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LATROBE CITY COUNCIL

MINUTES OF ORDINARY COUNCIL MEETING

HELD IN THE
NAMBUR WARIGA MEETING ROOM,
CORPORATE HEADQUARTERS, MORWELL
AT 7:00 PM ON 18 MAY 2009

PRESENT:

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

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CLOSED

1. Opening Prayer

The Opening Prayer was read by the Mayor.

Recognition of Traditional Landholders

The Recognition of Traditional Landholders was read by the Mayor.

2. Apologies for Absence

Cr Darrell White - Firmin Ward

3. Declaration of Interests

Cr Kam declared an indirect and a direct interest in Item 7.1 – Proposed permanent road closure to through traffic – Clifton Street and Purvis Lane, Moe.

4. Adoption of Minutes

Moved: Cr Lougheed

Seconded: Cr Vermeulen

That the Minutes of the Ordinary Council Meeting, relating to those items discussed in open Council, held on 4 May 2009 (CM 292) be adopted.

CARRIED UNANIMOUSLY

NOTICES OF MOTION

6.1 2009/04 - NOTICE OF MOTION - REMOVAL OF SPECIAL USE
ZONE 5 FROM 20 NATIONAL ROAD, MORWELL

CR KAM

MOTION

That Council supports the removal of the Special Use Zone 5 – Morwell River diversion (SUZ5) from 20 National Road, Morwell and replace it with an appropriate zone.

Moved: Cr Kam

Seconded: Cr Fitzgerald

That the Motion be adopted.

The Motion was put and LOST

ITEMS REFERRED BY THE COUNCIL

7.1 **PROPOSED PERMANENT ROAD CLOSURE TO THROUGH TRAFFIC - CLIFTON STREET AND PURVIS LANE, MOE**

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is for Council to consider the proposed permanent road closure to through traffic of Clifton Street and Purvis Lane, Moe as part of the implementation of the Clifton Street Precinct Masterplan (being project four of the Moe Activity Centre Plan).

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.

Strategic Objective – Sustainability

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

Community Outcome – Built Environment Strategy

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

Strategic Action – Infrastructure Development

Deliver the principles of the Transit Cities initiative.

Strategic Objective – Liveability

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

Community Outcome – Community

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

Policy No. - Not Applicable

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

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

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

Moe Activity Centre Plan

Adopted by Council 17 December 2007.

Clifton Street Precinct Masterplan

Adopted by Council 2 March 2009.

3. BACKGROUND

The Moe Activity Centre Plan (MACP) was adopted by Council on 17 December 2007. Project four (4) from the Moe Activity Centre Plan is the Clifton Street Precinct and consultants were engaged by Latrobe City Council to prepare a masterplan for the Clifton Street Precinct, focussing on strategic planning and urban design.

The aim of the Clifton Street Car Park project is to prepare a practical and achievable vision for the Clifton Street Precinct which would:

- Improve the legibility and safety of the site for drivers, pedestrians and businesses/business users
- Rationalise car parking in relation to land ownership patterns
- Intensification of land uses
- Facilitate new development which fronts the car park and pedestrian network
- Improve legibility for both car users and pedestrians by introducing new streets and pedestrian movement networks
- Prioritise pedestrian and cycling movements
- Re-direct vehicle movements
- Establish urban design guidelines for future uses
- Integrate with both existing and proposed public transport services.

The Clifton Street Precinct project masterplan was adopted by Council at its 2 March 2009 Ordinary Council Meeting.

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

Council at its Ordinary Council Meeting on 6 April 2009 considered a further report concerning the closure of Clifton Street and Purvis Lane to through traffic and resolved:

That Council, in accordance with section 223 of the Local Government Act 1989, considers any submissions received in relation to the proposal to place a permanent barrier or other obstruction on Clifton Street and Purvis Lane, Moe at the Ordinary Council Meeting to be held on 18 May 2009.

Implementation of the Clifton Street Precinct Masterplan has commenced and the statutory process to effect the closure of the northern end of Clifton Street and the western end of Purvis Lane in accordance with the masterplan is the subject of this report.

4. **ISSUES**

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

Clause 9 of Schedule 11, states in part:

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

- (1) *A Council may block or restrict the passage or access of vehicles on a road by placing and maintaining any permanent barrier or other obstruction on the road.*
- (2)”

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

- Council must publish a public notice inviting submissions that:
 - provides details of the proposal and the prescribed details in respect of that matter,
 - specifies the closing date to lodge a submission being not less than 28 days after the date of public notice, and
 - states that a person making a submission (or a representative specified in the submission) wishes to appear at a meeting to be heard in support of the submission.

- Council must fix the day, time and place of the meeting to consider submissions and give reasonable notice of the meeting to each person who has made a request to be heard in support of the submission.
- The Council or special committee responsible for making the decision must consider all submissions and after making a decision notify in writing, each person who has made a submission, of the decision and the reason for that decision.

Council has now complied with the Statutory Provisions of giving public notice and inviting written submissions pursuant to Section 223 of the *Local Government Act 1989*.

5. FINANCIAL AND RESOURCES IMPLICATIONS

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

Should Council proceed with the permanent road closure to through traffic - Clifton Street and Purvis Lane, Moe, costs will be incurred to erect structures to restrict vehicle traffic. Expenditure for this is provided in the 08/09 Capital Works budget for the implementation of Stage 1 of the Clifton Street Precinct Masterplan.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Public notices inviting community comment concerning the proposed permanent road closure to through traffic of Clifton Street and Purvis Lane, Moe were published as follows:

- Latrobe Valley Express – 19 March 2009
- Moe News – 25 March 2009

Details of Community Consultation / Results of Engagement:

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

Consultation was held with the private owner of the car park on the northern side of the video store, and the plans have been subsequently amended to reflect that this access/egress will remain as it currently is.

Extensive community consultation was undertaken in the preparation of the Clifton Street Precinct Masterplan. Initial workshops were held on 19 and 23 June 2008 where both key stakeholders and the community generally were invited to attend workshops to identify issues and constraints within the precinct. Upon preparation of the draft masterplan a further series of consultation sessions were held on 3 and 4 September 2008 where opportunity was provided for both the key stakeholders and the community generally to provide feedback and comment on the proposed masterplan.

7. OPTIONS

Council has the following options:

1. Resolve to permanently close to through traffic – Clifton Street and Purvis Lane Moe, or
2. Resolve not to continue with this process and allow vehicle traffic to continue to use both laneways which would require no further action.

8. CONCLUSION

No submissions were received in response to the public notices and consultation with adjoining property owners. Therefore it is reasonable that Council forms the opinion that the public do not object to a permanent barrier or other obstruction to block the passage of vehicles on the northern end of Clifton Street, which adjoins Albert Street and on the western end of Purvis Lane, Moe.

Council may now choose to proceed with the permanent road closure to through traffic of Clifton Street and Purvis Lane Moe as part of the Clifton Street Precinct project component of the Moe Activity Centre Plan.

9. RECOMMENDATION

1. **That Council, pursuant to section 207 and schedule 11 of the Local Government Act 1989, places a permanent barrier or other obstruction on the northern end of Clifton Street, Moe which adjoins Albert Street, Moe to block the passage of vehicles.**

2. That Council, pursuant to section 207 and schedule 11 of the Local Government Act 1989, places a permanent barrier or other obstruction on the western end of Purvis Lane, Moe which adjoins Market Street, Moe to block the passage of vehicles.
3. That a notice be placed in the Victoria Government Gazette notifying of the permanent closure to through vehicle traffic by permanent barrier or other obstruction to block the passage of vehicles at the northern end of Clifton Street which adjoins Albert Street, Moe and the western end of Purvis Lane which adjoins Market Street, Moe.

Cr Kam left the Council Chamber at 7.05 pm

Moved: Cr Lougheed

Seconded: Cr Fitzgerald

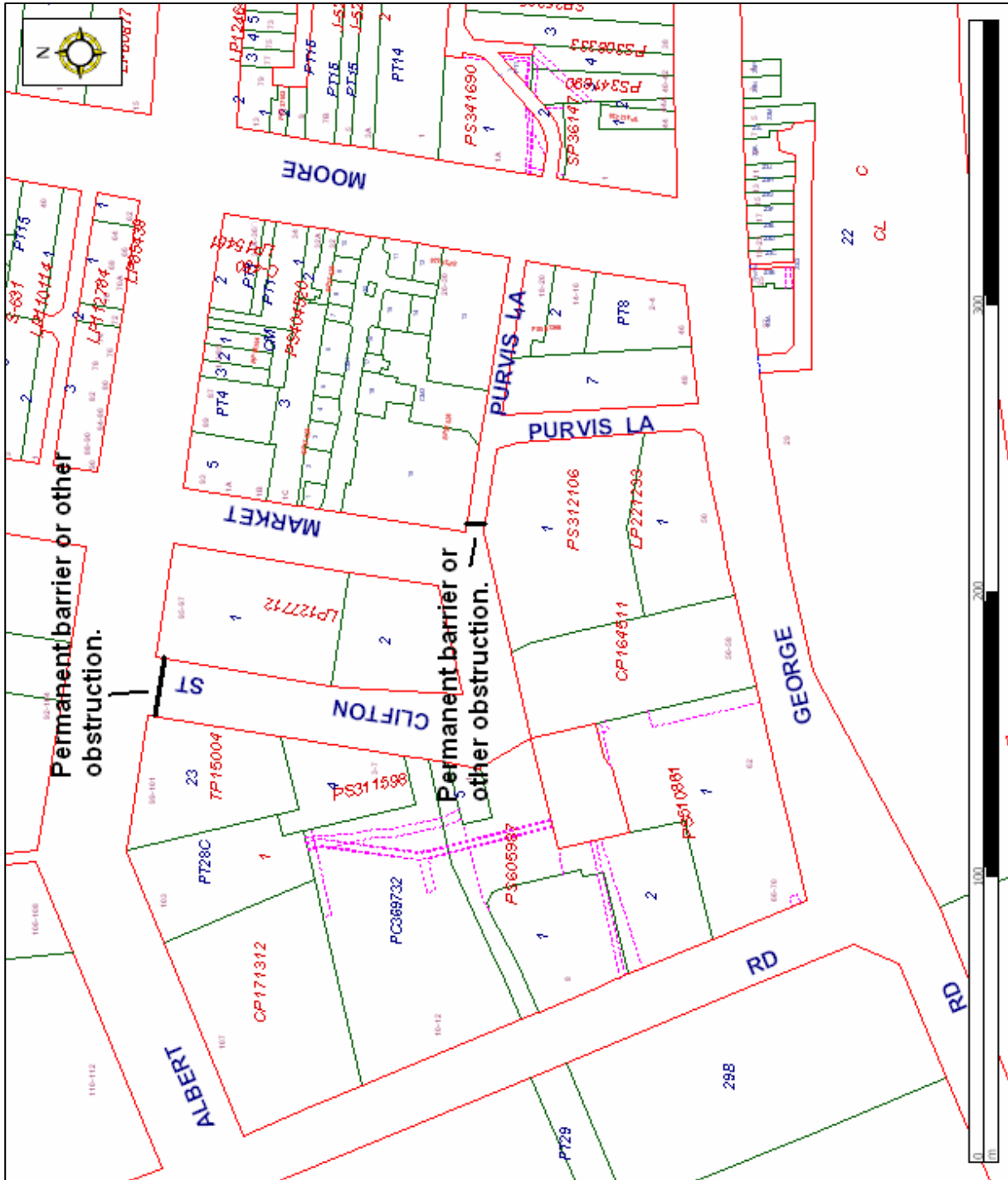
That the Recommendation be adopted.

CARRIED UNANIMOUSLY

Cr Kam returned to the Council Chamber at 7.07 pm

ATTACHMENT

Clifton Street and Purvis Lane Permanent Barrier Plan



7.2 REVIEW OF COUNCIL POLICIES

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present for Council's consideration the suite of eighty-one (81) policies comprising the Council Policy Manual 2009 - 2012 [09 POL-1].

2. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective – 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.

Strategic Action – Democratic Governance

Continually review Latrobe City Governance protocols taking into account evolving governance best practice protocols.

Policy No. GEN-GLS 001 – Council Policy Development Policy

3. BACKGROUND

Council policies, previously adopted by Council, are reviewed on a regular basis to reflect the direction of Council and to ensure they accord with any new legislative requirements.

Moreover, the existing *Council Policy Development Policy GEN-GLS 001* adopted on 19 June 2006 stipulates that a newly elected Council will conduct a formal review of all policies within six months of being elected.

Good governance principles suggest that Council should determine their policy position and then ensure that decision making is consistent with adopted policy. The last comprehensive review was undertaken in 2006.

The policy manual has been designed to make it easier to read and more accessible to Councillors and the public by placing all the policies within the one manual.

The policy manual contains 81 policies, listed in alphabetical order, which would apply throughout the term of the Council and includes the Sealing of Rural Unsealed Roads Policy 09 POL-3 and Traralgon West Interim Infrastructure Development Policy 09 POL-1 as adopted by Council on 16 March 2009.

All policies within the manual – other than the internally focussed Fraud Policy, Investment Policy, Gifts and Hospitality Policy, Essential Safety Measure Audit Policy and Financial Hardship Policy – are policies which have previously been presented to Council and undergone past community consultation when and where appropriate.

Progressively since early 2008, a total of 87 policies have been reviewed and/or developed:

- in response to the potential for future use;
- to make appropriate administrative amendments taking into consideration changes to council officer titles and name of council divisions since 2006;
- to consider each policy in light of Council's aspirations under *Latrobe 2021: The Vision for Latrobe Valley* and whether it was consistent with various aspects of the community's vision;
- to consider each policy in light of the *Charter of Human Rights and Responsibilities Act 2006* to ensure compliance with that Act.

The 2008/09 Policy Review Table set out below lists all policies considered, identifying the policy number and status assigned to each policy and the revisions made (if any) under the following headings:

<i>No change</i>	- no change to current policy.
<i>New</i>	- new policy developed.
<i>Title change</i>	- amendment to existing policy title.

Revised Format	- existing policy reviewed to Latrobe 2021 and Human Rights Charter with only minor amendments (if any) to reflect internal restructure and/or the passage of time; standardise formatting and sub-headings; or correct grammatical errors.
Revised Content	- existing policy reviewed to Latrobe 2021 and Human Rights Charter with significant changes in policy content.
Superseded / obsolete	- existing policy no longer required &/or superseded by another document or policy.

	Policy Title & No.	No Change	New	Title Change	Revised Format	Revised Content	Superseded / Obsolete
1	Application Fee Refund Policy 09 POL-2			✓		✓	
2	Asset Management Policy 09 POL-3				✓		
3	Audit Policy 09 POL-3					✓	
4	Australian Citizenship Ceremonies Policy 09 POL-3					✓	
5	Biodiversity and Native Vegetation Policy 09 POL-3				✓		
6	Building Over Easements Policy 09 POL-3				✓		
7	Capital Works Policy 09 POL-2					✓	
8	Car Parking Policy 09 POL-2					✓	
9	Child Care Centre Policy 09 POL-3					✓	
10	Citizen Confidentiality and Privacy Policy 09 POL-3				✓		
11	Client Complaints Resolution Policy 09 POL-3				✓		
12	Community Access and Inclusion Policy 09 POL-3				✓		
13	Community Based Aged and Disability Services Policy 09 POL-3				✓		
14	Community Grants Policy 09 POL-3					✓	
15	Construction of New Footpaths in Residential Areas Policy 09 POL-3				✓		
16	Construction of Pathways in Rural Areas Policy 09 POL-2				✓		
17	Contributory Scheme Policy 09 POL-2				✓		
18	Council Policy Development Policy 09 POL-3					✓	
19	Damage to Council Assets by Trees on Private Property Policy 09 POL-3				✓		
20	Debt Management Policy 09 POL-3				✓		
21	Debtor Control Policy 09 POL-3				✓		
22	Demolition Works Policy 09 POL-3					✓	
23	Derelict, Unsightly and Dangerous Buildings Policy 09 POL-2				✓		
24	Ecologically Sustainable Development Policy 09 POL-3				✓		
25	Economic Development Assistance Policy 09 POL-5				✓		
26	Electronic Surveillance Policy 09 POL-3					✓	
27	Energising of Street Lighting in New Subdivisions Policy 09 POL-3				✓		
28	Essential Safety Measure Audit Policy 09 POL-2		✓				
29	Extension of Waste Services Collection Policy 09 POL-3				✓		
30	Family Day Care Policy 09 POL-3				✓		

	Policy Title & No.	No Change	New	Title Change	Revised Format	Revised Content	Superseded / Obsolete
31	Fees and Charges Rebate and Waiving Policy 09 POL-3				✓		
32	Financial Hardship Policy 09 POL-1		✓				
33	Fraud Policy 09 POL-1		✓				
34	Gaming Accreditation Charter & Gambling Impact Fund Policy 09 POL-3				✓		
35	Gaming Planning Control Policy 09 POL-3				✓		
36	Gifts and Hospitality Policy 09 POL-1		✓				
37	Half Cost Fencing Policy 09 POL-3				✓		
38	Home Based Aged and Disability Services Policy 09 POL-3				✓		
39	Human Resources Policy 09 POL-3					✓	
40	International Power Children's Traffic School Policy 09 POL-3			✓	✓		
41	Investment Policy 09 POL-1		✓				
42	Loans/Guarantees to Community Groups Policy 09 POL-3				✓		
43	Local Agenda 21 Policy 09 POL-3				✓		
44	Maintenance of Nature Strips and Roadside Verges Policy 09 POL-4				✓		
45	Maternal and Child Health Services Policy 09 POL-3					✓	
46	Multipurpose Use of Preschool Facilities Policy 09 POL-3				✓		
47	Occupational Health and Safety Policy 09 POL-1					✓	
48	Performing Arts Policy 09 POL-3				✓		
49	Preschool Policy 09 POL-3				✓		
50	Provision of Resources and Support to Councillors Policy 09 POL-4			✓		✓	
51	Public and Urban Art Policy 09 POL-3			✓		✓	
52	Public Health Environmental Protection Policy 09 POL-3				✓		
53	Public Health Food & Water Surveillance Policy 09 POL-3				✓		
54	Public Health Promotion Policy 09 POL-3					✓	
55	Public Holiday Policy 09 POL-3					✓	
56	Public Library Policy 09 POL-3					✓	
57	Public Meeting Facilities Policy 09 POL-3					✓	
58	Public Meeting Policy 09 POL-3				✓		
59	Public Open Space Policy 09 POL-3					✓	
60	Public Relations and Communications Policy 09 POL-3				✓		
61	Rating of Social and Sporting Clubs Policy 09 POL-3				✓		
62	Risk Management Policy 09 POL-3			✓		✓	
63	Roadside Fatality Memorials Policy 09 POL-3				✓		
64	Sale of Council Owned Property Policy 09 POL-3					✓	
65	Sale of Goods Policy 09 POL-3					✓	
66	Sealing of Rural Unsealed Roads Policy 09 POL-3	✓					
67	Sporting Reserves, Pavilions and Recreation Facilities Policy 09 POL-3					✓	
68	Subdivision of Residential or Rural Residential Properties Policy 09 POL-4				✓		
69	Swimming Pool and/or Spa Safety Barrier Policy 09 POL-2			✓		✓	

	Policy Title & No.	No Change	New	Title Change	Revised Format	Revised Content	Superseded / Obsolete
70	Tendering Policy 09 POL-7					✓	
71	Traralgon West Interim Infrastructure Development Policy 09 POL-1	✓					
72	Tree Work Notification Policy 09 POL-3				✓		
73	Vehicle Crossings Drainage Tappings Policy 09 POL-3				✓		
74	Vehicle Crossings Policy 09 POL-3				✓		
75	Visual Arts Policy 09 POL-3					✓	
76	Volunteer Program Services 09 POL-3				✓		
77	Waste Services Exemptions and Additions Policy 09 POL-3					✓	
78	Weeds Policy 09 POL-3				✓		
79	Wind Energy Development Policy 09 POL-2					✓	
80	Works Permit Policy 09 POL-3				✓		
81	Youth Services Policy 09 POL-3				✓		
82	Community Safety in Public Space Policy GEN-CIS 017						✓
83	Disposal of Council Assets – Disclosure Policy GEN-EO 007						✓
84	Information Privacy Act 2000 Policy GEN-EO 009						✓
85	Local Laws Policy GEN-CI 016						✓
86	Mayoral Motor Vehicle Policy GEN-COS 007						✓
87	Procedure Development Policy GEN-EO 002						✓

The last six (6) policies listed in the table above were not included in the manual on the basis that:

- **Community Safety in Public Space Policy** has been superseded by Local Law No.2.
- **Disposal of Council Assets – Disclosure Policy** is redundant as disclosure of the items subject to the policy (non-confidential disposal of assets) is either available through freedom of information queries or reported to Council during normal contract or sale of property processes.
- **Information Privacy Act 2000 Policy** has been incorporated into Citizen Confidentiality and Privacy Policy 09 POL-3.
- **Local Laws Policy GEN-CI 016** is considered to be redundant. A stand alone policy is not required given the legislation in effect.
- **Mayoral Motor Vehicle Policy** has been incorporated into Provision of Resources and Support to Councillors Policy 09 POL-4.
- **Procedure Development Policy** – an administrative function which does not warrant a specific policy.

Accordingly, it was necessary to revise some titles to accurately reflect policy consolidation and/or a significant change in content, while others only required some minor amendment.

As previously mentioned, there are five new policies contained within the policy manual, namely:

- Essential Safety Measure Audit Policy 09 POL-2
- Financial Hardship Policy 09 POL-1
- Fraud Policy 09 POL-1
- Gifts and Hospitality Policy 09 POL-1
- Investment Policy 09 POL-1

Those five policies, together with the following 29 policies which have undergone a significant change in content, are summarised within the Issues section:

- Application Fee Refund Policy 09 POL-2
- Audit Policy 09 POL-3
- Australian Citizenship Ceremonies Policy 09 POL-3
- Capital Works Policy 09 POL-2
- Car Parking Policy 09 POL-2
- Child Care Centre Policy 09 POL-3
- Community Grants Policy 09 POL-3
- Council Policy Development Policy 09 POL-3
- Demolition Works Policy 09 POL-3
- Electronic Surveillance Policy 09 POL-3
- Human Resources Policy 09 POL-3
- Maternal and Child Health Services 09 POL-3
- Occupational Health and Safety Policy 09 POL-1
- Provision of Resources and Support to Councillors Policy 09 POL-4
- Public and Urban Art Policy 09 POL-3
- Public Health Promotion Policy 09 POL-3
- Public Holiday Policy 09 POL-3
- Public Library Policy 09 POL-3
- Public Meeting Facilities Policy 09 POL-3
- Public Open Space Policy 09 POL-3
- Risk Management Policy 09 POL-3
- Sale of Council Owned Property Policy 09 POL-3
- Sale of Goods Policy 09 POL-3
- Sporting Reserves, Pavilions and Recreation Facilities Policy 09 POL-3
- Swimming Pool and/or Spa Safety Barrier Policy 09 POL-2
- Tendering Policy 09 POL-7
- Visual Arts Policy 09 POL-3

- Waste Services Exemptions and Additions Policy 09 POL-3
- Wind Energy Development Policy 09 POL-2

The two policies adopted by Council on 16 March 2009 (as previously mentioned) and those policies denoted **Revised Format** in the 2008/09 Policy Review Table set out above account for the remaining 47 policies.

Council, at its Ordinary Council Meeting on 4 May 2009, resolved the following:

That Council defers consideration of this item until the Ordinary Council Meeting to be held on 18 May 2009.

4. **ISSUES**

The five new policies contained within the policy manual were developed in response to:

- Essential Safety Measure Audit Policy 09 POL-2
This Policy was developed as a result of the restructure of the Building Services Team and council's decision to concentrate on statutory functions rather than the issue of Building Permits. This Policy supports the Essential Safety Measure Audit processes.
- Financial Hardship Policy 09 POL-1
The Financial Hardship Policy was previously an internal procedure. It was decided that it was more appropriate to have this as a Council Policy. The consultation for this policy was internal, within the Governance Division.
- Fraud Policy 09 POL-1
The Fraud Policy was developed as a result of recommendations made by the Victorian Auditor General's office. The policy was reviewed by Council's Audit Committee.
- Gifts and Hospitality Policy 09 POL-1
This Policy was developed in response to the Victorian Ombudsman's *Conflict of Interest in Local Government* Report in March 2008 and is designed to –
 - ensure compliance with legislation;
 - ensure council activities are conducted professionally without influence of favour;
 - provide clear guidelines to ensure that Councillors, staff and Council contractors are not compromised in the performance of their duties;

- regulate and monitor patterns of behaviour; and
- provide a transparent and accountable process for gift acceptance that promotes public confidence.

The Policy has been reviewed by both Senior Management and the Staff Consultative Committee.

- Investment Policy 09 POL-1
The Investment Policy was developed as a result of recommendations made by the Victorian Auditor General's office. The policy was reviewed by the Governance Steering Group and also Council's Audit Committee.

As a result of the review process, 22 existing policies were significantly amended in relation to policy content. The following summary of revisions is provided for those policies denoted **Revised Content** in the 2008/09 Policy Review Table set out above:

- Application Fee Refund Policy 09 POL-2
Previously titled Building Application – Building Permit Refund Fee Policy, this policy has been expanded to cover the refund of fees paid for a building permit application; report and consent application; temporary siting approval; section 173 agreement; property information request; building file information request; and related fees and charges.
- Audit Policy 09 POL-3
Amended to accord with legislation: an Audit Committee is established under s.139 of the *Local Government Act 1989*, not as a special committee of Council under s.86 of the Act.
- Australian Citizenship Ceremonies Policy 09 POL-3
This policy has been rewritten to amend the provisions relating to:
 - the relevant Federal Department and legislation;
 - the persons authorised to preside over Citizenship Ceremonies in accordance with Ministerial advice of 2 February 2009;
 - the conduct of citizenship ceremonies; and
 - Annual Report requirements.

- Capital Works Policy 09 POL-2
Revises the Capital Works Policy (GEN-MD 017) adopted by Council on 2 April 2002 as follows:
 - Review process no longer mandates that the rejection of a request generated from the community or an individual Councillor must be decided by resolution of Council.
 - Clause 3 in relation to evaluation and prioritisation procedures has also been deleted.

- Car Parking Policy 09 POL-2
This policy has been rewritten to:
 - provide for car parking infrastructure and the waiving of car parking requirements to be decided in accordance with the Latrobe Planning Scheme.
 - Include the Churchill Central Business District under the policy.

- Child Care Centre Policy 09 POL-3
 - Policy Goals expand the importance of the Early Learning Centre Service to improving the health and welfare of families living and working in the municipality.
 - Clause 2 added to ensure the provision of inclusion services that cater for the needs of children of all abilities and those from diverse cultural backgrounds.
 - Clause 5 added providing for Council to take a leadership role in planning, supporting and delivering quality childcare services.

- Community Grants Policy 09 POL-3
Policy amended to set the maximum amount of grant funding available per Community Group/Club at \$5,000.

- Council Policy Development Policy 09 POL-3
Clause 9 added providing that all current policies will be available to the public via Council's website, with access to past policies upon request.

- Demolition works Policy 09 POL-3
 - The provisions in relation to Applications for Building Permits have been rewritten;
 - The requirement for Council to maintain a s.86 Committee to report and consent on all application for demolition under s.29A of the Building Act 1993 has been deleted (in accordance with the resolution of Council on 16 February 2009).

- Electronic Surveillance Policy 09 POL-3
Exclusion Clause 4 has been added with respect to the use of cameras to monitor the health and safety of employees working in isolation.
- Human Resources Policy 09 POL-3
This Policy has been revised in line with the Human Rights Charter to provide that Council will act and properly consider human rights in all decisions relating to Council staff.
- Maternal and Child Health Services 09 POL-3
Principle purpose of the M&CH Service revised to provide for the promotion of healthy outcomes for children and their families with a comprehensive and focused approach to managing the physical, emotional and social factors affecting the prevention, promotion, early detection and intervention of child health and wellbeing concerns.
- Occupational Health and Safety Policy 09 POL-1
 - Entire policy rewritten as the policy previously contained operational framework material which is now incorporated in the *Occupational Health & Safety Operational Framework*.
 - Provision made for this Policy (only) to be countersigned by a Health & Safety Representative as the *Occupational Health and Safety Act 2004* requires Council to consult and the counter-signature will signify compliance.
- Provision of Resources and Support to Councillors Policy 09 POL-4
The Provision of Resources to Council Policy (GEN-EO 005) was rewritten to incorporate changes to Local Government Act in 2008 and provides greater link to relevant sections of the Act. It also include items from the Mayor Motor Vehicle Policy (GEN-COS 007) and the policy title has been amended to better reflect policy content.
- Public and Urban Art Policy 09 POL-3
 - Previously titled Urban and Public Art Policy.
 - Policy Goals substantially revised to incorporate 4 policy purposes: to assist Council to make decisions on Public Art projects; to encourage the retention and preservation of existing Public Art works; to encourage and promote expansion of Public and Urban Arts projects; and the management of such projects.

- Council to encourage developers to incorporate a visual arts component of 1% in all major construction projects and to engage with Gippsland arts.
- Public Health Promotion Policy 09 POL-3
 - The list of diseases included under the Immunisation Program revised.
 - Council to provide assistance to affected school children in the treatment of head lice.
- Public Holiday Policy 09 POL-3

Policy rewritten to accord with the provisions of the *Public Holidays Act 1993* (as amended) whereby:

 - Only the Minister has the power to declare an additional or substituted public holiday; and
 - Non-metro Councils no longer have the ability to self-declare a full or half day public holiday for all or part of the municipality by publishing a notice in the Government Gazette.
- Public Library Policy 09 POL-3

Policy revised to update the library services currently available and the fees, charges and fines (if any) applicable in relation to the services provided.
- Public Meeting Facilities Policy 09 POL-3

Clause 3 amended to provide that a permit for the sale of goods/merchandise in or on Council properties is subject to the Sale of Goods Policy.
- Public Open Space Policy 09 POL-3

Policy Goals revised to stipulate 4 key framework principles: diversity, accessibility, connecting the community and sustainability.
- Risk Management Policy 09 POL-3
 - Previously titled Insurance and Risk Management Policy.
 - Entire policy rewritten as the policy previously contained operational framework material which is now incorporated in the *Risk Management Operational Framework*.
- Sale of Council Owned Property Policy 09 POL-3

This policy has been amended to allow -

 - Council the opportunity to consider whether a nominated property is (a) surplus to Council requirements [under Clause 4] and (b) surplus to community requirements [under Clause 5] concurrently - to facilitate administrative efficiency.

- Council to invite submissions under s.223 as part of the community consultation process.
- Real Estate Services to be sought in accordance with Council's Procurement practices.

- Sale of Goods Policy 09 POL-3
Exclusion Clause 6 added in relation to the sale of goods which are incidental to programmed activities at Council's cultural facilities eg. library book launches and gallery exhibitions.

- Sporting Reserves, Pavilions and Recreation Facilities Policy 09 POL-3
Clause 8 no longer prescribes resourcing "quarterly" user group meetings.

- Swimming Pool and/or Spa Safety Barrier Policy 09 POL-2
Policy rewritten to replace the Residential Swimming Pool Barrier Policy (GEN-CD 008) adopted by Council on 2 April 2001.

- Tendering Policy 09 POL-7
 - In accordance with s.186 of the *Local Government Act* 1989 (as amended), the tender values affecting the statutory process for advertising, evaluating and accepting tenders within the policy have been revised upwards from \$100K (non-specific) to \$150K for the provision of goods and services; and \$200K for construction works.
 - Policy provides for the opening of tenders to take place in the presence of the Head of the Division (or nominee) and a member of the Procurement Team.

- Visual Arts Policy 09 POL-3
The policy goal describing the visual arts program as an integral part of Latrobe City's Economic Development Program has been deleted.

- Waste Services Exemptions and Additions Policy 09 POL-3
 - Sub-clause c.1.3 requires owner/occupiers of farms >20Ha and industrial properties to provide evidence in support of claim;
 - Sub-clause c.1.6 added with regard to Commercial properties;
 - Clause 4 now requires owner/occupier to make an application, rather than a "request";
 - Clause 5 redefines the basis for a Refund of Garbage Service fees.

- Wind Energy Development Policy 09 POL-2
At the state government level, two documents are of particular relevance: *Policy and Planning Guidelines for Development of Wind Energy Facilities In Victoria*, Sustainable Energy Authority Victoria, May 2003 and *Model Planning Permit Conditions for Wind Energy Facilities*, DPCD, February 2009. Accordingly, these documents are now specifically referred to in the policy under “Decision Guidelines”.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

There are no direct financial implications in relation to the adoption of the review of the Council Policies.

6. **INTERNAL/EXTERNAL CONSULTATION**

Engagement Method Used:

Internal Referral

Details of Community Consultation / Results of Engagement:

All policies other than the five new internally focussed policies have been through comprehensive consultation processes in their development.

The new policies in relation to fiscal guidance have been presented at the Audit Committee for review, discussion and endorsement.

7. **OPTIONS**

Council may adopt all 81 policies contained the Council Policy Manual 2009 - 2012 [09 POL-1] with the amendments detailed above or, alternatively, request a further review.

8. **CONCLUSION**

A comprehensive review of Council Policies has now been completed in accordance with the Council Plan 2008-2012 and *Latrobe 2021: The Vision for the Latrobe Valley*; the *Charter of Human Rights and Responsibilities Act 2006* and Council Policy Development Policy (GEN-GLS 001).

Accordingly, Council Policy Manual 2009 - 2012 [09 POL-1] is now presented to Council for consideration.

9. RECOMMENDATION

- 1. That Council revokes all Council policies current as at 17 May 2009; and**
- 2. That Council adopts the Council Policy Manual 2009 – 2012 [09 POL-1]; and**
- 3. That the Council Policy Manual 2009 – 2012 [09 POL-1] be made available to the public on Council’s website.**

Moved: Cr Vermeulen

Seconded: Cr Lougheed

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT**Council Policy Manual 2009 – 2012 [09 POL-1]**

Please note that a copy of this Manual is available on CD upon request

Suspension of Standing Orders

Moved: Cr Fitzgerald

Seconded: Cr Lougheed

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

CARRIED UNANIMOUSLY

Standing Orders were suspended at 7.09 pm

Mr George Sykes, addressed Council in relation to Item 10.1 - Petition to halt bus stop upgrade to Disability Discrimination Act compliance and remove bus stop at 176 Liddiard Road, Traralgon and answered questions.

Ms Rebecca Laidlaw, addressed Council in relation to Item 10.1 - Petition to halt bus stop upgrade to Disability Discrimination Act compliance and remove bus stop at 176 Liddiard Road, Traralgon and answered questions.

Mr Paul Milstein, addressed Council in relation to Item 10.1 - Petition to halt bus stop upgrade to Disability Discrimination Act compliance and remove bus stop at 176 Liddiard Road, Traralgon and answered questions.

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

Resumption of Standing Orders

Moved: Cr Lougheed

Seconded: Cr Middlemiss

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

Standing Orders were resumed at 7.50 pm

PRESENTATION OF PETITIONS

10.1 **PETITION TO HALT BUS STOP UPGRADE TO DISABILITY
DISCRIMINATION ACT COMPLIANCE AND REMOVE BUS STOP
AT 176 LIDDIARD ROAD, TRARALGON**

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

1. PURPOSE

The purpose of this report is to present to Council for consideration a petition requesting that the existing bus stop in Newman Crescent situated outside 176 Liddiard Road, Traralgon, not be upgraded to comply with the *Disability Discrimination Act 1992* (DDA) standards, and that the bus stop be removed.

2. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective – Sustainability

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

Community Outcome – Built Environment Sustainability

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

Strategic Action – Infrastructure Development

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

Policy No. CS-CS 003 Community Access and Inclusion Policy

This policy is partially implemented through the Latrobe City Disability Action Plan which outlines a strategic approach to ensure that people with a disability have equitable access to infrastructure and services provided by Latrobe City in compliance with the Disability Discrimination Act 1992.

3. BACKGROUND

Latrobe City Council have been funded by the Department of Transport (DoT) to upgrade bus stops within the municipality to comply with the Federal *Disability Discrimination Act 1992* (DDA) to assist people of all abilities to access public transport.

Bus stop locations, upgrades and maintenance are the responsibility of DoT. Latrobe City Council is undertaking this work on behalf of DoT who have provided the funding for this DDA compliance upgrade works.

The first round of funding of \$450,000 was provided to commence the upgrade of the bus stops, with 157 bus stops listed for upgrade. The bus stops to be upgraded were selected by a representative from DoT and an officer from Latrobe City. When the upgrade sites were chosen, letters were sent out advising adjacent property owners of the proposed upgrades.

A standard upgrade comprises a trail of tactile indicator tiles embedded in the concrete pavement. The tactile tiles are used by visually impaired people to easily locate a bus stop pick up point. Other features of the upgrade include a 1,200mm wide access path and a 3.6 metre long concrete pad which provides passing areas and an allocated space for people using wheelchairs.

Of the 157 bus stops proposed for upgrade, 156 have been successfully completed. Eight objections to the upgrades were received with seven resolved, most with minor movements of the stop to prevent the bus overhanging driveways, or because of an intending construction of a driveway, three stops were moved a short distance.

The one bus stop yet to be upgraded is at 176 Liddiard Road, Traralgon on the corner of Newman Crescent. The owners of this property objected to the upgrade of the stop and it was decided that the bus stop upgrade would not proceed at that time unless a request to upgrade the stop was received from a bus user.

A request was received a short time later from a sight impaired person asking that this stop be upgraded to comply with the DDA standards (letter attached). The sight impaired person resides a short distance from the bus stop and uses buses as his primary means of transport.

The objecting property owners were then notified that the upgrade would go ahead. Several letters have since been received from the property owners to stop the upgrade with the objections being it is not a safe location for a bus stop and also the lack of parking for family and friends at this location as it is a corner block.

It is a DoT requirement that all bus stops will be upgraded to comply with DDA standards and this current upgrade program is the first stage undertaken by DoT.

The petition was received by Latrobe City Council on 2 February 2009 and contains 46 signatures.

Town location of petition signatory	Number per town
Traralgon	32
Moe/Newborough	7
Glengarry	1
Toongabbie	2
Jeeralang	1
Other	3
Total	46

4. **ISSUES**

The bus stop at 176 Liddiard Road in Newman Crescent has been an existing bus stop in excess of 20 years according to information supplied by DoT. The head petitioners assumed ownership of 176 Liddiard Road in 2002 and have stated that this bus stop has not been flagged (with a bus stop sign / flag) since they have resided there.

The bus stop on the opposite side of the road has a bus stop shelter while the proposed upgrade at this location is for a concrete pad and tactile tiles.

The bus regularly stops to pick up passengers, one of whom is sight impaired and it was this person who objected to the stop not being upgraded (letter attached). This person has also stated that he bought a property and built a house in 1984/1985 at this location so that they would have access to a bus stop where a road crossing was not required.

DoT requires that where possible, bus stops be opposite each other on both sides of the street and not staggered down the street. This is to provide some consistency in approach for operators and users of the bus network and is an internationally recognised method for the provision of bus stops. It also provides some convenience and certainty for bus patrons, who are able to be returned to the same location from where they were picked up.

Efforts have been made to resolve the issue at this location including relocation of the bus stop. There are several bus stops in reasonably close proximity to this one; however DoT is satisfied with the current spacing of bus stops in the area as it achieves their aim of having a bus stop within 400 metres of every house on a route.

There is a bus stop in the service road of Liddiard Road adjacent to a nearby reserve and it was suggested to relocate this stop and the Newman Crescent stop into Liddiard Road. This option was explored; however there is not enough room in the carriageway of Liddiard Road for the bus to pull over without blocking the traffic lane and any person using this stop would be required to cross the service road. This would result in an increased risk to bus users and motorists in this vicinity.

A traffic study is planned to be undertaken in the area bounded by Liddiard Road, Shakespeare Street, McNairn Road and Newman Crescent and should address the safety concerns of the petitioners and is scheduled to be completed in the 2009/10 financial year. However an analysis of recent traffic count data has been undertaken which confirms the need to undertake a detailed traffic study in the area.

The traffic count data recorded 50 metres east of Liddiard Road (opposite 2 Newman Crescent) indicates a total volume of 1364 vehicles per day. This total consists of 727 vehicles westbound and 637 vehicle eastbound. This total volume fits within the Latrobe City Council road hierarchy levels for major access roads which are expected to carry up to 2000 vehicles per day.

The speed limit for Newman Crescent is 50 kph. The traffic speeds have been combined for both east and west traffic as the recorded speeds are similar (within 2kph). The traffic speed data measured indicates an 85 percentile speed of 51 kph and a combined mean speed of 45 kph. However the data shows that the actual number of vehicles exceeding the speed limit is equal to 22% of the total volume of traffic.

The road crash statistics obtained from VicRoads show six recorded accidents near the intersection of Liddiard Road and Newman Crescent between 1987 and 1994. There have been no recorded accidents since 1994.

The recorded data is not comprehensive and shows:

- Three accidents were single vehicle run off the road accidents in Liddiard Road.

- Two accidents involving two vehicles with no details on whether they were within the intersection.
- One accident within the intersection.

The proposed traffic study will involve community consultation and will include concept designs for any treatments deemed necessary and cost estimates that can be considered by Council as part of a future budget process.

DoT have been involved in discussions with the head petitioners and have informed Council Officers that having considered a number of options regarding the location of this stop they have decided that they are not prepared to relocate or close this bus stop.

5. FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial implications for Latrobe City Council arising from the petition or the upgrade program. The bus stop compliance program is funded by DoT.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

There has been no formal public consultation process following receipt of this petition.

Prior to receipt of the petition, there have been a number of letters, discussions and meetings held with DoT, the head petitioners and a user of the bus stop to attempt to resolve this issue.

A site meeting was held with the head petitioner in an attempt to resolve this issue.

Details of Community Consultation / Results of Engagement:

The issue was not resolved by the consultation.

7. OPTIONS

Council has the following options:

- Lay the petition on the table until the Ordinary Council Meeting to be held on 1 June 2009 or a later meeting.
- Consider the petition at this meeting.

8. CONCLUSION

It is usual practice for petitions to lay on the table as per Clause 100 of Council's Local Law No.1 until the next ordinary meeting of Council.

Given the amount of prior investigation into this issue and the level of knowledge and information on available options and the decision by DoT not to relocate or close this stop, it is considered reasonable for Council to make a decision on this matter and for the petition not to lie on the table.

There is an immediate need to upgrade this bus stop to comply with the Disability Discrimination Act 1992 (DDA) standards to cater for a sight impaired user of the bus service.

9. RECOMMENDATION

1. That Council not lay the petition on the table to Halt the Bus Stop Upgrade to Disability Discrimination Act Compliance and Remove the Bus Stop at 176 Liddiard Road, Traralgon and considers the petition at this Ordinary Council Meeting.
2. That Council proceeds with the upgrade of the existing bus stop in Newman Crescent situated outside 176 Liddiard Road, Traralgon to comply with the *Disability Discrimination Act 1992* (DDA).
3. That the proposed traffic study planned for the area bounded by Liddiard Road, Shakespeare Street, McNairn Road and Newman Crescent proceed in the 2009/2010 financial year.
4. That the head petitioners, Dion Hehir and Rebecca Laidlaw, be advised of Council's decision in relation to the petition to Halt the Bus Stop Upgrade to Disability Discrimination Act Compliance and Remove the Bus Stop at 176 Liddiard Road, Traralgon.

Moved: Cr Fitzgerald

Seconded: Cr Gibson

1. That Council, lay the petition on the table until the Ordinary Council Meeting to be held on 1 June 2009, to Halt the Bus Stop Upgrade to Disability Discrimination Act Compliance and Remove the Bus Stop at 176 Liddiard Road, Traralgon.
2. That an estimate be prepared of the cost to upgrade the entry and exit to Liddiard Road at Glenview Drive and Newman Crescent to meet the current guidelines, and that a report on the costing be presented to the Ordinary Council Meeting to be on held 1 June 2009.

CARRIED

ATTACHMENT



2nd, February 2009

Dion Hehir &
Rebecca Laidlaw
176 Liddiard
Rd Traralgon
Vic 3844

ATTENTION:
Dean Morahan
Latrobe City Council
P.O. Box 264
Morwell Vic 3840

Re: Bus Stop at 176 Liddiard Rd Traralgon.






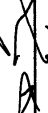










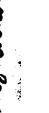


Please find enclosed the original copy of the petition (2 Pages) to stop the bus stop being upgraded to meet DDA Standards and removal of Bus Stop at 176 Liddiard Rd Traralgon.

Kind Regards
Dion Hehir & Rebecca Laidlaw
Encl.

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

CEASE BUS STOP BEING UPGRADED (TO MEET DDA STANDARDS) AND REMOVAL OF BUS STOP AT 176 LIDDARD RD TRARALGON ON THE NORTH CORNER OF NEWMAN CRESCENT.		
Name	Address	Signature
Ann (WOMEN)	6 Newman Crescent Traralgon	Ann Williams
PHIL WILLIAMS	8 NEWMAN CRES TRARALGON	Phil Williams
Susan Beadle	12 Newman Cres Traralgon	Susan Beadle
ASHLEY LUTMAN	16 NEWMAN CRES TRARALGON	Ashley Lutman
GUY WASHINGTON	22 NEWMAN CRES TRARALGON	Guy Washington
STACEY BASS	22 NEWMAN CRES TRARALGON	Stacey Bass
Debbie Irvine	24 NEWMAN CRES TRARALGON	Debbie Irvine
Robert Irvine	24 NEWMAN CRES TRARALGON	Robert Irvine
BILLIE CARTWRIGHT	12 DUXBURY DRIVE, TRARALGON.	Billie Cartwright
Linda McCluskey	3 Finlayson Cres Traralgon	Linda McCluskey
Tommy Fowler	6 SAUNDERS ST TRARALGON	Tommy Fowler
Sharon Emslie	7 Bernard Ave Traralgon	Sharon Emslie
Jacob Turner	86 Wirraway St Moe	Jacob Turner
Bonnie Turner	16 Scorpio Dr Moe	Bonnie Turner
Anne Foster	2 Newman Cres	Anne Foster
DENNY MATHESON	21 ROBERTS ST TRARALGON	Denny Matheson
TREVIN MATHESON	21 ROBERTS ST TRARALGON	Trevin Matheson
HILDE HASSE	7 NEWMAN CRES.	Hilde Hasse
SUZANNE DUNN	9 NEWMAN CRESCENT TRARALGON	Suzanne Dunn
Trudie Milstein	178 Liddard Road, Traralgon	Trudie Milstein
Paul Milstein	178 Liddard Road, Traralgon.	Paul Milstein
MARVINE SCHMIDT	THOMSON VALLEY ROAD ERICA	Marvina Schmidt
JOANIE TURNER	86 Wirraway St Moe	Joanie Turner

10F2

CEASE BUS STOP BEING UPGRADED (TO MEET DDA STANDARDS) AND REMOVAL OF BUS STOP AT 176 LIDDIARD RD TRARALGON ON THE NORTH CORNER OF NEWMAN CRESCENT.		
Name	Address	Signature
REBECCA LAIDLAN	176 LIDDIARD RD TRARALGON	
DION HEHIR	176 LIDDIARD RD TRARALGON	
HELEN HEHIR	70 KOSCIUSZKO ST TRARALGON	H. Hehir
BRIAN HEHIR	70 KOSCIUSZKO ST TRARALGON	B. Hehir
IAN BRUCE	Gaul Ave Dargaville	
MORROD HE PAGE	51 VICTORIA ST TOONGABIE	
Paul Puff	42 Pineside Blvd	
CHRIS McPHILLIPS	39 SPARKS LANE TOONGABIE	
DENNIS QUIGLEY	11 HOWAN CRES. TRARALGON	
MARK SMITH	77 LEON'S RD TRARALGON	
CHris MORGAN	44 GARD ST TRARALGON	
DAVE WILSON	1 WAKEFIELD CRT NEWBOROUGH	
ROSS OBRIEN	8 FRYS TRACK NEWBOROUGH	ROB
ASHLEY ESTCOURT	45 DRANES RD TRARALGON	ARE.
Adam Palmer	103 Lloyd st MOE	
Shannon Barnes	35 Edward Cres Traralgon	
CINDY VERT JONES	7 KINGSMAN CRT TRARALGON	
Claire Bentley	15 Cooper st. Traralgon	
Bob Reid	1 LICOLA CRT TRARALGON	
IAN FERGUSON	332 JEERLANE WEST RD. JEERLANE	
BENNY BRADSHAW	GLEDGARY	
PAUL BLAKE	13 BROADFORD CRT TRARALGON	
A Laidlan	19 ANZAC ST MOE	

20F2.

180 Liddiard Rd
 Traralgon 3844
 (03) 51742002

11 Sept. 08

TO the CEO
 LATROBE City Council
 PO Box 264
 Morwell 3840

Latrobe City	
16 SEP 2008	
Doc No:	339289
Action Officer:	
Dispose Code:	
Comments:	

Dear Sir,

I am writing in regards to the bus stop at the corner of Newman Cres. + Liddiard rd. Traralgon. I am a blind person and I lived 2 doors away from this bus stop. I have noticed, that the bus stops in Liddiard road + Newman Crescent all have a concrete slab and tactile slab tiles to guide me through my cane to the footpath through the kerb, but the stop at Newman Crescent and Liddiard Rd where I catch the bus theres no concrete slab or tactile tiles.

I am writing to request you to put down the concrete slab and tactile tiles
 (Next page pls.)

the same as other bus stop.

In the recent wet weather in August, walking across the nature strip + standing w/ the wet and muddy ground was not good.

I hope you can build this bus stop like the others for me.

Thank you.

Yours sincerely,

George Sykes

COMMUNITY LIVEABILITY

11.5.1 LATROBE CITY COUNCIL POSITIVE AGEING PLAN 2009-2012

AUTHOR: General Manager Community Liveability
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present the results of community feedback on the draft Latrobe City Council Positive Ageing Plan 2009-2012 and to seek adoption of the Plan.

2. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective – Community Capacity Building

To empower the community through enhancing community advocacy, leadership, partnerships, inclusiveness and participation.

Community Outcome – Partnerships and Inclusiveness

By encouraging a diversity of social, cultural and community activities that promote inclusiveness and connectedness.

Strategic Action

Promote and support an increase in the level of inclusion for older people, young people, the Koorie community, people from culturally and linguistically diverse backgrounds and people with a disability or mental illness.

Strategic Objective - Liveability

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

Community Outcome – Community Liveability

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

Strategic Action

Promote engagement services that support social, physical and mental health through all stages of life.

Policy No. GEN-CIS 002 - Home Based Aged and Disability Services Policy

Policy No. GEN-CIS 003 - Community Based Aged and Disability Services Policy

Latrobe City Older Persons Strategy 2007-2021.

3. BACKGROUND

The development of a Positive Ageing Plan was identified as a key action in the Latrobe City Older Persons Strategy, adopted by Council on 4 June 2007, to address both the current and future needs of older residents in Latrobe City.

The Older Persons Strategy highlighted a number of challenges for Latrobe City arising from an ageing population and the related economic and community impacts, including:

- An estimated increase of 12,000 in the number of people aged 60 years and over residing in Latrobe City by 2021;
- An increase in demand for home-based and residential support services for older residents;
- The loss of key workforce skills and experience;
- The need to improve community safety and amenity through infrastructure, urban design, policing and community strengthening;
- Changing transport, recreational and sporting needs; and
- Changing health and well-being issues.

The draft Positive Ageing Plan has been developed following an extensive process of consultation with older people, community organisations, and key internal and external stakeholders. The plan is a whole of council approach to the challenge of an ageing population and the need to continue to build a supportive and productive community for older residents.

The plan refers to Positive Ageing as both an organisational and community aspiration. It encompasses a number of concepts, including:

- An understanding of the ageing process.
- The ability of older people to plan and prepare for the future while participating and contributing to society in the present.
- Respect and support for older members of society.
- Maintenance of a high quality of life into senior years.
- Ageing as a positive experience.
- Support services for older people as they age.
- A positive attitude to ageing and older people within the community.
- Providing the social, economic, environmental and built infrastructure to enable older people to live fulfilling lives and continue to contribute to the community.

To address these challenges, the Older Persons Strategy identified eleven key principles to guide future Council and community action:

1. Respect and Recognition

Latrobe City Council will work to recognise the contribution of older people to the social, economic and environmental heritage of our City.

2. Understanding Population Change

Latrobe City Council commits to a proactive approach to population change through research, strategic planning and effective engagement of stakeholders in needs assessment.

3. Employment and Education

Latrobe City Council will, in partnership with other community stakeholders, promote opportunities for increased participation by older people in employment, education and community leadership.

4. Social Support

Latrobe City Council will contribute to the well-being and independence of older people by providing a range of community services and working in partnership with other organisations to enhance the social support system.

5. Housing and Accommodation

Latrobe City Council will, in partnership with government and community stakeholders, work to ensure an appropriate range of accommodation options are available in the municipality to meet the diverse needs of older people.

6. Active Living and Community

Latrobe City Council will actively support and encourage the involvement of older people in all aspects of community life; help build connections between all generations; and recognise and support diversity.

7. Transport

Latrobe City Council will, in partnership with other community stakeholders, work to enhance the range and capacity of transport services available to older people.

8. Health and Well-being

Latrobe City Council will, in partnership with other community stakeholders, actively seek to improve health outcomes for older people, and enhance opportunities for healthy lifestyles.

9. Urban Planning and Development

Latrobe City Council commits to building an *age friendly city* including implementation of age friendly principles into all aspects of urban planning and development.

10. Advocacy and Influence

Latrobe City Council will foster, encourage and develop avenues to ensure the needs and aspirations of older people are communicated to all levels of government and integrated into community planning.

11. Information and Communication

Latrobe City Council will adopt a proactive approach to communicating with older people and ensuring information is available in a diversity of media to assist older people.

The Latrobe City Older Persons also recommended the development of a Positive Ageing Plan, establishment of an Older Persons Reference Group, establishment of an Aged Care Coordinating Committee, and incorporation of healthy by design principles in strategic planning and infrastructure development.

To achieve these principles and outcomes the draft Latrobe City Council Positive Ageing Plan 2009-2012 sets out a detailed four year action plan against each of the four strategic objectives within Latrobe 2021, and the additional strategic objective of Organisational Excellence. The proposed actions were audited and categorised as existing council activity, improvements to services and processes or new initiatives.

The following table provides a summary of the proposed action areas:

Strategic Objectives	Action Areas
<p>Sustainability</p> <ul style="list-style-type: none"> • To design, maintain, and where appropriate upgrade facilities and infrastructure to a standard that ensures older people can function within a safe urban environment. • To assist older people who choose to remain in the workforce to access information that supports flexible employment options. 	<ul style="list-style-type: none"> • Safety and accessibility of community facilities. • Open space plans. • Feasibility of integrated older persons centres. • Planning, building and maintaining urban infrastructure. • Waste collection services. • Footpath trading, placement of goods and signage. • Responding to reported hazards. • Land use planning. • Research into infrastructure and environmental issues. • Flexible employment arrangements.
<p>Liveability</p> <ul style="list-style-type: none"> • To promote and support social, recreational and cultural activities that encourage the participation of older people by providing “older person friendly” amenities, services and facilities. 	<ul style="list-style-type: none"> • Contribution of older people to the cultural profile of Latrobe City. • Respect and recognition of older people. • Advocacy for improved transport services. • Developing an integrated approach to the development of social support care services. • Advocacy for the needs of a diverse community. • Health and wellbeing outcomes for recreation services. • Increase participation in cultural activities. • Enhanced Home and Community Care assessment services. • Aged care services Development Plan. • Heatwave strategy.
<p>Community Capacity Building</p> <ul style="list-style-type: none"> • To build the capacity of the Council, other partners and community clubs and organisations to create an environment that encourages and supports older people to participate in community life. 	<ul style="list-style-type: none"> • Advocacy for a better co-ordinated aged care system. • Link the Older Persons Reference Group to local communities. • Connections with sporting clubs, art groups and other organisations. • Permanent forms of public recognition of the contribution of older residents to community life and/or their outstanding achievements. • Participation by older people in Council’s strategic and land use planning. • Active engagement of older people in community projects. • Review Council’s Social Support services. • Community awareness and education strategy regarding ageing and the ageing population. • Utilisation of Senior Citizens Centres.

Strategic Objectives	Action Areas
<p>Governance</p> <ul style="list-style-type: none"> To ensure Council's democratic processes consider the needs of older people and facilitate their connection to governance activities within Council. 	<ul style="list-style-type: none"> Access to Councillors and Council decision makers. Provision of Council agendas in a range of formats. Referral of draft strategies and Plans to the Older Persons Reference Group.
<p>Organisational Excellence</p> <ul style="list-style-type: none"> To ensure staff within the organisation have the appropriate skills, awareness and information to deliver responsive, innovative services for older people. 	<ul style="list-style-type: none"> Access to information and assistance when contacting Council.

At its Ordinary Meeting of 20 October 2008 Council resolved as follows:

- That Council releases the draft Latrobe City Positive Ageing Plan 2009-2012 for community comment in accordance with Council's community engagement policy and strategy.*
- That a further report be presented to Council outlining submissions received and suggested amendments to the plan.*

A copy of the draft plan was forwarded to key stakeholders, published on Council's website and advertisements seeking community feedback were placed in the Latrobe Valley Express, Traralgon Journal and Moe-Narracan News.

4. **ISSUES**

A total of three verbal and written responses were received in relation to the draft Latrobe City Council Positive Ageing Plan.

These responses highlighted the need for the plan to address community education and opportunities to improve health and well-being for older residents. One submission also made reference to the need for the content of the report to be more succinct.

Further consultation on specific aspects of the draft plan highlighted the importance of community participation and volunteering and community safety as areas to address.

A number of changes have been made to the draft plan to reflect the suggestions, particularly a greater emphasis on participation in community life by older people.

A summary of these responses is presented in the following table:

Name	Issues Raised	Response
Morwell Branch Country Women's Association	Some ideas in the plan very positive. Too much repetition in the content.	Content revised to avoid unnecessary duplication of information.
Latrobe Valley University of the Third Age (U3A)	Plan is a good start. Does not pick up enough on the need for continuing education.	Stronger references made to importance of continuing education in main body of report and inclusion of reference to supporting continuing education in action plan.
Probus Club of Morwell & District	Commends thoroughness of document. Provision of accessible fitness facilities for older people important – look at incentives for older people to use facilities.	Identified in action plan under Liveability.

The draft Latrobe City Council Positive Ageing Plan 2009-2012 has been developed with an emphasis on collaboration with key community stakeholders and older people themselves. A number of actions relate to joint activities agreed to with other organisations, and all Latrobe City Council departments have been involved in the development of the Plan.

The input of older people themselves has been particularly valuable and has informed the development of many of the actions and the overall strategic approach of the Positive Ageing Plan.

5. FINANCIAL AND RESOURCES IMPLICATIONS

Whilst the Positive Ageing Plan has no direct financial implications for Latrobe City, it includes actions which will be incorporated into future organisational business plans.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

A multi-faceted consultation process has been used in the development of the Positive Ageing Plan, utilising internal and external facilitators, including:

- Development of an issues paper and distribution to community organisations for comment.
- Interviews with 30 leading community organisations and stakeholders.
- A telephone survey of older people.
- Focus groups.
- Individual submissions and discussions with older people and organisations.
- Specific discussions with Koori and CALD communities.
- Release of the draft Plan for community feedback.

Details of Community Consultation / Results of Engagement:

A report detailing the results of the community consultation process used to develop the Latrobe City Council Positive Ageing Plan was attached as an appendix to the draft version distributed to the community for feedback. The initial consultation process generated a wide range of responses including suggestions and requests for Council, action on specific issues of concern and broader proposals regarding Council priorities and actions.

7. OPTIONS

Council has a number of options available in relation to the Latrobe City Council Positive Ageing Plan:

1. Adopt the Latrobe City Council Positive Ageing Plan 2009-2012.
2. Amend and adopt the Latrobe City Council Positive Ageing Plan 2009-2012.
3. Defer consideration of the Latrobe City Council Positive Ageing Plan 2009-2012 and seek further community consultation.
4. Decline to adopt the draft Latrobe City Council Positive Ageing Plan 2009-2012.

8. CONCLUSION

The Latrobe City Council Positive Ageing Plan 2009-2012 is one of the major outcomes of the Latrobe City Older Persons Strategy 2007-2021.

The Positive Ageing Plan outlines a range of actions to give effect to the principles set out in the Older Persons Strategy adopted by Council on 4 June 2007. It also outlines the social, policy and demographic context for Council's role in helping build a community which values and supports older people.

Actions in the Positive Ageing Plan are linked to the four strategic objectives outlined in Latrobe 2021: A Vision for Latrobe Valley, as well as the additional strategic objective of Organisational Excellence. The actions are to be implemented progressively over a four year period from 2009 to 2012 and include activities already being undertaken by Council, service improvements and new initiatives.

The Positive Ageing Plan has been subject to an extensive community consultation process and has attracted considerable interest during its development, particularly from older members of the community and organisations they belong to.

9. RECOMMENDATION

1. **That Council adopts the Latrobe City Council Positive Ageing Plan 2009-2012.**
2. **That the organisations which contributed to the development of the draft Latrobe City Council Positive Ageing Plan be thanked for their input.**

Cr Gibson left the Council Chamber at 8.22 pm

Moved: Cr O'Callaghan

Seconded: Cr Vermeulen

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENTS



**The Country Women's Association
of Victoria Inc.**

A. 0004857F

Branch MORWELL
Hon./Sec. D. FISHER
Address PO Box 801
MORWELL
Telephone 51345759
Date 5-12-08

TO THE MANAGER OF FAMILY SERVICES.

LATROBE CITY.

DEAR SIR, DAVID WELSH.

TWO MEMBERS OF MORWELL COUNTRY WOMEN, S BRANCH.

HAVE PERUSED YOUR AGING PLAN DRAFT.

SOME THINGS ARE REALLY POSITIVE.

AN AGE COMMITTEE IS A VERY GOOD IDEA.

WE THOUGHT THERE WAS TOO MUCH REPETITION

BUT A BETTER UNDERSTANDING OF

OLDER PEOPLES NEEDS.

YOURS IN CWA SERVICE .

Latrobe City	
- 9 DEC 2009	
Doc. No.	<u>7</u>
Action Officer:	<u>D. Fisher</u>
Disposal Code:	<u>Secretary</u>

Jan

[Type text]

Probus Club of Morwell & District Inc.

Neil Terrill OAM President 2008

December 3rd, 2008

Mr David Welch,

Manager Family Services

Latrobe City

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

Dear Mr Welch,

I received your letter re Positive Ageing Plan, dated Nov 21st, yesterday in the Club correspondence. As with many organisations such as Probus, committees often meet monthly and hence there can be a long delay in responding to important correspondence.

I am sorry this has occurred as it has precludes some consultation and detailed consideration before the cut-off date.

However, I have read the draft plan carefully from the perspective of a senior citizen myself, and commend the thoroughness of the document. Probus of course, seeks to provide the mental stimulus and other activities for healthy ageing for a group of people with an age range from the early sixties to the eighties. This is quite a challenge with a membership of 90 to 100 individuals. There are a good many Probus Clubs in the Latrobe City, as you will be aware, and likely to be more in the future. Like U3A they are a valuable resource in relation to the Plan. (The Club would welcome a speaker from the City to outline the Plan and its significance for our members.)

Accessible community facilities for maintaining fitness levels is important in this expanding age bracket, and can combine useful social interaction in the process.

My wife and I have been regular users of the Churchill Gym for many years but I have noticed a decline in attendees from our age group in recent years. The brutal fact is that super income has not kept up with fees. Thus the excellent gym-swim facilities are not being used to anything like the level desirable. The provision of these facilities is expensive with respect to both capital and recurrent costs. But has the use of these facilities been maximised across our senior community? Council may have some file data on this question, but I would guess that the provision of sporting facilities is still skewed to conventional perceptions.

Given our climate, and the age demographic, there is scope for some innovative thinking in this area. Greater use of these facilities by eligible seniors in off-peak times could be encouraged, were there genuine discounted fees. Excellent group activities could be developed. VLine policy, in this respect, seems to be remarkably successful.

Yours Sincerely,

Neil Terrill

Latrobe City Council Positive Ageing Plan 2009-2012

ORGANISATIONAL EXCELLENCE

11.6.1 COUNCIL PLAN 2009 - 2013

AUTHOR: General Manager Organisational Excellence
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present the draft Council Plan 2009-2013 and seek Council's endorsement to invite submissions from the public.

2. POLICY IMPLICATIONS

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

Latrobe 2021

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.

Council Plan 2008-2012

Develop the Council Plan and present to Council for consideration within the legislative timeframe.

Policy No: Nil

3. BACKGROUND

In Victoria, councils are required under Section 125 of the *Local Government Act 1989* to prepare a four year Council Plan, which must be reviewed annually.

The Council Plan must set out the strategic objectives of Council, strategies for achieving these objectives for the next four years, strategic indicators for monitoring the achievement of objectives and a Strategic Resource Plan.

The Council Plan 2009-2013 has been developed in accordance with, and based on, the strategic objectives identified in Latrobe 2021: The Vision for Latrobe Valley.

4. **ISSUES**

The proposed Council Plan 2009-2013 reflects the directions set by Council as identified in Latrobe 2021: The Vision for Latrobe Valley. The Council Plan has taken into consideration both financial and non-financial resource allocations, and makes a positive contribution to the achievement of Council's overall vision for the community.

The key priorities and actions outlined in the draft Council Plan have been used to develop the 2009/2010 annual budget.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

The Council Plan includes a Strategic Resource Plan.

The Strategic Resource Plan includes the next four financial years of standard statements describing the required financial and non-financial resources.

6. **INTERNAL/EXTERNAL CONSULTATION**

The draft Council Plan will be reviewed by the Audit Committee at their meeting on 14 May 2009.

Copies of the draft Council Plan will be available for inspection at Council offices for a period of not less than 28 days after publication of the notice of preparation of the plan.

A person has a right to make a submission under Section 223 of the *Local Government Act* 1989, on any proposal contained in the plan.

It is proposed that those wishing to speak to Council on their submission be given this opportunity at a Special Council Meeting to be held on 29 June 2009.

7. **OPTIONS**

Council may choose to release the Council Plan for community comment in its current form or undertake amendments.

Council is obliged in accordance with Section 125(3) of the *Local Government Act 1989* to give public notice inviting submissions in respect of the draft Council Plan 2009-2013.

In addition, Council is also obliged to consider all submissions received in accordance with Section 223 of the *Local Government Act 1989* prior to the formal adoption of the Council Plan.

8. CONCLUSION

The draft Council Plan provides Council with a four year strategic direction in accordance with Section 125 of the *Local Government Act 1989*.

Consultation is planned to be undertaken as outlined in the requirements of the *Local Government Act 1989*, Sections 125 and 223.

The outcomes of any consultative process may be used in refining or the redevelopment of the draft Council Plan 2009-2013. It is proposed that submissions will be considered at a Special Council Meeting to be held on 29 June 2009.

Council will provide due consideration to any submissions received and then consider the adoption of the Council Plan 2009-2013 at an Ordinary Council Meeting to be held on 6 July 2009.

9. RECOMMENDATION

- 1. That Council, in accordance with Section 125(3) of the *Local Government Act 1989*, gives public notice inviting submissions in respect of the draft Council Plan 2009-2013.**
- 2. That Council considers all submissions in relation to the draft Council Plan 2009-2013 in accordance with Section 223 of the *Local Government Act 1989* at a Special Council Meeting to be held on 29 June 2009 at 7.00pm.**

Moved: Cr Lougheed

Seconded: Cr Fitzgerald

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

Cr Gibson returned to the Council Chamber at 8.30 pm

ATTACHMENT

Draft Council Plan 2009 - 2013

Suspension of Standing Orders

Moved: Cr Fitzgerald
Seconded: Cr O'Callaghan

That Standing Orders be suspended to allow the General Manager Governance to make a presentation to Council in relation to Item 11.7.1 – 2009/2010 Budget and the Manager Corporate Strategy and Manager Finance to make a presentation to Council in relation to Item 11.7.2 – March 2009 quarterly finance and performance report.

CARRIED UNANIMOUSLY

Standing Orders were suspended at 8.31 pm

Resumption of Standing Orders

Moved: Cr O'Callaghan
Seconded: Cr Loughheed

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

Standing Orders were resumed at 8.50 pm

GOVERNANCE

11.7.1 2009/2010 BUDGET

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present the draft 2009/2010 Budget and to seek Council's approval to release the draft budget for community comment.

2. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Governance

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

Community Outcome - Legislative Governance

By ensuring adherence to legislative requirements.

Strategic Action

Ensure compliance with the Local Government Act.

3. BACKGROUND

This report forms part of the statutory process for the adoption of the 2009/2010 Budget and complies with Section 129 of the *Local Government Act 1989* which requires Council to give public notice that it has prepared a budget.

Council will provide due consideration to any submissions received and then consider the adoption of the 2009/2010 Budget at a Ordinary Council Meeting to be held on 6 July 2009.

The draft 2009/2010 Budget supports the delivery of "Latrobe 2021: The Vision for Latrobe Valley" and clearly articulates the resources required to deliver the 2009 - 2013 Council Plan.

4. **ISSUES**

The draft 2009/2010 Budget proposes new borrowings of \$4.350 million for the construction of new assets in the capital program. Even with the additional borrowings, Council remains well within the recommended Government Prudential Borrowing limits and supports the delivery of “Latrobe 2021: The Vision for Latrobe Valley” and clearly articulates the resources required to deliver the 2009 - 2013 Council Plan.

The draft 2009/2010 Budget proposes a 5.2% increase in general rates and the municipal charge (excluding growth) and provides for the continued delivery of services at current levels, whilst incorporating the proposed capital works program of \$35.820 million.

The full range of issues considered within the budget, are detailed in the attached budget document.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

Refer to the attached budget document.

6. **INTERNAL/EXTERNAL CONSULTATION**

Council’s Audit Committee has reviewed the draft budget at its meeting held on 14 May 2009. The Audit Committee recommended that Council release the draft 2009/2010 Budget for public submissions.

Copies of the draft budget will be available for inspection at Council offices for a period of at least 28 days after publication of the notice of preparation of the budget.

A person has a right to make a submission under Section 223 of the *Local Government Act* 1989, on any proposal contained in the budget.

It is proposed that anybody wishing to speak to Council on their submission be given this opportunity at a Special Council Meeting to be held on 29 June 2009.

7. OPTIONS

The preparation of a budget and public notice of this is a statutory requirement. The statutory public notification period is 28 days.

8. CONCLUSION

The draft 2009/2010 Budget has been developed in accordance with the *Local Government Act 1989*, and it is recommended that the draft 2009/2010 Budget be released for public comment, in accordance with Council's Community Engagement Policy and Strategy.

9. RECOMMENDATION

- 1. That the 2009/2010 Budget annexed to this report and initialled by the Mayor for identification be a Budget prepared by the Council for the purposes of Section 129 of the Local Government Act 1989.**
- 2. That the Chief Executive Officer be authorised to:**
 - (a) Give public notice of the preparation of the 2009/2010 Budget in accordance with Section 129 of the Local Government Act 1989; and**
 - (b) Make available for inspection the information required to be made available by Regulation 8 of the Local Government (Financial and Reporting) Regulations 2004.**
- 3. That Council:**
 - (a) Gives public notice of a Special Meeting of Council to be held on 29 June 2009 to consider any submission on a proposal (or proposals) contained in such Budget, made in accordance with Section 129 of the Local Government Act 1989; and**
 - (b) Gives notice of its intention to:**
 - (i) adopt such Budget; and**
 - (ii) declares the following rates and charges at an Ordinary Meeting of Council to be held at 7.00pm on 6 July 2009 at the Corporate Headquarters, Morwell.**
- 4. That Council, in accordance with the provisions of the Local Government Act 1989, declares that the amount that it intends to raise by way of general rates, municipal charges and service charges for the period 1 July 2009 to 30 June 2010 is as follows:**

- | | | |
|----|---------------------------|--------------|
| a. | General Rates | \$32,757,226 |
| b. | Municipal Charge | \$3,383,710 |
| c. | Service Charges | \$6,236,379 |
| d. | Payments in lieu of rates | \$7,841,485 |
5. (a) That Council declares that the general rates will be raised in 2009/2010 by the application of the following differential rates calculated on the Capital Improved Value of rateable property:
- (i) General rate of 0.00443739 cents in the dollar on lands as defined in paragraph 6.1(a).
 - (ii) Farm rate of 0.00332804 cents in the dollar on farm land as defined in paragraph 7.1(a).
- (b) That Council declares the general rates for a twelve month period commencing 1 July 2009 and that the rates be levied in respect of each portion of rateable land for which the Council has a separate valuation.
- (c) That Council be of the opinion that the differential rates to be levied in 2009/2010 will contribute to the equitable and efficient carrying out of its functions.
6. That Council specifies in relation to the General Rate for 2009/2010 the following in accordance with Section 161 of the Local Government Act 1989:
- 6.1 The objectives of the general rate as:
- (a) the types and classes of land to which the rate will apply is all other rateable land that is not defined as farm land as described in paragraph 7.1(a);
 - (b) the level of the general rate is 0.00443739 cents in the dollar on the capital improved value of land as defined;
 - (c) the reasons for the use and level of that rate are that:
 - (i) the types and classes of land to which the rate applies can be easily identified;
 - (ii) it is appropriate to have a general rate so as to fairly rate lands other than recreational and farm lands;
 - (iii) the level of the general rate is appropriate having regard to all relevant matters including the use to which the land is put and the amount to be raised by Council's Municipal Charge;

- (iv) the level of the general rate is appropriate to ensure that the burden of the payment of rates is fairly apportioned across all rateable land within the Municipal district; which objectives the Council considers are consistent with the economical and efficient carrying out of its functions, and
- 6.2 The characteristics of the land which are the criteria for declaring the general rate are as set out in sub-paragraph 6.1(a) above.
- 7. That Council specifies in relation to the farm rate for 2009/2010 the following in accordance with Section 161 of the Local Government Act 1989:
 - 7.1 The objectives of the farm rate as:
 - (a) the types and classes of land to which the rate will apply is farm land as defined in Section 2 of the Valuation of Land Act 1960, namely, any rateable land which is not less than 2 hectares in area and which is used primarily for carrying on one or more of the following businesses or industries:
 - (i) grazing (including agistment);
 - (ii) dairying;
 - (iii) pig farming;
 - (iv) poultry farming;
 - (v) fish farming;
 - (vi) tree farming;
 - (vii) bee keeping;
 - (viii) viticulture;
 - (ix) horticulture;
 - (x) fruit growing;
 - (xi) the growing of crops of any kind; and that is used by a business:
 - (i) that has a significant and substantial commercial purpose or character; and
 - (ii) that seeks to make a profit on a continuous or repetitive basis from its activities on the land; and
 - (iii) that is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way it is operating

- (b) the level of the farm rate is 0.00332804 cents in the dollar on the capital improved value of farm land as defined;
- (c) the reasons for the use and level of that rate are that:
 - (i) the types and classes of land to which the rate applies can be easily identified;
 - (ii) it is appropriate to have a farm rate so as to fairly rate farm land;
 - (iii) the level of the farm rate is appropriate having regard to all relevant matters including the use to which farm land is put and the amount to be raised by Council's Municipal charge;
 - (iv) the level of the farm rate is appropriate to ensure that the burden of the payment of general rates is fairly apportioned across all rateable land within the Municipal district;
- (d) the types and classes of land to which the rate will apply can be identified as farm land as defined in paragraph (a); which objectives the Council considers are consistent with the economical and efficient carrying out of its functions.

7.2 The characteristics of the land which are the criteria for declaring the farm rate are as set out in sub-paragraph 7.1(a) above.

- 8. That Council declares a Municipal charge at the annual rate of \$95.00 for rateable land in respect of which a Municipal charge may be levied to recover some of the administrative costs of the Council for a period of 12 months from 1 July 2009 to 30 June 2010.
- 9. (a) That Council declares an annual service charge of \$202.00 per premises for the weekly collection and disposal of refuse in respect of premises to which the service is provided (whether or not the owner or occupier of such premises avails himself or herself of the service provided) for a twelve month period from 1 July 2009 to 30 June 2010.
- (b) Where exemptions are granted, waste services will be charged for services utilised for the period 1 July 2009 to 30 June 2010 as follows:

Garbage 120L bin	\$115pa
Garbage 240L bin	\$205 pa
Garbage 240L bin Special	\$140 pa
Recycling 240L bin	\$ 46 pa
Organics 240L bin	\$ 41 pa

10. Cultural and Recreational Land, in accordance with Section 4 of the Cultural and Recreational Lands Act 1963, the following amounts be specified as the amounts payable in respect of recreational lands described as:

Morwell Bowling Club	52 Hazelwood Road, Morwell	\$4,503.96
Morwell Golf Club	Fairway Drive, Morwell	\$2,258.64
Boolarra Bowling Club	22 Duke Street, Boolarra	\$732.17
Yinnar Bowling Club	Main Street, Yinnar	\$488.11
Yallourn North Bowls Club	Reserve Street, Yallourn North	\$865.29
LV Water Ski Club	Hall Road, Yallourn North	\$266.24
Traralgon Bowling Club	45-57 Gwalia Street, Traralgon	\$3,927.10
Traralgon Golf Club	Princes Street, Traralgon	\$4,503.96
Glenview Park	McNairn Road, Traralgon	\$5,671.00
Moe Racing Club	Waterloo Road, Moe	\$4,326.47
Yallourn Bowling Club	1-5 Coach Road, Newborough	\$2,085.58
Moe Golf Club	26 Thompsons Road, Newborough	\$2,218.70
Yallourn Golf Club	Golf Links Road, Moe	\$2,618.07
Moe Bowling Club	Waterloo Road, Moe	\$1,331.22
Victorian Field & Game Association	Scales Road, Flynn Creek	\$348.34

These amounts have regard to the services provided by the Council in relation to such lands and the benefit to the community derived from such recreational lands.

11. That Council directs that copies of the information required by Section 161(3) of the Local Government Act 1989 be made available for inspection at Council's office during office hours.
12. (1) That Council directs that if no written submissions are received in accordance with Section 223 of the Local Government Act 1989, the rates and charges as declared for 2009/2010 be levied by sending notices to the persons who are liable to pay, in accordance with Section 158 of the Local Government Act 1989.
- (2) That Council resolves that the rates and charges for 2009/2010 must be paid by the dates fixed under Section 167 of the Act, namely:
- (i) in full by 15 February 2010; or
 - (ii) by equal instalments on the following dates:
 - 30 September 2009;
 - 30 November 2009;
 - 28 February 2010; and
 - 31 May 2010.

- (3) That the Chief Executive Officer be directed and authorised to demand payment of and recover the rates and charges as declared in relation to the 2009/2010 Budget.
13. Rate of Interest – Section 172 of the Local Government Act 1989:
- (1) That for the 2009/2010 financial year Council resolves to require a person to pay interest on any outstanding amounts of rates and charges:
- (a) which that person is liable to pay; and
- (b) which have not been paid by the date specified under Section 167 for their payment except where the Council has agreed to waive the whole or part of any such interest.
- (2) That for the 2009/2010 financial year Council resolves in accordance with Section 172 of the Local Government Act 1989 that the rate of interest will be as specified under Section 2 of the Penalty Interest Rates Act 1983 (Currently 10%).
14. That Council, in accordance with Section 74 of the *Local Government Act 1989*, declares its intention to set the Mayoral and Councillor allowances for the four year period 1 July 2009 to 30 June 2013, as \$68,125 and \$22,018 respectively.

Moved: Cr Fitzgerald

Seconded: Cr Vermeulen

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

2009 / 2010 Draft Budget

11.7.2 MARCH 2009 QUARTERLY FINANCE AND PERFORMANCE REPORT

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present the March 2009 quarterly Financial and Performance Report for the information of Council.

2. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Governance

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

Community Outcome - Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Action

Ensure compliance with the Local Government Act.

3. BACKGROUND

Under the provisions of the *Local Government Act 1989* Section 138 (1), at least every three months, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure to date is presented to Council. This report ensures compliance with this legislative requirement.

The attached report as at 31 March 2009 is provided for the information of Council and the community. The financial report compares budgeted income and expenditure with actual results for the first nine months of the financial year. A status report on the Key Strategic Activities, adopted in the 2008/2009 budget is also attached.

4. **ISSUES**

The attached report, "Income Statement", shows the actual result for the nine months ended 31 March 2009 compared with the budgeted year to date result. The report also provides a forecast for the full year financial result compared to the budgeted full year financial result.

Overall the report is showing a favourable year to date variance of \$5.463M. The major income variance relates to additional government grants for new and enhanced operating programs and capital projects. The unfavourable expenditure variance of \$1.124M primarily relates to additional material and contract expenditure incurred for new and enhanced government funded programs and works. A detailed explanation of these variances is included in the attached report.

The "Income Statement" report forecasts that the result for the full financial year will be \$6.061M less than the original budget. The main contributing factor is expenditure for projects and programs that received funding in 2007/2008. The income received in 2007/2008 was included as part of the operating surplus for the year ended 30 June 2008 and therefore the projects are funded from this surplus. It is also anticipated that a net reduction in capital funding of \$2.312M will result due to some capital projects now timed to be completed or commence in 2009/10 financial year. However there will be no significant variance in the 2008/2009 cash flow statement. Explanations of these variances are also included in the attached report.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

The attached report provides details of budget variances for both the nine months to 31 March 2009 and the full financial year.

6. **INTERNAL/EXTERNAL CONSULTATION**

Council's Audit Committee, at a meeting held on 14 May 2009, reviewed the report and recommended that Council receives and notes the report.

7. OPTIONS

The requirement to report on financial and key strategic actions quarterly is a statutory requirement, therefore the options that exist are:

1. Council receives and notes the financial and performance report for the quarter ending 31 March 2009, in accordance with the *Local Government Act 1989*; or
2. Council does not accept the report; or
3. Council seeks additional information.

8. CONCLUSION

The attached report provides financial details, as required by the *Local Government Act 1989*. The report indicates that Council is operating within the parameters of its 2008/2009 adopted budget. Variances arising from the timing of the receipt of grant revenues and the completion of the 2007/2008 capital works program in 2008/2009, provided a significant increase in the operating surplus for the 2007/2008 financial year. The offsetting resultant expenditure in 2008/2009 has been forecast to result in an operating deficit for the full financial year.

9. RECOMMENDATION

That Council receives and notes the financial and performance reports for the nine months ended 31 March 2009, in accordance with the *Local Government Act 1989*.

Moved: Cr Lougheed

Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

March 2009 Quarterly Finance and Performance Report

11.7.3 **CONTRACT DECISIONS FROM PREVIOUS COUNCIL MEETINGS
AND BY THE CHIEF EXECUTIVE OFFICER UNDER DELEGATION**

AUTHOR: General Manager Governance

(ATTACHMENT - NO)

The following is a summary of contracts awarded at the Latrobe City Council Meeting held on 2 March 2009:

ITEM NO 14.5 INVITATION TO TENDER 12591
Undergrounding of electrical power supply in Phillip Parade,
Churchill from McDonald Way to Balfour Place

1. That Council accepts the tender submitted by Jemena Asset Management Pty Ltd for Invitation to Tender 12591, undergrounding of electrical power supply in Phillip Parade, Churchill from McDonald way to Balfour place, for the lump sum of \$375,155.93 exclusive of GST, as this tender provides the best value for money outcome for the community when assessed against the evaluation criteria.
2. That Council delegates the authority to the Chief Executive Officer, to sign and seal contracts with Jemena Asset Management Pty Ltd resulting from invitation to tender 12591 undergrounding of electrical power supply in Phillip Parade, Churchill from McDonald way to Balfour place.

The following is a summary of contracts awarded by the Chief Executive Officer under delegation on 2 March 2009:

INVITATION TO QUOTE 12592
Footpath Replacement at Traralgon

That the quotation submitted by O'Meara Concreting for Invitation to Quote 12592 Footpath Replacement at Traralgon for the sum of \$91,773.00 exclusive of GST, as this quotation provides the best value for money outcome for the community when assessed against the evaluation criteria.

INVITATION TO QUOTE 12596
Footpath Replacement at Newborough

That the quotation submitted by O'Meara Concreting for Invitation to Quote 12596 Footpath Replacement at Newborough for the sum of \$70,812.50 exclusive of GST, as this quotation provides the best value for money outcome for the community when assessed against the evaluation criteria.

The following is a summary of contracts awarded by the Chief Executive Officer under delegation on 20 April 2009:

INVITATION TO QUOTE 12572

Feasibility Study for a Latrobe Performing Arts and Convention Centre

That the quotation submitted by Coomes Consulting Group Pty Ltd for Invitation to Quote 12572 Feasibility Study for a Latrobe Performing Arts and Convention Centre for the sum of \$98,580.00 exclusive of GST, as this quotation provides the best value for money outcome for the community when assessed against the evaluation criteria.

The following is a summary of contracts signed and sealed by the Chief Executive Officer under delegation on 20 April 2009:

CONTRACT NO	DESCRIPTION	CONTRACTOR	DATE AWARDED BY CEO	DATE AWARDED BY COUNCIL
12604	Undergrounding of electrical power supply in Phillip Parade, Churchill from McDonald Way to Balfour Place.	Jemena Asset Management Pty Ltd	Not applicable	2 March 2009

The following is a summary of contract variations approved by the Chief Executive Officer under delegation on 7 April 2009:

CONTRACT NO	DESCRIPTION	CONTRACTOR	ORIGINAL CONTRACT AMOUNT	PREVIOUS VARIATION AMOUNT	VARIATION AMOUNT	ADJUSTED CONTRACT AMOUNT
12272	Resealing of Municipal roads within Latrobe City	Boral Asphalt	\$1,941,698.63	\$ 131,682.00	\$ 72,335.99	\$2,145,735.34

RECOMMENDATION

1. That Council notes this report on the contract decision from the Ordinary Council Meeting held on 2 March 2009 and by the Chief Executive Officer under delegation on 2 March 2009, 7 April 2009, and 20 April 2009.
2. That Council notes the contracts signed and sealed by the Chief Executive Officer under delegation on 2 March 2009 and 20 April 2009.

Moved: Cr Lougheed

Seconded: Cr Fitzgerald

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

11.7.4 DOCUMENTS PRESENTED FOR SIGNING AND SEALING

AUTHOR: General Manager Governance
(ATTACHMENT - NO)

PP 04550	Section 173 Agreement pursuant to the <i>Planning and Environment Act 1987</i> between Latrobe City Council and JA & JF Quigley Holdings Pty Ltd as the Owners of the land situated and known as 90 Hotham Street, Traralgon being Lot 1 on Plan of Subdivision 143778 and described in Certificate of Title Volume 9549 Folio 605 that a restriction be placed on the Certificates of Title for Lots 1 to 8 (inclusive) restricting the use of the lots for car parking only.
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RECOMMENDATION

That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement between Latrobe City Council and JA & JF Quigley Holdings Pty Ltd over the land contained in Certificate of Title Volume 9549 Folio 605 that a restriction be placed on the Certificates of Title for Lots 1 to 8 (inclusive) restricting the use of the lots for car parking only.

Moved: Cr Middlemiss

Seconded: Cr Vermeulen

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

13. TEA BREAK

Adjournment of Meeting

The Mayor adjourned the Meeting at 8.55 pm for a tea break.

Resumption of Meeting

The Mayor resumed the Meeting at 9.08 pm.

Meeting Closed to the Public

The Meeting closed to the public at 9.08 pm.