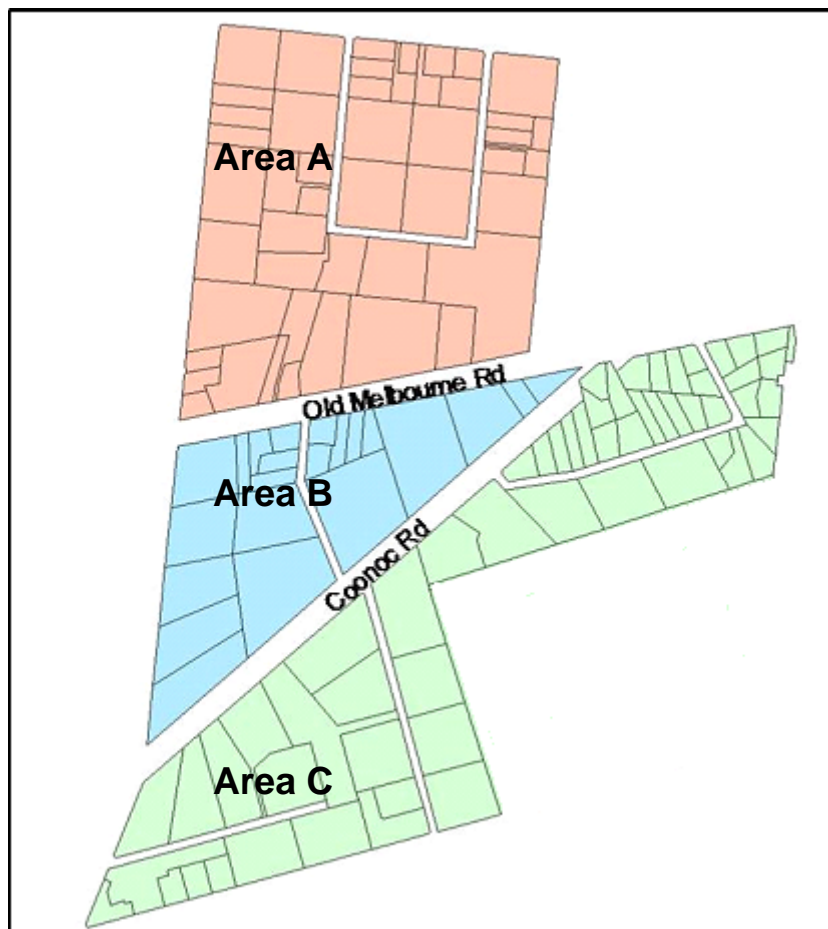
4. Recent Subdivision:

The following table lists subdivisions within the LDRZ Precinct which have occurred over the past 5 year period.

Subdivision Applications Received from 2003

Area	Application No.	No. of Lots	Status
Area A - North of Old Melbourne Road	2008/79	4	Approved
	2008/265	5	Pending
	2006/390	3	Approved
	2005/021	3	Approved
	2005/061	2	Approved
	2005/209	5	Extension of time granted 2008.
	2005/423	3	Approved
	2004/418	5	Approved
Area B – North of Coopers Road & South of Old Melbourne Road	2008/400	3	Pending
	2005/118	5	Approved
Area C – South of Coopers Road	2006/108	5	Approved
	2006/109	5	Approved
	2006/416	5	Approved
	2004/009	2	Approved
	2004/414	4	Approved

Figure 4.1. - Emerging Subdivision Pattern since 2003



5. Issues Summary:

- The provision of stormwater drainage and road infrastructure within the Traralgon LDRZ precinct is problematic, largely due to the absence of agreed infrastructure standards for either low density or medium density residential development. Further the sequencing and framework for the equitable distribution of infrastructure contributions from landholders have yet to be adequately resolved or identified in Council's capital works program. This may place Council with additional risks associated with providing capital for essential infrastructure works 'up-front', while placing significant financial constraints on single development proposals where the distribution of costs have yet to be determined.
- Increased stormwater volumes from the Traralgon LDRZ precinct may result in detriment to downstream landholders. Due to the limited capacity and extent of Council's piped drainage infrastructure within and around the Traralgon LDRZ precinct, the only current means of allowing development to continue whilst maintaining drainage integrity is by the provision of drainage retention or retardation systems. The preparation, design and timing of construction of such systems to service the precinct is yet to be resolved by Council's Project Services team.

- The continuation of low density residential subdivision, in the absence of adequate planning controls, will continue to jeopardise the long term higher density residential development potential of the Traralgon LDRZ precinct, particularly locations presently identified by the Traralgon Structure Plan for medium density residential development.

6. Statutory Powers & Provisions:

Pursuant Section 60 (1A) of the *Planning & Environment Act 1987*, before deciding on an application, the responsible authority, if the circumstances appear to so require, may consider the following provisions:

*“(a) any significant social and economic effects of the use or development for which the application is made; and
(g) any other strategic plan, policy statement, code or guideline which has been adopted by a Minister, government department, public authority or municipal council; or
(j) any other matter. “*

It is in accordance with the above provisions of the Act under which Council will consider the approval of future subdivision applications, with the adoption of an *Interim Infrastructure Development Procedure* (or guideline) included as an appendix to this report.

In addition, the Decision Guidelines provided by the Latrobe Planning Scheme at Clause 32.03-3 and Clause 65 will provide additional guidance for the assessment of subdivision applications within the Traralgon LDRZ precinct.

7. Purpose of Interim Infrastructure Development Procedure:

The purpose of the Traralgon West Interim Infrastructure Development Policy is to ensure that appropriate consideration is given to the provision of road and stormwater infrastructure when assessing applications for further subdivision of land within the Traralgon Low Density Residential Zone precinct as of the 28 February 2008. The policy will apply pending Council resolution of:

- potential detriment to downstream landholders resulting from increased stormwater volumes;
- agreed road and stormwater infrastructure services to be provided for the precinct;
- establishment of an appropriate framework to assure the equitable distribution and sequencing of landowner financial contributions to agreed road and stormwater infrastructure services by the preparation and adoption of a Development Plan Overlay and Development Contributions Plan Overlay within the Latrobe Planning Scheme.

8. Next Steps:

Latrobe City Council will undertake the following steps to enable the coordination and equitable provision of agreed road and stormwater infrastructure services within the Traralgon LDRZ precinct, while mitigating potential detriment to downstream landowners. The following steps will be undertaken pending the resolution of future medium density residential development opportunities within the Traralgon LDRZ precinct.

(Note: identified timelines are indicative only)

ACTION	TIMELINE
10. Implement the <i>Interim Infrastructure Development & Policy</i> to prevent inappropriate subdivision occurring within the Traralgon LDRZ precinct.	March 2009 (Expire March 2011)
11. Commence Traralgon Growth Areas Study to determine the need for this precinct (or parts thereof) to provide for medium density residential development.	March 2009
12. Commence preparation of a stormwater management plan for the provision of necessary stormwater infrastructure and the mitigation of potential detriment to adjoining areas resulting from increased stormwater volumes.	July 2009
13. Commence preparation of a Development Plan Overlay and Development Contributions Plan Overlay for inclusion within the Latrobe Planning Scheme, detailing preferred road networks, stormwater infrastructure, open space requirements and other essential services to facilitate further subdivision and development.	September 2009 (Completion of DPO & DCPO March 2011)

GOVERNANCE

11.6.1 CONTRACT DECISIONS FROM 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 16 February 2009:

ITEM NO 14.5 INVITATION TO TENDER 12556
 Supply and delivery of one (1) 4WD articulated tool carrier with front end loader

Recommendation

1. That Council accepts the tender submitted by William Adams Pty Ltd for invitation to tender 12556 supply and delivery of one (1) 4wd articulated tool carrier with a front end loader for the lump sum of \$142,600.00 exclusive of GST, as this tender provides the best value for money outcome 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 William Adams Pty Ltd resulting from invitation to tender 12556 supply and delivery of one (1) 4wd articulated tool carrier with a front end loader.

The following is a summary of contracts awarded by the Chief Executive Officer under delegation on 7 January 2009:

INVITATION TO TENDER 12577
 Reconstruction of Fleming Street, Morwell

Recommendation

1. That tender submitted by QR Constructions (Gippsland) Pty Ltd for invitation to tender 12577 Reconstruction of Fleming Street, Morwell, for the sum of \$178,874.50 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 contract signed and sealed by the Chief Executive Officer under delegation on 12 February 2009

CONTRACT NO	DESCRIPTION	CONTRACTOR	DATE AWARDED BY CEO	DATE AWARDED BY COUNCIL
12587	Reconstruction of Fleming Street, Morwell	Q.R Construction (Gippsland) Pty Ltd	7/01/2009	Not applicable

The following is a summary of contract variations approved by the Chief Executive Officer under delegation on 17 February 2009:

CONTRACT NO	DESCRIPTION	CONTRACTOR	ORIGINAL CONTRACT AMOUNT	PREVIOUS VARIATION AMOUNT	VARIATION AMOUNT	ADJUSTED CONTRACT AMOUNT
12452	Churchill and District Intergenerational Hub	Parnall Constructions	\$3,567,431.00		\$580,627.79	\$4,148,058.79

The following is a summary of contract variations approved by the Chief Executive Officer under delegation on 24 February 2009

CONTRACT NO	DESCRIPTION	CONTRACTOR	ORIGINAL CONTRACT AMOUNT	PREVIOUS VARIATION AMOUNT	VARIATION AMOUNT	ADJUSTED CONTRACT AMOUNT
12272	Resealing of Municipal roads within Latrobe City	Boral Asphalt	\$1,941,698.63		\$84,535.07	\$2,056,175.29

RECOMMENDATION

That Council notes this report on the contract decision from the Council Meeting held on 16 February 2009 and by the Chief Executive Officer under delegation on 7 January 2009, 12 February 2009, 17 February 2009 and 24 February 2009.

Moved: Cr Lougheed
Seconded: Cr Vermeulen

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

11.6.2 DOCUMENTS PRESENTED FOR SIGNING AND SEALING

AUTHOR: General Manager Governance
(ATTACHMENT - NO)

	Transfer of Land from Gregor Leslie Campbell and Peter Ernest Campbell as Transferor to Latrobe City Council as Transferee for the land described in Certificates of Title Volume 9491 Folios 335 and 336, for Consideration of \$1.
PP2007/331	Section 173 Agreement pursuant to the Planning and Environment Act 1987 between Latrobe City Council and Mark Domenico Faziolo as the owner of the land described in Certificates of Title Volume 10995 Folio 021 and Volume 10995 Folio 022 pursuant to Planning Permit 2007/331 dated 22 January 2008 for a Two Lot Re-Subdivision and to ensure that the land may not be further subdivided.
PP2008/301	Section 173 Agreement pursuant to the Planning and Environment Act 1987 between Latrobe City Council and Ian Roger Davey and Wilma Mackie Davey as the owners of the land described in Certificates of Title Volume 10277 Folio 414 and Volume 9916 Folio 735 pursuant to Planning Permit 2008/301 dated 14 November 2008 for a Two Lot Subdivision and to ensure that: <ul style="list-style-type: none"> a) the land may not be further subdivided; b) the boundaries of proposed Lot 2 must not be further realigned; and c) restrictions on proposed Lot 2.

RECOMMENDATION

1. That Council authorises the Chief Executive Officer to sign and seal the Transfer of Land from Gregor Leslie Campbell and Peter Ernest Campbell as Transferor to Latrobe City Council as Transferee for the land described in Certificates of Title Volume 9491 Folios 335 and 336, for Consideration of \$1.
2. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement pursuant to the Planning and Environment Act 1987 between Latrobe City Council and Mark Domenico Faziolo as the owner of the land described in Certificates of Title Volume 10995 Folio 021 and Volume 10995 Folio 022 pursuant to Planning Permit 2007/331 dated 22 January 2008 for a Two Lot Re-Subdivision and to ensure that the land may not be further subdivided.

3. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement pursuant to the Planning and Environment Act 1987 between Latrobe City Council and Ian Roger Davey and Wilma Mackie Davey as the owners of the land described in Certificates of Title Volume 10277 Folio 414 and Volume 9916 Folio 735 pursuant to Planning Permit 2008/301 dated 14 November 2008 for a Two Lot Subdivision and to ensure that:
- a) the land may not be further subdivided;
 - b) the boundaries of proposed Lot 2 must not be further realigned; and
 - c) restrictions on proposed Lot 2.

Moved: Cr Lougheed

Seconded: Cr O'Callaghan

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

13. TEA BREAK

Adjournment of Meeting

The Mayor adjourned the Meeting at 8.10 pm for a tea break.

Resumption of Meeting

The Mayor resumed the Meeting at 8.28 pm.

Meeting Closed to the Public

The Meeting closed to the public at 8.29 pm.