



# LATROBE CITY COUNCIL

## MINUTES OF ORDINARY COUNCIL MEETING

HELD IN THE  
NAMBUR WARIGA MEETING ROOM,  
CORPORATE HEADQUARTERS, MORWELL  
AT 7:00 PM ON 20 APRIL 2009

**PRESENT:**

*Cr Lisa Price, Mayor - Farley Ward*  
*Cr Kellie O'Callaghan, Deputy Mayor - Burnet Ward*  
*Cr Rohan Fitzgerald - Dunbar Ward*  
*Cr Sharon Gibson - Merton Ward*  
*Cr Sandy Kam - Galbraith Ward*  
*Cr Bruce Lougheed - Tanjil Ward*  
*Cr Graeme Middlemiss - Rintoull Ward*  
*Cr Ed Vermeulen - Gonyah Ward*  
*Cr Darrell White - Firmin Ward*  
*Paul Buckley, Chief Executive Officer*  
*Seona Conway, General Manager Organisational Excellence*  
*Michael Edgar, General Manager Community Liveability*  
*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*

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## **CLOSED**

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## **1. Opening Prayer**

The Opening Prayer was read by the Mayor.

## **Recognition of Traditional Landholders**

The Recognition of Traditional Landholders was read by the Mayor.

## **2. Apologies for Absence**

There were no apologies.

## **3. Declaration of Interests**

**Cr Kam declared a direct interest in Item 7.3 – Petition – realignment of kerb and channel in Hazelwood Road, Traralgon.**

**Cr White declared a direct interest in Item 11.3.2 – consideration of submissions Latrobe Planning Scheme Amendment C63 Morwell Bowling Club.**

## **4. Adoption of Minutes**

**Moved: Cr Lougheed**

**Seconded: Cr Middlemiss**

**That the Minutes of the Ordinary Council Meeting, relating to those items discussed in open Council, held on 6 April 2009 (CM 289) be adopted.**

**CARRIED UNANIMOUSLY**

# **PUBLIC QUESTION TIME**

**5.1 INQUIRY INTO LATROBE CITY AIRPORT**

Mr Bill Barber asked the following question:

**Question**

As one of a few people who has taken the time to provide a written submission and spoken with the Consultants at the airport today, will those who provided this public service receive a copy of the consultant's recommendations?

Given that the CEO was on television, radio and the print media last week, indicating commuter flights were out of the question. Also his recommendation that the best alternative to supply hangers and accommodation for visiting yuppies, is the best we can expect, or is this consultation process tantamount to smokescreen? Given the above information, has the CEO as Chair of the Board and his position in Council has already made up their minds as to the future direction of the airport?

How about alternatives that could bring business to Latrobe Valley and provide employment be considered, given an extensive marketing analyse program along these lines was undertaken some four years ago?

**Answer**

The Chief Executive Officer paraphrased the question and responded that the Airport Masterplan would be presented to Council when completed, including the consultants recommendations.

**5.2 EASTERN END OF SHAKESPEARE STREET AND THE OLD HYLAND HIGHWAY**

Mr Bill Barber asked the following question:

**Question**

Will Council officers please urgently visit the intersection of the Old Hyland Highway and Shakespeare Street in the vicinity of McNairn Road?

The Shakespeare Road extension and the Old Hyland Highway is dangerous and needs urgent roadway maintenance and realignment. While the slip road in close proximity to this intersection has recently been re-sheeted, the area mentioned has poor road service, cyclists have come to grief and vehicle accidents have occurred.

It is suggested that the old part of Hyland Highway where it bends to the right, should now be dug up. Access and egress to the area to the south is usually accessed by entering the Murphy Street intersection with an immediate left turn into Stuart Street. The road barrier at the intersection of the Old Hyland Highway and Shakespeare Street can be eliminated. The existing barrier can then be eliminated and extending, without hindrance, Shakespeare Street direct to McNairn Road. Access to the final hundred metres of the old highway is still accessible by turning south onto McNairn Road and using existing roads.

I am surprised this area has not been any consideration and action given it is a boundary between two Councillor's wards, and is used by light, medium and heavy transport using McNairn Road, from the highway and this section of road, in order to travel west along Shakespeare Street to the round-about and turning south at Traralgon Creek Road, now part of the new Hyland Highway.

**Answer**

The Chief Executive Officer paraphrased the question and responded that Council officers would inspect the intersection and undertake any necessary works in accordance with the Road Management Plan.

**5.3 SKATE BMX PARK**

Mr Albert D'Urbano asked the following questions:

**Question**

Has the location for the regional park been decided?

What will happen to Morwell Park once it's removed?

**Answer**

The Chief Executive Officer paraphrased the questions and responded:

Question 1: No, the regional location has not been determined;

Question 2: A new location for the Morwell Skatepark will be identified and plans for the relocation of the facility made.



**5.4 SKATE / BMX DRAFT – WRITTEN STATEMENT**

Mr Ben Huke lodged a written statement:

**Question**

Mayor Lisa Price, Latrobe City Councillors, Council officers, ladies and gentlemen.

My name is Ben Huke and on behalf of the Latrobe City Youth Council, I would like to speak to the draft skate and BMX plan for 2009 which has been put forward for adoption as part of this Council Meeting Agenda.

The Latrobe City Youth Council was invited by Council officers to provide input and feedback on the draft plan. In developing our submission, youth councillors informally surveyed a broad range of young people from local schools and community groups across Latrobe City. The responses were collated and discussed by Youth Council before our submission was compiled. Tonight, we wish to note our endorsement of the overall plan and briefly highlight a couple of points specifically relating to our feedback.

As a group, we have discussed the necessity of better recreational facilities for local youth across Latrobe City. We think this plan will help address this ongoing issue and provide new opportunities for young people, particularly in smaller towns with limited entertainment and recreational facilities.

We would like to emphasise our support for a regional skate and BMX facility in Latrobe City. We believe there would be considerable benefit to the whole community for Council to invest in a high quality centralised regional skate and BMX park, perhaps in Morwell. The Warragul skate park is seen by local youth as the benchmark in Gippsland and local youth believe there should be a park of this standard in Latrobe City.

With a high quality and well maintained skate and BMX park, there would be considerable interest from youth across the Latrobe Valley and the potential to attract well known skaters, to local skate events. A best-practice and high quality regional park would also generate an opportunity to hold competitions attracting competitors from across Victoria.

As a Youth Council, we also would like to affirm the proposed development of skate / BMX facilities in the smaller towns of Yinnar, Glengarry and Boolarra. These are small townships which require investment to boost the number and quality of recreational facilities available for local youth. We believe the implementation of this plan may also result in additional future community events which will boost the contributions of local youth in community activities and potentially simulate economic activity in small town localities.

Overall, the Latrobe City Youth Council endorses the proposed plan and would welcome the opportunity to provide further input as the plan is implemented over the next two years.

**Answer**

The Chief Executive Officer responded that the Latrobe City Youth Council would be consulted through the implementation of the plan.

**5.5 LAND SALE**

Mr Gary Ryan asked the following question:

**Question**

Lot 21 Rocla Road may be for sale soon. I have the land and business next door, it is very important for me and my employees that I try my best to buy this 1 acre block for by business future, as I need to expand and create more jobs in the near future.

**Answer**

The Chief Executive Officer paraphrased the question and responded that the land is considered surplus to Council requirements and the statutory process to sell the land would commence.

**5.6 SKATEPARK**

Ms Judy Lipman asked the following question:

**Question**

What can the Yallourn North youth do to hasten the establishment of a skatepark in the community?

**Answer**

The Chief Executive Officer paraphrased the question and responded that the he was not sure how the youth of Yallourn North might hasten the establishment of a skatepark in their community, but would be please if representatives of the group would contact Council to discuss planning for the project.

# **ITEMS REFERRED BY THE COUNCIL**

**7.1 FINANCIAL IMPACT ON COUNCIL OFFERING ASSISTANCE TO RESIDENTS IMPACTED TO A MAJOR OR MODERATE DEGREE BY THE 2009 BUSHFIRES.**

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

**1. PURPOSE**

The purpose of this report is to provide Council with a status report in relation to the additional financial implications for Council offering assistance to residents that have had a major or moderate impact from the recent bushfires.

**2. POLICY IMPLICATIONS**

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

*Latrobe 2021 and Council Plan 2008-2012*

*Strategic Objective – Governance*

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

*Community Outcome – Democratic Governance*

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

*Community Outcome – Legislative Compliance*

By ensuring adherence to legislative requirements.

*Strategic Action – Democratic Governance*

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

*Strategic Action – Legislative Compliance*

Continue to administer sound financial management practice.

*Relevant Legislation**Valuation of Land Act 1960 Section 13DF*

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

*Local Government Act 1989: Section 171*

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

**3. BACKGROUND**

Council resolved at the Ordinary Council Meeting held on 6 April 2009.

1. *That Council notes the assistance provided to those residents directly impacted by the January/February 2009 bushfires within the municipality being provided by Latrobe City Council.*
2. *That Council authorises the waiving of general rates and the municipal charge for the remainder of the 2008/09 financial year and the 2009/10 financial year for those property owners severely impacted by the bushfires in the municipality "in accordance with the Gippsland Emergency Relief Fund Eligibility Criteria" where the principle place of residence has been destroyed.*
3. *That Council offers residents severely impacted by the January/February 2009 bushfires "in accordance with the Gippsland Emergency Relief Fund Eligibility Criteria" a 12 month Latrobe Leisure "Gold Pass".*
4. *That a further report be presented to Council on 20 April 2009 outlining the financial impact of providing similar relief to those properties suffering major or moderate damage and also any farms impacted.*

This report is in response to recommendation 4 of the Ordinary Council Meeting dated 6 April, 2009.

#### 4. ISSUES

##### *Bushfire Recovery Assistance*

In response to the impact of the fires, a range of measures have been put into place by Latrobe City Council to assist directly impacted residents.

These measures include:

- Waiving of planning fees for those who have lost their homes and outbuildings until December 2010.
- A commitment to expedite the planning permit assessment process where possible including working closely with the CFA planning department and Department of Planning and Community Development as well as any applicable referral authorities.
- Locating house plans within Latrobe City Council files and archives and copying these free of charge.
- Waiving of any fees associated with Council building services (such as document searches, report and consent).
- Rapid inspection and advice regarding the condition of septic tank systems and water tanks.
- Providing the services of qualified arborists to assess the suitability of native vegetation to be removed due to fire damage, together with the assessment of trees within private property that may pose a safety risk.
- The establishment of a burial site for the disposal of dead stock. Arrangements have also been made for the collection of dead stock from fire affected properties.
- Disposal of general and hard waste from fire affected properties at Council transfer stations free of charge.
- Replacement of household garbage collection bins free of charge.
- Provision and removal of hook-lift bins on site to dispose of scrap steel.
- The establishment of specific sites at former local landfills for the disposal of burnt vegetation.

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

- Coordinating four Recovery/Relief Centres- Boolarra, Churchill, Traralgon and Traralgon South.



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

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

#### *Eligibility Criteria*

The eligibility criteria utilised is in accordance with the Gippsland Emergency Relief Fund. The fund assesses the impact on the resident and has established the following criteria.

- Severe impact: Premises uninhabitable for extended period (more than 1 month); premises destroyed or major structural repairs required.
- Major impact: Premises uninhabitable for interim period (estimated >1 week to < 1 month, moderate repairs required (such as replacing floor coverings or cupboards); access roads affected; utilities impacted.

- Moderate impact: Premises impacted internally or externally. Includes disabling services such as septic tank damage and access problems for brief period (usually < 1 week). Includes significant damage to outbuildings, garages, sheds, equipment.
- Minor impact: Premises impacted mostly externally with no residual effects (e.g. water up to floor boards, saturated land area or contents of outbuildings wet but repairable; some damage to outbuildings. Access to property may have been affected and emergency relief accommodation required.

The table below represents the preliminary data of the impact on the municipality in accordance with the Gippsland Emergency Relief Fund Criteria.

<b><i>Impact Rating</i></b>	<b><i>Number Issued to date</i></b>
Severe	180
Major	52
Moderate	35
Minor	39

*Note: The table is currently being finalised by on-ground assessment teams and is planned to be completed by 31 May, 2009.*

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

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

The assessment process of the major, moderate and minor categories and farms is being conducted by the appropriate authorities.

As such a financial analysis is not possible at this stage. The assessment process is planned to be concluded by 31 May, 2009. This will enable a further report to be presented to Council at the Ordinary Council Meeting on June 15, 2009.

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

*Details of Consultation:*

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

## 7. OPTIONS

Council has the following options available.

1. Await the conclusion of the assessment process, complete a detailed financial assessment and consider the impact on Council resources.
2. Utilise the initial, unconfirmed information derived by the rapid assessment team and develop a financial impact assessment based on that information.

## 8. CONCLUSION

The recent bushfires have had a devastating impact on the residents of Latrobe City. Council has previously approved a range of assistance measures for residents severely impacted by bushfires. The assessments are currently being conducted on the residents that have experienced a major or moderate impact by the bushfires.

## 9. RECOMMENDATION

**That a report outlining the financial impact on Council of waiving general rates and the municipal charge for the 2009/10 financial year for those property owners that have experienced a “major or moderate impact” by the bushfires in the municipality “in accordance with the Gippsland Emergency Relief Fund Eligibility Criteria” where the principle place of residence has been impacted, be presented to the Ordinary Council Meeting on 15 June, 2009.**

**Moved:** Cr White

**Seconded:** Cr Gibson

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

**Suspension of Standing Orders**

**Moved:** Cr Lougheed

**Seconded:** Cr Gibson

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

**CARRIED UNANIMOUSLY**

Standing Orders were suspended at 7.10 pm

Mr Colin Hower, addressed Council in relation to Item 7.2 – Petition - construction of a footpath along Maryvale Road, Morwell.

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

**Resumption of Standing Orders**

**Moved:** Cr Lougheed

**Seconded:** Cr Middlemiss

**That Standing Orders be resumed.**

**CARRIED UNANIMOUSLY**

Standing Orders were resumed at 7.13 pm

## **7.2 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 provide Council with the results of an investigation in relation to the petition requesting the construction a footpath and bicycle track 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 taking into account expected usage, demonstrated need, links to community facilities and willingness to participate in a Special Charge Scheme.

### 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.

The petition was presented to the 16 March 2008 Ordinary Meeting and the following resolution was adopted by Council:

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.*

### 4. **ISSUES**

Heritage Manor Aged Care facility opened in 2008. There is currently no footpath linking the aged care facility 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. The petition also requests an extension of the bicycle track between Horsefall Street and the entrance to Heritage Manor.

There is an existing on-road bicycle lane along both sides of Maryvale Road and on the west side the lane ends just to the south of the entrance to Heritage Manor. It is considered in the best interests of the residents of Heritage Manor not to encourage motorised scooter use of this bicycle lane.

The nearest footpath is located on the fringe of the existing residential development at Ashley Av, a distance of 185 metres south of the hostel. This path links to other roads in the Heritage Manor Estate via Skeldale Wynd and Heritage Boulevard.

The petition calls for the construction of a footpath along Maryvale Road from the aged care facility to Horsefall Street, a distance of approximately 500 metres. A footpath is currently provided between Horsefall Street and Heritage Boulevard. The distance from Heritage Boulevard to Heritage Manor is 455 metres.

The petition has the support from the owners of the aged care facility and they too have expressed concern about the elderly residents crossing the relatively busy Maryvale Road with walking aids and motorised wheel chairs to access the existing footpath along the eastern side of the road.

Under the terms of the policy CMD-014 Construction of New Footpaths in Residential Areas, Council may wish to consider the preparation of a Special Charge Scheme and charge abutting property owners a contribution towards the cost of the construction of a footpath. Most of the residential properties between Ashley Avenue and Heritage Boulevard back on to Maryvale Road and would not have direct access to the path. Therefore it may be difficult to justify a contribution from these property owners who already have a footpath along the frontage of their properties.

The owners of Heritage Manor have indicated they are not willing to contribute to the cost of the path and have also suggested the provision of a pedestrian crossing (signalised or zebra crossing) to provide for residents to cross Maryvale Road. It would be very difficult to justify the provision of such a crossing given the low numbers that would use it. A crossing of this type would also require the approval of VicRoads.

The estimated cost of the path between the aged care facility and Ashley Av is \$25,000 and the substantially longer path from the aged care facility to Heritage Boulevard is \$63,000.

There has previously been a request from a resident in Skeldale Wynd for Council to provide a footpath along the western side of Maryvale Road to connect to the existing footpath network within the estate between Ashley Avenue and Heritage Boulevard.

Given that there is already a footpath along the eastern side of Maryvale Road it would be difficult to give a high priority for the construction of a new path all the way from Heritage Manor to Heritage Boulevard.

In terms of the request from the residents of the aged care facility it would appear to be reasonable for a path to be provided along the shorter section of Maryvale Road between Heritage Manor to link with the existing footpath network commencing at Ashley Avenue. The residents of the aged care facility would then have access to the paths along Skeldale Wynd and Heritage Boulevard.

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

The estimated cost to provide a new pathway between Heritage Manor and Ashley Avenue is \$25,000. The cost to provide a new path between Heritage Manor and Heritage Boulevard is \$63,000. If Council agrees to provide a new footpath it will be necessary to refer the project to a future capital works program.

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

*Engagement Method Used:*

Direct contact with the manager of Heritage Manor Aged Care facility.

*Details of Community Consultation / Results of Engagement:*

The management of Heritage Manor Aged Care Facility support the petition due to concerns about the elderly residents needing to cross Maryvale Road to access an existing footpath for recreational purposes.

## **7. OPTIONS**

The following options are available for Council to consider:

- Agree to construct a footpath between Heritage Manor Aged Care facility and Heritage Boulevard and refer the estimated cost to the draft capital works programs for funding consideration.
- Agree to construct a footpath between Heritage Manor Aged Care facility and Ashley Avenue and refer the estimated cost to the draft capital works programs for funding consideration.
- Take no further action



**8. CONCLUSION**

The Heritage Manor Aged Care facility is relatively new to this area of Morwell. The residents have identified a need to access footpaths around the existing residential areas for recreational purposes.

The proposal to construct a shorter path connecting to Ashley Avenue is an alternative that is expected to meet the needs of the aged care residents to safely access existing footpaths in the nearby residential areas.

**9. RECOMMENDATION**

- 1. That Council refers the estimated cost of \$25,000 to the draft capital works program for future consideration for the construction of a concrete footpath along the west side of Maryvale Road, Morwell from the Heritage Manor Aged Care facility to Ashley Avenue.**
- 2. That the head petitioner Mr C. Hower, be advised of Council's decision in relation to the provision of a footpath from Heritage Manor Aged Care facility to Ashley Avenue to the draft capital works program for future funding consideration.**

**Moved:** Cr Lougheed

**Seconded:** Cr Middlemiss

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

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**7.3** **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 provide Council with the results of an investigation in relation to a petition requesting Council to realign of a section of kerb and channel on the eastern side of Hazelwood Road, Traralgon adjacent to 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.

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 for 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",
- Austroads "Guide to Traffic Engineering Practice, and
- VicRoads "Traffic Engineering Manual"

### 3. BACKGROUND

Latrobe City Council received a petition on 19 January 2009 with 28 signatures representing 14 properties in Myrtle Crescent, Traralgon (off Poplar Avenue). 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 petitioners claim that the kerb extension is dangerous for vehicles and cyclists travelling along Hazelwood Road in a southerly direction.

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 both sides of Hazelwood Road between Bank Street and the end of the existing residential area in order to provide protection for cyclists.

The kerb extensions associated with these bicycle lanes along Hazelwood Road were constructed in accordance with Austroads "Guide to Traffic Engineering Practice part 14". The guidelines state that *"the use of ... kerbed projections, in association with bicycle lane facilities, is recognised as extremely important. Raised treatments are appropriate for bicycle/car parking lanes. Experience has shown that motor traffic will regularly drive in the area of bicycle lanes in the absence of these treatments, which could be hazardous for cyclists."*

The guidelines provides schematic examples of treatments and depict the exact situation at Hazelwood Road/Poplar Avenue intersection with a kerb extension shown opposite the intersecting road (Poplar Avenue) along with the note *"Kerbed projection to avoid through traffic diverting into the bicycle lane, around vehicles waiting to turn right at junction"*.

Hazelwood Road is an Arterial Road managed by VicRoads and therefore the matter was referred to VicRoads for comment.

A VicRoads officer recently met with Latrobe City Council officers on site and has offered the following advice:

A planning permit application has been lodged with Council for the residential development of lands (Hobsons Park) along the east side of Hazelwood Road. As part of the planning permit referral process VicRoads have requested the developer to provide a traffic impact assessment report for the surrounding road network. It is expected this report will address a proposed new road intersection in close proximity to the intersection that is the subject of this report. The cost of any required works at this location would be the responsibility of the developer.

In the meantime additional signage will be installed by VicRoads to clearly advise motorists of the existence of the bike lane at the intersection. This would include relocating the existing 'Bicycle Path' sign to the start of the kerb extension and the edge of the kerb treatment accompanied with the inclusion of a "Uni-Directional Hazard Marker".

There have been no recorded casualty crashes at this intersection during the past five years.

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

There are no financial implications resulting from this report.

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

### *Engagement Method Used:*

Correspondence to VicRoads and direct consultation with a VicRoads officer.

### *Details of Community Consultation / Results of Engagement:*

VicRoads have indicated that it would be prudent to assess the traffic impact study resulting from the proposed new residential development, prior to carrying out any works at the intersection of Hazelwood Road and Poplar Avenue.

## **7. OPTIONS**

The following options are available to Council:

- Take no further action.
- Take no further action at this time pending the results of a traffic impact study being prepared by the developer of the Hobsons Park subdivision for VicRoads.

## 8. CONCLUSION

In view of the fact that the existing kerb extension has been installed in accordance with national design standards and that the proposed subdivision development on the east side of Hazelwood Road may result in an alteration to the intersection at Poplar Avenue, it is recommended that the status quo be retained for the present time with improved signage and line marking. This work can be arranged immediately. It would be prudent to improve signage at the location of the kerb indentation to highlight the existence of the bicycle lane and the alignment of the kerb.

## 9. RECOMMENDATION

1. That Council note that additional signage will be installed by VicRoads to clearly advise motorists of the existence of the bike lane at the intersection, including relocation of the existing 'Bicycle Path' sign to the start of the kerb extension and the edge of the kerb treatment accompanied with the inclusion of a "uni-directional hazard marker".
2. That in relation to the petition to realign the kerb and channel on the east side of Hazelwood Road at the intersection of Poplar Avenue Traralgon, Council reserves its decision pending the outcome of a traffic impact study for the proposed residential subdivision on the east side of Hazelwood Road.
3. That the head petitioner be advised of Council's decision in relation to the petition to realign the kerb and channel on the east side of Hazelwood Road at the intersection of Poplar Avenue, Traralgon.

Cr Kam left the Council Chamber at 7.14 pm due to a direct interest.

Moved: Cr Fitzgerald

Seconded: Cr Vermeulen

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

Cr Kam returned to the Council Chamber at 7.16 pm.

## **7.4 SKATE BMX PLAN 2009 - RESULTS OF COMMUNITY CONSULTATION**

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

### **1. PURPOSE**

The purpose of this report is to present the results of the community consultation process in relation to the draft Skate BMX Plan and to seek Council adoption of the plan. This report will also consider a petition received as a submission to the draft Skate BMX Plan requesting the development of a skate facility in Newborough.

### **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 - Recreational Liveability*

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

##### *Strategic Actions - Recreation Liveability*

- Assess and evaluate future recreational opportunities to address community aspirations;
- Encourage greater participation in all recreation pursuits;
- Increase the accessibility of Latrobe City's recreation and sporting facilities;
- Develop and maintain high quality recreation facilities in partnership with the community; and
- Promote active living and participation in community life.

Recreation and Leisure Strategy 2006 principle #5:

Generally, there shall be a focus on the consolidation of existing sporting facilities within the Region, and an emphasis on the provision of new (unstructured) recreational pursuits and open space use.

### 3. **BACKGROUND**

The draft Skate BMX Plan February 2009 was considered at the ordinary Council meeting held 16 February 2009. At this meeting Council resolved;

1. That Council releases the draft Skate and BMX Plan February 2009 for public comment in accordance with the community engagement strategy.
2. That Council receives written submissions on the draft Skate and BMX Plan February 2009 until 27 March 2009.
3. That a further report be presented to Council at the Ordinary Council Meeting to be held on 20 April 2009 on the results of the community consultation on the draft Skate and BMX Plan February 2009.

### 4. **ISSUES**

The following table represents a summary of all submissions received during the consultation process. Included in this table are officer's responses to the submissions and the impact on the plan now being presented to Council for adoption. Copies of the submissions are attached to this report.

Submission From	Submission Details	Changes to Plan?		Response
		Yes	No	
Dean Fullard	<ul style="list-style-type: none"> <li>• Support for development of regional skate park in either Morwell or Traralgon. Location must be in close proximity to public transport.</li> <li>• Regional park to be made up of a number of elements for different skill levels and must be professionally designed. Suggested concept designs included in submission.</li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> </ul>	<ul style="list-style-type: none"> <li>• Plan supports further investigation in the development of all levels of facilities and importance of public transport links to any proposed sites.</li> <li>• Noted.</li> </ul>

Submission From	Submission Details	Changes to Plan?		Response
		Yes	No	
	<ul style="list-style-type: none"> <li>• Current parks have major issues especially surfaces.</li> <li>• Requests further involvement on regional skate park development process.</li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> </ul>	<ul style="list-style-type: none"> <li>• Plan identifies \$40,000 expenditure in both 2008/09 and 2009/10 towards addressing issues with current facilities.</li> <li>• Noted.</li> </ul>
Advance Morwell	<ul style="list-style-type: none"> <li>• Support for the development of a strategic approach to the provision of this popular youth activity.</li> <li>• Condition of existing Morwell Skate Park at the Valley Christian Centre is a concern and recommending relocation of facilities to another site.</li> <li>• Suggestion Morwell is an appropriate location for a regional skate park due to its central location to the entire municipality.</li> <li>• Identifies potential sites to consider in the investigation into potential regional skate park. These sites include the Morwell Town Common, Lions wayside stop, Morwell Recreation Reserve and Commercial Road opposite ABC Learning.</li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>	<ul style="list-style-type: none"> <li>• Noted.</li> <li>• To be considered as part of the investigation into the development of a district facility in Morwell.</li> <li>• To be considered as part of the investigation into the development of a district facility in Morwell.</li> <li>• To be considered as part of the investigation into the development of a district facility in Morwell.</li> </ul>
Glengarry Progress Association	<ul style="list-style-type: none"> <li>• Support for development of Glengarry Skate Park.</li> <li>• Identifies components from Churchill to be utilised to develop skate facility.</li> <li>• Suggests using all components from Churchill at Glengarry.</li> <li>• Potential for soil to be excavated for Skate Park to be used on BMX track.</li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>	<ul style="list-style-type: none"> <li>• Development of skate facility in Glengarry is identified as a 2008/09 action.</li> <li>• Noted.</li> <li>• As a local level facility only the required equipment will be transported to Glengarry.</li> <li>• Soil may not be compatible with use on BMX track, Gippsland Plains rail trail have identified a nearby site where soil can be used to fill a depression.</li> </ul>



Submission From	Submission Details	Changes to Plan?		Response
		Yes	No	
Skinner family	<ul style="list-style-type: none"> <li>Support for proposed direction regarding Tyers BMX track.</li> </ul>		✓	<ul style="list-style-type: none"> <li>Noted.</li> </ul>
Albert D'Urbano	<ul style="list-style-type: none"> <li>Support for development of a regional facility.</li> <li>Potential for regional facility to attract events and visitors to the area.</li> <li>Identifies potential sites to consider in the investigation into regional skate park. These sites include the Morwell Town Common, next to Latrobe Leisure Morwell and the old KFC site.</li> <li>Suggested concept designs included in submission.</li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Noted.</li> <li>To be considered as part of the investigation into the development of a district facility in Morwell.</li> <li>To be considered as part of the investigation into the development of a district facility in Morwell.</li> <li>Noted.</li> </ul>
Paul and Cameron Grant	<ul style="list-style-type: none"> <li>Support for action to improve skate facilities.</li> <li>Identifies current facilities well below those located in neighbouring municipality.</li> <li>Suggests Council concentrate on the development of a single modern regional facility.</li> <li>Identifies Morwell as a suitable location for regional facility and the Kernot Lake precinct as a suitable location.</li> <li>Regional facility needs to be professionally built and provide access to toilets, seating and shade.</li> <li>Questions adequacy of \$500,000 proposed budget and requests further investigation.</li> <li>Suggests after regional facility is developed Moe Skate Park should be relocated to Apex Park.</li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Noted.</li> <li>Noted.</li> <li>To be considered as part of the investigation into the development of a district facility in Morwell.</li> <li>Noted.</li> <li>To be considered as part of the investigation into the development of a regional facility.</li> </ul>

Submission From	Submission Details	Changes to Plan?		Response
		Yes	No	
	<ul style="list-style-type: none"> <li>Suggests additional facilities and improvements to the Traralgon Skate Park.</li> </ul>		✓	<ul style="list-style-type: none"> <li>Plan only identifies short term improvements to facilities not longer term priorities.</li> </ul>
			✓	<ul style="list-style-type: none"> <li>Plan only identifies short term improvements to facilities not longer term priorities.</li> </ul>
Judy Lipman	<ul style="list-style-type: none"> <li>Support for young people of Yallourn North in their bid to establish a skate park in Yallourn North.</li> <li>Identifies the availability of a site next to the existing BMX track.</li> </ul>	✓		<ul style="list-style-type: none"> <li>The Yallourn North community have demonstrated clear support for the development of a local level skate facility.</li> <li>The site identified is a prominent, accessible location, close to toilets, shops and not in close proximity to residents.</li> </ul>
Lions Club of Morwell	<ul style="list-style-type: none"> <li>Identifies poor location and amenity of Morwell Skate Park.</li> <li>Suggests upgrade and relocation of Morwell Skate Park as a priority.</li> </ul>		✓	<ul style="list-style-type: none"> <li>Location and amenity issues of Morwell Skate Park are identified in the draft plan.</li> <li>To be considered as part of the investigation into the development of a district facility in Morwell.</li> </ul>
Glengarry Primary School	<ul style="list-style-type: none"> <li>Support for the development of Skate Park in Glengarry and support for the location identified.</li> </ul>		✓	<ul style="list-style-type: none"> <li>Noted.</li> </ul>
Luke and Andy Duncan	<ul style="list-style-type: none"> <li>Support for the development of Skate Park in Glengarry and support for the location identified.</li> </ul>		✓	<ul style="list-style-type: none"> <li>Noted.</li> </ul>
Jenni Anderson	<ul style="list-style-type: none"> <li>Support for the development of Skate Park in Glengarry and support for the location identified.</li> </ul>		✓	<ul style="list-style-type: none"> <li>Noted.</li> </ul>
Josh Anderson	<ul style="list-style-type: none"> <li>Identifies equipment for Churchill skate park preferred for use at Glengarry.</li> </ul>		✓	<ul style="list-style-type: none"> <li>Noted.</li> </ul>
Charlotte Anderson	<ul style="list-style-type: none"> <li>Support for the development of Skate Park in Glengarry and support for the location identified.</li> </ul>		✓	<ul style="list-style-type: none"> <li>Noted.</li> </ul>
Declan and Helma Morrison	<ul style="list-style-type: none"> <li>Support for the development of Skate Park in Glengarry and support for the location identified.</li> </ul>		✓	<ul style="list-style-type: none"> <li>Noted.</li> </ul>

Submission From	Submission Details	Changes to Plan?		Response
		Yes	No	
Geordon Johnson	<ul style="list-style-type: none"> <li>Support for the development of Skate Park in Glengarry and support for the location identified.</li> </ul>		✓	<ul style="list-style-type: none"> <li>Noted.</li> </ul>
Glengarry Football Netball Club	<ul style="list-style-type: none"> <li>Support for the development of Skate Park in Glengarry and support for the location identified.</li> </ul>		✓	<ul style="list-style-type: none"> <li>Noted.</li> </ul>
Cobaarz Eco Salon	<ul style="list-style-type: none"> <li>Support for the development of Skate Park in Glengarry and support for the location identified.</li> </ul>		✓	<ul style="list-style-type: none"> <li>Noted.</li> </ul>
Latrobe City Youth Council	<ul style="list-style-type: none"> <li>Identified need for the development of a high quality regional facility.</li> <li>A regional facility requires a location providing good access to public transport and the central business district.</li> <li>Development of a regional facility does not override the need for small town facilities across the municipality.</li> <li>Recommends youth are engaged early in the development process to increase community ownership, pride and respect for facilities.</li> <li>Verbatim comments from various sources regarding local skate parks</li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Noted.</li> <li>Projects identified in plan for small towns in 2008/09 and 2009/10.</li> <li>Latrobe City Youth Council to play a lead role in the investigation into the development of facilities.</li> <li>Most comments support the need for the works identified in the draft plan.</li> </ul>
Valley Christian Centre	<ul style="list-style-type: none"> <li>Requesting removal of existing skate facility as they plan to commence subdividing land within the next three months.</li> </ul>	✓		<ul style="list-style-type: none"> <li>New recommendation included for 2008/09 "Undertake a feasibility study to identify the most appropriate location for a district skate / BMX facility in Morwell."</li> </ul>
Telehin Family	<ul style="list-style-type: none"> <li>Support for the development of a skate park in Yallourn North</li> </ul>	✓		<ul style="list-style-type: none"> <li>The Yallourn North community have demonstrated clear support for the development of a local level skate facility.</li> </ul>
Jim Downie	<ul style="list-style-type: none"> <li>Expressed concern at the travel time required to access skate facilities. Local facility in Yallourn North preferred option.</li> </ul>	✓		<ul style="list-style-type: none"> <li>The Yallourn North community have demonstrated clear support for the development of a local level skate facility.</li> </ul>

Submission From	Submission Details	Changes to Plan?		Response
		Yes	No	
	<ul style="list-style-type: none"> <li>Identified risks with children using scooters, skates and skateboards in residential streets.</li> </ul>			
Charlotte Downie	<ul style="list-style-type: none"> <li>Support for development of a skate park in Yallourn North.</li> </ul>	✓		<ul style="list-style-type: none"> <li>The Yallourn North community have demonstrated clear support for the development of a local level skate facility.</li> </ul>
Jess Downie	<ul style="list-style-type: none"> <li>Support for development of a skate park in Yallourn North as a meeting place for the youth of the town.</li> </ul>	✓		<ul style="list-style-type: none"> <li>The Yallourn North community have demonstrated clear support for the development of a local level skate facility.</li> </ul>
Mikayla Rose Downie	<ul style="list-style-type: none"> <li>Support for development of a skate facility in Yallourn North to reduce travel time to access a skate facility.</li> </ul>	✓		<ul style="list-style-type: none"> <li>The Yallourn North community have demonstrated clear support for the development of a local level skate facility.</li> </ul>
Marie Downie	<ul style="list-style-type: none"> <li>Support for development of a skate park in Yallourn North.</li> <li>Offering to participate in planning and delivery of project.</li> </ul>	✓		<ul style="list-style-type: none"> <li>The Yallourn North community have demonstrated clear support for the development of a local level skate facility.</li> </ul>
Dylan	<ul style="list-style-type: none"> <li>Support for development of a skate park in Yallourn North.</li> </ul>	✓		<ul style="list-style-type: none"> <li>The Yallourn North community have demonstrated clear support for the development of a local level skate facility.</li> </ul>
Ryan Hearn	<ul style="list-style-type: none"> <li>Support for development of a skate park in Yallourn North.</li> </ul>	✓		<ul style="list-style-type: none"> <li>The Yallourn North community have demonstrated clear support for the development of a local level skate facility.</li> </ul>
David Hood	<ul style="list-style-type: none"> <li>Seeking further information on how the community can show demonstrated support for the development of a skate facility.</li> <li>Concerned the plan was hard to read and understand for young people.</li> <li>Lack of public transport increases the need to provide local level facilities.</li> </ul>	✓	<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> </ul>	<ul style="list-style-type: none"> <li>The Yallourn North community have demonstrated clear support for the development of a local level skate facility.</li> <li>Noted.</li> <li>The plan acknowledged the importance of public transport access in the placement of facilities.</li> </ul>
Thomas Lawrey	<ul style="list-style-type: none"> <li>Support for development of a skate park in Yallourn North.</li> </ul>	✓		<ul style="list-style-type: none"> <li>The Yallourn North community have demonstrated clear support for the development of a local level skate facility.</li> </ul>

Submission From	Submission Details	Changes to Plan?		Response
		Yes	No	
Petition with 252 signatures	<ul style="list-style-type: none"> <li>We, the undersigned citizens of Newborough ask the Latrobe City Council to design and build a concrete easy to medium grade skate park for all ages in the local area and to place this on the Councils budget for this year as a matter of urgency.</li> </ul>		✓	<ul style="list-style-type: none"> <li>Moe Skate Park is identified in the facility hierarchy as a district level facility. "A district level facility would cater for participants across the immediate and surrounding townships"</li> <li>The Moe Newborough residents skate BMX needs are serviced by the local Newborough BMX track and district Moe Skate Park in line with the hierarchy identified in the draft Plan.</li> </ul>

The petition received from the Newborough community has been considered as a submission to the Draft Skate BMX Plan. While the petition identifies a level of community support for the proposal the current hierarchy of facilities does not identify a gap in the provision of skate facilities for Newborough. Moe Skate Park is identified in the facility hierarchy as a district level facility. "A district level facility would cater for participants across the immediate and surrounding townships". The Moe Newborough residents skate BMX needs are serviced by the local Newborough BMX track and district Moe Skate Park consistent with the hierarchy identified in the draft Plan.

The Morwell Skate Park is currently located on the Valley Christian Centre site, Haywood Street Morwell. The facility is provided for community use through an agreement between Latrobe City Council and the Valley Christian Centre (attached). The Centre has identified their intention to subdivide the land and as such, long term community access to the site cannot be guaranteed. Further discussions are required with the Valley Christian Centre to consider the detail of their proposal and consider the impact on the existing skate facility.

Should Council be required to remove the equipment and reinstate site, it is estimated that these works will cost \$20,000 - \$30,000.

A key objective of the draft Skate BMX plan is "*Install local skate facilities where there is demonstrated significant community support within the seven small towns.*"

The Yallourn North community have demonstrated clear support for the development of a skate facility through 11 submissions received on the draft plan. The submissions focus

on the difficulty in being able to access district levels facilities in main towns due to lack of public transport and high travel costs. The site identified for the development of a skate facility is well located, in a prominent position, with easy access to toilets and shops.

While the draft plan recommended the development of a facility in Yinnar in 2009/10 there remains no clearly supported identified site. The further investigation and community consultation required to determine an appropriate site in Yinnar means the project is not ready for funding to be allocated towards the development of a local level facility. The proposed 2009/10 funding could be utilised to develop a local level facility in Yallourn North with consideration of a local level park for Yinnar to be considered in future budget processes.

The Glengarry community, led by the SK8 Ripper Crew, have again united to support the development of a skate facility in the township. There is clear support for the identified location as being a prominent location, central, with easy access to shops and toilets. The proposed location is located on land within the Gippsland Plains Rail Trail reservation. The land is currently maintained by Council, the Gippsland Plains Rail Trail Committee would like to formalise this arrangement through the development of a long term license agreement.

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

The Skate BMX plan proposes \$60,000 expenditure on the development of the Glengarry skate park and \$40,000 addressing amenity and safety issues at existing skate BMX facilities in 2008/09 as currently allocated in the capital works budget.

A further \$100,000 is identified in the 2009/10 draft capital works program towards the development of the Yallourn North Skate Park and continuing to address amenity and safety issues at existing skate BMX facilities.

The removal of equipment from the Valley Christian Centre site, if required, is estimated at \$30,000. This funding would not include reinstatement of equipment at a temporary site.

An allocation of \$20,000 in the draft 2009/10 budget is identified for investigation into the development of a regional skate park. Given the uncertainty surrounding the future of the existing Morwell site, it maybe necessary to reprioritise this proposed expenditure to investigate suitable sites for the development of a replacement district level skate park in

Morwell and address issues associated with the decommissioning of the existing Morwell site. If these funds are not required to undertake this investigation they will be allocated towards continuing to address amenity and safety issues at the existing skate and BMX facilities. The investigation into the development of a regional skate park will be considered as part of a future Council budget process.

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

### *Engagement Method Used:*

On site meetings held at Glengarry with SK8 ripper crew, Glengarry Progress Association and Gippsland Plains Rail Trail Committee. The draft plan was considered by the Youth Council and discussions held regarding the ongoing involvement of the Youth Council in the implementation of projects from the draft plan.

Media release, email notification, media release, public notice and copies available at service centres.

### *Details of Community Consultation / Results of Engagement:*

The draft Skate BMX Plan February 2009 was made available on the Latrobe City website, the plan was emailed to those involved in the community consultation process that provided contact details, copies were provided to head petitioners from Glengarry, Morwell, Yinnar and copies were available at each of the service centres. A media release was distributed to local newspapers and a public notice advertisement inviting comments on the draft plan appeared weekly in the Latrobe Valley Express, for three weeks from 19 February 2009.

The draft skate BMX plan February 2009 was accessed 208 times via the website and 30 submissions were received on the draft plan during the six week community consultation period.

## **7. OPTIONS**

The options available to Council include:

1. Adopt the Skate BMX Plan April 2009
2. Amend and adopt the Skate BMX Plan April 2009
3. Decline to adopt the Skate BMX Plan April 2009

Adopting the Skate BMX Plan will allow for the immediate commencement of 2008/09 projects and planning to continue for the implementation of 2009/2010 projects.

## 8. **CONCLUSION**

The provision of recreation facilities for the community is a key service provided by local government. The Skate and BMX Plan April 2009 identifies that the provision of skate and BMX facilities plays a vital role in the recreational needs of young people.

The Skate BMX Plan April 2009 recommends a strategic approach to the improvement to the provision of skate BMX facilities across the municipality.

## 9. **RECOMMENDATIONS**

1. That Council adopts the Skate BMX Plan April 2009.
2. That works commence on the 2008/2009 projects identified in the Skate BMX Plan April 2009 at Glengarry and on safety and amenity issues at the existing skate and BMX facilities.
3. That Council authorises the Chief Executive Officer to negotiate and sign a license agreement with the Gippsland Plains Rail Trail for the development of a skate park in Glengarry.
4. That the projects identified in the Skate BMX Plan April 2009 at Yallourn North and on safety and amenity issues the existing skate BMX facilities be referred for consideration in the 2009/2010 budget.
5. That Council agrees to not lay the petition on the table, relating to the development of a skate facility in Newborough, and agrees to deal with the petition at this Ordinary Council Meeting.
6. That Council notes in accordance with the hierarchy that the district level skate facility in Moe provides for the skate needs of both the Moe and Newborough communities.
7. That the head petitioner, Jim Connan, be advised of Council's decision in relation to the petition requesting the development of a skate facility in Newborough.
8. That a further report be prepared for consideration by Council on the options available for the provision of a district level facility in Morwell.



9. That a further report be prepared for consideration by Council identifying the anticipated future expenditure requirements for skate and BMX facilities across the municipality.

**Moved:** Cr Gibson

**Seconded:** Cr Fitzgerald

1. That Council adopts the Skate BMX Plan April 2009.
2. That works commence on the 2008/2009 projects identified in the Skate BMX Plan April 2009 at Glengarry and on safety and amenity issues at the exiting skate and BMX facilities.
3. That Council authorises the Chief Executive Officer to negotiate and sign a licence agreement with the Gippsland Plains Rail Trail for the development of a skate park in Glengarry.
4. That the projects identified in the Skate BMX Plan April 2009 at Yallourn North and on safety and amenity issues the existing skate BMX facilities be referred for consideration in the 2009/2010 budget.
5. That Council agrees to not lay the petition on the table, relating to the development of a skate facility in Newborough, and agrees to deal with the petition at this Ordinary Council Meeting.
6. That Council notes in accordance with the hierarchy that the district level skate facility in Moe provides for the skate needs of both the Moe and Newborough communities.
7. That the head petitioner, Jim Connan, be advised of Council's decision in relation to the petition requesting the development of a skate facility in Newborough.
8. That a further report be prepared for consideration by Council on the options available for the provision of a district level facility in Morwell.
9. That a further report be prepared for consideration by Council identifying the anticipated future expenditure requirements for skate and BMX facilities across the municipality, by no later than 16 November 2009.
10. That the Newborough BMX facility be upgraded as a matter of urgency utilising part of the \$40K in the plan for 08/09 for amenity issues and improvement works.
11. That the results of the technical audit referred to as Item 3 in Section 9 (page 20) of the Skate and BMX Plan 2009 be presented to Council when completed.

**The Motion was put and LOST**

**Cr Gibson called for a Division.**

**The alternate Recommendation became the Motion before the Chair.**

**For the Motion**

Councillors Gibson, Kam and Fitzgerald

**Against the Motion**

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

**The Mayor confirmed that the Motion had been LOST.**

**Moved:** Cr Lougheed

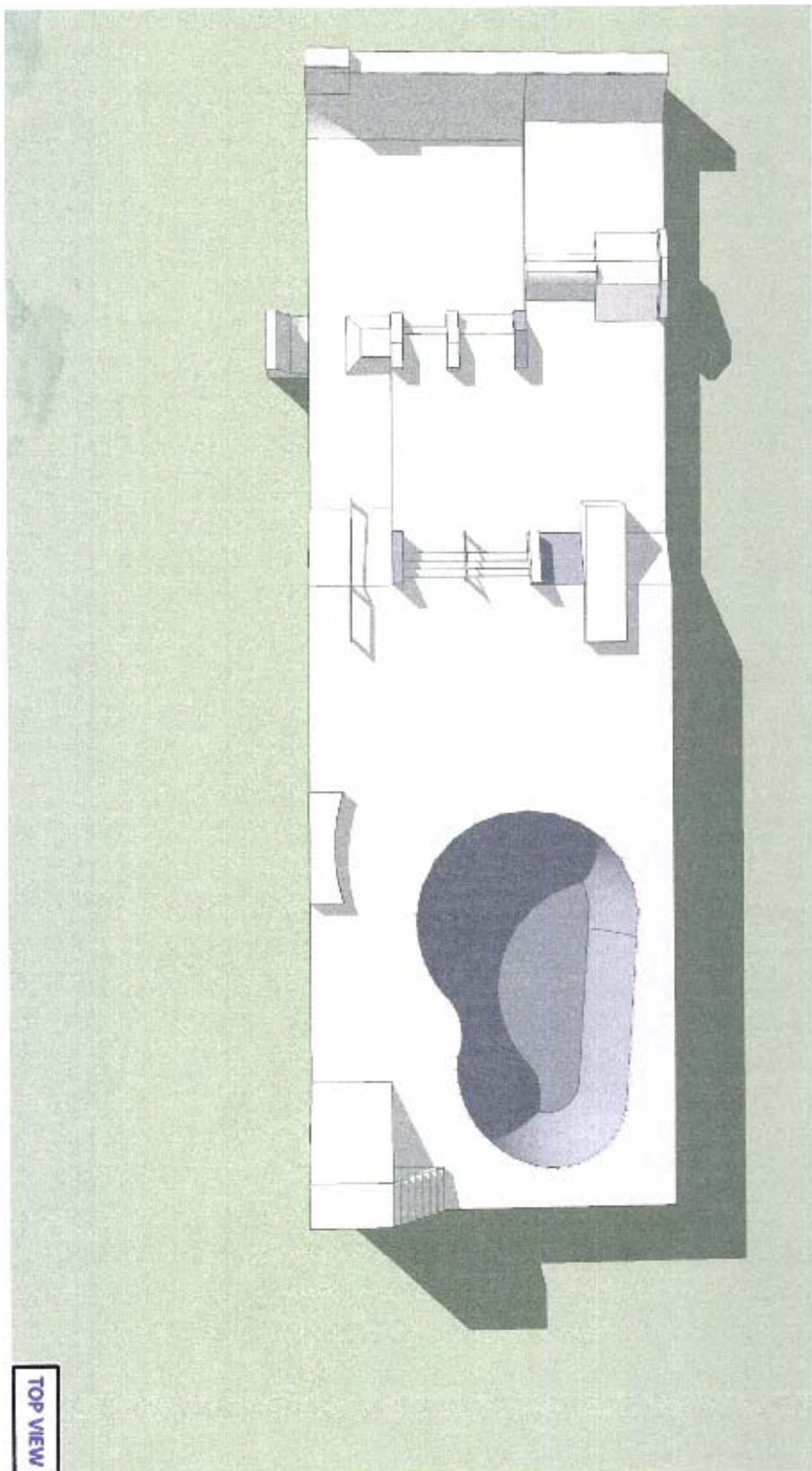
**Seconded:** Cr White

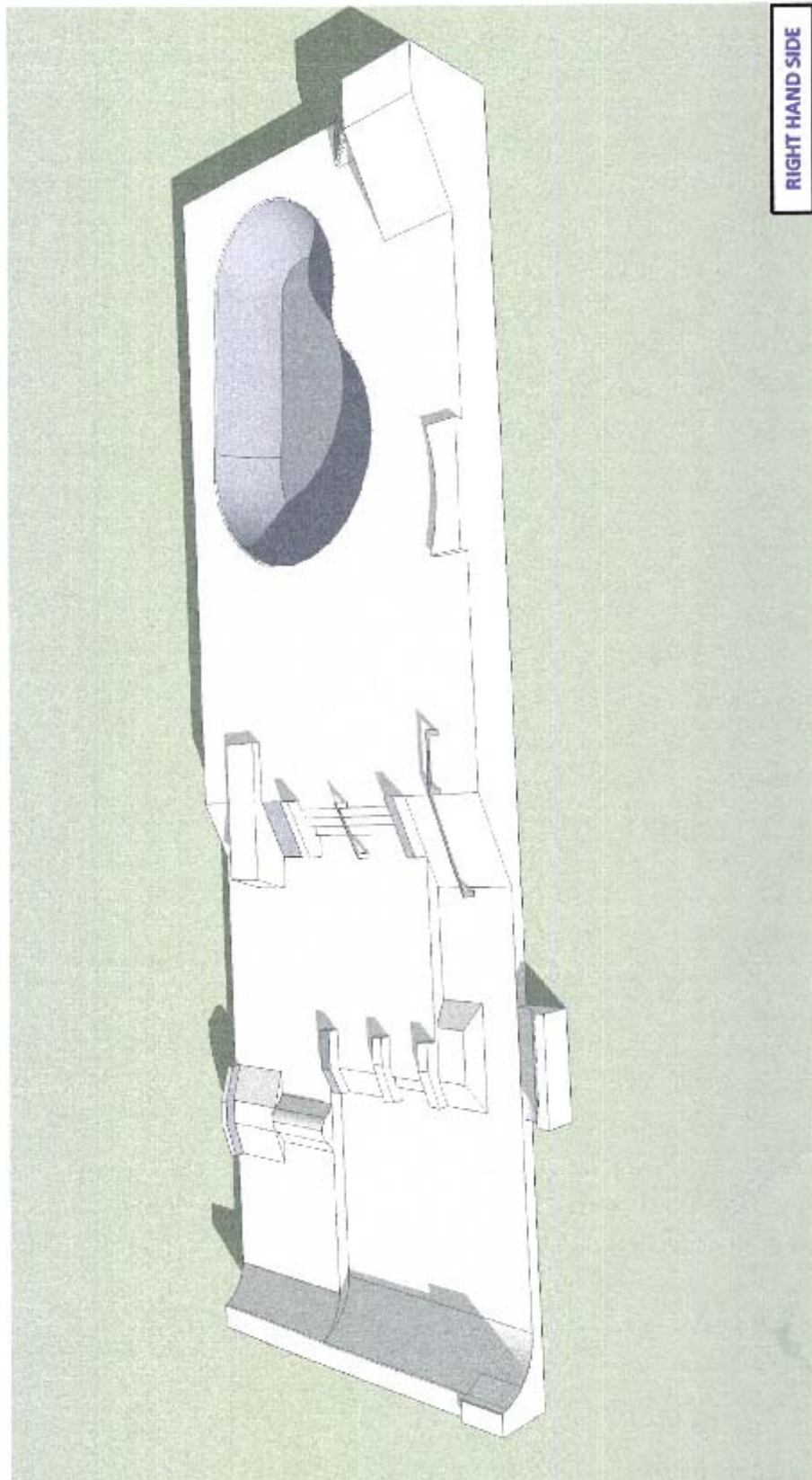
1. That Council adopts the Skate BMX Plan April 2009.
2. That works commence on the 2008/2009 projects identified in the Skate BMX Plan April 2009 at Glengarry and on safety and amenity issues at the exiting skate and BMX facilities.
3. That Council authorises the Chief Executive Officer to negotiate and sign a licence agreement with the Gippsland Plains Rail Trail for the development of a skate park in Glengarry.
4. That the projects identified in the Skate BMX Plan April 2009 at Yallourn North and on safety and amenity issues the existing skate BMX facilities be referred for consideration in the 2009/2010 budget.
5. That Council agrees to not lay the petition on the table, relating to the development of a skate facility in Newborough, and agrees to deal with the petition at this Ordinary Council Meeting.
6. That Council notes in accordance with the hierarchy that the district level skate facility in Moe provides for the skate needs of both the Moe and Newborough communities.
7. That the head petitioner, Jim Connan, be advised of Council's decision in relation to the petition requesting the development of a skate facility in Newborough.
8. That a further report be prepared for consideration by Council on the options available for the provision of a district level facility in Morwell.
9. That a further report be prepared for consideration by Council identifying the anticipated future expenditure requirements for skate and BMX facilities across the municipality, by no later than 16 November 2009.

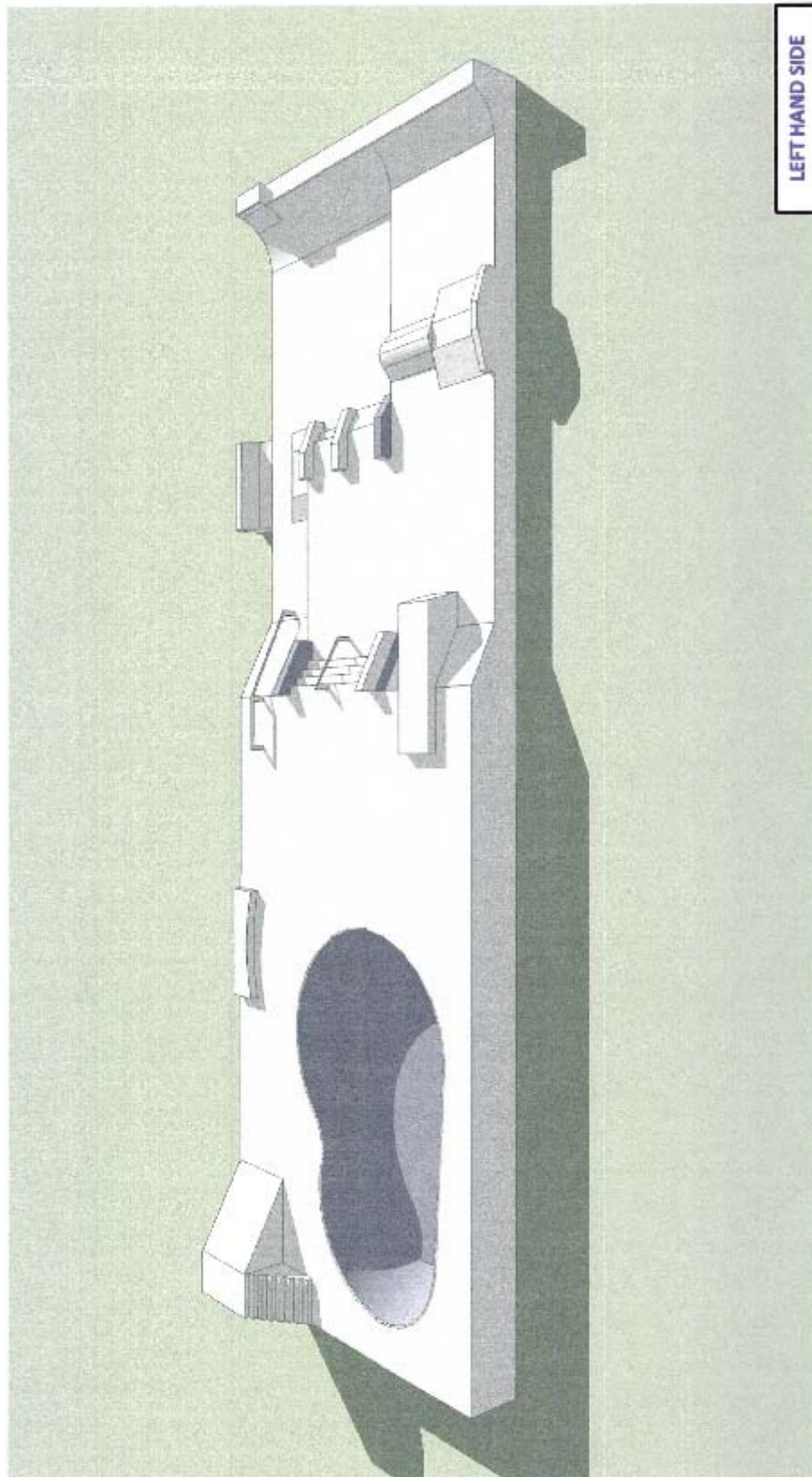
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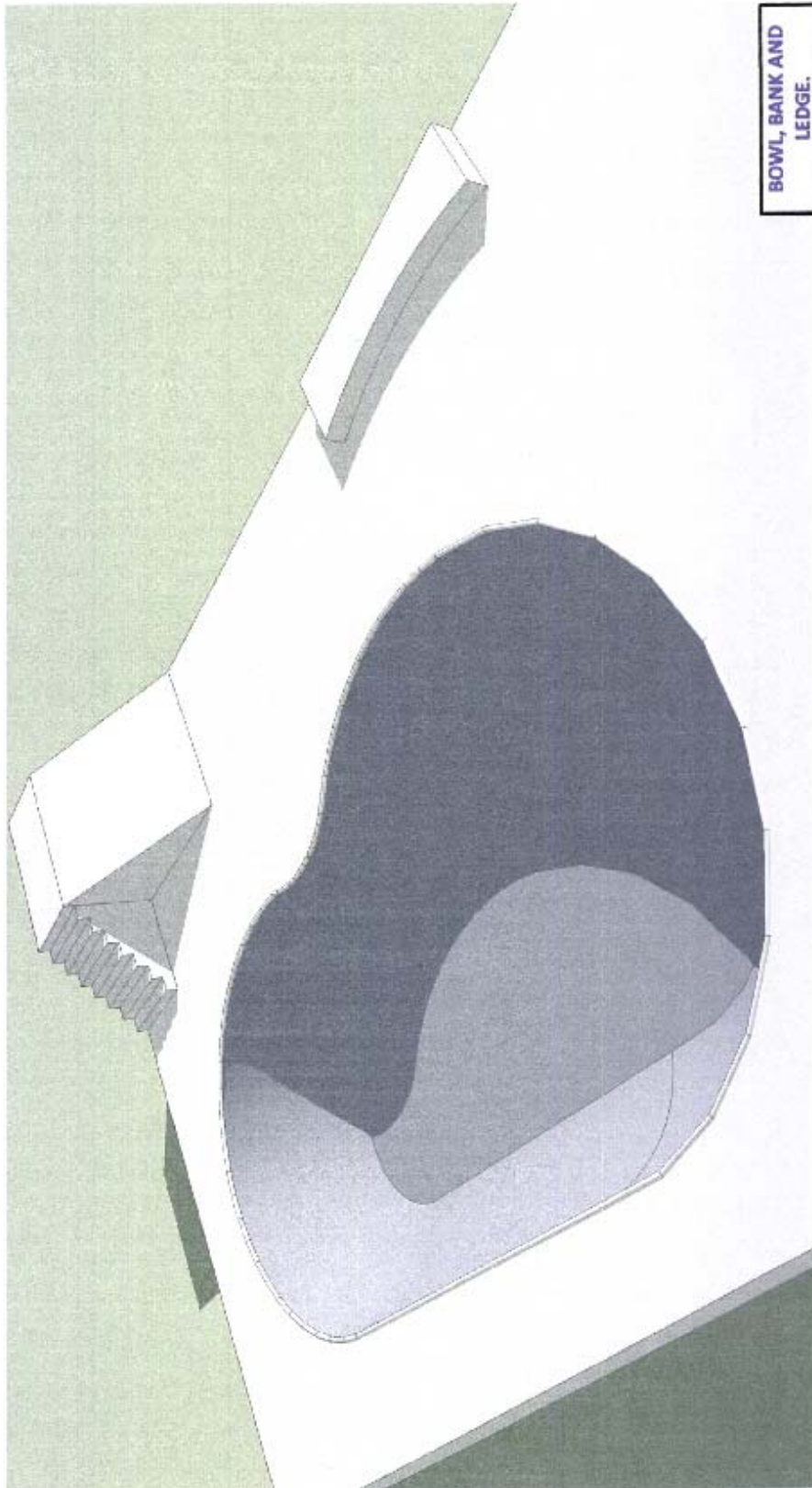
ATTACHMENT

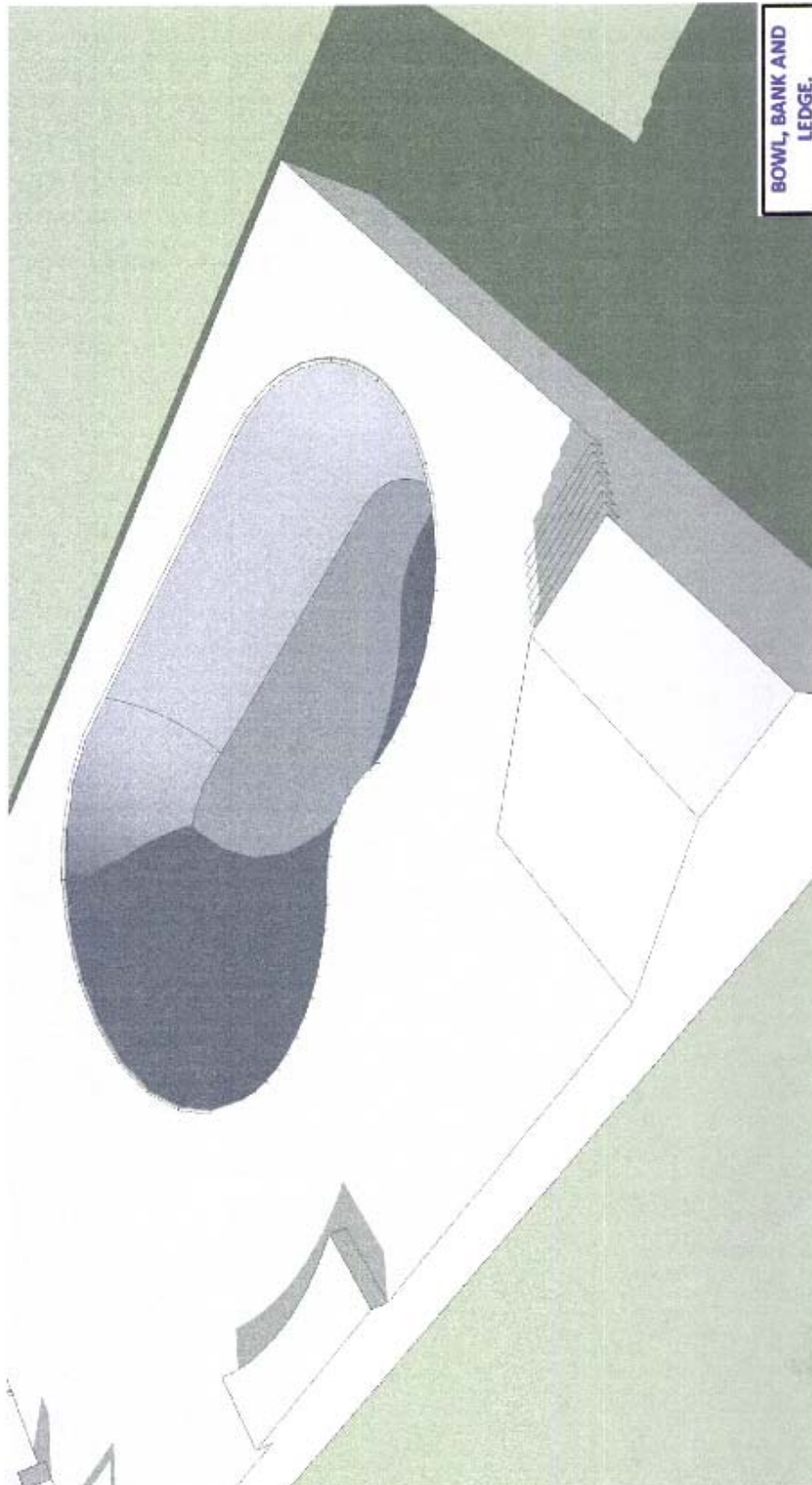


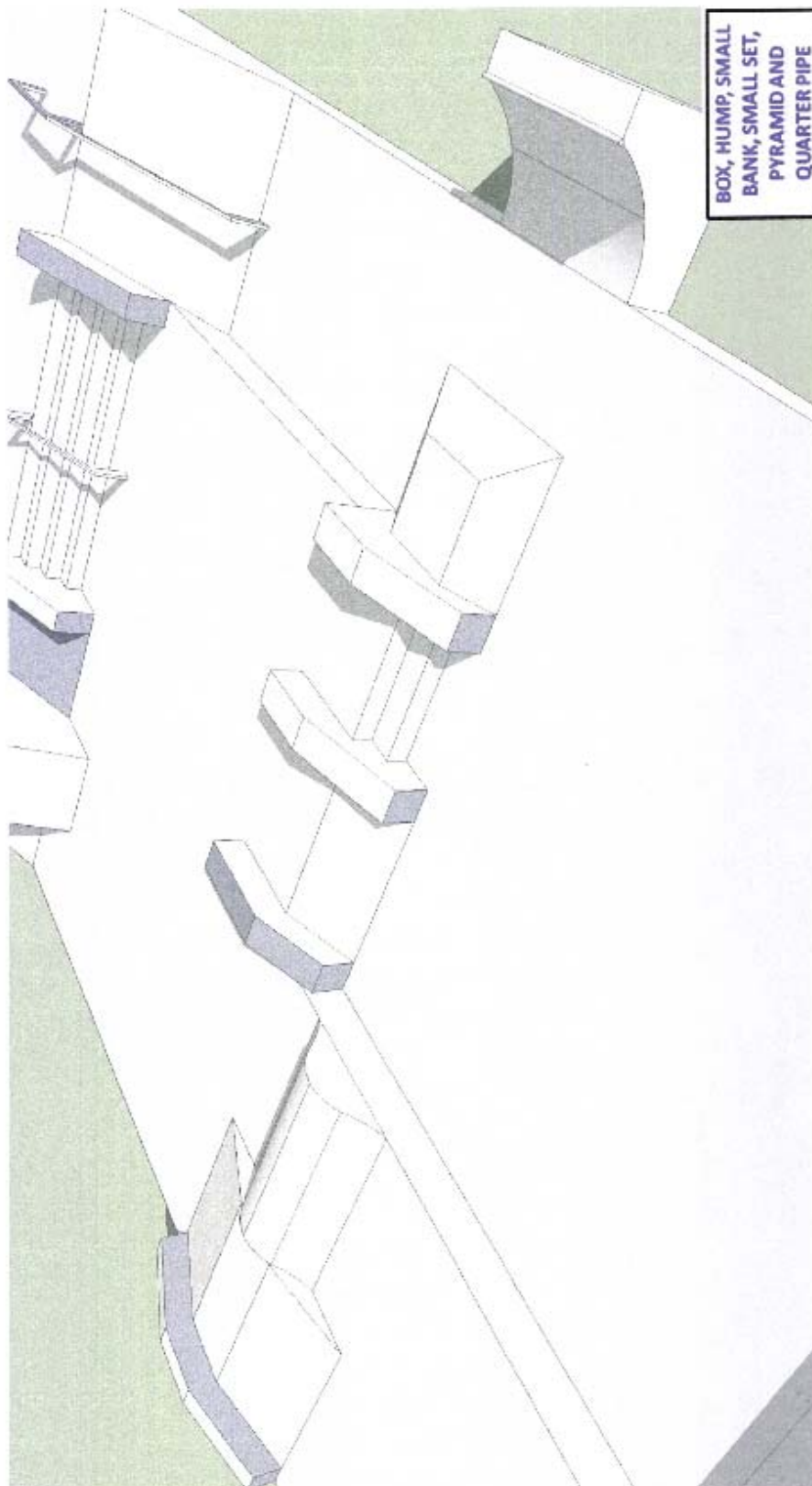




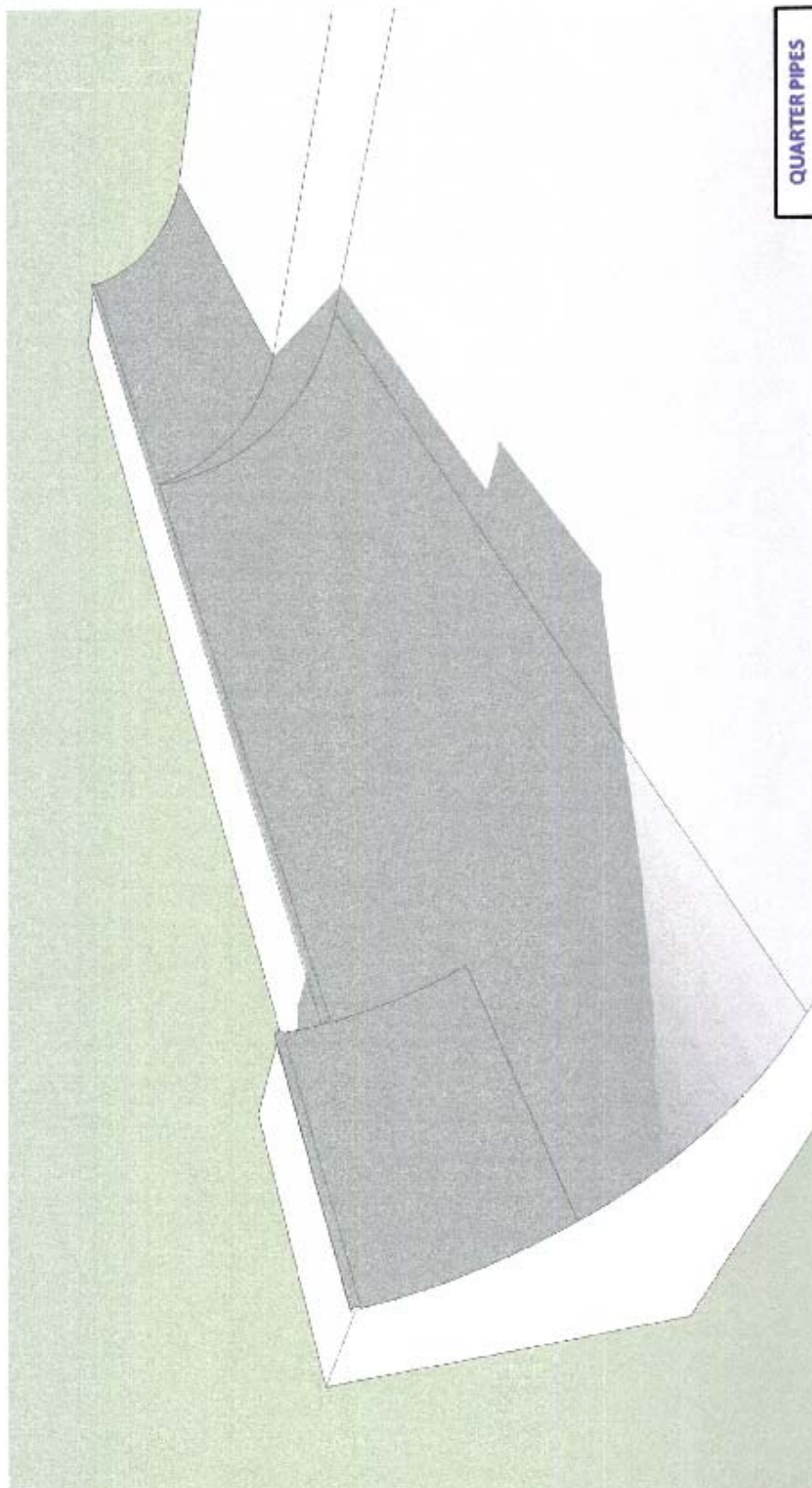












110 North Road  
 Yallourn North 3825  
 March 26<sup>th</sup> 2009

*Ian Murphy*

*Latrobe City Recreation Planner*

*Dear Ian,*

*As a Yallourn North Action Group (YNAG) member, community member and former facilitator for Yallourn North (2004-05), I wish to make a submission to support the young people of Yallourn North, in their bid to establish a skate park at Yallourn North.*

*A Youth Forum in 2004 was well attended and there was overwhelming support for a skate park to be established. A Latrobe City youth worker explained the process required to finally achieve their aim. That group has since moved on, to be replaced by a new group of young people who utilize the present dirt BMX track at Yallourn North.*

*There is a site available adjacent to the BMX track which would be suitable for a skate park. In January 2008 a meeting was held at the proposed site with a Latrobe City rep. and skate experts plus a dozen young people and parents who were forthcoming with their ideas.*

*They were told a report would go to Council in June 2008.*

*They were anxiously awaiting news of this report and became quite discouraged at what they felt was lack of support from Council. Hopefully their faith will be rekindled after March 27<sup>th</sup>.*

*The area at present set aside has been enhanced with the addition of seating and table to enable parents to supervise. The BMX is regularly used by children of all ages.*

*The youth of Yallourn North need a viable venue to meet and exercise their sport and energy. They are isolated here in the community due to reliance on adults to take them to skate parks out of town. Lack of public transport necessitates that our youth have activities within their local community.*

*As they are our future leaders and community volunteers they need to know that their voices are heard.*

*Yours Sincerely,*

*Judy Lipman*

Judy Lipman

<b>Latrobe City</b>	
27 MAR 2009	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	



WE SERVE

# Lions Club of Morwell

Victoria, Australia

PRESIDENT

Colin Bermingham

Kerry Turner

SECRETARY

PHONE 5134 6007

PO BOX 457, MORWELL 3840

26 March 2009

Ian Murphy  
 Latrobe City Council  
 PO Box 264  
 Morwell VIC 3840

## Latrobe City

30 MAR 2009

Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	

Dear Ian

### DRAFT SKATE & BMX PLAN

Members of the Lions Club of Morwell are pleased to endorse the Draft Skate & BMX Plan presented by Council for public comment. Support of youth recreational activities is a key component of our community service activities and skate/BMX facilities fall in this category.

It is unfortunate the Morwell skate park is poorly located in Haywood Street and lacks suitable amenity facilities. It should be relocated and upgraded as soon as possible. We note the Draft Skate/BMX Plan proposes to construct a major regional facility and suggest that locating it in Morwell would offer significant advantages in being readily accessible to local youth from across the municipality. Relocation and upgrading of the Haywood Street facility could be an ideal way of addressing these two issues.

It is vital that Skate/BMX parks receive support from the local community. You may be assured the Lions Club of Morwell will help in any way we can to support this important recreational facility for Latrobe City youth.

Yours sincerely,

Kerry Turner  
 Secretary



*Glengarry Primary School*  
*No.2888* A.B.N. 67 787 050 445

26<sup>th</sup> March 2009

To Whom It May Concern

We would like to advise that we support the building of the 'skate park' in Glengarry which is to benefit the children both current and future.

We believe that the proposed site is deemed an appropriate position within the town as it is close to shops, convenient and easily accessible by all.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sue Davis'.

Sue Davis  
Principal

Glengarry

14 Morrison Parade

Latrobe City Council

18th, March, 2009

To whom it may concern

We are very happy to see that all the effort that the "Ripper SK8 park crew" has put into getting a skate park in Glengarry is paying off because my brother and I are both part of the "Ripper SK8 park crew". We believe this is the perfect location for the skate park because it is close to shops, toilet facilities and etc. It is also very visible and open to the public. This site has always been the preferred site of the town residents.

Should there be any other safety issues, young people can easily access help from the nearby. The building of the skate park will be an asset to the town and especially to us kids in Glengarry who will use the park all the time.

We thank Latrobe City for its assistance in this matter.

We Urge Latrobe City to pass the recommendations set out in the draft plan.

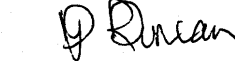
Thank you

Yours Sincerely

Andy Duncan



Luke Duncan



Glengarry Post Office  
13 Main St,  
GLENGARRY 3854

19 March 2009

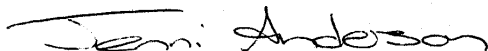
To Whom It May Concern

**Re: Proposed Glengarry Skate Park**

I was very pleased to hear of the council's recent decision to fund a skate park in Glengarry. The Ripper Sk8 crew have worked very hard over the past few years to gain funding for the skate facility in Glengarry. The boys are to be commended for their hard work and perseverance. Helma Morrison should also be praised for her work in mentoring the boys.

I understand the proposed site for the skate park is opposite the Glengarry Hotel in Main Street and see this as a perfect place for the facility. It will be wonderful to see the skate park take shape in the near future.

Yours sincerely



Jenni Anderson  
Postal Manager / Licensee



President – Josh Anderson  
Main St  
Glengarry 3854  
0438067818

Vice President – Geordon Johnson  
Cairnbrook Rd  
Glengarry 3854  
0434859674

Secretary- Dechlan Morrison  
Hallidays Rd  
Glengarry West 3854  
0417360378

25/3/2009

Latrobe City Shire

Dear Ian

After a meeting with most of the "Ripper Krew", we have all decided that the best and the most necessary ramps for the Glengarry skatepark would be ramp numbers 1,2,7 and 6 according to the papers we were given.

Ramp number 1 (speed ramp) we will all need this piece of equipment for getting up speed necessary for most tricks.

Ramp number 2 (Box) this we need mostly for the BMX riders as it not too big nor too small

Ramp number 7 (quarter pipe combo) we need this the most because it is pretty much 4 ramps in one and all skill levels are capable of using it.

Ramp number 6 (spine transfer) we also need this mostly for the BMX riders who will use it.

On behalf of the "Ripper SK8 Krew" I'd like to say thank you to all at Latrobe City who have helped us get this far.  
Yours Sincerely

Josh Anderson  
President  
The "Ripper SK8 Park Krew"

Charlotte Anderson  
7 Main Street  
Glengarry 3854 Vic  
(m) 0423762640  
(h) 035192467

23/03/09

To whom it may concern

This is a letter of support and appreciation for the soon to be GLENGARRY SKATE PARK. We have a large family, 7 children, ranging from 23 to 8. Three of our sons are members of the RIPPER SKATE CREW. And we feel the skate park will be a much needed commodity in this small rural town, there are so many teenagers here and they all would use this skate park whether they skate or not, they would meet there, go and watch the skaters, and it is also very close to our general store, which I'm sure will benefit big time from the out of town visitors and local youth alike. There have been frequent spats of vandalism at the play park and at the school, which is part due to boredom and sometimes isolation. But with this new skate park there will be much less incidents I'm sure. There are many young families, and a lot of primary school students who will just get so much from this skate park, most families know each other and the children and teenagers know each other through brothers and sisters. The older ones will teach the younger ones, I'm sure there will be the odd crash landing requiring medical attention, but there is a phone booth across the road, homes right along the street, the general store, the hotel, and always helpful, friendly people around if there was ever an emergency. I myself live in the same street that the skate park will be in and I'm pretty handy when it comes to first aid, comes with having had 7 children I think. I do feel however the skate park will need to be well lit at night to avoid unnecessary accidents on weekends. It will be a well-spent investment for all the youth of Glengarry, and the not so young will have a shot or two at it no doubt. Families will head there to spectate their up and coming skate stars. It will be great. A huge THANK YOU to all members of Latrobe City Council who have played a part, big or small, in seeing this dream come to fruition. An even huger thank you to Helma Morrison for all her tireless dedication and her relentless pursuit of this fabulous community asset. Thankyou again, to all those who have campaigned, and supported and fought for the Glengarry Skate Park.

Kind Regards



Charlotte Anderson





President – Josh Anderson  
Main St  
Glengarry 3854  
0438067818

Vice President – Geordon Johnson  
Cairnbrook Rd  
Glengarry 3854  
0434859674

Secretary- Dechlan Morrison  
Hallidays Rd  
Glengarry West 3854  
0417360378

March 19<sup>th</sup>, 2009

Latrobe City Council  
To whom it may concern,

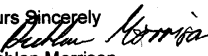
On behalf of the "Ripper SK8 Park Krew" I would firstly like to thank the Councillors and the officers of Latrobe City for their continued help and support in our efforts to attain a skatepark for the Glengarry township and its surrounds, and for their decision to follow the recommendations set out in the 2008 Latrobe City Skatepark and BMX Draft plan.

The recommended amount of \$60,000 plus the added benefit of equipment from the old Churchill skatepark will go along way to providing a good facility for our town and with the help of community involvement will result in a facility the community will have pride in and get much from, a major asset for Glengarry.

The "Ripper SK8 Park Krew" supports the proposed site of the skatepark, that being adjacent to the BMX track in Main St, Glengarry. This proposed site has always been our preferred site. The site is preferred as it is open, highly visible and provides easy access to Glengarry residents and visitors alike. This is a safe environment for young people because of this and will allow the creation of a social environment for young people that is lacking so far in the town. The other safety factor is that in case of accident the site also provides access to telephones and other aid from the local business's and residents. In addition it is also close to the other facilities in Glengarry.

The proposed site will work together with the already established BMX track and offer a better and varied facility for young people. The history of the BMX site has proven that this location has been a great success.

We urge you to pass the recommendations set out in the draft plan.

Yours Sincerely  
  
Dechlan Morrison  
Secretary, the "Ripper SK8 Park Krew"

  
Helma Morrison  
Youth Development worker,  
Luke's Place, Morwell, Coordinator, The "Ripper SK8 Park Krew"



President – Josh Anderson  
Main St  
Glengarry 3854  
0438067818

Vice President – Geordon Johnson  
Cairnbrook Rd  
Glengarry 3854  
0434859674

Secretary- Dechlan Morrison  
Hallidays Rd  
Glengarry West 3854  
0417360378

20/3/2009

Latrobe City Council

To Whom It May Concern:

I am a member of the Ripper sk8 Krew I want to thank Latrobe City for supporting us with our skate park project, We were very happy to hear the recommendations made in the draft plan and hope that the council pass's them. We think that the nice area out the front of the shops is a good choice because it is close to toilets, water, pay phone, etc.

The young people in Glengarry will be very pleased to have a skate park facility and we can't wait to use it and celebrate what we have helped the community achieve.

Thankyou and please pass the plan.

Geordon Johnson. ☺☺☺☺  
Vice president  
The Ripper Krew.

↖ Geordon Johnson

**Glengarry Football Netball club Inc**

Affiliated with the North Gippsland and Traralgon &amp; District Football Leagues

PO Box 170 Glengarry, Victoria 3854 Australia

Telephone (03) 51924241 Fax (03) 51924241

Reg No A000881H ABN No 95339549988

March 19<sup>th</sup>, 2009Latrobe City Council  
To whom it may concern,

On behalf of the "Ripper SK8 Park Krew" the Glengarry Football Netball Club supports the proposal of a skate park in the planned location in the township of Glengarry. This facility would be a benefit to the majority of the local community and surrounding districts.

Local youth should be encouraged to spend more time outdoors which would help promote a healthy life style which will benefit the whole community in years to come. The park would assist in promoting this.

Many young children in the community would utilise the park after school and on weekends.

Members of the football community would be available to assist with the construction and maintenance of the facility if required.

Ray Sutton  
President  
Glengarry Football Netball Club  
Phone 0409002378

## Latrobe City

30 MAR 2009

Doc. No:

Action Officer:

Disposal Code:

Comments:

**Cobaarz Eco Salon**

Main St'

Glengarry

Latrobe City Council

19<sup>th</sup>, March, 2009

To whom it may concern

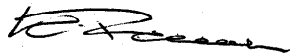
We, at Cobaarz Eco Salon, wish to endorse the recommendations put forward in Latrobe City Draft plan on skateparks and BMX tracks.

We are very pleased to see that the "Ripper SK8 park" in Glengarry is to be built at last and feel that the site recommended is the ideal position. It has always been the preferred site of the town residents for such a facility as it is very visible and in the best location for a safe environment for young people. Should there be any other safety issues, young people can easily access help from the nearby residents and local business's. This is also very accessible to the other local facilities in the park as well as to business's.

The building of this park will be an asset to the town and especially to the young people; we thank Latrobe City for its assistance in this matter and congratulate the "Ripper SK8 Krew" for its hard work.

Cobaarz urges Latrobe City to pass the recommendations set out in the draft plan.

Yours Sincerely



Nancy Prestipino

Cobaarz Eco Salon



# STRATEGY FEEDBACK

---

**TO: Ian Murphy, Coordinator Recreation & Open Space Planning**

**FROM: 2009 Youth Councillors, on behalf of local young people**

**DATE: 27 March 2009**

**SUBJECT: DRAFT SKATE & BMX PLAN – February 2009**

---

Dear Ian,

We would like to thank you for the opportunity to provide comments and feedback on the Draft Skate and BMX Plan. The general comments detailed below are a result of discussion held by Youth Councillors with local young people in schools.

A key point arising from youth feedback is the need for a high quality regional skate park in Latrobe City. Support for this concept was reinforced by a number of young people spoken to by Youth Councillors and we consider this should be considered as a priority over the forthcoming financial year.

We believe would be considerable benefit to the whole community for Council to invest in a high quality centralised Regional Skate/BMX Park, perhaps in Morwell. The Warragul Skate Park is seen by local young people as the benchmark in Gippsland and local youth believe there should be a park of this standard in Latrobe City.

With a high quality and well maintained skate/BMX park, there would be considerable interest from youth across the Latrobe Valley and the potential to attract well-known skate-boarders to local skate events. A best-practice and high quality regional park would also generate an opportunity to hold competitions attracting competitors from across Victoria.

It would be important that any future regional skate park development has good access to public transport and the central commercial district. It is suggested that a development such as this could potentially be located adjacent to the Latrobe Leisure Morwell complex.

It is important to note that this suggestion does not override the need for small town skate/BMX parks across Latrobe City that would provide entertainment avenues for young people residing in these communities

Respect, pride and ownership are key issues associated with the management and maintenance of skate/BMX parks. It is recommended that Council engage closely with relevant young people before any developments are progressed. The ownership, pride and respect resulting from involvement of young people in the development process will

have significant long-term benefits in ensuring that these developments are well maintained and cared for by users of the park and other local young people.

Specific comments and verbatim from a number of young people spoken to as part of the Youth Council engagement process can be found on the attached page

Thankyou for the opportunity to provide feedback on the plan and we would welcome the opportunity to provide further input at a later stage.

Kind Regards,

SARAH LEWIS

**Youth Mayor**

*On behalf of the 2009 Youth Council*

## **SPECIFIC COMMENTS AND VERBATIM – DRAFT SKATE & BMX PLAN 2009 FEEDBACK FROM LOCAL LATROBE CITY YOUTH**

*I think the skate park is crap, all the ramps are crap and have square capping which should be round. We need a decent bowl and proper ramps.*

Kyran and Nick, Morwell

*I think the skate parks are retarded, the Morwell one especially. It is unsafe,, needs to be reconcreted and has not even got a bowl.*

Liam,Traralgon

*I think it needs to be looked after better and the ramps need concreting and also it needs a fencing check at night time. Pyramid and up and down rails also 5 stair & handrail with hubba like Warragul*

Zack, Age 14

*Morwell needs a new box and quarter pipe and also needs new roll in and a transfer. It gets boring after a while, needs new jumps and the BMX dirt jumps are really unsafe, it needs to be looked after.*

Alex, Age 13

*The Morwell location is really bad, no-one can see if you are doing anything wrong. It isn't smooth and it is unsafe. The ramps need to be more spaced and also better control on the skate/BMX track*

Matt, Age 13

*Having skate parks in town centre could attract bikes going through towns, businesses, CBD's etc... Promotion of events is a good idea. Toilets (if working) would need to be controlled. Reduce prejudice/stereotyping if managed by someone associated with skaters.*

LT, Moe

### **Comments:**

- *If all abilities are catered for, may need some kind of risk factors associated with difficulty of jump section on track. Indicators of difficulty to new or regular uses to facilities.*
- *Idea of basic first aid kit at each facility*
- *Importance of amenity facilities – regularly maintained*
- *Youth input to design upgrades eg: colour, graffiti, jump designs*
- *Research into community needs for noise*
- *Majority of BMX tracks in poor condition and attempt for independent modification is a concern.*
- *Make sure these plan doesn't fall through cracks.*

David, Yinnar

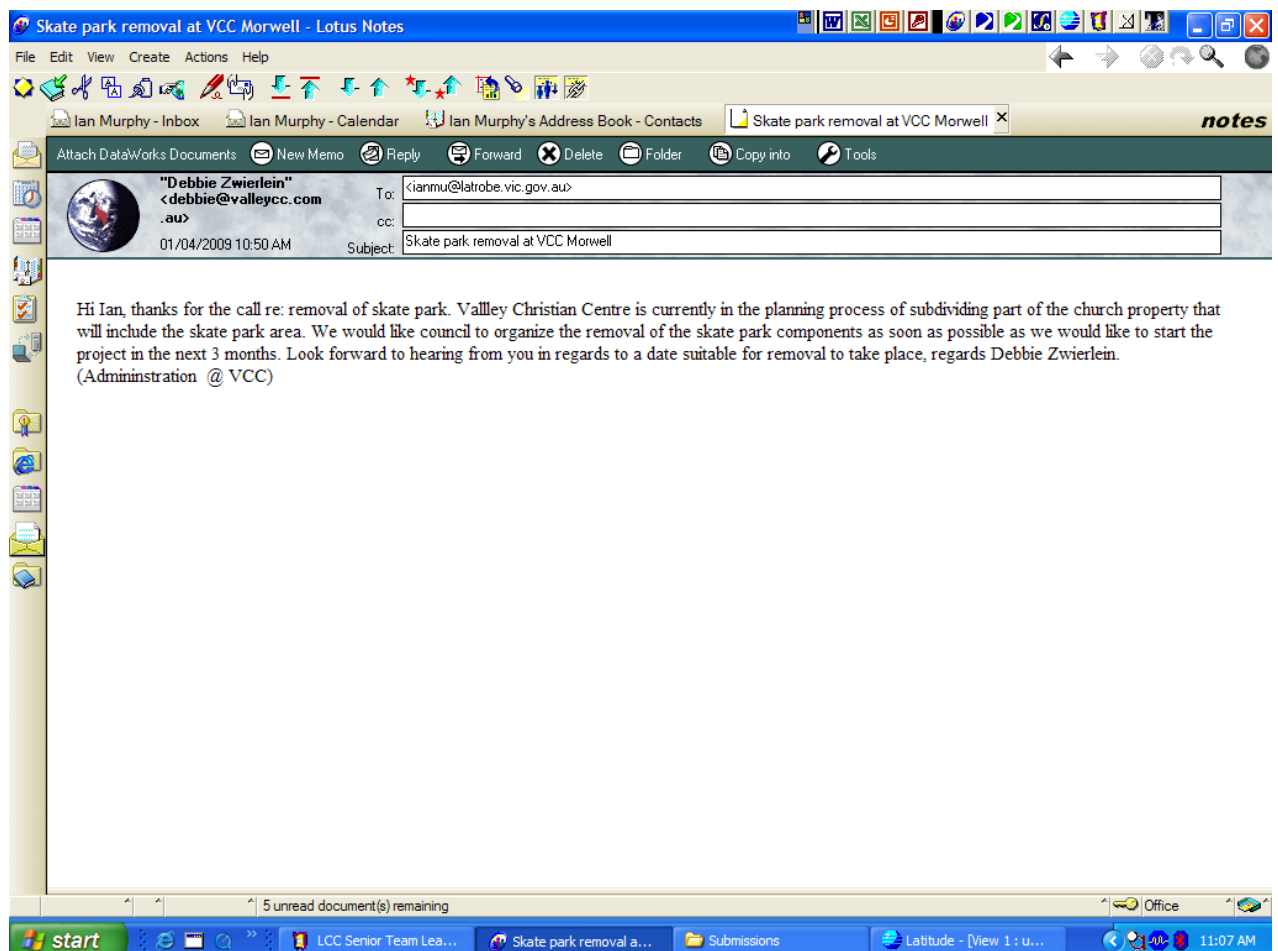
### **Comments about the Morwell Skate Park:**

- *The general surface of the skatepark is shabby and rough*
- *The ramps are of uneven heights with the ground – the beginning of the incline sits 1-2mm higher from the ground*
- *The drop-in ramp is rough and exits at an odd angle*
- *The flat between ramps is always littered with glass shards, rocks and pot-holes*
- *The second level of the park is un-skateable due to the coarseness of the concrete*

- *Being at the top of the hill, to skate there exhausts anyone before they get to the park, and the nearest refreshments are 100 metres away and the toilets can be anywhere from 5-50 mins away depending on how far away you live and what method of transport you are using*
- *Little space to practice basic skills and tricks and people are constantly running into each other*
- *Lack of realistic obstacles that a beginner skateboarder can use (stair-sets, euro's, baks, grind bars, manual pads etc)*
- *Existing obstacles are run down and for a beginner, unrealistic and too challenging to use immediately. Such skills need to be learned on smaller obstacles before they can be applied to bigger and more challenging ones*

Lachlan, Morwell

**All comments and verbatim were sourced by Youth Councillors during March 2008 from local young people under the age of 25 and living in the Latrobe City municipality.**





Telehin Family  
13 East Street  
Yallourn North  
3825

To Whom it may concern,

I am just writing a short note for the proposal of a skate park in Yallourn North.

Growing up in Yallourn North myself I have seen so much close in our town, eg: Chemist, Pony club, Motorbike track and another B.M.X track. Now I've chosen to bring my own family up in Yallourn North as I believe it to be a great community. My children and I helped build the current B.M.X track which we still go up and use. I've watched as the kids in town have taken shovels and rucks to make changes but I also watch these kids riding scooters & skateboard around our streets which can be dangerous. I am more than happy to help our community in walking towards this goal of a skatepark for Yallourn North. Please help our town to look forward for our children and hopefully there children. Please feel free to contact me with anything that will help us reach this for the kids of Yallourn North.

Yours faithfully  
Racheal, Daniel, Hayden  
& Lachlan Telehin

<b>Latrobe City</b>	
u 1 APR 2009	
Doc No:	
Action Officer:	
Disposal Code:	
Comments:	

To Whom it May Concern,

As a mother of five children, and a resident of Yallourn North, I would like to lend my full support to any suggestion of developing a skate park within the town.

As we know, it is particularly important these days to encourage physical activity in our youth to promote a healthy community and increased emotional wellbeing.

The BMX track has proven to be a huge success with the Yallourn North community with my family and friends regularly spending time there, we have even host two birthday parties there! However, such a facility does tend to suffer from extreme weather conditions, in wet weather it can become unusable due to pooling water and mud. Skate parks have the versatility BMX tracks lack, with year round use available to users of bikes, skates, go carts and scooter users.

A skate park can cater to a very broad demographic within the Yallourn North, from the very young, supervised by parents, to school aged children exploring early opportunities for independence. Teenagers particularly tend to enjoy skate parks and like the sense of belonging a communal place provides for them.

Beyond this age group, the older community have always supported development of opportunity within the town, and are often the ones who will provide grass roots assistance to these projects. Even the elderly citizens can benefit by a skate park, enjoying time spent with grandkids and families.

A skate park allows the children to not only to participate in unstructured play, but also creates the opportunity for them unite and identify themselves as part of the wider community. It will encourage ownership and social responsibility and provide a safe arena for them to enjoy their sports.

I commend the suggestion to introduce such a facility in Yallourn North and would be a willing participant in its planning and development.

Sincerely

Marie Downie  
8 High Road  
Yallourn North

---

To Latrobe City – Recreation Department

I am writing to support a community proposal for a skate park facility in Yallourn North.

There are very little opportunities within our township for family fun, and as a father of five I would support any family oriented initiative.

I periodically travel to either Traralgon, Trafalgar and even Warragul to enjoy skate parks with my children and with the rising cost of travel this can be very restrictive to large families.

Of course, travel time is also a major consideration – I work full time hours and have limited recreation time available to my family.

Local facilities would definitely be my preferred option.

My kids use scooters, skates and skateboards in our residential street and I am often concerned for their safety due to external, uncontrolled factors such a large or speeding vehicles, as well as motorists reversing out of driveways and even the deteriorating footpath surfaces in the area.

All these factors support the introduction of a skate park in Yallourn North and I sincerely hope due consideration is given to the points I have raised.

Regards

Jim Downie

8 High Road  
Yallourn North

Dear Council.

We think having a skate park is a good idea.

Because people can have fun and parents enjoy watching there children have fun.

Its amazing!

You cant bring your skates to the bike track.

We do not have a skate park

By Charlotte Downie  
Yallourn North Primary School  
Aged 8 (just)

---

Dear Council,

I think the idea of having a new skate park in Yallourn North is great.

I am not particularly interested in skating, but I do know a lot of people that are who are interested.

I also think that it would be a good place for teens to meet up, or even a good place for parents to take their kids for a couple of hours, because it is near by.

In Yallourn North, there aren't many places for kids to enjoy that are walking distance, so I think that it would be a good and exciting change for this town. Kids would love it, and so would the parents.

Thank you.

Yours Sincerely,

Jess Downie.

13 y.o Lowanna College

# SKATE PARK

## DEAR COUNCIL

**I RECON IT'S A GREAT IDEA TO HAVE A SKATE PARK IN YALLOURN NORTH BECAUSE THE BMX TRACK WE HAVE NOW, YOU CANT SKATE BOARD, ROLLER SKATE AND SCOOTER AND WE DONT GET MUCH CHANCES TO GET STUFF LIKE THIS IN OUR TOWN AND IT WOULD BRING MUCH MORE JOY AND LAUGHTER TO OUR TOWN.**

**I THINK THE SKATE PARK WOULD ATTRACT MORE PEOPLE AND PEOPLE FROM YALLOURN NORTH DONT HAVE TO TRAVEL TO MOE OR WARREGUL. I KNOW A LOT MORE PEOPLE THAT WOULD KILL FOR A SKATE PARK AND NOT WASTE GAS TO TAKE KIDS TO GO SKATING.**

**IF THERE WERE A PARK LIKE THIS THAT WOULD MEAN THE KIDS COULD JUST RIDE TO THE PARK, THAT MEANS LESS GAS AND IT WOULD SAVE THE ENVIRONMENT, WHICH WOULD GREAT.**

**FROM MIKAYLA ROSE DOWNIE  
YALLOURN NORTH PRIMARY SCHOOL,  
AGE: 10 TURNING 11**



---

Dear, Latrobe City Council

We would like to have a skate park in Yallourn North. It would be better than people riding skate boards and scooters in the streets and path ways. It will be fun for kids of all shapes and sizes. I think, all of us kids in Yallourn North have had the dream of a beautiful skate park. It would also be good for a concrete skate park because metal sounds to noisy and when its hot it will burn.

Thank you from Dylan

P.S we will take care of it.

Dear, Council

I think the skate park is a good idea because the BMX track isn't good now. When it rains the track gets muddy and is bad for our bikes. With a skate park it doesn't get muddy when it gets wet, it just dries. I would like a concrete one because I like them better and concrete ones are not noisy.

Thank you

Ryan Hearn



Latrobe City	
- 1 APR 2009	
Doc No:	
Action Officer:	
Disposal Code:	
Comments:	

David Hood  
25 Murray Road  
Yallourn North  
Vic 3825

Ian Murphy  
Recreation Planner  
Latrobe City

RE: Latrobe City 2009 Draft Skate & BMX Plan

Dear Ian,

I am writing in response to the Draft Skate & BMX plan that has been prepared by Latrobe City. It is a positive step to establish a plan that aims to provide and improve recreational facilities for the youth of our municipality. It is also pleasing that Latrobe City has incorporated ongoing assessment of the current facilities to ensure that standards are maintained.

As a Yallourn North resident I was pleased that a site visit, as well as a community consultation session, was conducted early last year. I was informed that a number of the town's younger population were in attendance along with their parents and other community members.

The existing BMX Track in Yallourn North has been in place for several years, and I believe that this facility has undergone some unofficial modifications over that time. I agree with the plan to review facilities and ensure that they meet the recreational needs of the community, and I hope that this also includes the opportunity to make alterations to facilities to increase variety and interest.

In addition to the enthusiasm shown at the site visit/consultation I have also spoken to younger community members who use the current BMX facility. While I am unsure if the level of community interest reaches council I believe that there is wide support amongst the youth of Yallourn North for the expansion and upgrading of our current facility. The concern that community members have raised is that they are unsure how exactly to show their interest and support in order to develop such a facility. I mention this with both Key Principle 6 and Key Objective 4 from the plan in mind; as they both convey the need for community

input/support and partnership. I believe that it is of great importance that Council is able to provide information and advice to the community that help them to learn how to best support these projects.

After discussing the content of the plan with community members it was clear that the actual document itself acted as a barrier. While I recognise that it is important to have an official document that outlines the strategic development of current and future facilities I feel that a supporting document that is targeted towards the youth of our municipality would be beneficial. After reading the draft plan and then speaking to community members I discovered that the youth of our community found the document hard to read and understand. Unfortunately some the target age group are unable to follow and understand the outlines of the plan and how they can participate. It is important to consider that members of the target age group can often quickly lose interest in a short space of time and may need extra encouragement and assistance in order for them to fully show their support and become involved.

With a low amount of public transport services currently operating to and from Yallourn North the young members of our community are also faced with little options in terms of Skate facilities if they are unable to source other transport. This has been highlighted in the past with a member of local community groups having problems with locals using their grounds for skating purposes. Until a dedicated skate park is established within Yallourn North these situations will continue to occur with potential vandalism and safety risks. While those who take part in these activities should not be excluded or singled out, we should together look towards providing them with, or better access to, appropriate facilities.

The development of the 2009 Skate & BMX plan is the first step towards ensuring that there are suitable and modern recreational facilities within Latrobe City. I look forward to the future opportunities that arise and hope that the community of Yallourn North can work towards creating a sustainable and popular BMX & skate facility.

Yours sincerely,

A handwritten signature in black ink that reads "David Hood". The signature is written in a cursive, flowing style.

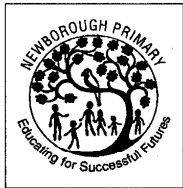
David Hood

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Dear Latrobe City

I would like there to be a skate park in Yallourn North. I'm not the only one who wants a skate park. If we get one it would be much safer for the kids who ride skate boards or scooters. When the BMX track gets muddy people could just go over to the skate park.

Yours sincerely Thomas Lawrey



## Newborough Primary School

Murray Rd. PO Box 54, Newborough 3825

Ph 51271448 Fax 51261468

[newborough.ps@edumail.vic.gov.au](mailto:newborough.ps@edumail.vic.gov.au)

26 March 2009

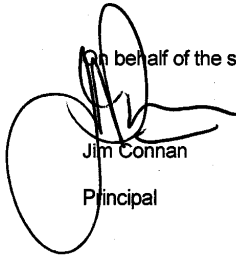
Dear Sharon,

Please find attached the petitions our small group of children collected in regard to the installation of a skate park at Newborough.

They would ask that, as a Latrobe City Councillor, you submit these to Council for consideration.

Thank you for your assistance in this matter,

On behalf of the student group of Newborough Primary School,



Jim Connan  
Principal

From  
CR Sharon Gibson  
For DW Registering  
and delegation  
- Ian Murphy  
- ? who ever else  
gets petitions

Latrobe City	
- 2 APR 2009	
Doc. No:	
Action Officer:	
Dispose Code:	
Comments:	



Dennis Simmria	Beau Radford	Mike Miller
Sue Boothman	Scott van Dyke	Jake Coulter
<del>Ally Gray</del>	Darcie White	Ben Van Dyke
Sarah Cantwell	Tayla Read	Liam Cordner
Tegan Bell	Zoe Cornish	Chloe Walters
Jessica Amos	Lauren Sherry	Lee Van Der Pluym
<del>Elizabeth Stevens</del>	Dylan Parsons	TYSONO
Robyn Stevens	Joshua R	Naomi Xuereb
Jamie Grindohayk	Daniel Somerville	Patrick Charles
<del>Jo Hammock</del>	Reid Baldwin	Damon Zobic
Johanna Van Elupt	Amy Hardy	Declan Burns
<del>Caroline Booth</del>	Jordyn/chips.A	Harry Etkin
<del>Ben Gray</del>	Jai Gatti	Kasey Buckle
Chelsea Granger	Vicky Beecher	Hannah Rees
Ryan Harvey	Daniel Dwyer	Lyn William
Ethan Detering	Erony King	Rob Rolfe
Dylan Quine	Torri Martin	Lachie C
Ryan Perkins	Dale	Richard
Jacob Memahan	Tameecant	Laura Young
Jodi Cook	Tamara Key	Rachael Grant

## Newborough Sk8 Park Petition

There are people that get really disappointed when their parents say they can't go to the Moe Skate Park with their friends so I am making a petition that will be sent to the Latrobe City Council to put a Skate Park in Newborough something like the Moe Skate Park so it would be made of metal but it would be a lot better. If this was to happen it would be place most likely behind the Newborough Scout Hall so if you would like it I would like you to sign my petition.

By signing this petition you are supporting the creation of the Newborough Skate Park:

Just Mark P	Ayden B P	Jordan Bowler & i
Brent	Bailey Fischer	Ryehelle Grant
Jordan.D	<del>James B. B.</del>	Beth Miller
ZOE.S	Jeremy Tony	Rock Smith
Dylan Brooks	Jared Wood	Az. Shelley
Maer Xuereb	Josh Egan	Andy Hermanns
Maddi Edward.	Brodie Doran	M. M. Mally
Liam Horler	Kobie Taylor	Andy Hardy
Jarrod Hatler	Lauren Doyle	Maddy Mead.
Molly W	Shelby Whiffers	Georgia Lawton
Katie.H	Mikayla Bechaz	Jack Beach
Claudia. Watson	Kira Bouse	Harry P
Josh Seaton	Molly Elswyk !!	Tristian Burgess
Joel King	trent simpson	Mat LEICESTER
Molly Coroner	Phay Hooper	Ryan Lambert
Carley van Der Pluym.	<del>John</del>	LUCKSON.H
Mitchell Luck	Elli Douglas	Lachie mcnamara
Alex Cant	Inogene Allan	Kmewett
Anthony young	Lucas Taffs !!	Debbie Richardson
Ayden Rees	Kohem Swifty !!	<del>John</del>

Blake	Kyia Smith-Stevens	J. [unclear]
Zack R	Joy Mendenay	
RILEY	Emma Gray	
Alex	Bronte Leskie	
William W	<del>Royce</del> Colgrave	
Ashlee S	<del>[unclear]</del>	
Jacob	Rory Taylor	
Trent welton	Kathryn Egan	
Jordan O'Connor	Brylie Carpenter	
Nick Caldwell	Jade Carpenter	
Liam Flahavin	Claudia Price	
Wade Smith	Elroy Whiting	
JESSE WELLS	Jess Somerville	
NICOLAS A	JESSE COOK	
JAR. e. Pullar	Danielle Williams	
Cory Briggs	Morgan de Vent	
Choe Spengler	Jaim P.	
Chloe Savage	Jan D	
Mirela Dobric	Michael Somerville	
Shae Edwards	Madi	



## SKATE PARK PETITION for NEWBOROUGH †

We, the undersigned citizens of Newborough ask the Latrobe City Council to design and build a concrete easy to medium grade skatepark for all ages in the local area and to place this on the Councils budget for this year as a matter of urgency.

Name	Address	Signature
R Ebsworth	41 Bennett St	R Ebsworth
P. Sinclair	40 Hawker St	P. Sinclair
B. Robinson	39 Queen St	B. Robinson
N. Martin	110 Monash Rd	N Martin
T. Gane	6 Gooding St.	T. Gane
T. Basile	5 Castle Str	T. Basile
R. Fankhauser	<del>22 Eastman Ave</del> <del>at [unclear] [unclear]</del>	R. Fankhauser
L. Betts	41 Steadfast St	L. Betts
C. Hilditch	16 Mayo close	C. Hilditch
R. de Joanelli	66 Pinnacle drive	R. de Joanelli
P. Cruickshank	35 Wirrana drive	P. Cruickshank
Daile Murray	18 Moore St Erica	Daile Murray
Ryan Herlihan	11 Monash Rd	Ryan Herlihan
Sarah Wilson	50 Anderson Ave	S Wilson
L. Morris	2 Smallburn Ave	L. Morris
R. Morris	2 Smallburn Ave	R. Morris
J. Morris	2 Smallburn Ave	J. Morris
Erarry Alberts	Geelong	Erarry Alberts
Sam Newman	Geelong	S. Newman
Billy Brownless	Geelong	B. Brownless
Trevor Marmalade	Behind the Bar	T. Marmalade
Brendon Bastin	24 Albert Street Moe	B. Bastin
JAKE MARSTON	10 Jeeralang Av	J. Marston
Simon Calabro	5 Kennedy Court	S. Calabro
Hayden Walker	26 Nardinos Rd	H. Walker

## SKATE PARK PETITION for NEWBOROUGH

We, the undersigned citizens of Newborough ask the Latrobe City Council to design and build a concrete easy to medium grade skatepark for all ages in the local area and to place this on the Councils budget for this year as a matter of urgency.

Name	Address	Signature
DIRT	12 Whoville crt	
Brendan Krznanic	24 Huan crt	BKrznanic
Brad Francis	56 matthew crt	
Ash Kellow	9 Southwell Ave	
Nathan Stewart	150 Mae South rd	NKS
Lindy Owen	90 Lowanna College	
Alan Schack	" " "	
Matt Pisdale	4 Austin Ave	
Brad Sherry	28 Reservoir Rd Mae	
Amanda Bell	12 Balfour St Newb	
Khatelka Milojevic	3 McCarthy Rd Newb	Khatelka
Emily Morrey	2 Gunn Street	
Emily Farnes	28 Brown St	Emily Farnes
Ellie Baines	69 monash rd	
Rachel Tallett	PO 431 Mae	R Tallett
Michael Burney	12 Vale St	Mitchell Burney
Nicole Sporton	76 Kelso Rd Y.N.	
Justyn Cassar	55 Becks Brigden	
Cody Myke	4 Myth crt Newb	Cody Myke
Jackson Foster	5A Mavelba crt	
Scott Lowater	6 Kerin St Moe	Scotty
James Columbine	193 Brown Coalmine <sup>Road</sup> Valnorth	James
Kathlene Ross	15 Yasmine Drive <sup>Hornes</sup> Oak	Kathlene Ross
Darcy Fox	7 York St Mae	
Phil Monger	2 Hunter Rd Tanjil St	Phil Monger
Courtney Cheesman	2 Scorpio Drive Moe	
Monique Annot	80 Rylandway	M. Annot





## SKATE PARK PETITION for NEWBOROUGH

We, the undersigned citizens of Newborough ask the Latrobe City Council to design and build a concrete easy to medium grade skatepark for all ages in the local area and to place this on the Councils budget for this year as a matter of urgency.

Name	Address	Signature
Jordyn Wood	Delburn St newb	Jordyn Wood
Tom Start	Newborough	Tom Start
Brittany Camenzuli	29 outlook way	Brittany Camenzuli
Brittany moia	7 balfour st	BM
Corbi Morgan	27 Guy St	Corbi
Robert Mek	Newborough	R McKimmie
Chelsea King	5 furnell st	Clng
Cheyenne Johnston	6 malnham crescent	Cj
Cameron Cilia	22 champelaine st	Cel
Megan burns	3 sonerville crt Moe	
Nicholas Anderson	Service road	Ny
Daniel Smith	Torres st	DK Smith
TRUDEE INKONIC	LAW STREET.	Trudee Inkonic
Georgia Pearson	15 FORTY DIVE	Georgia Pearson
Kiara Lucas ☺	3/3 hyland street	Kiara
Bethany Wright	29 Leith street	Bw
Shannon Jackson	4 Balfour St <sup>Nas</sup>	S.J
Natasha Fraser	8 Edward st Moe	Natasha.
Tyler Morrow	183 Moe South rd	Tyler
Jack Chilcote	Moe South	Jack
Rohan Reid	Moe	Rohan
Tom Nieuwenhuys	Newborough	Tom
Jim Connan	of Newborough Primary School.	Jim



**MORWELL SKATE PARK**  
**MEMORANDUM OF UNDERSTANDING**

**August, 2002**

This agreement is made between

**LATROBE CITY in the first part referred to as the Council**

and

**The Thrill Zone Inc in the second part**

**Preamble**

Latrobe City and The Thrill Zone Inc have agreed to develop the Morwell skate park as a partnership with The Thrill Zone Inc providing the site and Latrobe City providing the ramps.

**Objectives**

This is a collaborative agreement to support the provision of a skate facility for the young people of Morwell and surrounding areas and the ongoing management and access arrangements to the Morwell skate facility located on the land of the Inc. Association

**Outline of agreement**

1. Latrobe City will provide skate ramps to the value of \$35 000, which includes design, construction, delivery, signage and installation. These skate components will be free standing.
2. Latrobe City will manage funds procured from the Office of Sport and Recreation Victoria obtained under the Minor Facility Grants program and contribute these funds to the skate ramp development.
3. The Thrill Zone Inc will provide the concrete skate site located within the property at 144 Maryvale Road, Morwell. This site and the surrounding land is managed and maintained by the Thrill Zone Inc. Association.
4. The Thrill Zone Inc will maintain skate park site access from Haywood Street (initially pedestrian only), Hannah Street (vehicular & pedestrian) and Maryvale Road (vehicular & pedestrian). The Thrill Zone Inc reserves the

right to limit access from time to time as required due to other scheduled events and after park operation hours, it being acknowledged that the occurrence of such limitations would be rare.

5. The Thrill Zone Inc will provide Council with written advice 14 days prior to a period of limitation to access to the Morwell skate site for special Church events. The Thrill Zone Inc will also forward this advice to users of the Morwell skate park.
6. The Morwell skate park will be a temporary facility and will be subject to quarterly reviews. At the Council's determination a five year occupancy with a further option may be negotiated following the aforementioned review arrangements.
7. The Thrill Zone Inc will submit an annual report to Council outlining maintenance activity, general operation assessment and an incident report summary.
8. The Thrill Zone Inc is responsible for all minor maintenance and cleaning of the Morwell skate site location. Thrill Zone Inc will provide access to existing toilets and establish an external toilet for users of the facility to access during daylight hours.
9. Latrobe City Council will maintain safety and maintenance inspections of skate ramps that have been provided with Council funds.
10. Latrobe City Council will pay a \$1000 annual site rental fee paid at the commencement of each financial year.
11. The Thrill Zone Inc will maintain informal site supervision of the Morwell skate park site.
12. Access to the Morwell skate park will be available for emergency services during daylight hours and limited access after hours. e.g. an ambulance will be able to park adjacent to the park gaining access from Hannah Street but we will stop access further than that point and from Maryvale Road to deter vandals and joy riders from using the property for other than its intended use. Thrill Zone Inc will install bollards that restrict vehicular access after hours to ensure greater safety on site.
13. Where possible the Inc. Association will provide phone access in case of emergencies for the users of the Morwell skate park.
14. Latrobe City Council will provide the Inc. Association with a copy of the components purchased by the Council with ownership of these components remaining with Council.
15. Latrobe City Council will provide three months notice in writing if it wishes to remove the skate ramps.



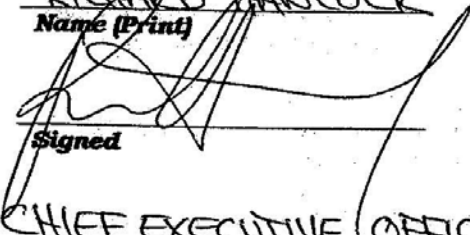
- 16. The Morwell skate park will operate during daylight hours only.
- 17. Latrobe City Council will provide the major safety sign at the Morwell skate park and acknowledge the joint venture of the park between the Latrobe City Council and the Thrill Zone Inc. Latrobe City will provide a sign at the Morwell skate park to specifically acknowledge the financial contribution of the Office of Sport and Recreation Victoria.

**Declaration**

The parties to the memorandum of understanding acknowledge they have read and accept the conditions and responsibilities outlined above.

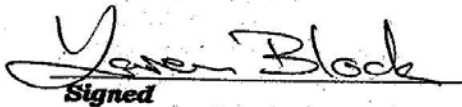
Signed for and on behalf of  
**LATROBE CITY**

RICHARD HANCOCK  
Name (Print)

  
Signed

CHIEF EXECUTIVE OFFICER  
Position

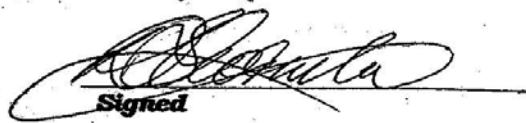
KAREN BLOCK  
Witness(Print)

  
Signed

27-8-02  
Date

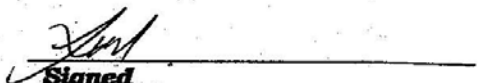
Signed for and on behalf of  
**THRILL ZONE INC.**

Drew Gormlie  
Name (Print)

  
Signed

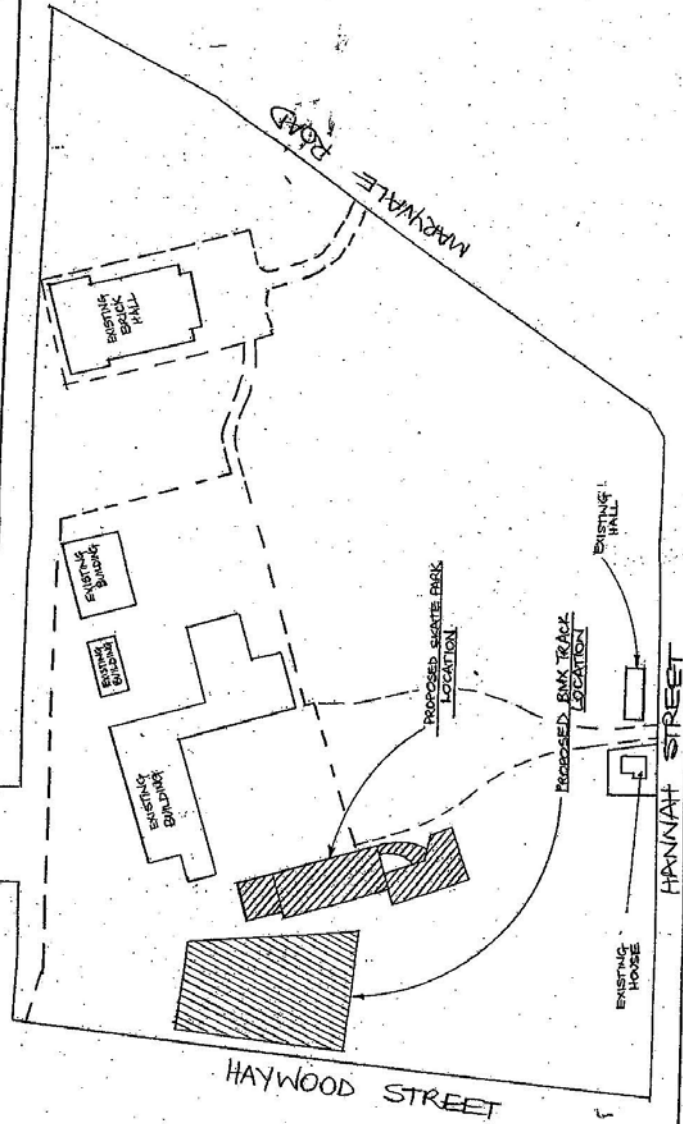
ASSISTANT PASTOR  
Position

Jacqui Bridge  
Witness(Print)

  
Signed

14/08/02  
Date

**VALLEY CHRISTIAN CENTRE - "THRILL ZONE" - SKATE PARK & BMX TRACK LOCATION DETAIL**



VALLEY CHRISTIAN CENTRE  
144 - 148 Maryvale Road  
PO Box 853  
Morwell VIC 3840  
Ph: 0351337068 Fx: 0351330713  
E-mail: morwellcog@i-o.net.au

COMPONENT NUMBER: —

NAME: THRILL ZONE LOCATION DETAIL

# **BUILT AND NATURAL ENVIRONMENT SUSTAINABILITY**

**11.3.1 2008 LATROBE HERITAGE STUDY AND PLANNING SCHEME  
AMENDMENT**

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

**1. PURPOSE**

The purpose of this report is to seek Council adoption of the 2008 Latrobe City Heritage Study and request Ministerial authorisation in accordance with Section 9 of the *Planning and Environment Act 1987* to prepare an amendment to the Latrobe Planning Scheme.

**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* – Protect the area's historical character and heritage features.

*Key priorities and Actions* – Progress the planning scheme amendment to introduce heritage provisions into the Latrobe Planning Scheme.

### 3. BACKGROUND

Latrobe City Council is responsible for the conservation and protection of places of cultural heritage significance within the municipality. These responsibilities are detailed within the provisions of the *Planning and Environment Act 1987*, which require Council to conserve and enhance those buildings, areas and other places that are of scientific, aesthetic, architectural or historical interest or otherwise of special cultural value. The primary instrument Local Government uses to achieve this is by way of planning controls within their municipal planning scheme.

Latrobe City Council first appointed consultants in August 2004 to undertake the Latrobe City Heritage Study. The overall purpose of the Study was to:

- Review the *Traralgon Heritage Study* (1992), paying particular attention to the proposed heritage precincts;
- Identify, evaluate and document post-contact places of cultural heritage significance in Latrobe City;
- Review the description of the Environmental History of Latrobe City;
- Make recommendations for the conservation and management of identified places of cultural heritage significance.

The 2005 study was guided by a Steering Committee comprising Councillors, Council Officers, representatives from local historical societies, community members and Heritage Victoria. The study provided several recommendations for the preservation of identified places, and most significantly, the introduction of a Heritage Overlay to the Latrobe Planning Scheme.

The 2005 report was subsequently adopted by Council at the ordinary Council meeting held 18 July 2005 along with the resolution to commence preparation of a planning scheme amendment to include identified places within the Heritage Overlay however; this recommendation was not actioned due to higher priority strategic planning projects being considered by Council at that time.

The commencement of an amendment to introduce the Heritage Overlay to the Latrobe Planning Scheme is a Council Plan Action for the 2008 - 09 financial year. Consultants were engaged in 2007 to review the 2005 Study prior to the commencement of a planning scheme amendment, due to the demolition of several buildings and the need to further investigate sites identified by the 2005 study as being of potential significance. The review of the 2005 study was completed December 2008. Key changes resulting from the review are shown in the following table:

<b>Status</b>	<b>2005</b>	<b>2008</b>
<b>Local Significance</b>	<b>108</b>	<b>153</b>
<b>Precincts</b>	<b>9</b>	<b>14</b>
<b>State Significance</b>	<b>7</b>	<b>7</b>
<b>Potential Significance</b>	<b>191</b>	<b>34</b>
<b>Not significant</b>	<b>29</b>	<b>90</b>
<b>Demolished</b>	<b>5</b>	<b>15</b>
<b>TOTAL</b>	<b>349</b>	<b>323</b>

The number of places of potential historical significance identified in 2005 has now been significantly reduced following further investigations undertaken during the 2008 review. Some of the 191 places listed as being of potential significance in 2005 have now been confirmed as either being not significant or have been identified as having local or state significance.

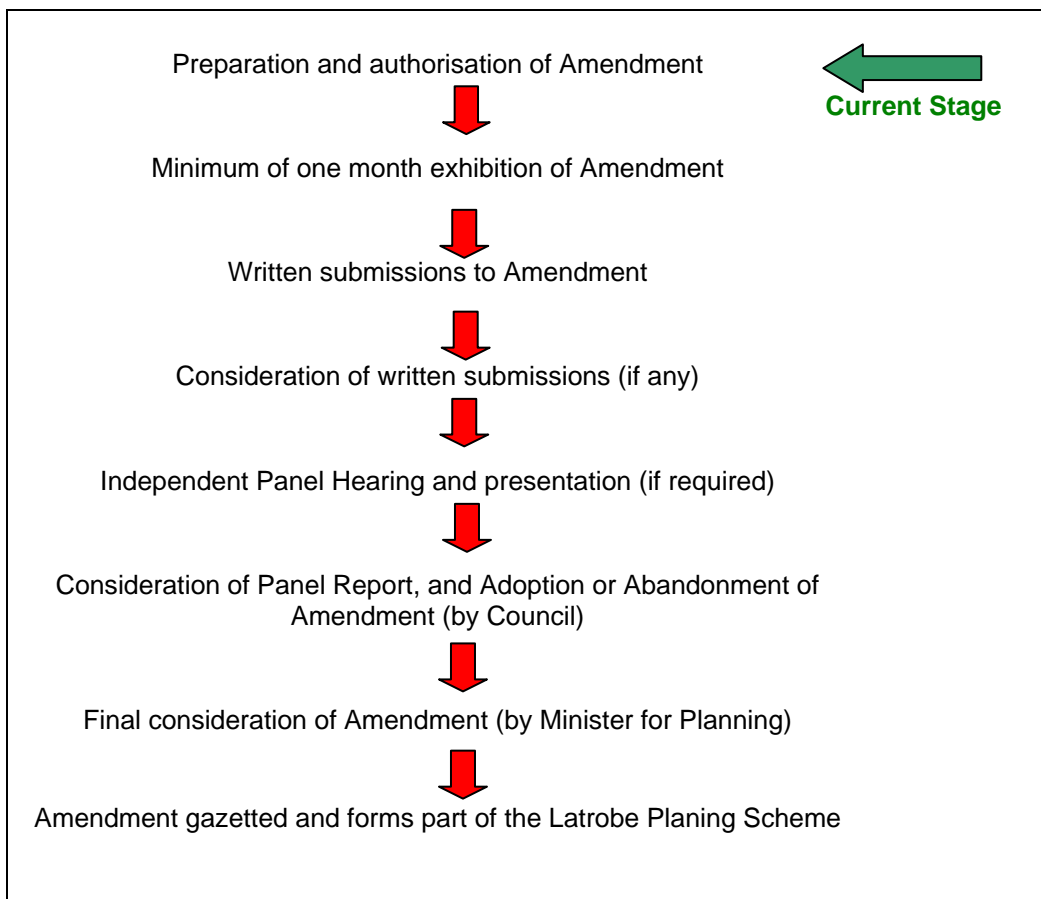
#### Statutory Requirements

In accordance with Section 9 of the *Planning and Environment Act 1987*, the Minister for Planning may authorise a municipal council to prepare an amendment to State and local standard provisions of a planning scheme in force in its municipal district.

When a municipal council is authorised by the Minister to prepare an amendment to a planning scheme, they also become the planning authority.

Municipal councils, as the statutory planning authority, have a number of duties and powers. These duties and powers are listed at Section 12 of the Act. Under Section 12 a planning authority must have regard to (inter alia):

- The objectives of planning in Victoria;
- The Minister's directions;
- The Victoria Planning Provisions;
- The Latrobe Planning Scheme;
- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any use or development envisaged by the amendment.



This amendment proposal is consistent with the requirements of Section 12.

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

### Current Planning Scheme Amendments

The introduction of the Heritage Overlay to sites recommended by the 2008 Latrobe City Heritage Study is supported by Amendment C62 (revised Local Planning Policy Framework) endorsed at the 1 September 2008 ordinary Council meeting. Clause 21.04-2 specifically references the 2008 Latrobe City Heritage Study, while Clause 21.04-4 provides the following strategy:

*“Ensure that all heritage places and precincts of local or state significance receive appropriate statutory protection”.*

## **4. ISSUES**

The 2008 Latrobe City Heritage Study includes a history and citations for 139 individual places and 14 heritage precincts of local heritage significance within the municipality.

The 2008 Latrobe City Heritage Study comprises three volumes which are as follows:

*Volume 1: Latrobe City Thematic Environmental History*  
*Volume 2: Key Findings & Recommendations*  
*Volume 3: Heritage Place & Precinct Citations*

The study includes recommendations for statutory protection and other measures to conserve and manage heritage places that form the basis of a conservation program. The key recommendations included within the Conservation Strategy provided by the 2008 *Latrobe City Heritage Study* are as follows:

1. Prepare Planning Scheme Amendment:  
Latrobe City Council prepares and exhibits a planning scheme amendment to implement recommendations of the Study, including the Latrobe City Heritage Study 2008 as a Reference Document in the Latrobe Planning Scheme.
2. Local Planning Policy Framework Review:  
The Latrobe Municipal Strategic Statement is updated to reflect the key findings and recommendations of the Study.
3. Heritage Overlay Schedule & Maps:  
The existing Schedule to the Heritage Overlay in the Latrobe Planning Scheme is replaced with a new Schedule, which includes both the existing heritage places listed in the Schedule and the additional heritage places and precincts (total 153) of local significance identified by the 2008 Study.



The identification and assessment of pre and post-contact indigenous heritage places was not undertaken as part of this project, as this study focused on post - contact cultural significance. The report provides the recommendation that a separate study be undertaken to document places of local indigenous cultural heritage.

It is noted that the protection and management of places of indigenous cultural heritage is more commonly provided by separate legislation under the *Aboriginal Heritage Act 2006*.

All necessary documentation in support of an amendment to the Latrobe Planning Scheme has been prepared as part of the review of 2005 Heritage Study and is provided within the 2008 Latrobe City Heritage Study, Volume 2 Appendix C. An incorporated document detailing permit exemptions for specific places and precincts has also been prepared and is recommended for inclusion within the Planning Scheme.

If Council determines to adopt the 2008 Latrobe City Heritage Study, a request will be forwarded to the Minister for Planning to amend the Latrobe Planning Scheme accordingly. It is noted that the introduction of the revised Heritage Overlay to the Latrobe Planning Scheme is to commence during the 2008-09 financial year.

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

There are no financial implications associated with the adoption of the 2008 Latrobe City Heritage Study. Commencement of the planning scheme amendment to introduce the Heritage Overlay to the Latrobe Planning Scheme will be undertaken with current resources provided within the 2008 – 09 budget.

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

Consultation with key stakeholders and community was undertaken during the completion of the 2005 Heritage Study. The 2008 review did not revisit consultation with the broader community; however key stakeholders were engaged during the further investigation of individual places.

The 2008 Latrobe City Heritage Study has undergone a peer review with Heritage Victoria, who recommended several alterations which have since been made to the report.

The planning scheme amendment to introduce the Heritage Overlay to recommended sites is subject to the prescribed exhibition process in accordance with Section 19 of the *Planning & Environment Act 1987*. It is intended that the exhibition of the amendment will be extended for a period of eight weeks.

All landowners and statutory authorities likely to be affected by the amendment will be notified in writing and submissions will be invited. All submissions will subsequently be considered by Council prior to consideration by an appointed Planning Panel, at which time the opportunity for further review of the places recommended for inclusion within Heritage Overlay may be provided.

## 7. **OPTIONS**

Council has the following options:

1. Adopt the 2008 Latrobe City Heritage Study and request authorisation from the Minister for Planning to prepare an amendment to the Latrobe Planning Scheme for the introduction of the revised Heritage Overlay.
2. Not adopt the 2008 Latrobe City Heritage Study.

## 8. **CONCLUSION**

The 2008 Latrobe City Heritage Study provides a detailed and comprehensive understanding of the extent and significance of cultural heritage places throughout Latrobe City.

Adoption of the 2008 Latrobe City Heritage Study and the submission of a request for authorisation to prepare an amendment to the Latrobe Planning Scheme to the Minister for Planning will progress the delivery of the Latrobe City Council Plan commitment to: *Progress the planning scheme amendment to introduce heritage provisions into the Latrobe Planning Scheme.*

**9. RECOMMENDATION**

- 1. That Council adopts the 2008 Latrobe City Heritage Study.**
- 2. That Council applies to the Minister for Planning under Section 9(2) of the Planning and Environment Act 1987 for authorisation to prepare an amendment to the Latrobe Planning Scheme, which seeks to:**
  - Introduce the Heritage Overlay to 153 places and precincts as identified by the 2008 Latrobe City Heritage Study.**
  - Include the 2008 Latrobe City Heritage Study Volumes 1, 2 & 3 as a reference document within the Latrobe Planning Scheme.**
  - Include Volume 3 of the 2008 Latrobe City Heritage Study as an incorporated document within the Latrobe Planning Scheme.**
  - Include the Latrobe City planning permit exemptions as an incorporated document within the Latrobe Planning Scheme.**
  - Amend the Local Planning Policy Framework to include reference to the revised Heritage Overlay, as appropriate.**
- 3. That Council notifies all landowners directly affected by the introduction of the Heritage Overlay during the exhibition of the planning scheme amendment.**

**Moved:** Cr O'Callaghan

**Seconded:** Cr White

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

ATTACHMENT

2008 Latrobe City Heritage Study, Context Pty Ltd

**11.3.2**      **CONSIDERATION OF SUBMISSIONS LATROBE PLANNING  
SCHEME AMENDMENT C63 MORWELL BOWLING CLUB**

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

**1. PURPOSE**

The purpose of this report is to consider all written submissions received in response to proposed Amendment C63 and to seek Council approval to progress the planning scheme amendment to the next stage.

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

The proposal is consistent with the State Planning Policy Framework and the current Municipal Strategic Statement.

### 3. BACKGROUND

A request has been received from a consultant acting on behalf of Morwell Bowling Club Recreation Centre Incorporated to rezone the Bowling Club site and former Morwell South Tennis Courts site from Public Park & Recreation Zone (PPRZ) to Residential 1 Zone (R1Z).

The amendment applies to two parcels of land located on the south west corner of Hazelwood Street and Keegan Street in Morwell;

(i) Land described as Certificate of Title Volume 10117 Folio 291, i.e. existing Bowling Club site owned by Morwell Bowling Club Recreation Centre Incorporated and;

(ii) Land described in Title Plan 870443V i.e. unused tennis courts, currently crown land in the process of being sold to Morwell Bowling Club subject to this amendment.

See site map Attachment – 1

The amendment is required for the following reasons:

(i) Part of the subject site, the existing Bowling Club, owned by Morwell Bowling Club Recreation Centre Incorporated is not within government ownership. As such the current zoning of the Public Park and Recreation Zone (PPRZ) conflicts with Point 12 of Ministerial Direction on Form and Content of Planning Schemes under Section 7(5) of the *Planning Environment Act 1987* (the Act), which states that;

*A planning scheme may only include land in a Public Use Zone, a Public Park and Recreation Zone or a Public Conservation and Resource Zone if the land is Crown land, or is owned by, vested in or controlled by a Minister, government department, public authority or municipal council.*

(ii) The use of the land on the existing Bowling Club site is not consistent with the Public Park and Recreation Zone provisions, which has been the case since the introduction of the Victorian Planning Provisions (VPP) in the year 2000. This has resulted in a number of restrictions on the site which have created difficulties in the upgrading of the development including signage and the potential expansion of the parking area to alleviate on street parking problems. The rezoning to Residential 1 zone will provide consistency with the VPP and enable the appropriate development of the Morwell Bowling Club.

(iii) To facilitate the rezoning of the land described in Title Plan 870443V i.e. the unused tennis courts. This land is currently crown land in the process of being sold to Morwell Bowling Club. The department of Treasury and Finance require the rezoning of this land in accordance with the Government Land Monitor Guidelines. These guidelines state that the most appropriate zone for the land must be established prior to the land being sold, see attachment 2.

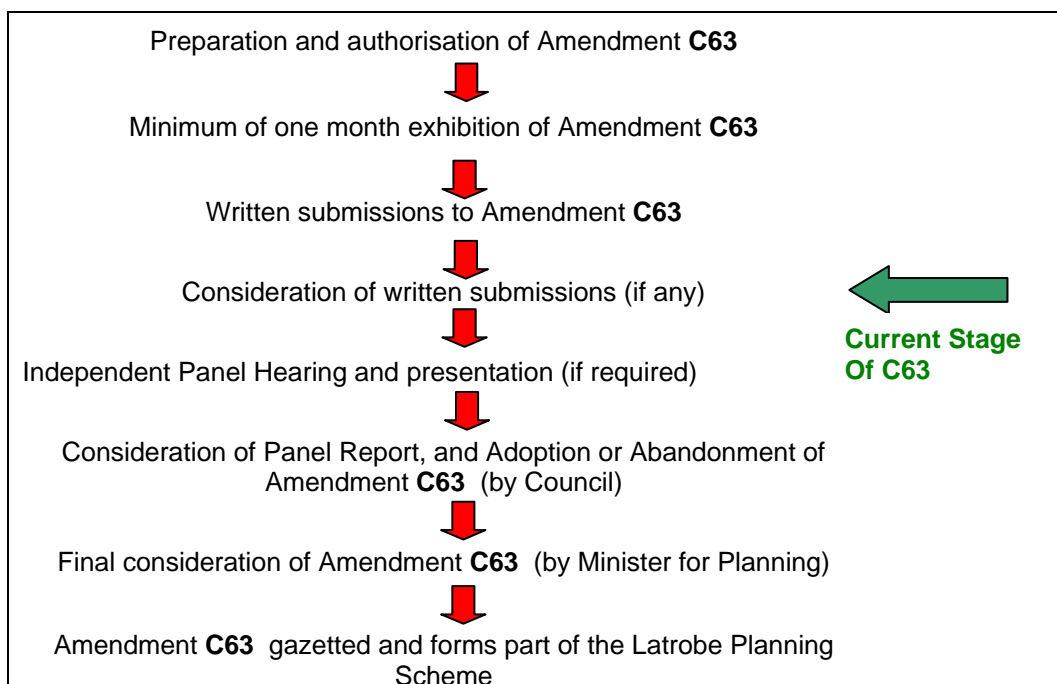
It should be noted that the Morwell South Tennis Courts are identified as surplus in Council’s Tennis Facilities Plan, June 2008. The Plan recommends that this facility be decommissioned and that the potential disposal of land in the context of the Open Space Plan be considered. In this regard Council at its ordinary meeting of 2 April 2001 resolved as follows:

1. *That Council offer no objection to the Morwell Bowling Club Recreation Centre Inc.’s proposal to purchase the land formally known as the Morwell South Tennis Club.*
2. *That Council formally request the Department of Natural Resources and Environment to give consideration to the proposal.*

Statutory Requirements

The planning scheme amendment process is shown in the figure below and provides an indication of the current stage of C63.

**C63 Planning Scheme Amendment Process**



In accordance with the Planning & Environment Act 1987 (the Act), the municipal council, as a planning authority, has 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 C63 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. See Attachment 3.

The proposal is consistent with the State Planning Policy Framework at Clause 14.01-1 and the current Municipal Strategic Statement (MSS) at Clauses 21.03-2, 21.04-5 and current Strategic Land Use Framework Plan at Clause 21.03-3. See Attachment 3 for more detail.

#### Planning Scheme Amendments

In addition Amendment C63 is further supported by Amendment C62, (the draft Latrobe Planning Scheme Local Planning Policy Framework, including the new MSS) at Clause 21.06 Liveability.

The draft Morwell Structure Plan included as part of Amendment C62 reflects the existing zoning of the land. This anomaly has been identified through the submission process for Amendment C62 and will result in the identification of the subject land as 'Existing Urban Area' as this reflects the current and future use of the land as a bowling club.

At the Ordinary Council meeting on 17 November 2008, Council resolved to seek the Minister for Planning's Authorisation to prepare and exhibit the proposed Amendment C63.



The Minister for Planning in accordance with Sections 8A (3) and 35B of the *Planning and Environment Act*, 1987, authorised Council to prepare and approve the proposed Amendment C63 on 22 December 2008.

Amendment C63 was placed on public exhibition during the period 12 February 2009 to 20 March 2009.

Under Section 29 of the Act, Council may adopt the planning scheme amendment with or without changes. Under Section 35A of the Act in order for the planning authority to approve the amendment it must be certified by the Secretary to the Department as being in an appropriate form.

The recommendations of this Council Report are in accordance with Sections 29, 35A and 35B of the Act.

#### 4. ISSUES

Section 6 of this report provides a summary of the 5 written submissions received by Latrobe City Council in response to Amendment C63. Copies of these submissions are provided in Attachments 4-8.

All of the submissions were in support of the proposed amendment.

##### Car Parking

One of the submitters, Mr. Malcolm Bugg, (a local Morwell resident), while not objecting to the proposal did highlight the issue of car parking.

It should be noted that the amendment will assist to alleviate car parking congestion in the surrounding area as it will allow the Morwell Bowling Club to implement a previous planning permit condition (Permit no. 2006/463A), to construct car parking on the unused tennis courts.

In addition, a permit would be required by the Bowling Club to construct or carry out works in accordance with the provisions of the Residential 1 Zone. Therefore any future works that could potentially impact on car parking would be subject to a planning permit.

This has been explained to Mr Bugg at a meeting with him and Council Officers on 11 February 2009.

### Inappropriate Residential Development

Given that the subject land is to be rezoned to Residential 1 Zone it is necessary to limit the possibility of residential development on the southern section of the site. Council is aware through previous discussions with Vic Roads of concerns regarding the loss of amenity to land in the adjacent Residential 1 Zone due to existing traffic noise, given the close proximity of the Princes Freeway. Therefore residential development is not appropriate on the site immediately adjoining the Princes Freeway.

To address this issue it is proposed to include a Section 173 agreement on the southern section of the subject site, to restrict development and minimise the potential for conflict with activities in the adjoining Princes Freeway road reserve. A copy of the Section 173 Agreement is provided in Attachment 9.

## **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.

Statutory fees associated with this proposed amendment will be met by the proponent.

## **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.

This includes advertising in the government gazette and local newspapers as well as written notification to landowners and occupiers that may be materially affected by the amendment.

All statutory and servicing authorities likely to be affected have been notified of the proposed amendment.

Amendment C63 was placed on public exhibition during the period 12 February 2009 to 20 March 2009.

Public Submissions

Five (5) written submissions were received by Latrobe City Council to C63. Section 22 of the Act requires a planning authority consider all submissions to an amendment.

A summary of key issues and comments raised in submissions that have been received by Council in response to Amendment C63 have been provided below.

<b>NO.</b>	<b>NAME/ADDRESS</b>	<b>SUPPORT/ OBJECT</b>	<b>DATE RECEIVED</b>	<b>ISSUES RAISED</b>	<b>OFFICER COMMENT</b>
1.	EPA Victoria 7 Church St Traralgon	Support	11/02/09	None	
2.	Malcolm Bugg 42 Hazelwood Rd Morwell	Support	11/02/09	Car parking	See section 4. of this report
3.	Gippsland Water Hazelwood Rd Traralgon	Support	27/02/09	None	
4.	Vic Roads PO Box 158 Traralgon	Support	19/03/09	None in written submission however previous verbal communication with Council regarding the loss of amenity due to existing traffic noise.	Addressed through inclusion of Section 173 Agreement
5.	DSE 71 Hotham St Traralgon	Support	05/03/09	None	

**7. OPTIONS**

The options available to Council are:

1. That Council, after considering all written submissions received to Amendment C63 resolve to adopt, seek certification and approve Amendment C63.
- Or
2. That Council, after considering all written submissions received for Amendment C63, resolve to abandon the exhibited planning scheme amendment C63 and inform the Minister for Planning.

**8. CONCLUSION**

Amendment C63 seeks to rezone two parcels of land located on the south west corner of Hazelwood Street and Keegan Street in Morwell from Public Park & Recreation Zone (PPRZ) to Residential 1 Zone (R1Z).

It is considered that the proposed zoning of the land to Residential 1 Zone is appropriate as it will eliminate the existing inconsistency with Ministerial Direction 12 on Form and Content of Planning Schemes and inconsistency with the Victorian Planning Provisions. The amendment will allow the Morwell Bowling Club to purchase the parcel of land currently occupied by the unused tennis courts and will allow for the appropriate development of the Bowling Club, in particular the provision improved of car parking.

## **9. RECOMMENDATION**

- 1. That Council after considering all written submissions received to Amendment C63, resolves to adopt Amendment C63 as exhibited in accordance with Section 29 of the Planning & Environment Act, 1987.**
- 2. That Council submits Amendment C63 once adopted, to the Secretary to the Department of Planning for certification, in accordance with Section 35A of the Planning and Environment Act 1987.**
- 3. That Council approves amendment C63 following receipt of certification from the Secretary to the Department of Planning in accordance with section 35B of the Planning and Environment Act 1987.**
- 4. That Council authorises the Chief Executive Officer to sign and seal an agreement pursuant to Section 173 of the Planning & Environment Act, 1987, affecting the land described in Title Plan TP 870443V located in Hazelwood Road, Morwell, Victoria for the purpose of restricting residential development.**
- 5. That Council submits an application to lodge and register the agreement with the Titles Office within one month of the land being transferred to the Morwell Bowling Recreation Centre Incorporated.**

**Cr White left the Council Chamber at 7.34 pm due to a direct interest.**

**Moved:** Cr Lougheed  
**Seconded:** Cr Middlemiss

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

**Cr White returned to the Council Chamber at 7.36 pm.**

**ATTACHMENTS**

**Attachment 1 – Site Map - Morwell Bowling Club**



Attachment 2 – Letter from Department of Treasury & Finance



Department of Treasury and Finance

1 Treasury Place  
GPO Box 4379QQ  
Melbourne Victoria 3001  
Telephone: (03) 9651 5111  
Facsimile: (03) 9651 5298  
DX 210759

2 December 2008

Our Ref:

Gail Gatt  
Latrobe City Council  
PO Box 264  
Morwell Vic 3840

Dear Ms Gatt

**MORWELL BOWLING CLUB**

Please be advised that the Department of Treasury and Finance (DTF) requires the rezoning of CA2026 from Public Park and Recreation Zone to Residential 1 Zone in accordance with the Government Land Monitor Guidelines. These guidelines state that the most appropriate zone for the land must be established prior to the land being sold.

The Department of Sustainability and Environment gave DTF approval to process the sale on 7 August 2007. The Minister for Finance, WorkCover and the Transport Accident Commission approved the private treaty sale to the Morwell Bowling Club on 25 September 2007.

If you have any questions please do not hesitate to contact me on 9651 2106.

Yours sincerely

A handwritten signature in blue ink that reads "Kerrie Scott".

Kerrie Scott  
Senior Project Manager

## Attachment 3 Am C63 Explanatory Report

### *Planning and Environment Act 1987*

#### LATROBE PLANNING SCHEME

#### AMENDMENT C63

#### EXPLANATORY REPORT

#### **Who is the planning authority?**

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

The amendment has been made at the request of SMEC Urban, acting on behalf of the Morwell Bowling Club Recreation Centre Incorporated of Hazelwood Road, Morwell.

#### **Land affected by the amendment.**

The amendment applies to two parcels of land located on the south west corner of Hazelwood Street and Keegan Street in Morwell;

- (i) Land described as Certificate of Title Volume 10117 Folio 291, (existing Bowling Club site and owned by Morwell Bowling Club Recreation Centre Incorporated) and;
- (ii) Land described in Title Plan 870443V (unused tennis courts, currently crown land in the process of being sold to Morwell Bowling Club subject to this amendment).

#### **What the amendment does.**

The amendment rezones the site from a Public Park and Recreation Zone (PPRZ) to a Residential 1 Zone (R1Z)

#### **Strategic assessment of the amendment**

- **Why is the amendment required?**

The amendment is required for the following reasons:

- (i) Part of the subject site, that is, the land described as Certificate of Title Volume 10117 Folio 291, (existing Bowling Club site and owned by Morwell Bowling Club Recreation Centre Incorporated) is not within government ownership. As such the current zoning of the Public Park and Recreation Zone (PPRZ) conflicts with Point 12 of Ministerial Direction on Form and Content of Planning Schemes under Section 7(5) of the Planning Environment Act 1987 (the Act), which states that;

*A planning scheme may only include land in a Public Use Zone, a Public Park and Recreation Zone or a Public Conservation and Resource Zone if the land is Crown land, or is owned by, vested in or controlled by a Minister, government department, public authority or municipal council.*

- (ii) The existing use of the land described as Certificate of Title Volume 10117 Folio 291, that is the existing Bowling Club site, is not consistent with the Public Park and Recreation Zone provisions which have been the case since the introduction of the Victorian Planning Provisions (VPP). This has resulted in a number of restrictions on the site which have provided difficulties in the upgrading of the development including signage and the potential expansion of the parking area to alleviate on street parking problems. The rezoning to Residential 1 Zone will provide consistency with the VPP and enable the appropriate development of the Morwell Bowling Club.
- (iii) To facilitate the rezoning of land described in Title Plan 870443V (unused tennis courts). This land is currently crown land in the process of being sold to Morwell Bowling Club. The department of Treasury and Finance require the rezoning of this land in accordance with the Government Land Monitor Guidelines. These guidelines state that the most appropriate zone for the land must be established prior to the land being sold, (see attachment A to this report).

- **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)(c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;

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:

- correcting the current land zoning conflicts with Ministerial Directions;
- facilitating the transfer of land in accordance with Government Land Monitor Guidelines therefore enabling the appropriate development of the Morwell Bowls Club to provide a pleasant efficient and safe recreational environment; and
- enabling the appropriate development of the land consistent with the VPP and local planning policy directions.



- **How does the amendment address the environmental effects and any relevant social and economic effects?**

The site is generally void of native vegetation, with planted vegetation around the perimeter of the site.

A current issue exists regarding traffic noise in the adjacent Residential 1 Zone given the close proximity to the Princes Freeway. To limit the possibility of residential development in this area, it is proposed to include a Section 173 agreement in the southern section of the subject site, to restrict development and minimise the potential for conflict with activities in the adjoining road reserve.

The proposed rezoning will not result in the alteration of the use of the land for the existing Bowling Club site owned by Morwell Bowling Club Recreation Centre Inc., It will however allow for appropriate control of the existing use and development of the site to restrict any potential negative social or economic effects.

- **Does the amendment comply with the requirements of any Minister's Direction applicable to 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. The current zoning for the existing land owned by the Bowling Club is in conflict with this direction in that it is privately owned land within a Public Park and Recreation Zone.

The amendment complies with Ministerial Direction Number 11 on the Strategic Assessment of Amendments. There are no other Minister's Directions applicable to the amendment.

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

The amendment implements the State Planning Policy Framework at *Clause 14.01-1 Settlement* which 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."*

The amendment supports this clause by the provision of an appropriate zone that allows for the existing recreational use and orderly and appropriate development of the site within an urban area.

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

The amendment seeks to implement and support the existing MSS through the more appropriate zoning of the site to allow for the controlled development of the site while allowing for minimal off site amenity impacts.

The amendment supports and implements the following policies:

*Clause 21.03-2 Latrobe Strategy Plan Vision*

The proposed amendment will support a cohesive municipal community which:

*satisfies the community's needs for employment, housing, social interaction, shopping, education, health, entertainment, recreation, leisure and culture;*

*Clause 21.04-5 Economic Development*

The proposed amendment will support the objective:

*to strengthen and build on the municipality's existing resources, assets and infrastructure to the maximum extent possible.*

The amendment supports the proposed MSS currently on public exhibition at *Clause 21.06 Liveability*, by applying a zone that will:

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

The draft Morwell Structure Plan also currently on public exhibition reflects the existing zoning of the land. This anomaly can be addressed through the submission process for Amendment C62 which will result in the identification of the subject land as "Existing Urban Area".

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

The amendment has been prepared with reference to the Strategic Assessment Guidelines, April 2008.

In addition the amendment has been prepared with regard to the VPP Practice Note, *Applying the Public Land Zone, February 1999*, which states that,

*public land zones can only be applied to public land.*

The amendment proposes using the adjacent zoning, Residential 1 Zone. The existing use is considered to be consistent with the fourth purpose of the proposed R1Z which reads:

*In appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs.*

Recreational opportunities and local community needs will be enhanced through the appropriate use and development of the overall site consistent with the proposed zone.

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

Council is aware of concerns raised by Vic Roads regarding the loss of amenity to land in the adjacent Residential 1 Zone due to traffic noise, given the close proximity of the Princes Freeway.

To address this issue and to limit the possibility of residential development in this area, it is proposed to include a Section 173 agreement in the southern section of the subject site, to restrict development and minimise the potential for conflict with activities in the adjoining road reserve.

In order for the Morwell Bowling Club to acquire the land described in Title Plan 870443V (unused tennis courts), the Department of Treasury and Finance require the rezoning in accordance with the Government Land Monitor Guidelines. These guidelines state that the most appropriate zone for the land must be established prior to the land being sold, (see attachment A to this report).

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

The amendment will have a positive impact on the Responsible Authority in that they will replace inappropriate zoning with more suitable controls that reflects the ownership and use of the site which will facilitate planning decisions in relation to the land.

### **Where you may inspect this Amendment**

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

Latrobe City Council Offices at:

Corporate Headquarters  
141 Commercial Road, Morwell

Traralgon Service Centre  
34-38 Kay Street, Traralgon

The amendment can also be inspected free of charge at the Department of Planning and Community Development web site at [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection).

Attachment 4 Submission 1 - EPA

6 February 2009

Gail Gatt  
Senior Strategic Planner  
Latrobe City Council  
141 Commercial Rd  
MORWELL VIC 3840

Your Ref LD:GG  
Our Ref3727

Dear Gail

**AMENDMENT C63 TO THE LATROBE PLANNING SCHEME  
REZONING OF LAND AT MORWELL BOWLS CLUB, 52 HAZELWOOD  
ROAD, MORWELL FROM PUBLIC PARK AND RECREATION ZONE  
(PPRZ) TO RESIDENTIAL 1 JONE (R1Z)**

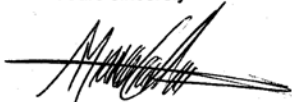
Thank you for referring the above planning scheme amendment, dated 28 January 2009, in accordance with Section 19 of the *Planning and Environment Act 1987*.

The amendment relates to rezoning of land known as Certificate of title Volume 10117 Folio 291 and land described in Title Plan TP870443V in Morwell. Currently the parcels are zoned PPRZ. Zoning these parcels R1Z will suit the residential zones to the North and East of the subject land and bowling club activities are suitable under this zoning also.

EPA has no objection to the planning scheme amendment as exhibited, including the Section 173 agreement preventing future development of the Southern edge of the parcels that neighbours the Princes Fwy.

If you need additional information or assistance, please contact Bianca Craddock on (03) 51739800.

Yours sincerely



BIANCA CRADDOCK  
TRARALGON



7 Church Street  
Traralgon  
Victoria 3844  
PO Box 1332  
Traralgon Victoria 3844  
T: 03 5173 9800  
F: 03 5174 7851  
DX 219292  
epa.gippsland  
@epa.vic.gov.au  
www.epa.vic.gov.au

Latrobe City	
11 FEB 2009	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	



Attachment 5 Submission 2 – Mr Malcolm Bugg (Morwell resident)

11<sup>th</sup> February 2009.

Ms. L Dukes.  
Planning Officer.  
Latrobe City Council.  
PO Box 264,  
Morwell Vic. 3840.

Dear Lorrae,

**Re: Application by Morwell Recreation Bowling Club Inc. of 52 Hazelwood Road, Morwell for Rezoning of Land From Public Park to Residential 1 Usage.**

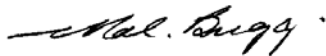
Firstly Lorrae, I would like to thank you and Gail for giving me your time to discuss the above today as it was very generous of you both.

As to the above application by the Morwell Recreation Bowling Club Inc to have the Crown Land previously used by the Morwell Tennis Club in Hazelwood Road, Morwell for purchase same of the neither my wife nor myself have any objections to this. We make this statement subject to the paragraph (ii) of page 2 of the Explanatory Report attached to Council's letter we received dated 28th January 2009 wherein it states that this land purchase and rezoning will allow the Morwell Recreation Bowling Club Inc. additional space for carparking area to alleviate street parking problems caused by their patrons to adjacent residential homes of which we are one.

I also note that you have mentioned to me today that the said Morwell Recreational Bowling Club Inc. may at some future time apply to build on part of their premises including the rezoned land and if this is the case they will have to apply for a planning permit and have proper impact studies carried out where these extensions may impose on adjacent residential areas as this will again cause a reduction in the proposed area now under consideration for off street carparking and causing further problems for private residents parking outside their properties.

I therefore ask you please to place this letter on file for future reference.

Yours sincerely,



Malcolm J Bugg. OAM.JP.  
43 Hazelwood Road,  
Morwell Vic. 3840.

<b>Latrobe City</b>	
12 FEB 2009	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	

Attachment 6 Submission 3 – Gippsland Water

25 February 2009

Our reference:  
Your reference

06/02/02



ATT: GAIL GATT  
SENIOR STRATEGIC PLANNER  
LATROBE CITY  
PO BOX 264  
MORWELL VIC 3840

Hazelwood Road  
PO Box 348  
Traralgon Victoria 3844  
Telephone: (03) 5177 4600  
Facsimile: (03) 5174 0103  
info@gippswater.com.au  
http://www.gippswater.com.au

Dear Gail

**AMENDMENT C63 TO THE LATROBE PLANNING SCHEME  
REZONING OF LAND AT MORWELL BOWLS CLUB  
52 HAZELWOOD ROAD MORWELL**

YOUR REFERENCE: C63: LD: GG

We refer to your letter dated 28 January 2009 and advise that that Gippsland Water as the Water Supply and Sewerage Corporation, **does not object** to the above Planning Scheme Amendment.

If you have any queries in the matter please contact Donna Di Dio on (03) 5177 4895 or Jenny Davidson on (03) 5177 4751.

Yours faithfully,

Larry Naismith  
ACTING MANAGER ASSET MANAGEMENT

<b>Latrobe City</b>	
27 FEB 2009	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	



WORKPLACE EXCELLENCE  
AWARDS

WINNER 2004

Attachment 7 Submission 4 – Vic Roads

**vic roads**

ABN 61 760 960 480

Eastern Victoria Headquarters  
PO Box 158 Traralgon Victoria 3844

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

www.vicroads.vic.gov.au

Ms Gail Gatt  
Strategic Planner  
Latrobe City Council  
PO Box 264  
**MORWELL VIC 3840**

Date 15 March 2009  
Contact: Stuart Fenech  
Telephone: 5172 2693  
Our Ref: SFF90761  
Your Ref: C63  
File Ref: Lat PSA

Dear Ms Gatt

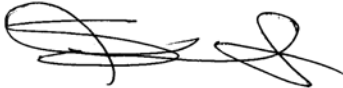
**LATROBE CITY PLANNING SCHEME AMENDMENT C63**

I refer to your letter of 28 January 2009 regarding a change to Planning Scheme Amendment C63.

VicRoads has no objections to the amendment for the rezoning of land.

Should you require any further information please contact Stuart Fenech of this office on telephone 5172 2693, who would be pleased to assist.

Yours sincerely



**STUART FENECH  
SENIOR STATUTORY PLANNING OFFICER**

Latrobe City	
19 MAR 2009	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	



Attachment 8 Submission 5 – DSE



Department of  
Sustainability and Environment



Our ref: GP-LA/33/0011 – SP432516  
Your ref: C63

9 February 2009

Lorrae Dukes  
Strategic Land Use Planning Officer  
Latrobe City Council  
PO Box 264  
**MORWELL VIC 3840**

71 Hotham Street  
Traralgon Victoria 3844  
Telephone: (03) 5172 2100  
Facsimile: (03) 5172 2111  
ABN 90 719 052 204  
DX 219284

Dear Lorrae,

**RE: PLANNING SCHEME AMENDMENT C63**

Thank you for your correspondence dated 22 January 2009 in respect of Planning Scheme Amendment C63, which was referred to the Minister for Environment and Climate Change, as the Minister responsible for administering the *Conservation, Forests and Lands Act 1987*, pursuant to section 19(1)(c) of the *Planning and Environment Act 1987*. The correspondence was received on 30 January 2009.

The land affected by the amendment is situated at the corner of Hazelwood Road and Keegan Street, Morwell, being TP870443. The subject land is within the Public Park and Recreation Zone.

The proposed Amendment has been considered by the Department of Sustainability and Environment (the Department) on behalf of the Minister for Environment and Climate Change.

The amendment proposes to:

- Rezone the land from Public Park and Recreation Zone to Residential 1 Zone.

The proposal has no implications for the Department's Biodiversity portfolio.

These comments are submitted without prejudice for the consideration of the Amendment by the Minister for Planning under Section 35 of the *Planning and Environment Act 1987*.

If you have any queries regarding this matter, please contact Shannon Conway, Environmental Planner, at the Bairnsdale DSE office on (03) 5152 0435.

Yours sincerely

**Carole Macmillan**  
Manager  
Coasts and Crown Land Management

**Privacy Statement**

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





## Attachment 9 Section 173 Agreement

### DRAFT SECTION 173 AGREEMENT

This agreement is made the                      day of    2008.

#### BETWEEN

**The Latrobe City Council** of 141 Commercial Road, Morwell VIC ("**Council**")

and

**Morwell Bowling Club Recreation Centre Incorporated** of Hazelwood Road, Morwell VIC (the "**owner**")

#### WHEREAS

- A. Morwell Bowling Club Recreation Centre Incorporated is the registered proprietor of the Land.
- B. Council is the responsible authority for the administration and enforcement of the Planning Scheme which applies to the Land.
- C. Council want to ensure that the land within 32 metres of the Princes Freeway road reserve is not used for residential purposes due to it's proximity to the Freeway and due to possible future noise issues.
- D. The parties make this Agreement pursuant to Section 173 of the Act.

#### THE PARTIES AGREE

##### 1. Definitions

"Act" means the Planning and Environment Act 1987;

"Agreement" means this Agreement;

"Land" means the land described in Title Plan TP 870443V located in Hazelwood Road, Morwell, Victoria and as shown in Annexure A as "No residential development area".

"Planning Scheme" means the Latrobe Planning Scheme;

##### 2. Commencement

This Agreement will come into operation once the land has been transferred to the Morwell Bowling Club Recreation Centre Incorporated.

##### 3. Morwell Bowling Club Recreation Centre Incorporated covenants

Morwell Bowling Club Recreation Centre Incorporated agrees to use its reasonable endeavours to ensure:

- (a) No residential development will be undertaken on the land depicted as "No residential development area" in Annexure A;

**4. General**

- (a) Morwell Bowling Club Recreation Centre Incorporated and Council will do all things reasonably necessary to enable Council to apply to the Registrar of Titles to register this Agreement relating to the Land.
- (b) Morwell Bowling Club Recreation Centre Incorporated will pay Council's reasonable legal costs and expenses for the registration of this Agreement pursuant to section 181 of the Act.

**SIGNED BY THE PARTIES AS A DEED**

The Common Seal of Latrobe City Council )  
was affixed in accordance with Local Law )  
No. 1 this day of 200... )  
in the presence of:

.....  
**Paul Buckley**  
*(Chief Executive Officer)*

The Common Seal of Morwell Bowling )  
Club Recreation Centre Incorporated )  
was affixed on this day the ..... )  
of ..... 200.. in the presence of: )

.....  
**General Manager**

.....  
**Witness**



173 Agreement - Annexure A  
Morwell Bowling Club - Hazelwood Street - Morwell  
No Residential Development Area Plan



LEGEND  
Subject Site  
Road Network  
No Residential Development Area

**11.3.3 DESIGNATED SPECIAL AREAS - BUILDING**

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

**1. PURPOSE**

The purpose of this report is to seek Council's designation of special areas within the municipality where buildings may be subjected to flooding, termite infestation, bushfire, significant snowfall and uncontrolled overland drainage when considering the issuing of building permits.

**2. POLICY IMPLICATIONS**

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

Latrobe 2021 and Council Plan 2008-2012

*Strategic Objective – Sustainability*

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

*Community Outcome – Built Environment Sustainability*

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

*Strategic Action*

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

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

*Legislation*

Regulation 807 of the *Building Regulations Act 2006* requires council to designate special areas within the municipal district and prepare maps of those areas which require special consideration in the issuing of building permits.

### 3. BACKGROUND

Planning and building regulations are necessary to ensure appropriate development. Planning permits control use and development of land, while building permits ensure buildings meet structural and safety requirements.

In considering whether or not to issue a building permit, a building surveyor must consider whether the property would be affected by special conditions, as designated under the Building Regulations. Pursuant to previous regulations, certain designations were declared by Council with respect to land subject to flooding, bushfire and termite infestations.

These designations are due to be reviewed to align with new regulations and to reflect updated information which is available to Council.

### 4. ISSUES

All designations pursuant to part 8 of the *Building Regulations Act 2006* will be considered as part of this report. These designations are critical to a building surveyor making an informed decision on a building permit and will have design and cost implications for owners, developers and builders.

The aim is to ensure appropriate building development in consideration of the specific environment in which buildings are to be constructed.

#### 4.1 Flood Areas

Building on land that is designated as subject to flooding is not prohibited but requires that the applicant seek consent of Council and consider the potential flooding conditions. In essence this generally requires the minimum floor level to be 300mm above the specified flood height.

The levels of individual flood events vary quite considerably so in establishing a flood level, the degree of risk must be established. Habitable buildings are nominated as an extreme risk; hence a one in a hundred year flood level must be specified.

The Latrobe Planning Scheme incorporates a Land Subject to Inundation Overlay which provides a level of planning control on affected properties.

In conjunction with the West Gippsland Catchment Management Authority (the flood plain manager) a review of land that may be subjected to inundation has been conducted in Latrobe City and mapped. In doing so, consideration has been given to the latest flood level data provided by the Traralgon Creek, Waterhole Creek and Narracan Creek flood studies, historical flood information, topography, land contours, plans of subdivision and the like. A map illustrating the estimated one in a hundred year flood level is included in, Attachment 1. This map designates the areas that would require Council consent before issuing a building permit and will form the basis for an amendment to the Latrobe Planning Scheme in the 2009 -2010 financial year.

#### 4.2 Termite Risk Areas

Subterranean termites have the potential to cause significant damage to buildings over a period of time which can be largely undetected until a structural failure occurs. Termites do not discriminate where they may attack and experience has shown that they have been encountered evenly throughout the municipality. Urban areas, particularly residential properties, report the majority of infestations with damage bills regularly exceeding \$20,000.

Latrobe City Council resolved to designate all the land within its municipal boundaries as being likely to be subject to infestation by termites at its ordinary meeting of 5 March 1997. As a result of this resolution, attacks on recently constructed buildings have significantly reduced. This resolution was made under the provisions of the previous regulations and therefore should be reviewed.

Numerous systems are available to building owners to provide a satisfactory level of protection to their investment. These systems can be broadly categorised into three distinct groups being:

- Physical Barriers;
- Chemical Barriers; and
- Termite resistant, structural members.

Use of only one of these systems is required to satisfy the requirements of the Australian Standard; however it is common for integrated systems to be utilised.

Physical barriers aim to restrict the entry of termites into a building whilst allowing easy visual identification of access points should the barrier be breached. Common products within this category include ant caps on stumps, base brickwork capping puddle flanges to pipes, specially graded granite filling and stainless steel meshes. From our observations approximately 20% of new homes incorporate this category of system.

Chemical barriers are mostly applied against the ground surface with the intent to repel termites away from the building or kill them when they come into contact with the treated area. Carcinogenic chemicals have been phased out for some years and all licensed chemicals now decompose in the soil. Their life expectancy can vary quite considerably from a few months up to 5 or 10 years dependant on the exposure factors and the chemical. For instance, chemicals used around house stumps may only last a few months but chemicals applied under a concrete slab may remain effective for a number of years. Reapplication of chemicals over time is necessary to protect the building for its lifespan. An estimated 20% of new homes utilise chemical barriers as their principle level of protection.

The use of materials that are termite resistant for structural members in buildings is by far the most popular method of protection currently employed in Latrobe City. Pine framing treated to repel termites; steel framing and naturally resistant timbers are very popular in the local building industry in that they afford ongoing protection to the building which does not require the intervention of the owner. This reduces the builder's ongoing liabilities and restricts the level of potential damage.

The technology to treat pine framing for termite resistance has largely been developed in the Latrobe Valley. Standard pine framing is pressure treated with 'pyrethrum' and like chemicals to make them repel insect attack. Significant volumes of raw timber are sourced, milled and now treated locally for distribution throughout eastern Australia. These industries have added significant value to our local economy.

A common misconception is that subterranean termites are mostly found in rural and forested areas. The fact is that termites make their homes in trees, timber sleepers, firewood, wood chips and any other timber that is in contact with the ground. Some of these items are transported into domestic backyards with termites intact.

#### 4.3 Bushfire Prone Areas

The Coopers Creek bushfire of December 2006, the Delburn and Churchill / Jeeralang bushfires of 2009 that swept through the municipality left a trail of devastation and destruction. A large number of homes and outbuildings within the fire's path were completely destroyed while others remained intact.

Events like these have increased our knowledge on where and how buildings catch on fire, including the products and materials that can be utilised to resist ignition. Fires also behave differently dependant on the topography, vegetation and its density. Given the relevant information, an Australian Standard has been developed to nominate a minimum level of protection to dwellings and other habitable buildings for a specified bushfire risk.

Latrobe City Council resolved to designate parts of it's municipality as bushfire prone on 1 June 1998. The area designated generally comprised rural areas that were forested, adjacent to treed areas and the open cut coal mines. Detailed maps were prepared in consultation with the County Fire Authority and relevant parties. This mapping was reviewed and adopted as the Wildfire Management Overlay in the Latrobe Planning Scheme. The review removed the open cut mines and made a few minor alterations around some of the forested areas. Further consultation has been undertaken with the Country Fire Authority and agreement reached that the Wildfire Management Overlay area be adopted as the designated bushfire prone area. Attachment 2 provides a map of bushfire prone areas.

Construction in a designated bushfire prone area requires an assessment of risk and design of buildings that address these risks. The specific site must be assessed by a competent professional and given the risk, special features incorporated into the building. Typically these features comprise sealing the roof at the ridge, leaf guards in the gutters, cement sheet lined eaves, wire mesh fly screens, spark guards on the brickwork weepholes, wider gaps in the timber decking and in some extreme situations a restriction on the use of timber.

#### 4.4 Alpine Areas

A significant collection of snow on a building over time in conjunction with the imposing cold, damp environment will create loads, pressures and burdens that are normally not catered for in the building's general design. Added insulation and damp proofing are also necessary for the comfort of the building's occupants. Normal building materials also need to be specially selected or adapted for the frozen conditions. For example, concrete requires specific additives to resist spalling (breaking up) in a frozen environment.



Significant snowfall should be defined as a build up of snow to sufficient depth and temperature that would allow it to retain its mass over a number of weeks. This is typically what would be experienced in ski fields and mountain tops during the winter months. Parts of Latrobe City's municipality may occasionally have a dusting of snow which could last for a day. There are no known locations within the municipality that experience a significant build up of snow.

There is no history of Council designating an area of the municipality as subject to significant snowfall, and there is no evidence to suggest that significant snowfall is now an issue for Latrobe City. It is therefore proposed that no areas of land be designated for significant snowfall.

#### 4.5 Designated land or works

Designated land or works is defined as any land or works that is subject to uncontrolled overland drainage, in accordance with Part 10 of the *Water Act 1989*. West Gippsland Catchment Management Authority is the responsible entity in this instance.

West Gippsland Catchment Management Authority has advised that 'No areas within the Authority's region in Gippsland have been declared under Part 10'. Therefore, there are no areas requiring special designation for land or works within Latrobe City.

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

There are no financial implications for Council associated with the proposed designation of special areas.

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

Flood data is a result of the flood data transfer project initiated by the Department of Natural Resources and Environment and given to Council in December 2000. Since that time that data has been updated by the West Gippsland Catchment Management Authority and includes data from the Traralgon Creek floodplain management study, Waterhole Creek flood study and Narracan Creek flood study.

Bushfire assessments were initially conducted in 1997/1998 in conjunction with the County Fire Authority. These were reviewed in 2000 and 2002 by the CFA and the Municipal fire prevention officer prior to being included in the Planning Scheme. Agreement with the Country Fire Authority has recently been reached that the current Wildfire Management Overlay be duplicated as the bushfire prone areas map.

Further public consultation was not considered necessary in this instance as there is no change recommended to termite prone areas, significant snowfall areas and uncontrolled overland drainage areas. The net area of bushfire prone areas is reduced particularly in the vicinity of the open cut mines. The proposed locations covered by land subject to flooding, in most urban neighbourhoods, are not significantly altered. Should the land subject to flooding map or a similar overlay be considered for adoption into Latrobe City's Planning Scheme in the future, substantial public consultation and exhibition process will occur at that stage.

## 7. OPTIONS

Council has the following options:

1. That Council designate the specified land pursuant to the *Building Act 1993* and the *Building Regulations Act 2006* as follows:
  - Areas liable to flooding as shown on the labelled Flood Areas map;
  - Bushfire prone areas as shown on the labelled Bushfire Prone Areas map;
  - All the land in Latrobe City as likely to be subject to attack by termites
  - No areas of land subject to significant snowfall; and
  - No designated areas of uncontrolled overland drainage.
2. That Council not change any of the existing land designations in relation to fire, flood, termites, snowfall and overland drainage.

## 8. CONCLUSION

The designation of special areas in the municipality is an important statutory responsibility in accordance with the *Building Act 1993* and the *Building Regulations Act 2006*. The designation of land ensures that important information in relation to fire, flood, termites, snowfall and overland drainage formally provided to those who may be affected, via during the process of issuing building permits. The data has been reviewed, mapped and prepared in alignment with other regulatory processes (such as planning overlays) and in consultation with the West Gippsland Catchment Management Authority and Country Fire Authority.

The adoption of these special areas, as required by the Building Regulations Act 2006 will provide clarity and certainty for the building industry in the development of buildings and land.

## 9. RECOMMENDATION

1. That Council designates the specified land as shown on the labelled Flood Areas map, within Latrobe City, as areas liable to flooding pursuant to the Building Act 1993 and regulation 802 of the Building Regulations Act 2006.
2. That Council designates that all the land, within Latrobe City is likely to be subjected to attack by termites pursuant to the Building Act 1993 and regulation 803 of the Building Regulations Act 2006.
3. That Council designates the specified land as shown on the labelled Bushfire Prone Areas map, within Latrobe City, as bushfire prone areas pursuant to the Building Act 1993 and regulation 804 of the Building Regulations Act 2006.
4. That Council declares that no areas within Latrobe City are likely to be subjected to significant snowfalls pursuant to the Building Act 1993 and regulation 805 of the Building Regulations Act 2006.
5. That Council declares that no areas within Latrobe City are designated land or works subjected to uncontrolled overland drainage pursuant to the Building Act 1993 and regulation 806 of the Building Regulations Act 2006.

**Moved:** Cr Lougheed  
**Seconded:** Cr O'Callaghan

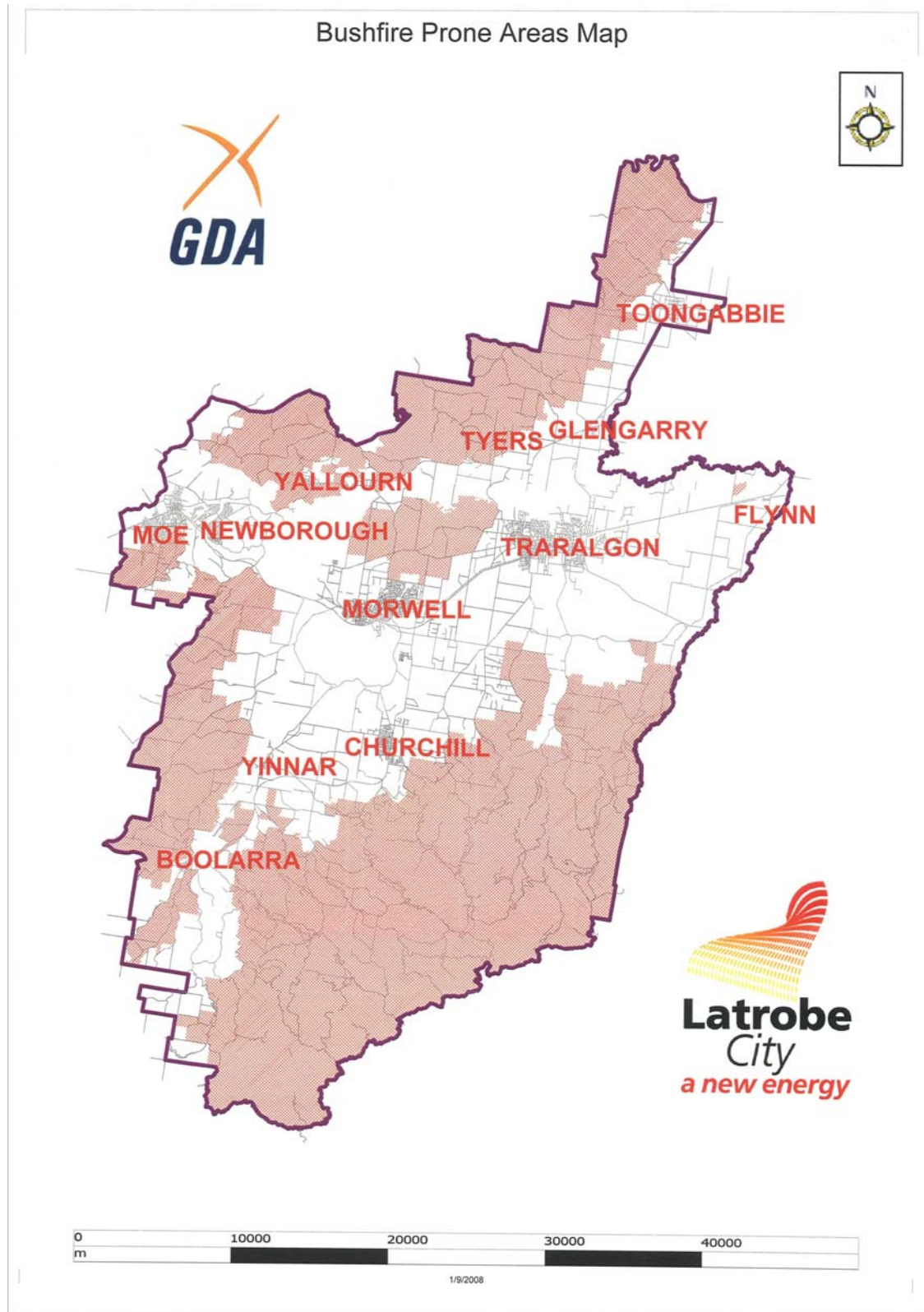
**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

ATTACHMENT 1



ATTACHMENT 2



#### **11.3.4 HARD WASTE COLLECTION SERVICE**

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

##### **1. PURPOSE**

The purpose of this report is to seek Council endorsement of a future strategy for the provision of a hard waste service to Latrobe City residents in accordance with advice contained within the WorkSafe handbook titled 'A Guide to the Safe Collection of Hard Waste' released in November 2008, and to seek rescission of Council's resolution of 6 October 2008 to conduct a hard waste service survey.

##### **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 community of Latrobe Valley.

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

###### *Community Outcome - Natural Environment Sustainability*

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

###### *Strategic Action - Waste Management*

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

###### *Policy context and objective*

Collect and process waste in accordance with the Latrobe City Council waste management strategy (Abraxa Management Pty Ltd 2003).

*Policy/Strategy - Latrobe City Waste Management Principles:*

1. *Latrobe City will advocate the following waste hierarchy.*
  - *Avoidance;*
  - *Re-use;*
  - *Recycling;*
  - *Recovery of energy;*
  - *Treatment;*
  - *Containment;*
  - *Disposal.*
2. *Latrobe City will strive to be a leader in the management of solid waste. The disposal behaviour exhibited by the Latrobe City organisation shall be equal to or greater than what we expect from the community.*
3. *Latrobe City will apply the principles of Ecologically Sustainable Development (ESD) when developing infrastructure, services and action relating to waste management. ESD principles are:*
  - *Inter-generational Equity;*
  - *Intra-generational Equity;*
  - *Conservation of Biodiversity;*
  - *Precautionary Principle; and*
  - *Global issues.*
4. *Latrobe City acknowledges that the waste generator will be responsible for choosing the appropriate disposal option and the costs associated with that disposal choice.*
5. *Latrobe City will ensure that the actual costs of waste treatment are applied to that service.*
6. *Latrobe City will advocate the need for greater manufacturer's responsibility in material management.*
7. *Latrobe City will be an active regional partner and will consider the regional benefit to social, economic and environmental aspects in the development of waste management services and infrastructure.*
8. *Latrobe City will ensure that it moves to a greater emphasis on material management by ensuring that available data on the quality of waste is obtained to determine its appropriate treatment.*
9. *Latrobe City will develop treatment objectives for handling municipal solid waste. Where appropriate Latrobe City will provide services and infrastructure to support these treatment objectives.*
10. *Latrobe City will continue to identify opportunities for reducing the volume of waste deposited to landfill.*



### 3. BACKGROUND

Latrobe City Council delivered a scheduled hard waste kerbside collection service during the 2003/04 financial year, as it had done throughout the municipality since 1997.

On 1 July 2003, the Victorian WorkCover Authority (WorkSafe) released a document titled '*Non-Hazardous Waste & Recyclable Materials (2003) – OH&S Guidelines for the Collection, Transport and Unloading of Non-Hazardous Waste & Recyclable Materials*'. This document was the trigger for Latrobe City Council to re-evaluate how it delivered its hard waste services including household kerbside collection. The emphasis of the guidelines was on managing risk relating to occupational health and safety, including manual lifting and riding on the outside of vehicles.

Latrobe City Council's contract for waste collection and processing was due to expire on 30 June 2004, and the occupational health and safety guidelines were considered in the strategic process of moving to new contracts for waste collection, processing of recyclables and provision of transfer stations.

Latrobe City was also performing poorly in the recycling of waste. In the 2003/04 financial year Latrobe City Council was ranked 78<sup>th</sup> of 79 Councils in Victoria according to state-wide figures published by EcoRecycle (now Sustainability Victoria). In addition to this poor performance, the lack of available landfill airspace required a system that would ensure an immediate reduction in the amount of waste sent to landfill. A large proportion of hard waste collected at the kerbside was deposited at landfill.

As a result of the combined factors of WorkSafe guidelines and the need to reduce waste going to landfill, Council determined that a three bin system would be provided for household waste collection, with only mechanical handling being permitted. Further advice from a WorkSafe officer led to the hard waste collection service ceasing due to extensive manual handling risks.

The introduction of a three bin system has seen Latrobe City Council move from a ranking of 78 of 79 councils in Victoria in the recycling of waste, to 5 in 2007.

At a special meeting of Council held on 18 August 2003, Council resolved to provide the following service consistent with the Latrobe City Council Waste Management Strategy as adopted in July 2003.

	<b>Container</b>	<b>Frequency</b>	<b>Method</b>
<b>Garbage</b>	120L	Weekly	Mechanical loading
<b>Recycling Paper</b>	240L co-mingled	Fortnightly	Mechanical loading
<b>Green Waste</b>	240L	Fortnightly	Mechanical loading
<b>Hard Waste</b>	N/A	Kerb side collection not included	N/A

The increased cost of implementing the mechanised three bin system was offset by savings that were made in not continuing to provide the annual hard waste kerbside collection service.

Latrobe City Council also sought legal advice in April 2005 in relation to Council's risk exposure in providing a kerbside hard waste collection service as provided prior to July 2004. The advice clearly stated Latrobe City Council's responsibility under the *Occupational Health and Safety Act 2004* (the Act) and identified possible ramifications for Councillors and Council Officers if Latrobe City Council or its Councillors were found guilty of breaches to the Act or guidelines as it relates to provision of a hard waste service.

The legal advice stated: *'If Council does not comply with the guidelines it would be very difficult (if not impossible) for it to convince a court that it had complied with its obligations under the Act'*. The advice went further to state *'Certainly it would not seem possible currently to provide the hard waste collection service without some risk of being prosecuted under the Act for not eliminating or reducing the risks or taking all practicable steps to do so (not to mention other legal risks)'*.

Latrobe City Council did not provide a hard waste collection service between July 2004 and September 2007. During this time Council & Councillors received a number of representations from the community calling for the reintroduction of some form of hard waste service. The following resolution was adopted by Council on 18 April 2006;

*That a process be undertaken to re-evaluate Council's decision to suspend Kerbside Hard Waste Collection. This re-evaluation process to include the following steps and to be completed and reported to Council with recommendation on or before the Council Meeting of 19 June, 2006:*

1. *A public document be prepared outlining the background to the Council decision to cease the Kerbside Hard Waste service. This document to include all public domain Council reports and decisions relating to this issue. This document to be distributed to all local community associations and the media.*
2. *Council officers review their recommendations made to Council on this issue. Officers to advise Council if, in the light of any new information, their recommendations to cease provision of the Kerbside Hard Waste Service are still supported.*
3. *A senior officer of the Victorian WorkCover Authority be requested to brief Council, invited representatives of local community associations and the media, on the legality and advisability of providing a Kerbside Hard Waste collection service. The VWA representative is to be requested to confirm any advice given in writing.*
4. *Legal advice (from an OH&S specialist) be obtained as to liability if a Kerbside Hard Waste Collection is resumed. Liability issues are to be assessed as they relate to;*
  - *Council staff*
  - *Council contractors*
  - *Service providers not directly engaged by Council*
  - *Council and Councillors*
5. *Formal written advice be sought from State Government (via local members) as to The Government position on the provision of Kerbside Hard Waste Collection.*
6. *Formal written advice be sought from Sustainability Victoria as to that Authority's position on the provision of Kerbside Hard Waste Collection.*
7. *A copy of this resolution to be forwarded to the State Ministers responsible for the Victorian WorkCover Authority, Sustainability Victoria and the Environment Protection Authority seeking the views of those Ministers in relation to the provision of Kerbside Hard Waste collection services.*

8. *Council officers conduct a 'desk-top' study as to how each Council in Victoria is currently handling the Kerbside Hard Waste collection issue. The study to include an evaluation of the methods currently being employed. The assistance of MAV, VLGA, EPA, VWA and SV to be sought in preparing the study.*
9. *Council write a letter to the Victorian Waste Management Association supporting that Association's attempts to have the Kerbside Hard Waste collection issue resolved. In particular, that the State Government reconvene the parties who formulated the current 'Non Hazardous Waste and Recyclables Collection' guidelines with a view to establishing a solution to the problems of providing a Kerbside Hard Waste collection service.*
10. *Council officers prepare a cost estimate of reintroducing a Kerbside Hard Waste collection service based on one of the current 'modified' services, such as that at provided by Baw Baw Council.*
11. *A copy of this resolution be provided to Gippsland Regional Waste Management Group and that GRWGM be fully informed of the findings, correspondence and advice resulting from the above actions.*
12. *That Council officers prepare a risk assessment of the operation of a kerbside Hard Waste Collection service based on:*
  - *Suspended Latrobe City System*
  - *The current Baw Baw Council System*

On 7 August 2006, Council resolved to establish a project review group consisting of Councillors, community representatives, Council officers and WorkSafe representatives to review the provision of a hard waste collection service:

1. *That Council accepts the offer from Victorian WorkCover Authority to assist in the review of the provision of a hard waste collection service in Latrobe City, over a three month period.*
2. *That a project group be established consisting of:*
  - *Three Councillors*
  - *Three Council officers*
  - *Four community representatives with one to be nominated by each of the following organisations:*
    - (i) *Advance Morwell*
    - (ii) *Traralgon Chamber of Commerce*
    - (iii) *Moe Traders Association*
    - (iv) *Churchill and District Community Association*

- *Senior WorkSafe officers with experience in manual handling and risk assessments relating to hard garbage collection services.*
- 3. *That Councillors be kept informed of the progress of the project group on a monthly basis through Bulletin items or Issues & Discussion reports.*
- 4. *That a further report be presented to Council at the conclusion of the three month review.*

The Hard Waste Review Group was established and a series of meetings held to investigate options for the reinstatement of an appropriate hard waste service. The review group agreed on a preferred model for the provision of a service that included the issuing of transfer station vouchers and an optional at-call service for an additional fee. The transfer station vouchers could be used by residents to offset the cost to them of the optional at call service.

Council subsequently endorsed the recommendations of the Hard Waste Review Group and resolved as follows at the 19 March 2007 Ordinary Council Meeting:

1. *That the following hard waste service be provided, commencing in the 2007/08 financial year:*
  - *Provision of three vouchers, valued at \$8 each, to all ratepayers in the waste collection areas.*
  - *Vouchers to be distributed to ratepayers with the rates notices.*
  - *Increase the Waste Service Charge by \$24 above the CPI increase of \$5, to cover the cost of the vouchers.*
  - *Amend the transfer station fees to equate to multiples of \$8 for ease of use of the vouchers.*
  - *Allow residents to dispose of all material accepted by the transfer stations, with the utilisation of vouchers.*
  - *Allow residents to book an at-call hard waste collection service limited to the items on the approved list, and a maximum quantity of 1.5 cubic metres.*
  - *The at-call service to cost residents \$43 in addition to the three vouchers.*
  - *Subsidise pensioners and health card holders for the at-call service by \$13 on the assumption that only 90% of vouchers will be utilised.*
  - *This would result in an at-call service for pensioners and health card holders being \$30 in addition to the three vouchers.*

- *Provide for two separate months in the year for residents to book an at-call service – possibly October and April.*
  - *Continue to provide the two free green waste disposal weekends, with one of them being in the lead up to the fire season.*
2. *That the hard waste project review group meet on a 3 to 4 monthly basis, following commencement of the hard waste service, to monitor and review the hard waste service.*

The service was operated in accordance with the Council resolution from 1 September 2007. Over 500 complaints were received between the time the vouchers were issued and the meeting of the Hard Waste Review Group on 30 October 2007.

Complaints raised by residents are summarised as;

- Charging for a service that residents would not utilise
- Not being able to access the transfer stations due to a lack of transport
- Not being able to afford the additional cost of the at-call collection service, and;
- Not given the opportunity to use the vouchers as some landlords did not provide the vouchers to tenants.

A further report was presented to Council on 19 November 2007 to consider the recommendations of the Hard Waste Review Group.

It was noted that the Hard Waste Review Group was now divided in its opinion on the provision of the trialled hard waste collection service. The group did agree that the service should be modified to provide a more equitable option for the community.

Council at its ordinary meeting held on 19 November 2007 resolved to amend the service as follows:

- a) *Return any unused vouchers by 1 May, 2008 and receive a credit for the commensurate amount.*
- b) *Utilise the vouchers as part payment for the at-call kerbside hard waste collection service as booked to date or the at-call kerbside hard waste collection service planned for April, 2008.*
- c) *Utilise vouchers at Council operated Transfer Stations throughout the 2007/08 financial year.*

Council received over 6,500 requests for refunds from residents. No refunds were issued to residents who could not produce their vouchers or to any resident presenting vouchers for a refund after the 1 May 2008 deadline. This resulted in criticism from some residents who believe they had valid reasons for missing the timeframe or not being able to account for their vouchers. Complaints were also received since the vouchers expired (31 August 2008) from residents that wished to use remaining vouchers at a transfer station.

Analysis of the voucher based system found that of the total number of tenements that received vouchers (30,626 or 91,878 vouchers), 6,097 residents returned all or some of their vouchers (totalling 24,656) at Latrobe City Council's customer service centres or by mail, 18,599 of eligible vouchers have been used at transfer stations and 444 vouchers were used for the at-call hard waste collections that were provided to residents in November 2007 and April 2008.

<b>Hard waste option</b>	<b>Number of vouchers</b>	<b>% of total vouchers used</b>
Utilise transfer station	18,599	20%
Utilise at-call service	444 (156 pick ups)	0.5%
Refund for return of vouchers	24,656	27%
<b>Total Vouchers Redeemed</b>	<b>43,699</b>	<b>47.5%</b>
<b>Total Vouchers Unredeemed</b>	<b>48,179</b>	<b>52.5%</b>
<b>Total Vouchers Issued</b>	<b>91,878</b>	<b>100%</b>

The at-call hard waste collection service offered in 2007/2008 received a very low patronage (less than 0.5% of households). The majority of residents who utilised this service were healthcare card holders.

The Waste Management Association of Australia (Victorian Chapter) in conjunction with WorkSafe, MAV, Local Government and industry representatives met on 19 March 2008. A proposal to provide advice to the industry and resolve ongoing issues with safety in the collection of hard waste was tabled by WorkSafe.

WorkSafe indicated that it was preparing a guide which would aim to provide a basis for future service models by all councils in Victoria that chose to provide a kerbside hard waste collection service. In April 2008 a consultant engaged by WorkSafe indicated to Latrobe City Council officers that there was a desire within the authority to provide advice to industry within the coming six months. The document, '*A Guide to the Safe Collection of Hard Waste*' was released in November 2008. A copy of the handbook is attached, as Attachment A to this report.

While awaiting the release of the final document, Latrobe City Council considered the provision of an interim hard waste kerbside collection service.

Council resolved on 7 July 2008 to offer an interim service in 2008/09 as follows:

1. *That Council approves an interim kerbside hard waste collection service. The service format will be an 'at-call' booked collection service provided two times per year. The cost for the service will be two tiered:
  - a. Pensioner / health care card at \$30.00 per collection; and
  - b. Standard service at \$60.00 per collection, Services will be scheduled in November 2008 and April 2009.*
2. *That the above interim arrangement be reviewed at the release of the WorkSafe: Guide to the Safe Collection of Hard Waste.*
3. *That Council formally disbands the Hard Waste Collection Review Project Group and formally thanks members for their contribution.*

At the Ordinary Council Meeting held on 6 October 2008, Council resolved;

1. *That pending the release of the WorkSafe 'Guide to the Safe Collection of Hard Waste', Council utilises the unspent funds for services that assist in the disposal of hard waste generated by the community.*
2. *That Council reduces the charge for the currently offered at call hard waste collection service to \$20 full fee and \$10 for pensioners and health care card holders until the unspent funds are fully expended.*
3. *That Council offers one 'no charge' hard waste weekend at each of the Latrobe City Council transfer stations for the disposal of up to 2 cubic metres of hard waste per vehicle until the unspent funds are fully expended; and*
4. *That Council surveys residents of Latrobe City Council to gauge the demand for the re-introduction of a Full Kerb Side Hard Waste Collection Service and to include in the survey explanatory notes on the current levels of service, the position taken by WorkSafe and an indication of the likely cost of such a service.*



Since the introduction of the interim service, sixty four (64) households accessed the service up until November 2008. There are currently eighty five (85) households booked for the next scheduled service, which will take place at the end of April 2009.

At its ordinary meeting held on 6 April 2009, Council resolved;

*That a report be provided at the Ordinary Council Meeting on Monday the 20th of April, 2009 detailing the Hard Rubbish Collection options for the Latrobe City.*

This report seeks to address the most practical and cost effective approach to meet the requirements of the regulating authorities and proposes the most effective way to provide a hard waste service Latrobe City residents.

The key events and timeline in relation to this matter are summarised in the following table:

<b>Date</b>	<b>Event</b>
1997-2004	LCC operates kerbside hard waste collection service
July 2003	Victorian WorkCover Authority (WorkSafe) releases 'Non-Hazardous Waste & Recyclable Materials (2003) – OH&S Guidelines for the Collection, Transport and Unloading of Non-Hazardous Waste & Recyclable Materials'
July 2003	LCC adopts Waste Management Strategy
August 2003	LCC moves to 3 bin waste collection system
June 2004	LCC contract for hard waste collection and processing expires
July 2004	LCC ceases hard waste collection service
April 2005	LCC receives legal advice on risk of providing a kerbside hard waste collection service
April 2006	LCC commences process to re-evaluate decision to suspend kerbside hard waste collection service
August 2006	LCC establishes a project review group consisting of Councillors, community representatives, officers and WorkSafe representatives to review the provision of a hard waste collection service
March 2007	LCC endorsed recommendations of the project review group
September 2007	LCC implements hard waste voucher system, receives over 500 complaints
November 2007	LCC resolves to amend the hard waste voucher system and establishes a refund policy for unused vouchers

<i>Date</i>	<i>Event</i>
March 2008	Waste Management Association of Australia in conjunction with WorkSafe, MAV, Local Government and industry representatives meet. A proposal to provide advice to the industry and resolve ongoing issues with safety in the collection of hard waste was tabled by WorkSafe.
July 2008	LCC implements an interim at call scheduled hard waste service
October 2008	LCC resolves to utilise unspent funds from the hard waste voucher service to provide a no charge hard waste drop off weekend, and to survey residents on the future of a hard waste service
November 2008	WorkSafe releases 'A Guide to the Safe Collection of Hard Waste'
April 2009	LLC resolves to consider a report at the 20 April 2009 ordinary Council meeting

#### 4. **ISSUES**

##### *Hard Waste Collection in Victoria and Gippsland*

There has been a general trend across the state for councils that previously offered a scheduled collection service to either provide a booked service or withdraw providing the service entirely. No municipalities in Victoria have introduced a scheduled hard waste collection service since the release of 'Non-Hazardous Waste & Recyclable Materials (2003) – OH&S Guidelines for the Collection, Transport and Unloading of Non-Hazardous Waste & Recyclable Materials'.

Hard waste services of varied formats are offered in Victoria. Of the 79 councils, 39 offer a hard waste service. Most councils raise revenue to provide the service through general rates or a specific garbage charge.

<b>Service</b>	<b>Victorian LGA</b>
Scheduled	18
At Call (booked)	21
No service	40
<b>Total</b>	<b>79</b>

Within Gippsland only Wellington Shire Council offers an annual scheduled service. East Gippsland and South Gippsland Shire do not offer any form of hard waste collection service. The remaining three municipalities of Bass Coast Shire, Baw Baw Shire and Latrobe City offer booked services.

Bass Coast recently moved to this format in direct response to the recently released WorkSafe handbook.

Service	Gippsland LGA
Scheduled	1
At Call (booked)	3
No service	2
<b>Total</b>	<b>6</b>

### *Legislative compliance*

Latrobe City Council has a legal obligation under the *Occupational Health and Safety Act 2004* to maintain a work environment that is safe and without risk to health as far as practicable. This obligation extends to contractors who are engaged by Latrobe City Council to provide services on behalf of Council. Section 23 of the Act also requires Council to ensure measures are taken to provide safe environments for the public where applicable. This includes mitigating risks caused by the presentation of hard waste materials at the kerbside.

The *Occupational Health and Safety Regulations 2007 (Part 3.1 Manual Handling)* require Council to eliminate, as far as is reasonably practicable, the hazards associated with manual handling tasks. As it is not possible to completely eliminate manual handling in providing a hard waste service the Regulations requires the employer or contracting agency to:

- Alter the workplace, layout, environment, system of work, change items involved, use mechanical aids, then
- Provide information, instruction or training, and;
- Further work must be undertaken to address posture, movement, forces, duration and frequency and environmental conditions.

As there is little ability to alter the workplace, layout or environment when providing a hard waste collection service, Latrobe City Council has sought to reduce the risk to contractors through:

- Limiting the items that will be collected in a hard waste service,
- Using mechanical aids, unless these incur greater risks such as traffic hazards or increase the risk of crushing,
- Providing clear information and instruction to the customer requesting the service as well as the contractors performing the service,

- Providing training for contractors where required as well as addressing posture, movement and forces through the insistence of safe work method statements for all collections, and;
- Reducing the frequency of the service by providing a booked service which enables a greater level of risk management in respect to methods used to collect specific materials and goods.

This approach is supported by the risk assessment conducted by Echelon for Latrobe City Council in 2006. This assessment concluded that in the comparison of a scheduled to a booked hard waste service, the consequence of the hazard was not likely to change. The likelihood of the hazard however, would be increased in a scheduled service resulting in a higher risk score due to the increased number of collections undertaken.

The Occupational Health and Safety guidelines for the *Collection, Transport and Unloading of Non-Hazardous Waste and Recyclable Materials 2003* were released to give guidance to employers providing kerbside waste collection services. The guidelines focussed on;

- Eliminating manual handling –‘no-lift’
- Eliminating riding on vehicles, and
- Eliminating working at heights.

While the guideline is clear that it is not specifically targeted at hard waste and green waste collections, it does state that the advice and approaches described by the guideline may be used to manage specific risks. In any case, the document gives information to the industry that forms a ‘state of knowledge’ and the fact that most hard waste collection services will involve manual handling and have a risk of those workers performing the role riding on vehicles between pick-ups and climbing on the bodies of vehicles to secure loads means this information is applicable.

The recently released handbook, *A Guide to the Safe Collection of Hard Waste 2008* contains broad and less prescriptive advice to the industry regarding the provision of a hard waste service. It strongly suggests substitution of the service by encouraging residents to self haul materials to a local transfer station. It also suggests;

- Waste is collected within 24 hours of being placed,
- Waste is collected from within the property, and
- Customers are given clear instructions on acceptable and unacceptable waste materials.

The ability to ensure waste is collected from the kerbside within 24 hours of it being placed is difficult to achieve with a scheduled service. While notifying discrete areas that hard waste will be collected at a scheduled time is possible, experience from the service provided prior to 2004 has shown that adjoining areas will present material before being notified.

As a result of waste being placed on the kerbside for collection, the presentation of waste presenting through adjoining neighbourhoods (where collection is not scheduled) increasing risk to the public, also increases the instances of scavenging as well as impacting on neighbourhood amenity. Mechanical breakdowns and adverse weather conditions will exacerbate this issue and further delay the timely removal of material. The early presentation of material can be counteracted through the use of Council Local Laws Officers to impose penalties on residents however, this would require additional resources.

In terms of compliance with legislation and guidance from the Work Safe Authority pertaining directly to the provision of a hard waste collection service, it is clear that a booked service has advantages over the scheduled service format.

Furthermore, it is predicted that councils previously offering a scheduled hard waste service will review this format in light of the newly released WorkSafe handbook. Council officers are aware of one Victorian council in addition to Bass Coast Shire that is looking to transition from a scheduled service to a booked hard waste collection service format.

Council currently provides an interim hard waste service, that meets the legislative requirements and includes;

- Two no charge green waste drop off weekends
- One no charge hard waste drop off weekend
- Two annual booked hard waste collections at a charge of \$20 per collection or \$10 per healthcare card holder.

#### *Estimated Costs of Booked and Scheduled Services*

The provision of a scheduled kerbside service is estimated at \$32 per collection if the participation rate by eligible residents is between 60% to 80%. This would require funding of between \$528,000 and \$816,000 per annum to implement. Contractor costs to administer the service and supervise workers to ensure all waste is cleared within the 24 hour time frame and prepare a risk assessment for each collection are significant. This is estimated to cost between \$82,000 and \$126,500 per annum.

This service will also require a greater level of monitoring by Latrobe City Council to ensure compliance by the contractor through supervision and instruction. In addition, enforcement in relation to prohibited material being presented and residents placing waste before being notified will be required. This is of particular importance if the waste is only to be on the kerbside for a maximum of 24 hours and of a non-hazardous nature.

The additional cost of enforcement and contract administration is estimated to be approximately \$103,000 per annum (see table below).

The current booked hard waste collection service being operated by Latrobe City costs for each collection approximately \$55 for each collection (at a participation rate of less than 1%). This cost includes collection and disposal and allows for any income through the sale of recycled goods by the contractor. The service utilises minimal internal resources and is offset by the recovery of revenue from the customer.

Based on a range of 1% to 5% participation in the service the total cost ranges from \$16,500 to \$82,500. The net cost to Council will be dependent on the fee structure chosen. Should Council continue to offer the service for \$20 full cost and \$10 concession the total cost would range from \$12,750 to \$63,750 per annum. An increase in costs is unlikely to provide this service as greater participation may reduce the cost.

A summary of the likely costs to provide either of the abovementioned kerbside hard waste services is tabled below:

<b>Service Format</b>	<b>Participation</b>	<b>Contractor costs</b>	<b>LCC costs</b>	<b>Total cost</b>
Booked Service	1% to 5%	\$16,500 to \$82,500	Within current resources	\$16 - \$83K
Scheduled Service	60% to 80%	\$610,000 to \$942,500	\$103,000 (1)	\$600K – \$1.14M

*(1) Comprises one full time staff member to oversee collection contractor performance and partial Local Laws Officer time.*

### *Public Survey*

At its 6 October 2008 ordinary meeting, Council resolved to survey residents to gauge the demand for the re-introduction of a full kerbside hard waste collection service. This survey was to include explanatory notes on the currently offered service, the position that WorkSafe have taken in relation to the delivery of such a service and the indicative cost to rates.

It is important to note that Council's resolution was made prior to the release of the WorkSafe latest publication. The release of the handbook further reinforced the WorkSafe's position of eliminating widespread manual handling, proposing options that substitute the need for a kerbside collection (i.e. encouraging self hauling by residents) and clearing of waste within a specific timeframe. As outlined earlier in this report, the handbook does not indicate a preference for a full hard waste collection service as provided by Latrobe City Council prior to July 2004.

Coupled with previous advice from WorkSafe since 2003 and legal advice sought by Latrobe City Council on this particular issue the provision of a full kerbside hard waste collection service commits Council to a high level of risk of prosecution as well as high costs to provide this service. It is expected that this cost will rise to meet the ever increasing requirements in providing such a service in compliance with WorkSafe guidelines. This 'state of knowledge' is likely to be considered if Council was to be prosecuted under the Act in the provision of a full hard waste collection service.

If Council were to decide to undertake a public survey, there are a range of options for consideration relating to the style and format and the audience to which the survey tool will be applied. Further information of survey types, options and costs is provided as Attachment B to this report.

#### *Hard Waste Service Options and Costs*

There are several options for providing a hard waste service that are dependent on risk and budgetary and resource constraints. These factors influence the service and collection frequency.

As indicated earlier, identifying clearly the possible future hard waste collection service format that Council is prepared to entertain and hence the level of risk Council is prepared to take in providing the service is of the utmost importance.

The funding structure of a service can be summarised as three separate categories:

- User pays, where the full cost is paid by the customer that produces the waste
- Partially funded, where a portion of the full cost is paid by the customer that produces the waste and any additional costs funded by Council

- Fully funded, where the customer is not charged directly for the cost of the service as it is funded through general rates (or garbage charge)

In the case of a fully funded service and to a lesser degree the partially funded service, the approach is in conflict with Councils adopted principles of waste management and Victorian State and Federal Government policy where the polluter or those responsible for producing the waste are considered to be responsible for the full cost of its appropriate disposal.

An additional consideration is the level of participation in the service. As the level of participation increases, the cost per collection should reduce due to the greater number of collections within a condensed area and the comparatively reduced time to collect the material. A greater dispersion of material throughout the municipality will reduce the efficiency of the collection and increase the cost of each collection. This will affect the cost of both the booked and scheduled services. However, the efficiency in travelling directly to collect the waste will be more cost effective than searching through designated areas to discover presented waste piles as is the case of a scheduled service.

Therefore, if Council could be assured of the numbers of residents that would utilise a hard waste service the most cost effective model could be proposed. Currently, data from Council's existing collection service suggests a low participation rate with less than 1% of eligible households requesting the service. In this case, the booked service is the most cost effective and efficient service to provide.

The service format can also be provided in a number of ways. This can be through:

- Encouraging residents to self haul materials to a local transfer station. Encouragement can be through providing tipping vouchers or 'no charge' days
- Providing a booked service where residents are required to request a service which is provided at an arranged time
- Providing a scheduled service where specific areas are notified of an impending collection at a particular time
- A combination of booked and self haul service format
- Other commercial or not for profit services.



The 'no charge' hard waste weekend held on 13 and 14 December 2008 resulted in over 2,500 residents deposit hard waste at each of the four Transfer Stations located at Moe, Morwell Traralgon and Yinnar South. Comments received from the community on the weekend and since that time have been positive and supportive of the service.

The current physical environment of the transfer station facilities means that catering for such a larger throughput of customers will lead to queuing and inevitably frustration. This issue could be partially overcome through using vehicle licence plates ('odds and evens') or surnames ('A to L' and 'M to Z') to split the volume of customers over two consecutive weekends.

Council could consider the extension of the no charge weekend hard waste service option to enhance the provision of this service to the community. This would also assist in smoothing demand over the year and reduce peak usage times and associated management and logistical issues arising from one weekend only per year.

The provision of no charge weekends encourages residents to self haul their material to an appropriate disposal point. This outcome is consistent with the latest advice provided by WorkSafe.

The community need not rely entirely on Council providing services to receive bulky goods that residents no longer require. Items that may have a useful life in the hands of another owner can be either sold or donated through;

- Garage sales
- EBay
- Freecycle
- Charity organisations (saleable furniture, clothing etc.)
- Scrap metal merchants (car bodies, white goods)

Some of these options will generate welcome income for residents, with others being provided free of charge or for a small fee. Some also provide an income stream for not for profit charity organisations.

The frequency of the service is also variable and Council may choose to provide a range of frequencies from annual to monthly depending on the service format.

## 5. FINANCIAL AND RESOURCES IMPLICATIONS

### *Booked service costs*

The current booked service format cost for each collection is approximately \$55 for participation by less than 1% of households. This cost includes collection and disposal and allows for any income through the sale of goods recycled. The service utilises minimal internal Council resources and is offset to minor extent by the recovery of revenue from the customer.

Based on a range of 1% to 5% participation in the service the total cost ranges from \$16,500 to \$82,500. The net cost to Council will be dependent on the fee structure chosen. Should Council continue to offer the service for \$20 full cost and \$10 concession the total cost to Council would range from \$12,750 to \$63,750 per annum.

## 6. INTERNAL/EXTERNAL CONSULTATION

### *Engagement Method Used:*

Latrobe City Council has utilised the following methods of engagement: print media, Link, personal letters, independent consultants and focus groups.

### *Details of Community Consultation / Results of Engagement:*

Latrobe City Council has received many representations from the community regarding the withdrawal of the service in July 2004 and the interim service introduction in 2007.

The preferences of WorkSafe have been clearly communicated as to the format of hard waste collection services through the handbook titled 'A Guide to the Safe Collection of Hard Waste' released in November 2008.

## 7. OPTIONS

Council has available the following options in respect to the provision of a hard waste service:

1. Not operate a hard waste collection service. This is unlikely to meet community expectations. Council could choose to cease to provide any hard waste service and instead supply residents with details of existing commercial and not for profit services available to collect or accept unwanted goods.

2. Return to a full kerbside hard waste collection service. This is not recommended due to exposing Council to significant legal risk, added financial cost and is in conflict to Council's adopted Waste Management Principles.
3. Adopt the current interim hard waste service. This is recommended as it is able to be delivered at reasonable cost to Council, provides an ongoing service to the community and meets WorkSafe guidelines.

## 8. **CONCLUSION**

Information collected and experience gained through the operation of Council's interim hard waste collection service indicates there is a need for a hard waste service for a small number of residents as some do not have other means or support to dispose of bulky waste apart from private providers.

While the number of patrons has increased it represents a low percentage of the total households in the waste collection area of Latrobe City.

The popularity of Council's no charge hard waste weekend indicates a level of acceptance of the self haul approach to hard waste disposal.

Council's resolution of 6 October 2008 was determined prior to the release of the WorkSafe handbook, '*A Guide to the Safe Collection of Hard Waste 2008*' and Council was unaware that the resolution may set an expectation in the community that could not be met due to increased liability and cost of providing a kerbside hard waste collection service.

It is understood the current interim hard waste service meets all legislative requirements and has minimised, as far as practicable the identified risks and complied with the preferred approach required by WorkSafe.

Continuation of the current interim hard waste service as Council's ongoing hard waste service is the most affordable and efficient service model for Latrobe City Council to provide.

9. **RECOMMENDATION**

1. That Council rescinds its resolution at the Ordinary Council Meeting of 6 October 2008, viz: *“That Council surveys residents of Latrobe City Council to gauge the demand for the re-introduction of a Full Kerb Side Hard Waste Collection Service and to include in the survey explanatory notes on the current levels of service, the position taken by WorkSafe and an indication of the likely cost of such a service”*.
2. That commencing in the 2009/10 financial year, Council implement a hard waste service comprising:
  - a. Two no charge green waste drop off weekends per annum
  - b. Two no charge hard waste drop off weekends per annum
  - c. Two annual booked hard waste collections at a charge of \$20 per collection or \$10 per healthcare card holder per annum (these amounts subject to Council’s annual budget process).

**Moved:** Cr Gibson

**Seconded:** Cr Middlemiss

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

**ATTACHMENT**

**Attachment A**

A Guide to the Safe Collection of Hard Waste 2008

## **Attachment B**

To undertake a public survey there are a range of options for consideration relating to the style and format and the audience to which the survey tool will be applied. There is a need to determine the following to commence the survey process;

- Budget
- Sample Size
- Question Style, and;
- Survey Method.

The budget required to complete the survey will be dependant on the style of questions utilised and the sample size. In simple terms, the larger the survey and the more open ended the questions, the more expensive the survey will be to complete.

A survey of all households (32,000) is estimated to cost up to \$500,000. Statistically, a sample size of this magnitude is not required to receive a representative response. In order to achieve a 95% confidence rate in the survey tool, Latrobe City Council will need to survey at least 1,000 households. The interpretation of the 1,000 responses can be undertaken in the following ways:

- Mail survey – 4,000 households will be targeted – a response rate of 25% - would anticipate 1000 responses.
- Telephone survey – phone calls would cease once 1,000 responses had been received.
- Internet survey – the online survey would be closed once 1,000 responses had been received.

Three main survey question types are considered to be appropriate to the Hard Waste issues. These include open questions, closed questions and the use of scales – both Semantic Differential and Likert.

Face to face discussions and focus groups/public meetings are not considered to be appropriate data collection methods due to the presence of a wide range of bias issues including: facilitator bias, personality dominance, group mentality, lack of anonymity for respondents and the change of participant's behaviour whilst being observed. Participation of such forums is also likely to be skewed due to the necessary limited access to the forums. This is not likely to be representative of the majority view.

Open questions provide an opportunity for the free flow of information. Open questions provide opportunities for researchers to probe for greater detail and allow the researcher to delve into other issues from the response.

Open questions however are difficult to code, expensive as they require considerable analysis time and difficult to apply as a consistent survey tool.

Closed questions, while being easy to analyse and likely to generate a greater response rate, do not allow respondents to freely reply to questions. Responses are defined within response parameters. Closed questions are speedier in both the actual application of the survey tool and the analysis of the survey results, thus making closed questions the more cost effective for the question types.

Likert scales are easy to use as they create a visual scale which works well with written surveys. They are, however difficult to translate into a telephone survey. As part of a written or online survey tool, they enable respondents to make quick decisions regarding their response.

In considering three key criteria of cost, timeliness and quality of response, it is recommended that the Hard Waste survey utilise a mix of question types - open, closed and scales through a mail survey to 4000 households equally split amongst the population centres.

A recommended suggested survey has the following benefits:

- Mail survey – respondents are able to read accompanying printed material explaining the history of the hard waste issue and the WorkSafe guidelines as specified in Council’s resolution.
- Respondents are able to complete the survey in their own time.
- A mix of questions allows respondents to reply in depth and then quickly through closed questions.
- A mail survey can be tracked to ensure that survey tools are not being duplicated or dummy surveys being completed.
- Latrobe City Council residents have previously noted a preference for mail communication in past communications campaigns.

The cost to conduct a mail survey will range between \$36,000 for closed question format and \$84,000 for open question format. A mixture of each is estimated at \$60,000. An internet survey is expected to be of a similar cost. A telephone survey will be the most expensive option at approximately \$50,000 to \$120,000+ for closed and open questions respectively. A mixture of open and closed question survey is likely to be around \$85,000 with an additional \$10,000 for the preparing of information required to inform participants.

**11.3.5 LATROBE CITY COUNCIL RESIDENTIAL AND RURAL  
RESIDENTIAL LAND ASSESSMENT**

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

**1. PURPOSE**

The purpose of this report is to seek Council adoption of the Latrobe City Council Residential and Rural Residential Land Assessment and include the report as a reference document within the Latrobe Planning Scheme.

**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.

*State Planning Policy Framework (SPPF)*

Included within the Latrobe Planning Scheme, identifies several objectives and responsibilities of Planning Authorities relevant to this report.

*Clause 11.03-1 Settlement:*

“Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.”



*Clause 11.03-6 Social needs:*

“Planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential.”

*Clause 14.01 Planning for Urban Settlement* provides the following objective:

“To ensure a sufficient supply of land is available for residential, commercial, industrial, recreational, institutional and other public uses.”

Further, *Clause 14.01-2* provides 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 as well as the limits of land capability and natural hazards, environmental quality and the costs of providing infrastructure.”

Municipal Strategic Statement (proposed)

*Clause 21.01 People:*

“Under a high growth scenario population projections indicate that Latrobe City will be home to about 84,000 residents in 2023.”

*Clause 21.04-2 Settlement:*

“Notwithstanding the ‘networked city concept’ it remains Latrobe City Council policy that each town grow in its own right and maintain a 10 to 15 year urban land supply within them”.

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

*Clause 21.04-2 Rural Living:*

“Rural residential living has been a popular and attractive lifestyle choice in Latrobe City and continues to attract residents. However, given the land use constraints around the major towns, a more sustainable approach to the consumption of limited developable land is now required.”

*Clause 21.08 Further Strategic Work Program:*

- “Determine Residential Land Supply and Demand in all towns.
- Undertake Rural Living/Low Density Residential Study.”

### **3. BACKGROUND**

During the past 5 years Latrobe City Council has received several applications to rezone land which have been difficult to assess in the absence of forecast land supply information. Council has also been preparing structure plans for Latrobe City's four large towns and three of the small townships during this period.

A key consideration of this work is the supply of land provided by structure plans and the forecasted demand for different types of zoned land for both residential and rural residential purposes.

In February 2008, consultants were engaged to undertake an assessment of both the present and forecast residential and rural residential land requirements until 2023 for 11 townships and two rural living precincts within Latrobe City. The assessment will inform both current and future strategic planning studies while assisting Council's assessment of rezoning proposals received from the community.

The assessment provides a 15 year forecast of housing demand across the municipality. The report apportions anticipated demand across the various residential and rural residential planning zones however the report does not specify the locations where such growth should occur. Mapping of future growth areas across the municipality will be the subject of more detailed investigation of land capability and suitability for development.

The outputs of this study provide an understanding of recent housing and settlement trends, land take-up rates, average lot and household sizes and the implications these may have for planning the future development of each township.

Land supply and demand forecasts provided by the assessment will be utilised to provide the necessary strategic justification to support amendments currently proposed to the Latrobe Planning Scheme including, identification of long term growth opportunities for Traralgon, the review of the Morwell - Traralgon corridor and future retail and commercial investigations.

Information collated and analysed in the residential land supply and demand assessment will inform the preparation of small town structure plans for the townships of Glengarry, Tyers and Boolarra. The preparation of structure plans for the remaining small towns will also rely on the information provided by the assessment.

The assessment will be utilised by Council when considering individual land rezoning requests received from the community for residential and rural residential purposes.

The availability of Residential and Rural Residential Land supply and demand data will assist Council to ensure compliance with legislative requirements. *Clause 14.01-2 of the State Planning Policy Framework* provides that:

“Planning authorities should plan to accommodate projected population growth over at least a 10 year period,…”

#### 4. **ISSUES**

The preparation of a municipal wide residential and rural residential land assessment for the eleven townships and two rural living precincts of Latrobe City had not previously been undertaken. Rather, land supply and demand forecasts have been undertaken for specific study outcomes. For instance, during the preparation of main town structure plans.

The *Morwell-Traralgon Residential Land Supply Analysis* and *Latrobe Economic Study* were completed in 2006. These studies focussed predominantly on the Main Towns of Churchill, Moe/Newborough, Traralgon and Morwell and included some broad analysis of residential land supply in the smaller towns.

Latrobe City is a unique municipality, as there are a number of small townships and rural living precincts situated away from main activity centres. Whilst a number of residents from these areas work in the main towns, the residents often utilise the shops, schools and community facilities provided within the smaller neighbouring townships.

In analysing land supply and demand for residential and rural residential development, it is important to understand the interrelationship between residents and their local activity centres, interactions between the main towns, small towns and outer lying rural living communities.

The recently revised Municipal Strategic Statement describes this attribute of Latrobe City as being a ‘Networked City’, whereby the main towns and smaller towns are linked by virtue of their proximity to employment and lifestyle opportunities. The MSS provides that “*the towns form a single social, economic and physical entity within which people move for work, schooling, shopping, recreation, entertainment and leisure...*”

The assessment has considered the principle of a 'Networked City' in forecasting future residential and rural residential needs for the municipality, in particular the relationship of housing demand in the large and small townships.

Beyond informing future strategic planning projects, the Residential and Rural Residential Land Assessment provides Council with the strategic justification from which future rezoning requests for either residential or rural living can be assessed and given appropriate support. The significance of this is that requests from the community to rezone land for residential or rural residential purposes may receive Council support, however in many instances applicants have not been able to demonstrate additional housing demand when requesting Ministerial authorisation to progress rezoning requests.

The assessment of future land supply requirements provides a significant advance in providing necessary support to future rezoning requests to enable timely and positive response to proposals where they are supported by Council.

## **5. FINANCIAL AND RESOURCES IMPLICATION**

The adoption of the Latrobe City Council Residential and Rural Residential Land Assessment will not result in any financial or resource implications for Council.

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

Latrobe City Council officers have liaised regularly with the project consultants during the preparation and completion of the Residential and Rural Residential Land Assessment. The assessment draws upon 2006 Australian Bureau of Statistics population statistics, demographic profiles, building statistics, property sales data and other relevant information specific to Latrobe City.

## **7. OPTIONS**

Council has the following options:

1. Adopt the Latrobe City Council Residential and Rural Residential Land Assessment.

2. Request modifications to the Latrobe City Council Residential and Rural Residential Land Assessment and present back to Council at a later date.
3. Determine not to adopt the Latrobe City Council Residential and Rural Residential Land Assessment.

## **8. CONCLUSION**

The Residential and Rural Residential Land Assessment will provide both Council and community with a comprehensive forecast of land supply demand across the municipality.

This Assessment will support a range of strategic land use planning projects currently being undertaken by Council, including the preparation of small town structure plans.

The report also provides strategic support to Council's consideration and assessment of community requests to rezone land for either residential or rural living purposes.

## **9. RECOMMENDATION**

1. **That Council adopts the Latrobe City Council Residential and Rural Residential Land Assessment 2009.**
2. **That Council includes the Latrobe City Council Residential and Rural Residential Land Assessment as a Reference Document within the Latrobe Planning Scheme.**

**Moved:** Cr O'Callaghan

**Seconded:** Cr Gibson

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

**ATTACHMENT A**

**LATROBE CITY COUNCIL RESIDENTIAL AND RURAL RESIDENTIAL LAND  
ASSESSMENT 2009 SUMMARY REPORT**

*For a full copy of report, CD's are available from Council offices*

**11.3.6 ROAD MANAGEMENT PLAN 2009 - 2013**

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

**1. PURPOSE**

The purpose of this report is to present to Council the reviewed Latrobe City Council Road Management Plan (RMP) as required under the *Road Management Act 2004 (Vic)*.

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

*Policy No. GEN-CI 015 Asset Management Policy*

To preserve and manage Council and community assets to ensure optimum utilisation while minimising the whole-of-life cost to the community.

Stewardship of infrastructure is a core council function. Sound Asset Management (AM) is necessary to enable Council to meet its responsibilities to:

- Provide services to current and future generations.
- Provide and maintain community infrastructure within the City.
- Encourage and support the economic and social development of the City.

### 3. BACKGROUND

Council developed a Road Management Plan (RMP) and adopted it in 2005 in response to the *Road Management Act 2004 (Vic)* (RMA).

The purposes of a road management plan are having regard to the principal object of road management and the works and infrastructure management principles:

- a) to establish a management system for the road management functions, which is based on policy and operational objectives and available resources; and
- b) to set relevant standards in relation to the discharge of duties in the performance of those road management functions.

While a road authority is not obliged to have a RMP, the RMA states that a road authority (of which Latrobe City Council is one) that has made a RMP must conduct a review of that plan in accordance with the RMA regulations. The RMA states that a municipal council must commence a review of the RMP by 1 January 2009 and complete that review by 30 June 2009. The next scheduled review is due by 30 June following the next council general election.

Due to some identified anomalies in the original RMP and some benefits for road users, a review of the RMP was conducted earlier than was required under the RMA and a revised RMP and related Register of Public Roads was presented to Council and adopted on 21 April 2008. While the 2008 review has made the task of reviewing and updating this draft easier, it has not obviated the need to conduct a review.

This RMP sets out the responsibilities of Council and other stakeholders including road users. Another key objective of this plan is to balance community expectations for service with the ability of Council to fund the capital and operational costs of its infrastructure. The road and path assets should provide an appropriate level of service that is fit for purpose, accessible, responsive and sustainable to the community in accordance with the Council Plan, Asset Management Policy and Asset Management Strategy.

The RMP is not an asset management plan. The long term asset management requirements will be detailed in the individual Asset Management Plans for each of the Bridge, Footpath and Road Asset Management Plans.



The *Road Management Act 2004 (Vic)* also clarifies the law relating to civil liability for the management of public roads.

#### 4. **ISSUES**

The major review and subsequent adoption of the RMP on 21 April 2008 corrected a number of anomalies and this proposed revision is relatively minor with the road hierarchies and levels of inspection remaining the same. There are only two material changes made to this draft RMP and they relate to road traffic convex mirrors and roadside vegetation.

Following the release by VicRoads of Traffic Management Note No. 27 on the "*Installation of Convex Mirrors on Public Roads*", convex mirrors have now been addressed in the RMP.

Mirrors installed in the road reserve for the benefit of vehicles using private vehicular crossings are proposed to be the responsibility of the individual property owners. Installations will be completed by Latrobe City Council at cost to the owners and any maintenance required will also be at the owners cost. There is no set policy at present and some mirrors and installations have been paid for by residents and some by Latrobe City Council.

Mirrors installed to improve sight distance at intersections of public roads will be installed and maintained by Latrobe City Council in accordance with the VicRoads traffic management note. An audit will be carried out to ascertain if existing mirrors conform to the criteria in Traffic Management Note No. 27 and it is proposed that those mirrors in locations that do not comply will be removed. Consultation on any mirror removal will occur in accordance with the Latrobe City Community Engagement Policy and Strategy.

All reference to roadside vegetation has been removed from the RMP following a recommendation from Civic Mutual Plus, Latrobe City Council's insurers and their solicitors, DLA Phillips Fox. Trees are deemed to be non-road infrastructure in which case there is no statutory requirement for inspections. However the RMA does not remove the common law duties to inspect roadside vegetation, including nature strip trees. It is proposed that the future Tree Asset Management Plan will address the inspection regime that Latrobe City Council undertakes in this area.

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

The minor changes proposed in the amended Road Management Plan will not have a financial impact on Council.

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

*Engagement Method Used:*

Council gave notice in the Government Gazette and in the Latrobe Valley Express, stating the purpose and general purport of the revised road management plan, where a copy of the proposed plan may be viewed and that any person may make a submission within 28 days of the first notice.

*Details of Community Consultation / Results of Engagement:*

There were no submissions received.

## 7. **OPTIONS**

Council has the following options available:

1. Adopt the reviewed Road Management Plan.
2. Amend and adopt the reviewed Road Management Plan.
3. Decline to adopt the reviewed Road Management Plan and continue to use the 2008 adopted version of the Road Management Plan.

## 8. **CONCLUSION**

The Road Management Plan has been reviewed as required under the *Road Management Act 2004 (Vic)*. Submissions were sought from the public and there were none received. The changes that have been made to the adopted RMP are:

- To include convex mirrors following the release by VicRoads of Traffic Management Note No. 27 on the "Installation of Convex Mirrors on Public Roads".
- To exclude all references to roadside vegetation following a recommendation from Latrobe City Council's insurers and their solicitors as trees are deemed to be non-road infrastructure.

9. **RECOMMENDATION**

**That Council adopts the amended Road Management Plan 2009 – 2013 and the associated Register of Public Roads.**

**Moved:** Cr Lougheed

**Seconded:** Cr Vermeulen

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

# GOVERNANCE

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

PP2008/393	Section 173 Agreement pursuant to the Planning and Environment Act 1987 between Latrobe City Council and Trevor Joseph Neale Noble & Emma Marie Noble (formerly Stevens) as the Owners of the land described in Certificate of Title Volume 10844 Folio 118 being Crown Allotment 98 Parish of Toongabbie North situated at Afflecks Road, Toongabbie pursuant to a Single Dwelling Permit No.2008/393 that access to the lot must only be obtained via Afflecks Road until such point as the unmade government road to the west has been constructed to Council's minimum design standards for rural access roads, except with the written consent of the Responsible Authority.
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**RECOMMENDATION**

- 1. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement between Latrobe City Council and Trevor Joseph Neale Noble & Emma Marie Noble (formerly Stevens) over Certificate of Title Volume 10844 Folio 118 being Crown Allotment 98 Parish of Toongabbie North situated at Afflecks Road, Toongabbie pursuant to a Single Dwelling Permit No.2008/393.**

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

**11.6.2 POTENTIAL SALE OF LAND, 77-79 (LOT 21) ROCLA ROAD  
TRARALGON**

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

**1. PURPOSE**

The purpose of this report is for Council to consider the potential sale of industrial land at 77-79 (Lot 21) Rocla Road Traralgon.

**2. POLICY IMPLICATIONS**

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

Latrobe 2021 and Council Plan 2008-2012

*Strategic Objective - Governance*

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

*Community Outcome - Legislative Compliance*

By ensuring adherence to legislative requirements.

*Strategic Action - Legislative Compliance*

Ensure compliance with the Local Government Act.

*Legislation*

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

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

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

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

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

### **3. BACKGROUND**

Council owns an industrial block of land at 77-79 (Lot 21) Rocla Road being land contained in Certificate of Title Volume 9420 Fol 755. This is the last Council owned block remaining in an industrial subdivision developed by the former City of Traralgon.

The vacant parcel of land has a total site area of approximately 5,139 square metres and property improvements include a gravel and bituminised hard standing surface, conventional post and wire fencing in poor to average condition to the front eastern, northern and southern boundaries. The rear western boundary is a security wire mesh and barbed wire fence in good condition.

The property is zoned Industrial 1 and there are no services connected (electricity, water, sewer, telephone and gas) however all are available to the site. The northern section of Rocla Road that abuts the property is an unsealed gravel road.

As part of the Transit Cities program and in particular the Latrobe Transit Centred Precinct – Traralgon Town Summary (adopted by Council on 2 February 2005), the existing Traralgon Depot in Dunbar Road was proposed to be relocated. For a variety of reasons previously considered by Council, this Rocla Road site is not the preferred location to establish a new Municipal Depot. Continuing ownership of this parcel of land is not therefore not essential to Council operations.

Following various Council Reports relating to the relocation of the Traralgon Depot, which included consideration of 77-79 Rocla Road, Council its Ordinary Meeting held the 2 March 2009 resolved:

1. *That Council authorise the Chief Executive Officer to exercise the option to purchase 44 Standing Drive, Traralgon (being the land in Certificate of Title Volume 9796 Foil 413), at a price of \$545,000.*
2. *That Council, pursuant to section 189 of the Local Government Act 1989, gives notice of its intention to consider the possible sale via auction of Lot 21 Rocla Road Traralgon (being the land in Certificate of Title Volume 9420 Folio 755)*
3. *That Council considers submissions, in respect of the possible sale of Lot 21 Rocla Road Traralgon, if any, at the ordinary Council Meeting on 20 April 2009.*

#### 4. **ISSUES**

Council has given public notice of its intention to consider a proposal to sell 77-79 (Lot 21) Rocla Road by public auction. In accordance with the Sale of Council Owned Property Policy requirements, it is necessary for Council to determine if the land is surplus to both Council and community requirements. As there have been no written submissions it is reasonable for Council to form the opinion that the land is surplus to community requirements.

With respect to determining whether the land is surplus to Council requirements, the Sale of Council Owned Property Policy requires Council give consideration to the following questions:

- Is the property sale essential to meet fiscal imperatives?
- Is the property portfolio overweighed?
- Does the property support best practice service delivery?
- Does the property have an effective operating cost structure and capital replacement provisions?
- Is ownership the best form of tenure?
- Will the property sale realise a significant amount of capital or contribute to significant economic development potential?



As detailed in the Council Report of the 2 March 2009, proceeds from the sale of the Rocla Road land will be used to offset the cost of the refurbishment of the new Traralgon Depot at 44 Standing Drive Traralgon. An estimated cost of works is \$280,000.

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

In accordance with the provisions of the *Local Government Act* 1989, an independent valuation of 77-79 Rocla Road has been obtained. This market valuation will be used in conjunction with the selling agent's report to determine a reserve auction sale price. In accordance with the Department of Planning and Community Development - Local Government Best Practise Guideline for the Sale and Exchange of Land, the reserve price is to remain confidential.

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

### *Engagement Method Used:*

Public Notices inviting community comment were published in the Latrobe Valley Express on 12 and 16 March 2009. The closing date for submissions being Thursday, 9 April 2009.

### *Details of Community Consultation/Results of Engagement:*

In response to the public notice, correspondence was received from Addison Real Estate submitting an expression of interest in marketing and selling the land on behalf of Council.

In addition, a telephone enquiry was received from an adjoining property owner who was seeking further information concerning the proposed sale.

At the time of preparing this report, no written submissions relating directly to the sale of the land had been received.

## 7. **OPTIONS**

Council has the following options:

1. Form the opinion that 77-79 Rocla Road Traralgon is surplus to both Council and community requirements and offer for sale by public auction; or

2. Form the opinion that 77-79 Rocla Road Traralgon is surplus to both Council and community requirements and invite tenders for the purchase of the property, or
3. Resolve to retain ownership of the property which would require no further action

## 8. CONCLUSION

No submissions were received pursuant to section 223 of the *Local Government Act* 1989 in response to the public notices placed in the Latrobe Valley Express. Accordingly, it would be reasonable for Council to form the opinion that the land is surplus to both Council and community requirements. Council may therefore choose to proceed with the proposed sale of 77-79 (Lot 21) Rocla Road Traralgon by public auction.

## 9. RECOMMENDATION

1. That as no written submissions were received pursuant to section 223 of the *Local Government Act* 1989, Council in accordance with the Sale of Council Owned Property Policy forms the opinion that 77-79 (Lot 21) Rocla Road Traralgon is surplus to both community and Council requirements.
2. That pursuant to section 189 of the *Local Government Act* 1989, Council resolves to sell by public auction, 77-79 Rocla Road Traralgon being the land contained in Certificate of Title Volume 9420 Fol 755 and described as Lot 21 on Plan of Subdivision No. 135070.
3. That Council allocates \$280,000 from the proceeds of the public auction of 77-79 (Lot 21) Rocla Road Traralgon to improvements to be carried out at the proposed Municipal Depot, 44 Standing Drive Traralgon.
4. That Council authorises the Chief Executive Officer to appoint a selling agent and set the Auction Reserve Sale Price for the public auction of 77-79 (Lot 21) Rocla Road Traralgon.
5. That Council authorises the Chief Executive Officer to enter into a Contract of Sale and when prepared, sign and seal a Transfer of Land document allowing the transfer of 77-79 Rocla Road Traralgon being the land contained in Certificate of Title Volume 9420 Fol 755.

**Moved:** Cr White

**Seconded:** Cr Fitzgerald

**That the Recommendation be adopted.**

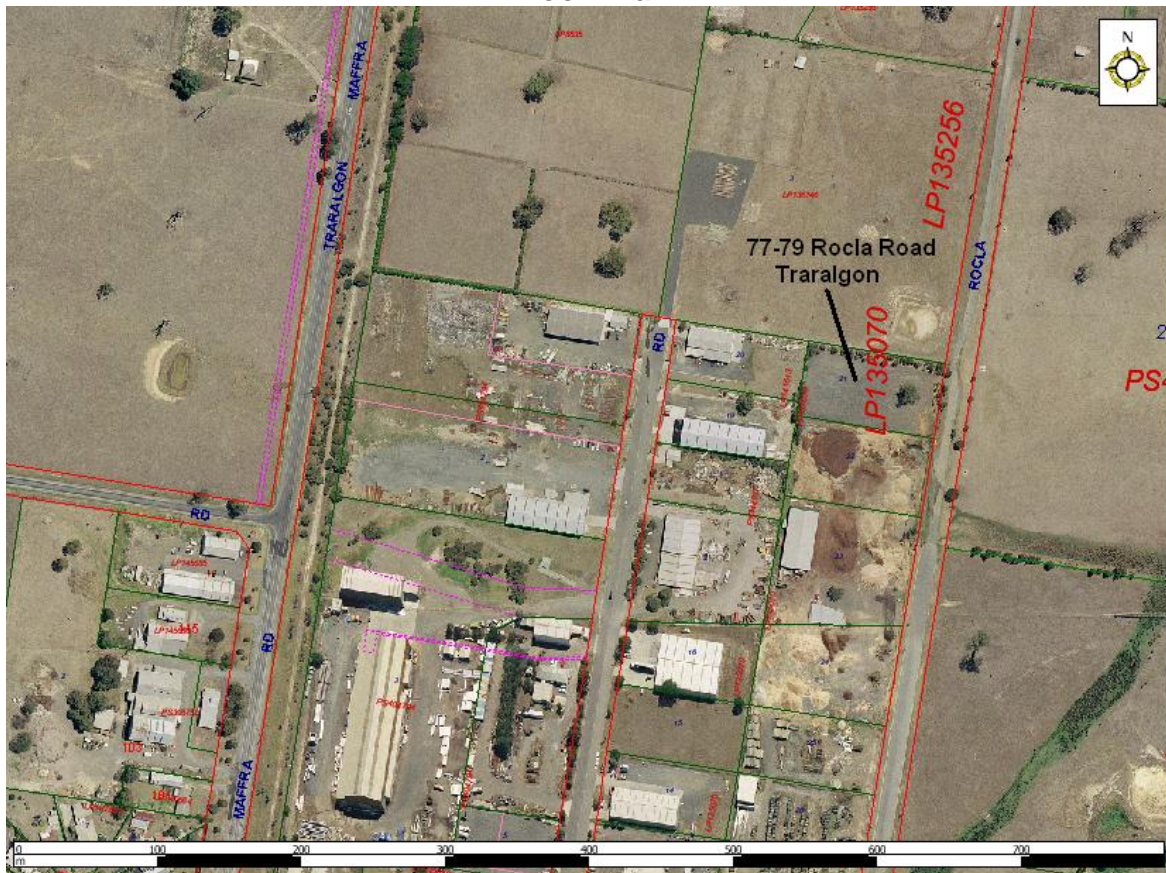
**CARRIED UNANIMOUSLY**

# ATTACHMENT 77-79 ROCLA ROAD TRARALGON

## Locality Plan



## Block Plan





### **11.6.3 PROPOSED ROAD DISCONTINUANCE - LODGE DRIVE, TRARALGON**

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

#### **1. PURPOSE**

The purpose of this report is to seek Council's approval to again commence the statutory process to discontinue Lodge Drive, Traralgon, to allow the land to be sold by private treaty.

#### **2. POLICY IMPLICATIONS**

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

##### Latrobe 2021 and Council Plan 2008-2012

##### *Strategic Objective - Governance*

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

##### *Community Outcome – Legislative Compliance*

By ensuring adherence to legislative requirements.

*Strategic Action – Ensure compliance with the Local Government Act.*

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

##### Legislation

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

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

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

This power is subject to Section 223 of the Local Government Act 1989 which requires Council “publish a public notice stating that submissions in respect of the matter specified in the public notice will be considered in accordance with this section.”

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

It is proposed that Council would consider submissions at the Council Meeting to be held Monday, 15 June 2009.

### **3. BACKGROUND**

Council has received a request from Alamin Pty Ltd who owns the triangular parcel of land identified as Lot 2 on TP 832749K in Princes Street, Traralgon, to acquire Lodge Drive that adjoins their property.

Lodge Drive was originally created as land for easements of way, drainage and sewerage on LP 47922 and was acquired by the former Borough of Traralgon on 18 March 1963.

It is now identified as Lot 1 on TP 832709X, with an approximate area of 5000 square meters, and is contained in Certificate of Title Volume 8451 Folio 419.

The land was originally intended to form part of a bypass road between Princes Street and Old Melbourne Road/Kay Street that never eventuated and this is reflected on the original Certificate of Title.

The road was given its current name via a notice in the Victoria Government Gazette in 1981.

Lodge Drive remains unconstructed and is listed on Council’s Road Register as a minor access road.

### **4. ISSUES**

Lodge Drive was considered surplus to requirements by the former City of Traralgon who subsequently resolved, at its meeting held on 5 July 1994, to commence negotiations with the Latrobe Valley Masonic Centre for the closure of the road.

It was intended to sell the land to the then owner of both the Motel Traralgon, now owned by Hurricain Developments Pty Ltd, and the vacant land now owned by Alamin Pty Ltd.

As part of these negotiations an offer was made to the Latrobe Valley Masonic Centre to provide alternate access, in the form of a sealed road approximately six metres wide without kerb and channel, from what is now Oswald Street to the lodge car park.

When the proposed discontinuance was advertised in June 1995 the Latrobe Valley Masonic Lodge indicated that they had no objection to the proposed discontinuance "on the condition that the Latrobe Council honours the commitment given by the City of Traralgon to construct alternate access."

The Latrobe Valley Masonic Lodge do have legal access from Oswald Street however the existing unconstructed road that extends from the sealed pavement is extremely rough and deviates onto a sewerage reserve that is owned by Gippsland Water.

Whilst Council commenced the statutory process to discontinue the road and transfer the land it was never finalised due to a lack of commitment from the potential purchaser. As Lodge Drive has never been physically closed to traffic it remains a public highway.

The property owned by Alamin Pty Ltd was the subject of a planning application (2007/215) for use and development of land for serviced apartments and a 29 lot subdivision that was refused by Council. As part of this application the applicant had proposed thirty angle car parking spaces on Lodge Drive itself in addition to underground parking on site. Alamin Pty Ltd wish to acquire Lodge Drive and consolidate it with their property, effectively doubling the area, to allow for a redevelopment of the land.

As shown on the attached plan, prepared by Beveridge Williams on behalf of the applicant, part of Lodge Drive extends into Princes Street which is a main road controlled by VicRoads. It will therefore be necessary to consult with VicRoads to determine their requirements for this parcel of land and whether they will require it to be transferred to their ownership.

Gippsland Water assets including sewerage and water supply are located in the ground at the southern end of Lodge Drive. These will require consideration and may need to be protected by easements should this matter proceed.

Council's Infrastructure Strategy unit have noted that arrangements for the ongoing maintenance of Grambling Park at the rear of 5 to 21 Sunderland Circuit will need to be considered if direct access via Lodge Drive is removed. This issue will have to be resolved with the applicant prior to Council resolving to discontinue the road.

The owners of the adjoining Motel Traralgon at 214 Princes Street, Hurracain Developments Pty Ltd, also submitted an expression of interest in acquiring Lodge Drive in May 2008 which was subsequently withdrawn in August 2008.

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

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

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

### *Engagement Method Used:*

- Public notices to be placed in the Latrobe Valley Express and Traralgon Journal.
- Letters to be sent to adjoining property owners.
- Letters to be sent to VicRoads and Gippsland Water.
- Letter to be sent to the individual property owners of 1 to 17 Kosciuszko Street, 1 to 21 Sunderland Circuit, 1 Lodge Drive, and 214 to 260 Princes Drive Traralgon

### *Details of Community Consultation / Results of Engagement:*

Alamin Pty Ltd have already provided a copy of their request to the Latrobe Valley Masonic Centre and Hurracain Developments Pty Ltd as required by Council's Sale of Council Owned Property Policy.



## 7. OPTIONS

Council may now resolve to either:

1. Again commence the statutory process to discontinue Lodge Drive, Traralgon, by giving public notice of its intention to consider the discontinuance and seek public comment.
2. Not to continue with the process to discontinue Lodge Drive, Traralgon, which will require no further action.

## 8. CONCLUSION

Lodge Drive was originally acquired by the former Borough of Traralgon for a bypass road that never eventuated and currently is only required for access to the Latrobe Valley Masonic Centre at 1 Lodge Drive, Traralgon and to Gambling Park.

It is recommended that Council again commences the statutory process to discontinue the road to enable the sale of the land by private treaty. The consultation process will include notifying the Latrobe Valley Masonic Lodge, VicRoads and Gippsland Water and a number of nearby residential property owners. In addition, alternative arrangements for access to Gambling Park will need to be considered as part of the discontinuance and sale process.

## 9. RECOMMENDATION

1. That Council gives public notice of its intention to consider the proposed discontinuance and sale by private treaty of Lodge Drive, Traralgon, pursuant to Section 206 and Schedule 10 Clause 3 of the Local Government Act 1989.
2. That Council notify the individual property owners of 1 to 17 Kosciusko Street, 1 to 21 Sunderland Circuit, 1 Lodge Drive, and 214 to 260 Princes Drive Traralgon of its intention to consider the proposed discontinuance and sale by private treaty of Lodge Drive, Traralgon, pursuant to Section 206 and Schedule 10 Clause 3 of the Local Government Act 1989.
3. That Council considers any submissions received in relation to the discontinuance of Lodge Drive, Traralgon, at the Ordinary Council Meeting to be held on 15 June 2009.

**Moved:** Cr Gibson

**Seconded:** Cr Fitzgerald

1. That Council gives public notice of its intention to consider the proposed discontinuance and sale by public auction of Lodge Drive, Traralgon, pursuant to Section 206 and Schedule 10 Clause 3 of the *Local Government Act 1989*.
2. That Council notify the individual property owners of 1 to 17 Kosciuszko Street, 1 to 21 Sunderland Circuit, of its intention to consider the proposed discontinuance and sale by public auction of Lodge Drive, Traralgon, pursuant to Section 206 and Schedule 10 Clause 3 of the *Local Government Act 1989*.
3. That Council considers any submissions received in relation to the discontinuance of Lodge Drive, Traralgon, at the Ordinary Council Meeting on 15 June 2009.

**The Motion was put and LOST**

**Moved:** Cr White

**Seconded:** Cr Lougheed

1. That Council gives public notice of its intention to consider the proposed discontinuance and sale by private treaty of Lodge Drive, Traralgon, pursuant to Section 206 and Schedule 10 Clause 3 of the *Local Government Act 1989*.
2. That Council notify the individual property owners of 1 to 17 Kosciuszko Street, 1 to 21 Sunderland Circuit, of its intention to consider the proposed discontinuance and sale by private treaty of Lodge Drive, Traralgon, pursuant to Section 206 and Schedule 10 Clause 3 of the *Local Government Act 1989*.
3. That Council considers any submissions received in relation to the discontinuance of Lodge Drive, Traralgon, at the Ordinary Council Meeting on 15 June 2009.

**CARRIED**

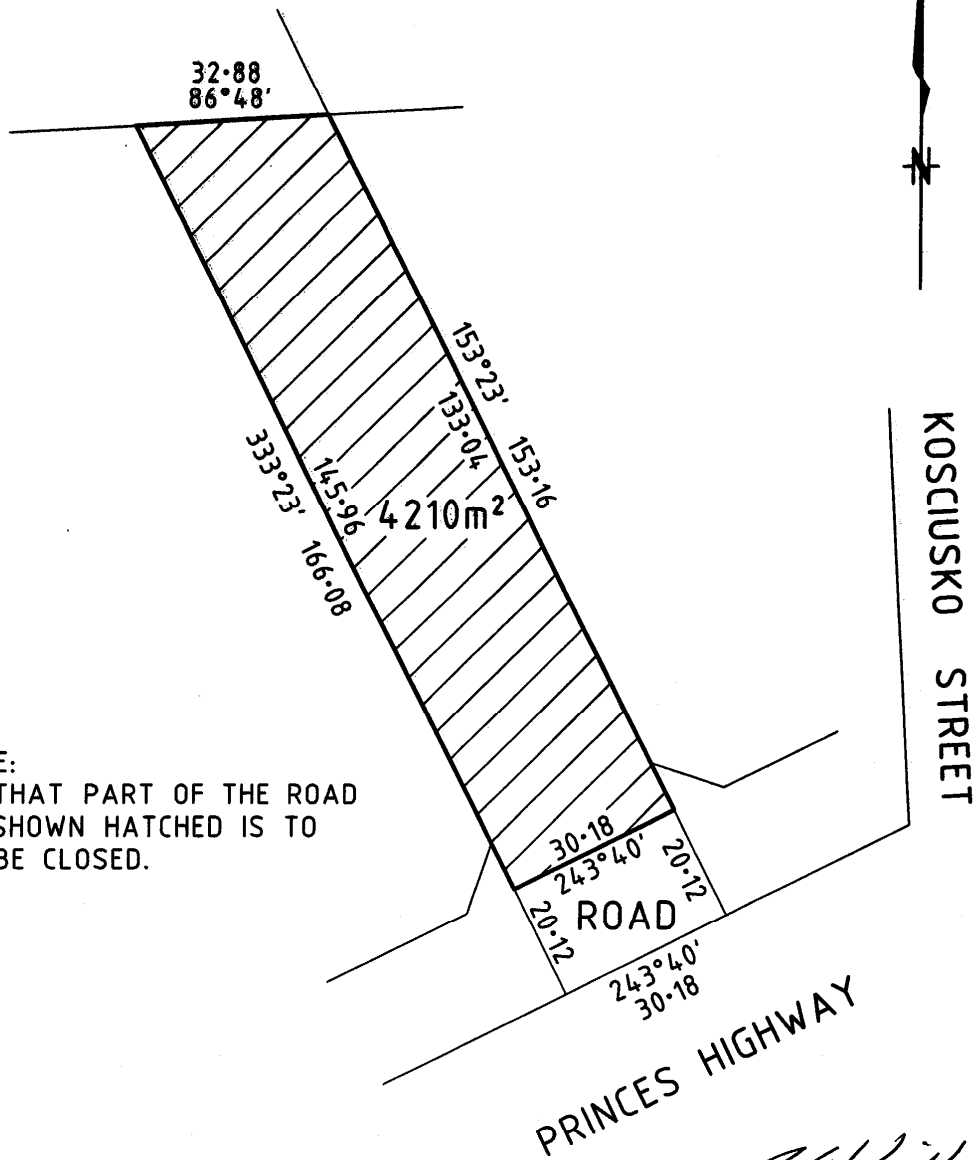
ATTACHMENT ONE



ATTACHMENT TWO

**ROAD CLOSURE DIAGRAM  
PARISH OF TRARALGON  
CROWN ALLOTMENT 48 (PART)**

SCALE 10 0 10 20 30 40 1:1000  
LENGTHS ARE IN METRES  
(SHEET SIZE A4)



NOTE:  
THAT PART OF THE ROAD  
SHOWN HATCHED IS TO  
BE CLOSED.



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134 GRAHAM ST., WONTHAGGI (03)56721505  
18 HOTHAM ST., TRARALGON (03)51760374

*John Keith LS*

DATE: 9-2-2009

REF: 10979

### 13. TEA BREAK

#### Adjournment of Meeting

The Mayor adjourned the Meeting at 8.16 pm for a tea break.

#### Resumption of Meeting

The Mayor resumed the Meeting at 8.35 pm.