



L A T R O B E
C I T Y
C O U N C I L

**MINUTES OF ORDINARY COUNCIL
MEETING**

**HELD IN THE
NAMBUR WARIGA MEETING ROOM,
CORPORATE HEADQUARTERS, MORWELL
AT 7:00 PM ON
01 JUNE 2009**

PRESENT:

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

INDEX

OPENING PRAYER	4
APOLOGIES FOR ABSENCE	4
DECLARATION OF INTERESTS	4
ADOPTION OF MINUTES	4
PUBLIC QUESTION TIME	

NOTICES OF MOTION

6.1	2009/05 - NOTICE OF MOTION - REMOVAL OF SPECIAL USE ZONE 5 - MORWELL RIVER DIVERSION	12
6.2	2009/06 - NOTICE OF MOTION - REALLOCATION OF FUNDS FROM THE DRAFT 2009/2010 CAPITAL WORKS PROGRAM TO THE PROVISION OF A NEW OR TEMPORARY PUBLIC TOILET FACILITY WITHIN THE MOE CENTRAL BUSINESS DISTRICT	13
6.3	2009/07 - NOTICE OF MOTION - COUNCIL WRITES TO THE MINISTER FOR MINERALS AND ENERGY AND THE MINISTER FOR PLANNING REQUESTING AGREEMENT TO REMOVE THE SPECIAL USE ZONE 5 MORWELL RIVER DIVERSION FROM ALL LAND AFFECTED BY THIS ZONE WITHIN LATROBE CITY	14

ITEMS REFERRED BY THE COUNCIL

7.1	PETITION TO HALT BUS STOP UPGRADE TO DISABILITY DISCRIMINATION ACT COMPLIANCE AND REMOVE BUS STOP AT 176 LIDDIARD ROAD, TRARALGON	17
-----	---	----

CORRESPONDENCE

NIL

PRESENTATION OF PETITIONS

10.1	PETITION - REQUEST FOR TRAFFIC CALMING IN GILWELL AVENUE, TRARALGON	36
10.2	PETITION TO HAVE LATROBE CITY COUNCIL REMOVE PINE AND CYPRESS TREES IN TRARALGON TYERS ROAD NEAR GREY STREET, TRARALGON	43

CHIEF EXECUTIVE OFFICER

NIL

ECONOMIC SUSTAINABILITY

11.2.1	LATROBE CITY COUNCIL INTERIM POLICY POSITION ON THE EXPECTED LOCAL IMPACT OF THE CARBON POLLUTION REDUCTION SCHEME	51
--------	--	----

BUILT AND NATURAL ENVIRONMENT SUSTAINABILITY

11.3.1	CONSIDERATION OF SUBMISSIONS TO LATROBE PLANNING SCHEME AMENDMENT C51 FLINDERS COLLEGE, TRARALGON	63
11.3.2	TED SUMMERTON RESERVE MOE MASTERPLAN	75

RECREATIONAL AND CULTURAL LIVEABILITY

NIL

COMMUNITY LIVEABILITY

NIL

GOVERNANCE

11.6.1	GENERAL VALUATION 2010	86
11.6.2	PROPOSED ROAD DISCONTINUANCE - PART ANDERSON AVENUE, YALLOURN NORTH	89

ORGANISATIONAL EXCELLENCE

NIL

URGENT BUSINESS

NIL

TEA BREAK

ITEMS CLOSED TO THE PUBLIC

14.1	MEETING CLOSED TO THE PUBLIC	97
14.2	ADOPTION OF MINUTES	98
14.3	CONFIDENTIAL ITEMS	99
14.4	BAD DEBTS WRITE OFFS	100

CLOSED

1. Opening Prayer

The Opening Prayer was read by the Mayor.

Recognition of Traditional Landholders

The Recognition of Traditional Landholders was read by the Mayor.

2. Apologies for Absence

NIL

3. Declaration of Interests

The General Manager Built and Natural Environment Sustainability declared direct interest under section 77B of the *Local Government Act* 1989, in Item 6.1 - 2009/05 - Notice of Motion - removal of Special Use Zone 5 - Morwell River Diversion and Item 6.3 - 2009/07 - Notice of Motion - Council writes to the Minister for Minerals and Energy and the Minister for Planning requesting agreement to remove the Special Use Zone 5 Morwell River Diversion from all land affected by this Zone within Latrobe City.

4. Adoption of Minutes

Moved: Cr Gibson

Seconded: Cr Lougheed

That the Minutes of the Ordinary Council Meeting, relating to those items discussed in open Council, held on 18 May 2009 (CM 293) be adopted.

CARRIED UNANIMOUSLY

PUBLIC QUESTION TIME

5.1 STREET NUMBERING

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

Questions

The Association therefore now asks:

- (a) Is street numbering obligatory?
- (b) If so, why is the requirement not being enforced by Council?

Answer

The Chief Executive Officer paraphrased the question and responded to part (a) yes, and part (b) As part of an already planned program, a Local Laws Officer will be visiting many businesses in the CBD areas in the next two to three weeks and will remind them of the street numbering requirements. Following this, any complaints received in regards to specific properties not displaying adequate numbering will be dealt with on a case by case with due process followed.

5.2 CAR PARKING IN TRARALGON

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

Questions

- a) How many completed forms were received?
- (b) What were the Agree/Disagree totals for each question?

Answer

The Chief Executive Officer paraphrased the question and responded the survey results are currently being assessed and a summary response will be provided to Councillors within the next week, following which any changes to operation of the Seymour Street car park will be advised to the community.

**5.3 REVIEW OF DELEGATIONS – SPECIFICALLY WAIVERS OF
PAYMENT IN LIEU PARKING SPACES**

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

Questions

- a) Have all delegations been reviewed as yet (given that only 6 months has passed since the November election)?
- (b) If yes, what is the delegation for such waivers? If no, has any proposal been formulated for inclusion in Council's delegations deliberations?

Answer

The Chief Executive Officer paraphrased the question and responded to part (a) no, and part (b) not at this stage we expect to have something prepared for consideration by Council in August.

5.4 PARKING SPACES – SEYMOUR ST CAR PARK AND “LOST” SPACES IN SEYMOUR AND HOTHAM STREETS

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

Questions

- (a) What are the total and breakdown of spaces in the new car park?
- (b) How many spaces were there in the Seymour St Car Park, Traralgon, prior to the multi-storey development?
- (c) How many spaces were “lost” when the width of spaces were upgraded to Australian standards in Seymour and Hotham Streets (and in other parts of the CBD if similar works were undertaken in other streets)?

Answer

The Chief Executive Officer paraphrased the question and responded an email referred to by Mr Bremner was sent to a Council officer on 26 May 2009 (4 business days ago); the officer was on leave and has returned today. A response to Mr Bremner will be provided this week.

5.5 SAFEWAY APPEAL TO VCAT

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

Question

What was the outcome of the VCAT hearing on Friday 29 May 2009 in respect to the Safeway appeal objecting to Council's non-waiver of payment in lieu of provision of car parking spaces decision?

Answer

The Chief Executive Officer paraphrased the question and responded The matter is subject to consideration at VCAT and is expected to be considered further by VCAT in mid July.

NOTICES OF MOTION

**6.1 2009/05 - NOTICE OF MOTION - REMOVAL OF SPECIAL USE
ZONE 5 - MORWELL RIVER DIVERSION**

CR KAM

MOTION

That Council supports the removal of the Special Use Zone 5 – Morwell River Diversion (SUZ5) and replace it with an appropriate zone.

CRS LOUGHEED AND KAM

MOTION

1. That Council supports the removal of the Special Use Zone 5 – Morwell River Diversion (SUZ5).
2. That Council writes to the Minister for Minerals and Energy and the Minister for Planning requesting agreement to remove the Special Use Zone 5 Morwell River Diversion from all land affected by this Zone within Latrobe City as recommended in the State Governments LV 2100 report, and request that the Department of Primary Industries immediately commence a planning scheme amendment to rezone the land from SUZ5 to a zone commensurate with the respective surrounding zone, or an appropriate zone given the location of the affected land and its best use given applicable planning considerations.

Moved: Cr Lougheed

Seconded: Cr Kam

That the Motion be adopted.

CARRIED UNANIMOUSLY

6.2 **2009/06 - NOTICE OF MOTION - REALLOCATION OF FUNDS FROM THE DRAFT 2009/2010 CAPITAL WORKS PROGRAM TO THE PROVISION OF A NEW OR TEMPORARY PUBLIC TOILET FACILITY WITHIN THE MOE CENTRAL BUSINESS DISTRICT**

CR GIBSON

MOTION

That Council amends the draft 2009/2010 Capital Works Program to reallocate the funds from the Moe Botanic Gardens replacement with single module, to the provision of a new or temporary public toilet facility within the Moe Central Business District.

Cr Price, Mayor vacated the chair to talk to this Item at 7.23 pm, Cr O'Callaghan, Deputy Mayor took the chair.

Cr Price, Mayor returned to the chair at 7.25 pm.

Moved: Cr Gibson

Seconded: Cr Kam

That the Motion be adopted.

The Motion was put and LOST

Cr Gibson called for a division

For the Motion

Councillors Gibson, Kam, Fitzgerald and O'Callaghan

Against the Motion

Councillors Middlemiss, White, Vermeulen, Price and Loughheed

The Mayor confirmed that the Motion had been LOST

6.3 2009/07 - NOTICE OF MOTION - COUNCIL WRITES TO THE MINISTER FOR MINERALS AND ENERGY AND THE MINISTER FOR PLANNING REQUESTING AGREEMENT TO REMOVE THE SPECIAL USE ZONE 5 MORWELL RIVER DIVERSION FROM ALL LAND AFFECTED BY THIS ZONE WITHIN LATROBE CITY

CR LOUGHEED

MOTION

That Council writes to the Minister for Minerals and Energy and the Minister for Planning requesting agreement to remove the Special Use Zone 5 Morwell River Diversion from all land affected by this Zone within Latrobe City as recommended in the State Governments LV 2100 report, and request that the Department of Primary Industries immediately commence a planning scheme amendment to rezone the land from SUZ5 to a zone commensurate with the respective surrounding zone, or an appropriate zone given the location of the affected land and its best use given applicable planning considerations.

THIS ITEM WAS NOT DEALT WITH AS IT WAS COMBINED WITH ITEM 6.1.

Suspension of Standing Orders

Moved: Cr Gibson

Seconded: Cr Fitzgerald

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 7.30 pm

Mr Paul Milstein, Mr Dion Hehir and Ms Rebecca Laidlaw addressed Council in relation to Item 7.1 – Petition to halt bus stop upgrade to Disability Discrimination Act compliance and remove bus stop at 176 Liddiard Road, Traralgon.

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

Resumption of Standing Orders

Moved: Cr O'Callaghan

Seconded: Cr Loughheed

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

Standing Orders were resumed at 7.48 pm

ITEMS REFERRED BY THE COUNCIL

7.1 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 a petition requesting 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 – Community Access and Inclusion Policy 09 POL-3

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 the 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 in liaison with 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 within acceptable distances as approved by DoT.

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 and purchased his property to be in close proximity to this bus stop as it allows him access to a bus without crossing a road.

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

The petition was tabled at the 18 May 2009 Ordinary Council Meeting, with the following resolution adopted:

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.*

4. ISSUES

The bus stop at 176 Liddiard Road in Newman Crescent has been an existing bus stop in excess of 27 years according to information supplied by DoT and Latrobe Valley Bus Lines. 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.

Neither DoT, Latrobe Valley Bus Lines or Latrobe City Council were made aware of traffic safety issues relating to this bus stop until the bus stop DDA compliance upgrade commenced at this location.

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 complying with DDA requirements.

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 he 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.

DoT have since decided that this bus stop in the service road will be removed due to the problems of buses negotiating the intersection at Glenview Road. They understand that the layout of the Glenview Road and Liddiard Road intersection may be upgraded in the future subject to allocation of Council funding, however they are not prepared to wait for these works to be funded and constructed as the bus stop requires upgrading to meet DDA standards now.

A traffic study is planned to be undertaken in the area bounded by Liddiard Road, Shakespeare Street, McNairn Road and Newman Crescent and will consider safety concerns of the petitioners and is scheduled to be completed in the 2009/10 financial year. 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 2,000 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 51kph and a combined mean speed of 45kph. 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. As they also intend to close the service road bus stop in Liddiard Road, north of Trivalve Court they are expecting the Newman Crescent bus stop to increase in importance to the local community.

A previous traffic investigation in this area resulted in a preliminary concept design being prepared in 2005 to upgrade the entries and exits to Liddiard Road at Glenview Drive and Newman Crescent to meet the current best practice guidelines. The estimate to treat both Newman Crescent and Glenview Drive intersections at Liddiard Road to comply with current traffic management practices is approximately \$80,000 to \$100,000, subject to detailed survey and design. A concept plan showing the location of the proposed entries and exits is attached.

5. FINANCIAL AND RESOURCES IMPLICATIONS

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

However, if traffic management works at the Newman Crescent and Glenview Drive intersections at Liddiard Road are constructed, the approximate cost to Latrobe City Council will be in the order of \$80,000 to \$100,000.

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 undertaken.

7. OPTIONS

Council has the following options:

- Not agree to the petition.
- Not agree to the petition and consider the traffic management intersection works for a future capital works program along with the proposed traffic management study for this area.
- Agree to the petition and request the DoT remove the bus stop, (Council does not have the authority to remove the bus stop, so can only request this).

8. CONCLUSION

DoT are responsible for the location, maintenance and upgrades of all bus stops. Latrobe City Council following a request and funding from the DoT have been upgrading bus stops throughout the municipality to DDA compliance to benefit members of the community.

The bus stop at 176 Liddiard Road, located in Newman Crescent has been in existence for over 27 years and according to DoT and a representative from Latrobe Valley Bus Lines, is a well patronised stop. One person purchased a property to be near this stop.

DoT have made it known to Latrobe City Council that they do not intend to relocate or close this stop, however they are intending to close the bus stop in the service road of Liddiard Road north of Trivalve Court due to difficulties for the buses entering the service road at Glenview Drive. This may increase the patronage at the Newman Street bus stop.

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 estimated cost of the proposed traffic management works at the Newman Crescent and Glenview Drive intersections at Liddiard Road be referred to the capital works program for future consideration by Council, subject to the proposed treatment being recommended as part of the proposed traffic study planned for the area bounded by Liddiard Road, Shakespeare Street, McNairn Road and Newman Crescent.
5. 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 Kam

That Council defers any decision in relation to this matter until the Department of Transport provides advice on how it proposes to manage the safety issues at the Newman Crescent bus stop.

The Motion was put and LOST

Cr Kam called for a division

For the Motion

Councillors Fitzgerald, Kam, Gibson, and White

Against the Motion

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

The Mayor confirmed that the Motion had been LOST

The Recommendation became the Motion before the Chair.

Moved: Cr Middlemiss

Seconded: Cr Lougheed

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 estimated cost of the proposed traffic management works at the Newman Crescent and Glenview Drive intersections at Liddiard Road be referred to the capital works program for future consideration by Council, subject to the proposed treatment being recommended as part of the proposed traffic study planned for the area bounded by Liddiard Road, Shakespeare Street, McNairn Road and Newman Crescent.
5. 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.

CARRIED

Cr Fitzgerald called for a division

For the Motion

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

Against the Motion

Councillors White, Gibson, Kam and Fitzgerald

The Mayor confirmed that the Motion had been CARRIED

ATTACHMENTS





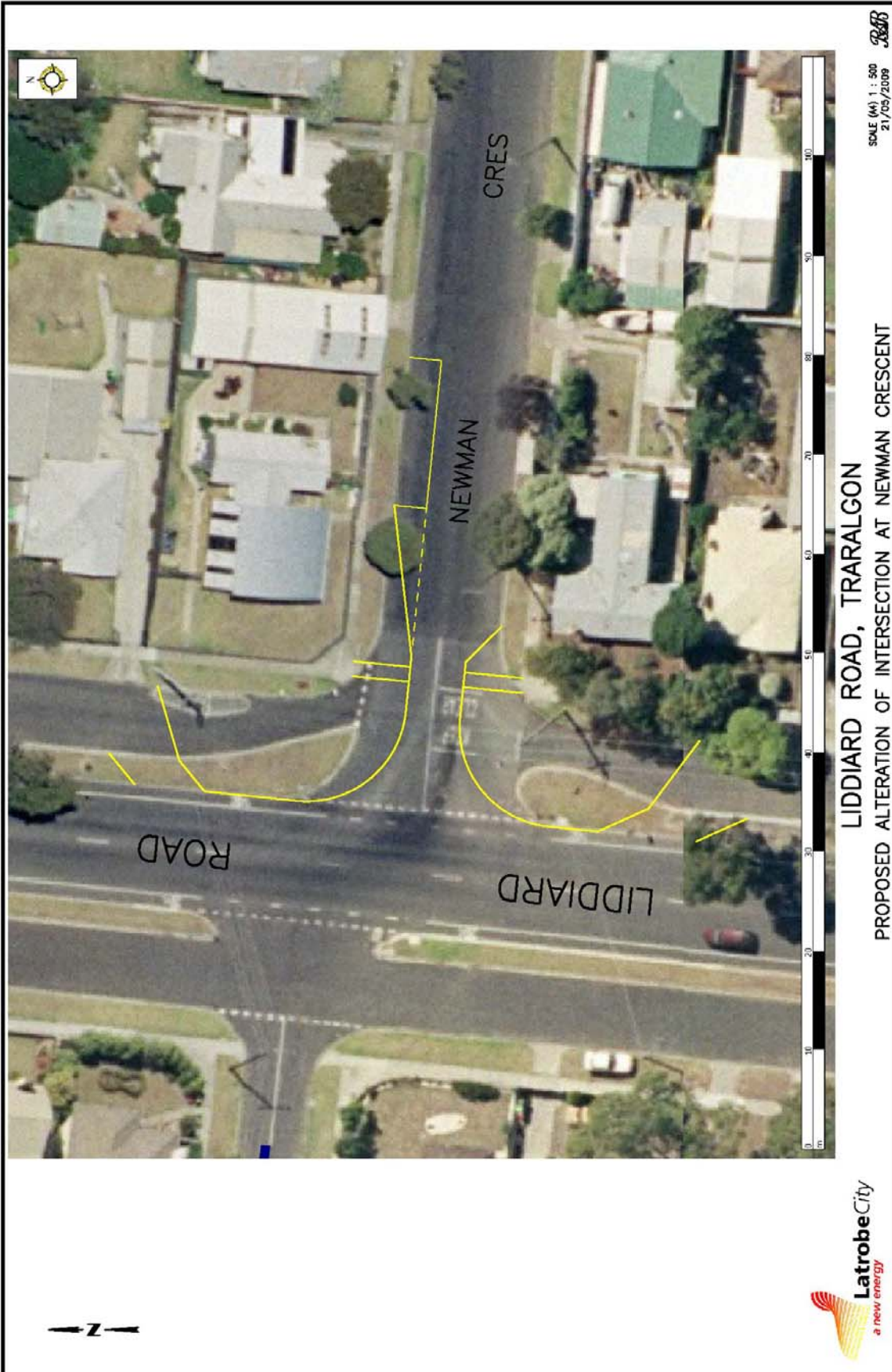


SCALE
 0 8 16 24
 0 X 2K 3K
 HOR VER
 DWG No. 5XXXXX/XX
 SHEET NO. 1 OF 1

Latrobe City
 LIDDIARD ROAD, TRARALGON
 PROPOSED ALTERATION OF INTERSECTION AT GLENVIEW DRIVE
 VERSION / DATE OF PLOT 10/11/2004
 CITY AUTHORISATION

GENERAL NOTES / CROSS REFERENCES
 1. Xxxxx
 File name: (file name)

Latrobe City
 a new energy in city infrastructure



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.






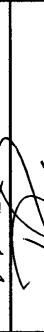



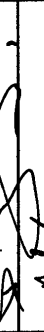
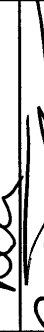


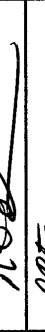


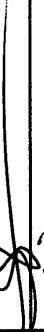


Please find enclosed the original copy of the petition (2 Pages) to stop the bus stop being upgraded to meet DDA Standards and removal of Bus Stop at 176 Liddiard Rd Traralgon.

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 LIDDIARD RD TRARALGON ON THE NORTH CORNER OF NEWMAN CRESCENT.		
Name	Address	Signature
		10F2
Ann WOMEY	6 Newman Crescent T'gon	Ann Womey
PHIL WILLIAMS	8 NEWMAN CREES T'GON	Phil Williams
DASON BEADLE	12 Newman cres T'gon	Dason Beadle
ASHLEY LINDHAM	16 NEWMAN CREES T'GON	Ashley Lindham
BEN WASHINGTON	22 NEWMAN CREES T'GON	Ben Washington
STACEY BASS	22 NEWMAN CREES T'GON	Stacey Bass
Debbie Irvine	24 NEWMAN CREES Traralgon.	Debbie Irvine
Robert Irvine	24 NEWMAN CREES TRARALGON	Robert Irvine
BILLIE CARTWRIGHT	12 DUXBURY DRIVE, TRARALGON.	Billie Cartwright
Linda McCluskey	3 Finlayson Cres Traralgon	Linda McCluskey
Tommy Parker	6 Sandstone Cres Traralgon	Tommy Parker
Sharon Emslie	7 Bernard Ave Traralgon	Sharon Emslie
Jacob Turner	86 Wirraway St Mae	Jacob Turner
Bonnie Turner	16 Scorpio Dr Mae	Bonnie Turner
Anne Foster	2 Newman Cres	Anne Foster
JENNY MATHESON	21 ROBERTS ST TRARALGON	Jenny Matheson
TREVA MATHESON	21 ROBERTS ST TRARALGON	Treva Matheson
HILDE HASSE	7 NEWMAN CRESC.	Hilde Hasse
SUZANNE DUNN	9 NEWMAN CRESCENT TRARALGON	Suzanne Dunn
Trudie Milstein	178 Liddiard Road, Traralgon	Trudie Milstein
Paul Milstein	178 Liddiard Road, Traralgon.	Paul Milstein
MARJORIE SCHMIDT	THOMSON VALLEY ROAD ERICA	Marjorie Schmidt
ANNE TURNER	86 Wirraway St Mae	Anne Turner

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
REBECCA LAIDLAW	176 LIDDARD RD TRARALGON	
DION HEHIR	176 LIDDARD RD TRARALGON	
HELEN HEHIR	70 KOSCIUSZKO ST TRARALGON	H. Hehir
BRIAN HEHIR	70 KOSCIUSZKO ST TRARALGON	B. Hehir
IAN BRUCE	Gaul Ave Danmum	
THOROLD WEPAGE	51 VICTORIA ST TOONGABBIE	
Paul Mellor	42 Pinesha Blvd	
CHRIS McPHILLIPS	39 SPARKS LANE TOONGABBIE	
DENNIS QUIGLEY	11 HOUEN CRES. TRARALGON	
MARK SMITH	77 CLON'S RD TRARALGON	
CHIN'S MORGAN	44 GOMOND ST TRARALGON	
DAVE WILSON	1 WAKEFIELD CRT NEWBOROUGH	
ROSS ODIER	8 FRY'S TRACK NEWBOROUGH	R. Odier
ASHLEY ESTCOURT	45 DRANES RD TRARALGON	A.E.
Adam Palmer	103 LLOYD ST MOE	
Shannon Barnes	15 Edward Cres Traralgon	
CLINE VAN DER BRUG	7 KINGSTON CRT TRARALGON	
Claire Bentley	15 Cooper St. Traralgon	
Bob Reid	1 LICOLA CRT TRARALGON	
IAN FERGUSON	332 JEEBERRANG WEST RD. JEEBERRANG	
BRYAN BARKER	GLENGRAVE	
PAUL BLAKE	13 BROADFORD CRT TRARALGON	
J Soudant	19 ANZIE ST MOE	

20F2

180 Liddiard Rd
 Traralgon 3844
 (03) 5174 2002

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 there is 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

PRESENTATION OF PETITIONS

10.1 **PETITION - REQUEST FOR TRAFFIC CALMING IN GILWELL AVENUE, TRARALGON**

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

1. PURPOSE

The purpose of this report is to present Council with a petition received requesting action be taken regarding the speed of traffic using Gilwell Avenue, Traralgon.

2. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Liveability

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

Community Outcome - Community

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

Strategic Action - Community Liveability

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

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

- Latrobe City Council's "*Design Guidelines for Subdivisional Developments, Urban & Rural Road and Drainage Construction, and Traffic Management Projects*";

- Latrobe City Council's "*Community Engagement Policy and Strategy*";
- Austroads "*Guide to Traffic Engineering Practice*"; and
- VicRoads "*Traffic Engineering Manual*".

3. **BACKGROUND**

A petition was received on 4 May 2009 signed by 13 residents representing 10 properties in Gilwell Avenue and Pax Road, Traralgon requesting Council take action against speeding drivers in this area.

Gilwell Avenue links up with Pax Road, Mafeking Road and Foxlease Avenue to form a continuous "loop" road near the northern section of a local community known as Pax Hill.

4. **ISSUES**

The petition claims that the streets in question form a "speedway" which is attracting hoon behaviour particularly at night time.

A traffic and speed count will be required to determine if there is a problem that warrants a traffic calming scheme or if there is isolated "hoon" behavioural problems that warrant police action.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

There are no immediate financial implications arising from the petition. However, staff resources will be required to carry out traffic counts, assess data and to determine if further action is warranted.

6. **INTERNAL/EXTERNAL CONSULTATION**

Engagement Method Used:

There has been no community engagement at this time, other than writing to the head petitioner to advise that the petition will be tabled at the 1 June 2009 Council Meeting.

7. OPTIONS

There are two options available to Council:

1. lay the petition on the table in accordance with Clause 100 of Local Law No.1 and investigate this matter further;
or
2. deal with the petition immediately.

8. CONCLUSION

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

Due to the subject matter of the petition and the time that will be required to carry out an investigation it is recommended that the petition lay on the table until the Ordinary Council Meeting scheduled for 6 July 2009.

9. RECOMMENDATION

1. That Council lays the petition requesting Council to take action in relation to the speed of traffic using Gilwell Avenue, Traralgon on the table until the Ordinary Council Meeting to be held on 6 July 2009.
2. That the head petitioner, Mrs Grace Youl, be advised of Council's decision in relation to the petition requesting Council to take action in relation to the speed of traffic using Gilwell Avenue, Traralgon.

Moved: Cr O'Callaghan

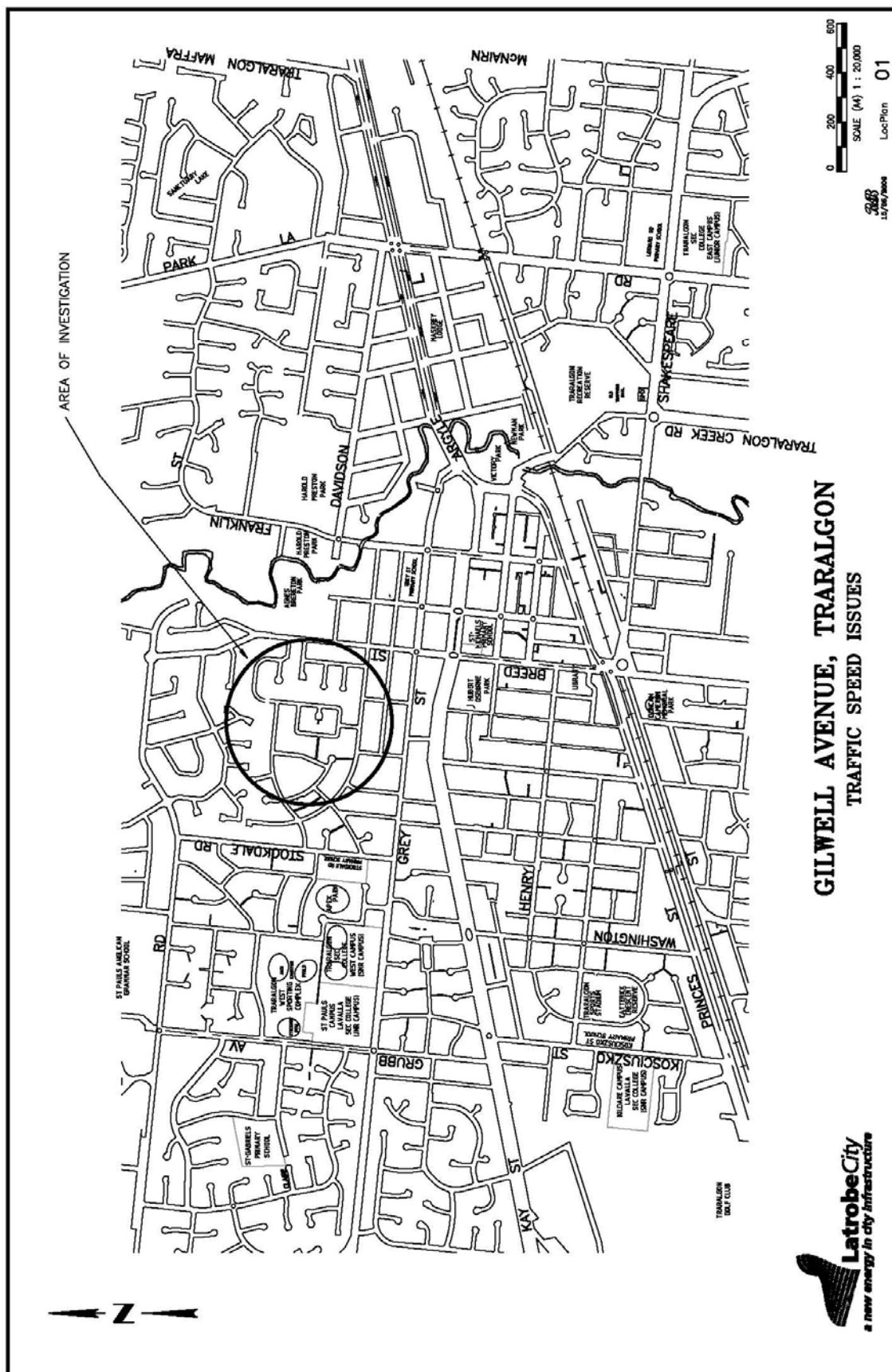
Seconded: Cr Lougheed

That the Recommendation be adopted.

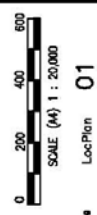
CARRIED UNANIMOUSLY

ATTACHMENT





GILWELL AVENUE, TRARALGON
TRAFFIC SPEED ISSUES



2008
13/06/2008
LocPlan 01

Grace Youl
15 Gilwell Avenue
Traralgon, Victoria 3844
(051)-745087

Latrobe City	
- 4 MAY 2009	
Doc. No:	
Action Officer:	50704709
Disposal Code:	
Comments:	

The C. G. O.
Latrobe City Council,
Melville. 3840

Dear Sir,

In recent weeks, residents of Gilwell Av., and adjacent streets have experienced much noise from reckless driving.

Because of the circular nature of the route it has become a speedway, during which a concrete pole was hit, the car becoming a write-off, and a charge made.

The police say they can do nothing unless they know the incident is taking place, and this is impossible to predict.

We live in terror of loss of life and property and are appealing to the Council through this petition to please restore our peace.

Yours faithfully,

(MRS) Grace Youl
(MRS GRACE YOUL)

10.2 **PETITION TO HAVE LATROBE CITY COUNCIL REMOVE PINE AND CYPRESS TREES IN TRARALGON TYERS ROAD NEAR GREY STREET, TRARALGON**

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

1. PURPOSE

The purpose of this report is to present Council with a petition received requesting the removal of the pine and cypress trees in Traralgon Tyers Road, Traralgon.

2. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Sustainability

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

Community Outcome - Built Environment Sustainability

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

Strategic Action - Infrastructure Maintenance

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

Policy - Tree Work Notification Policy 09 POL-3

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

3. BACKGROUND

Council first considered this matter on 18 July 2005, following presentation of a petition to the Ordinary Council Meeting of 16 May 2005. At that meeting, Council resolved the following:

1. *That the fourteen (14) Pine trees and two (2) Cypress trees within the road reserve area along Traralgon-Tyers Road, Traralgon (between Cross's Road and Grey Street) be removed, funded from the 2005/06 Urban Tree Maintenance budget.*
2. *That the removed trees be replaced with Liquidamber styraciflua specie in a subsequent year, when funds in the Tree planting budget and competing priorities permit.*
3. *That the remaining fifty five (55) Pine trees be pruned, funded from the 2005/06 Urban Tree Maintenance budget.*
4. *That the head petitioner be notified.*
5. *That an assessment be made on the suitability and opportunities of the wood for recycling.*

The removals and pruning works referred to above between Grey Street and Cross's Road subsequently occurred. This helped minimize the hazards and reduce the litter falling from the trees, e.g. pine needles and pine cones. Maintenance was carried out on the trees on the whole avenue, not just the area mentioned in the petition between Kimberly Drive and Cross's Road.

Further complaints regarding these trees were received and Council again considered this matter on 16 October 2006 and resolved the following:

1. *That all of the Pinus radiate (Pine) and Cupressus macrocarpa (Monterey cypress) trees on the Traralgon-Tyers Road abutting the rear of the Sundale Road properties be removed.*
2. *That the tree removal costs be apportioned to the "Tyers Road Traralgon Shared Path" Capital Works project.*
3. *That the trunks of the removed trees be donated to a local community group, or if none can be found, sell or give them to an appropriate business for recycling.*
4. *That the remaining Pinus radiate (Pine) and Cupressus macrocarpa (Monterey cypress) trees on the Traralgon-Tyers Road between Grey Street and Cross's Road (including those in Grey Street) be removed in a future year when a budget source can be identified, with the exception of those trees north of Themis Place, which shall be made the responsibility of the residential developer to remove (in a management plan to be developed by Council in association with a planning permit condition).*

5. *That the removed trees be replaced in a future year (once an appropriate budget has been identified) with an appropriate species chosen by Council's arborist, after consulting with those residents of Tyers-Traralgon Road, Sundale Road and Broome Terrace whose properties directly abut the side of the road reserve on which the trees are located.*
6. *That the head petitioner be advised accordingly.*

The following image shows the location of the trees to be removed.



4. ISSUES

The trees abutting the Sundale Road properties to the north of Kimberley Drive have been removed and now the residents of Broome Terrace have requested that the trees abutting their premises be removed and have presented a petition to that affect.

This tree removal work is in the proposed 2009-2010 works program and is scheduled to commence in August 2009 with the replacement trees expected to be planted in the following autumn.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

This work can be completed within the proposed 2009 - 2010 financial year's budget.

6. **INTERNAL/EXTERNAL CONSULTATION**

Engagement Method Used:

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

Details of Community Consultation / Results of Engagement:

The head petitioner has been advised that the removal of these trees is programmed to commence in August 2009 with the replacement trees expected to be planted in the following autumn.

7. **OPTIONS**

Council has the following options:

1. Lay the petition on the table until the Ordinary Council Meeting to be held on 15 June 2009 or a later meeting.
2. Consider the petition at this meeting.

8. **CONCLUSION**

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

Given that Council already has a resolution to remove these trees and the work is programmed to commence in August 2009, it is considered reasonable for Council to make a decision on this matter and for the petition not to lie on the table.

9. RECOMMENDATION

- 1. That Council not lay the petition on the table requesting the removal of pine and cypress trees in Traralgon Tyers Road, Traralgon and considers the petition at this Ordinary Council Meeting.**
- 2. The remaining Pinus radiata (Pine) and Cupressus macrocarpa (Monterey cypress) trees on the Traralgon-Tyers Road between Grey Street and Cross's Road (including those in Grey Street) be removed and replaced in the 2009/2010 financial year.**
- 3. That the head petitioners, Mrs D B Bonnici and Mr R L Bonnici be advised of Council's decision in relation to the petition requesting removal of pine and cypress trees in Traralgon Tyers Road, Traralgon.**

Moved: Cr Kam

Seconded: Cr O'Callaghan

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

November 23, 2008

TO WHOM IT MAY CONCERN

We the undersigned refer the council to Recommendation CM230, dated 16 October 2008, relating to the removal of old pine trees on the Traralgon-Tyers Road abutting the rear of Broome Terrace.

Recommendation 4 states "that the remaining Pinus radiata (Pine) and Cupressus macrocarpa (Monterey cypress) trees on the Traralgon-Tyers Road between Grey Street and Cross' Road (including those in Grey Street) be removed in a future year when a budget source can be identified, ..."

We the residents of Broome Terrace, hereby ask the Council to make the removal of these trees a priority in your next budget. These trees have reached the age where they are a danger to passers-by and nearby residents. They frequently drop pine cones, and recently a massive limb fell from one of the trees without warning. It is a fear of the residents that in a high wind or following a period of drought other limbs could fall. The trees are also a major fire hazard with pine needles falling regularly into roof gutters, and in the case of fire the trees could easily drop on houses or across the Traralgon -Tyers Road.

Latrobe City	
18 DEC 2008	
Doc No:	relating to
Action Officer:	Broome Terrace
Disposal Code:	
Comments:	

Name	Address	Signature
Bosom Bonnicia	11 Broome Terrace	
Danielle Bonnicia	11 Broome Terrace	
Lyn Foster	9 Broome Terrace	
Melissa Foster	9 Broome Terrace	M. Foster
Glenn Foster	9 Broome Terrace	
Ken Foster	9 Broome Terrace	
Leanne & Mike Turner	7 Broome Terrace	
Sue Collis	6 Broome Terrace	
Michelle Roberts	4 Roebuck Bay Tyron	
Tracey Georgeson	1 BROOME TERR, Tigon.	
Glen Kristine	10 BROOME TERR, Tigon	

ECONOMIC SUSTAINABILITY

11.2.1 LATROBE CITY COUNCIL INTERIM POLICY POSITION ON THE EXPECTED LOCAL IMPACT OF THE CARBON POLLUTION REDUCTION SCHEME

AUTHOR: General Manager Economic Sustainability
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to seek the adoption by Council of an interim policy position on the expected local impacts of the Carbon Pollution Reduction Scheme.

2. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective – Community Capacity Building

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

Community Outcome – Advocacy and Leadership

By maintaining an understanding of issues of local importance, Latrobe City Council will provide leadership in addressing such issues. Where appropriate, Latrobe City Council will advocate on behalf of the community and will ensure that the community is represented.

Strategic Action – Advocacy and Leadership

Support research and analysis of issues of emerging community concern, and develop strategies to address those issues.

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 – Economic Sustainability

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

Strategic Action – Economic Sustainability

Promote and support the development of existing and new industry, and infrastructure to enhance the social and economic wellbeing of the Latrobe Valley.

Strategy/Plans

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

This report is also consistent with the *Latrobe City Council Response to the LV2100 Final Report* adopted in February 2007. This report provides a formal Council position on all recommendations of the LV2100 Final Report.

Policy

The purpose of this report is to develop an interim policy position.

3. BACKGROUND

The Commonwealth Government's proposed Carbon Pollution Reduction Scheme (the Scheme) has been the subject of broad debate since the release of the *Carbon Pollution Reduction Scheme Green Paper* in July 2008. The Green Paper proposed that businesses emitting more than 25,000 tonnes of carbon dioxide (Co₂) equivalent gases purchase and surrender permits for their emissions.

The Garnaut Report (2008) identified the Latrobe Valley as a region likely to be exposed to significant structural adjustment pressures post the introduction of an emissions trading Scheme. This report anticipated that introduction of the Scheme would reduce the competitiveness of the region's high-emission brown coal fired power generators and that this would have flow on effects for regional industry, employment growth and community wellbeing. The complexity of the Scheme has led to the development of a range of projected outcomes for the Australian economy and at the local level there are a number of potential scenarios that could occur.

In December 2008, the Commonwealth Government released the full details of the Scheme in its White Paper. The main features of the Scheme are outlined below and the executive summary is attached:

- A 5% target for emission reduction by 2020, relative to 2000 levels.
- Permits to be auctioned and are fully tradeable and bankable. Some permits will be given freely.
- A trajectory involving a 1% per annum reduction in total emissions will commence three years from commencement of the Scheme with subsequent trajectories to be set.
- There will be a price cap on permits of \$40 per tonne of carbon dioxide equivalent gases rising by 5% in real terms per annum post 2010.
- The Scheme will cover 75% of emissions; however this coverage is decreased by the effects of other provisions.
- Arrangements will be put into place to offset the impact of the Scheme on fuel prices and household costs.
- Free permits will be issued to energy intensive trade exposed industries to cover onsite emissions and emissions arising from the use of electricity.
- Emissions will be internationally tradeable through linkages to other defined trading Schemes and mechanisms.
- Coal based generators will receive \$3.5 billion over five years. This allocation is subject to firms maintaining their generation capacity unless approved by the regulator.
- Support measures will be provided to facilitate structural adjustment. These measures will be provided through the \$2.15 billion Climate Change Action Fund. This fund has been developed to assist households and firms not covered by other assistance in the Scheme and its purpose is to provide compensation for increases in electricity prices.
- Workers and communities directly and adversely impacted by the Scheme will have access to \$200 million of the Climate Change Action Fund.

The impact of the Scheme on the Latrobe Valley is recognised in the White Paper. Chapter 13.3.2 *Assistance to Workers, Communities and Regions* recognises the concerns raised in the Gippsland Local Government Network submission to the Green Paper, which identifies Gippsland, specifically the Latrobe Valley, as a region where impacts from the Scheme may be concentrated.

The White Paper states “*The Australian Government is aware of stakeholder concerns in relation to particular regions and stands ready to provide assistance through the Climate Change Action Fund to any region where a clear, identifiable and significant impact arises, or is likely to arise, as a direct result of the Scheme*” (Page 13-11).

Latrobe City Council has undertaken a range of responses and initiatives in relation to the introduction of the Scheme as outlined in the table below:

Date	Response/Initiative	Description
August 2008	Monash University Submission to CPRS Green Paper	Latrobe City Council officers provided significant support and input into the Monash University Green Paper submission. The Monash submission highlighted the importance of providing further detail around the CPRS Scheme to enable the community and business to understand its costs and impacts.
8 September 2008	“Managing the Transition” prepared by ACIL Tasman	Latrobe City Council led the GLGN submission to the CPRS Green Paper. The submission supported the Government’s efforts to address climate change and highlighted that the CPRS would likely result in dramatic changes in Gippsland. The submission advocated for emission and trade exposed industries located in the region and sought assurances of a package of regional support measures to support firms and the community to make the transition.
6 October 2008	Council resolution to write to the Prime Minister and the Minister for Resources and Energy to request the headquarters of the Australian Arm of the Global Institute on Carbon Capture be located within the Latrobe Valley.	This resolution led to an offer by the Victorian Government to co-fund the development of a business case to attract the Global Institute to Latrobe City.
22 December 2008	Letter from Mayor to Minister for Climate Change in relation to the \$2.15 billion Climate Change Action Fund.	The Mayor wrote to the Minister for Climate Change to seek representation on the stakeholder committee that will provide advice on the design and activities of the Climate Change Action Fund. The letter outlined the Latrobe City Council (via GLGN) submission on the green paper and highlighted the significant impact that the CPRS would have on the region.

On 4 May 2009, the Prime Minister announced that the introduction of the Scheme would be delayed until 1 July 2011 and that the target for emission reduction would be increased to 25% below 2000 levels by 2020 subject to world wide agreement by other countries to commit to targets. An overview of these changes is attached.

On the 20 April 2009, at its Ordinary Meeting Council resolved to approve the development of a Latrobe City Council position on the likely impact on the local community and economy of the Carbon Pollution Reduction Scheme. Analysis within that Council report concluded that given the current debate on the introduction of the Scheme that there is a need for Council to prepare and adopt an interim policy position on the expected local impacts on the economy. This adopted interim policy would then be able to be used for advocacy in the short term.

4. ISSUES

The Latrobe City Council draft interim policy position on the expected impacts of the Scheme has been developed using Council's existing strategies and policies. The purpose of the development of the draft interim policy is to enable Council to be able to enter into effective and constructive dialogue with relevant State and Commonwealth Ministers on the expected impacts at a local level.

The draft interim policy (refer attached) provides context for Latrobe City including population growth, major investment and an overview of the reliance of the local economy on employment from electricity generation.

The draft interim policy then outlines the drivers for Council to develop a formal position and summarises Council's existing position on the local economy, community, industry and the future use of brown coal within the municipality. Lastly it lists three interim actions that Council will pursue in conjunction with the development of a formal policy position.

The draft interim policy position articulates that Council will develop a formal policy position during the second half of 2009 utilising technical expertise and input from local industry and the broader community to ensure that the position is owned by the community.

The timeframe for the development of this policy is outlined in the table below:

Date	Action
20 April 2009	Council decision on whether to develop a policy position and the endorsement of a development and implementation strategy.
May 2009	Development of an interim policy position in relation to the Carbon Pollution Reduction Scheme impacts on the local economy. Preparation of consultant briefs for Awareness and Education Phase. Consultant brief released to the market.
June 2009	Consultant submissions reviewed assessed against selection criteria. Short listed consultants interviewed by Councillor Working Group. Consultant appointed.
July 2009	Appointed Consultant to provide detailed project plan and timing to Councillor Working Group for sign off. Internal Awareness and Education sessions and workshops to occur.
September 2009	Completion of an informed Council view on the Scheme and its expected impact on the community's economic sustainability vision. This view will be underscored by a comprehensive report that highlights Council's expected impacts and opportunities from the Scheme as well as the interventions and support required to assist the local community and economy to transition under the Scheme. As well as a range of messages to be released via media, lobbying and advocacy.
October 2009	Council resolution sought on Council view of CPRS and decision on whether to release view to community for input through targeted consultation and broader community consultation. External workshops to commence. Input to be considered by Councillor Working Group and draft policy position finalised.
December 2009	Council resolution on Policy Position Sought.
February 2010	CPRS Transition Committee terms of reference established and membership structure finalised.
March 2010	First meeting of CPRS Transition Committee held.

5. FINANCIAL AND RESOURCES IMPLICATIONS

Should Council adopt the draft interim policy position financial implications are associated with the proposed interim actions which include the facilitation of an industry round table discussion and a meeting with the Prime Minister and Minister for Climate Change. These costs are expected to be able to be accommodated within existing budgets.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

External engagement on the development of the draft interim policy position has not taken place. Through the development on the formal policy position extensive consultation will occur with the community, a wide range of industry sectors and professional organisations.

Details of Community Consultation / Results of Engagement:

Nil

7. OPTIONS

Council has the following options:

1. To approve the draft interim policy position on the expected impact on the local economy and community of the introduction of the Scheme.
2. To reject the draft interim policy position on the expected impact on the local economy and community of the introduction of the Scheme and wait to consider the formal policy.
3. To amend and approve the draft interim policy position on the expected impact on the local economy and community of the introduction of the Scheme.

8. CONCLUSION

The introduction of the CPRS is expected to have a significant impact on Latrobe City. The complexity of the Scheme has led to the development of a range of projected outcomes for the Australian economy and at the local level there are a range of scenarios that could potentially occur.

Latrobe City Council has a key role in providing local leadership in representing the broader interests of the community on issues including the development the economy. In order to undertake this key role it is important that Council is able to enter into effective and constructive dialogue with relevant State and Commonwealth Ministers on the expected impacts at a local level whilst a formal policy position is developed.

9. **RECOMMENDATION**

That Council adopts the Latrobe City Council Interim Policy Position on the expected impacts of the Carbon Pollution Reduction Scheme.

Moved: Cr Middlemiss

Seconded: Cr Fitzgerald

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT 1

**Latrobe City Council Interim Policy Position on the Carbon Pollution
Reduction Scheme**

ATTACHMENT 2

White Paper Executive Summary

ATTACHMENT 3

Strengthening Australia's 2020 Carbon Pollution Target

.

BUILT AND NATURAL ENVIRONMENT SUSTAINABILITY

11.3.1 **CONSIDERATION OF SUBMISSIONS TO LATROBE PLANNING
SCHEME AMENDMENT C51 FLINDERS COLLEGE, TRARALGON**
AUTHOR: General Manager Built and Natural Environment Sustainability
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to consider all written submissions received in response to proposed Amendment C51 and to seek Council's approval to progress Amendment C51 to the next stage.

2. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective – Sustainability

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

Community Outcome – Built Environment Sustainability

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

Strategic Action – Infrastructure Development

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

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.

The proposal is consistent with the State Planning Policy Framework and the Municipal Strategic Statement contained within the Latrobe Planning Scheme.

3. BACKGROUND

A request has been received from a consultant on behalf of Flinders Christian Community College to amend the Latrobe Planning Scheme. The amendment seeks to:

- rezone land at Craighburn Place from Farming Zone (FZ) to Residential 1 Zone (R1Z);
- apply a Development Plan Overlay (DPO) to the site and;
- amend the Local Planning Policy Framework (LPPF).

In conjunction with the proposed amendment, the proponents are also applying for a planning permit to develop the subject land for the use and development of an education facility (See Attachments 12 & 13). This process is known as a section 96A application under the *Planning and Environment Act 1987* (the Act).

Subject Land

The land affected by the proposal is located in Traralgon East and fronts Craighburn Place. The land comprises one title which is solely owned by Flinders Christian Community College. The subject site is approximately 6.6 hectares in area.

The subject site is currently vacant, cleared agricultural land with a man-made dam located along the southern boundary.

The land is described as Lot 1 on Title Plan 886472Y.
(See Attachment 1- Site Map)

Surrounding Land

Farming zone (FZ) adjoins the subject site, with two allotments to the north, one to the east and one to the south. These allotments range in size from approximately 3.5 to 13.3 hectares. Each neighbouring allotment contains a dwelling.

The Residential 1 Zone (R1Z) exists on the western side of Craighburn Place. Residential allotments in this zone range in size from approximately 500 to 1,000 square metres and contain established dwellings.

Planning Context

The existing Flinders Christian Community College campus on the corner of Liddiard Rd and Lansdowne Street in Traralgon is nearing capacity and an additional campus is required to accommodate more students. The College proposes to develop a new campus on a site they own at Craighburn Place, Traralgon. However, the Farming Zone currently applying to the subject site does not permit the use and development of the land as an education facility.

It is proposed that the subject land be rezoned to Residential 1 Zone as this zone permits the use and development of an education facility, subject to a planning permit. The application of other zones, such as the Public Use Zone, has been carefully considered in consultation with the Department of Planning and Community Development (DPCD). Given that Flinders Christian Community College is a private college, not a public education facility, the Residential 1 Zone is deemed the most appropriate zone.

The current Structure Plan for Traralgon contained within the current Municipal Strategic Statement (MSS) does not include the subject site. However, the Latrobe Structure Plans adopted by Council in August 2007 recommended that the land subject to this application is to be utilised for the purposes of a 'school'.

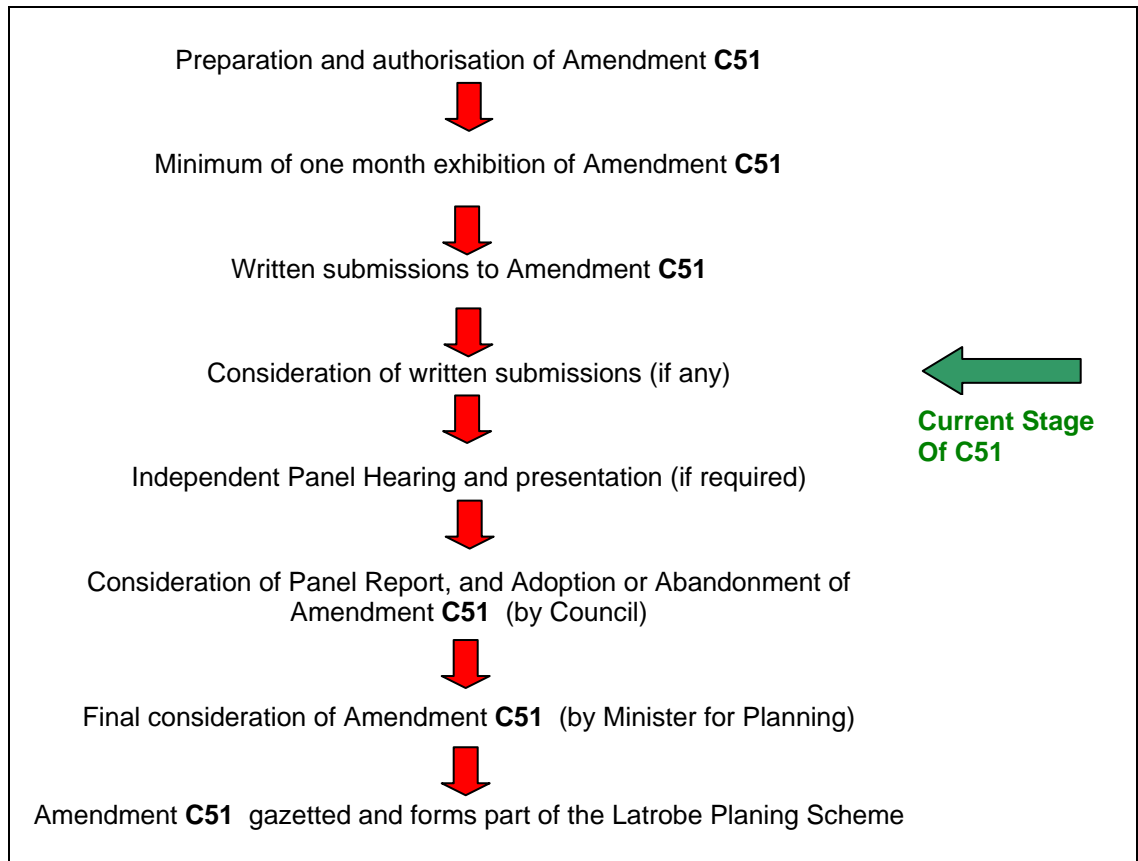
To ensure consistent links between the proposed rezoning, and adopted Council Planning Policy, it is necessary that the Municipal Strategic Statement (MSS) in the Local Planning Policy Framework (LPPF) also be amended. This will include minor additions to MSS text and to the existing Traralgon - Strategic Land Use Framework Plan.

The proposed application of a DPO schedule to the site will ensure the site is developed and used as an 'education facility' in the future, while requiring necessary site treatments to maintain the residential amenity of adjoining land.
(See Attachment 2 Draft Development Plan Overlay).

Statutory Requirements

The C51 planning scheme amendment process is shown in the figure following and provides an indication of the current stage for this amendment.

C51 Planning Scheme Amendment Process



In accordance with the Act, the municipal council, as a planning authority, has a number of duties and powers. These duties and powers are listed at section 12 of the Act. Under section 12 a planning authority must have regard to (inter alia):

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

Under section 96A of the Act, a person who requests a planning authority to prepare an amendment to a planning scheme may also apply to a planning authority for a planning permit. The Act states that the planning authority may agree to consider the application for the permit concurrently with the preparation of the proposed amendment.

Given that the existing Flinders Christian Community College Traralgon campus is nearing capacity and requires the new campus to be constructed as soon as possible, the proponent has proposed a Section 96A application under the Act, which can be more time effective than applying for a planning scheme amendment and planning permit separately.

Amendment C51 has had regard to Section 12 of the Act and is consistent with the requirements of Section 12 & 96A.

In addition, each amendment must address the Department of Planning and Community Development (DPCD) publication *Strategic Assessment Guidelines for Planning Scheme Amendments*. A response to these guidelines is outlined in the attached Explanatory Report (See Attachment 3 – Explanatory Report).

The proposal is consistent with the current State Planning Policy Framework at Clauses 14.01, 15.09, 18.07 and 19.03.

It is consistent with the current Municipal Strategic Statement (MSS) at Clause 21.03-2 and 21.04-1 and the current Strategic Land Use Framework Plan at Clause 21.03-3, also explained further in the attached Explanatory Report.

The current MSS however, does not provide specific reference to the subject site or its future use as an education facility. The proponent has therefore requested to prepare minor alterations to the ordinance of the MSS and the Traralgon Strategic Land Use Framework Plan presently contained within the Planning Scheme, to reinforce the planning policy support for this amendment. These alterations are supported by Amendment C62 of the proposed Latrobe Planning Scheme Local Planning Policy Framework (including the new MSS) endorsed at the 1 September 2008, Council Meeting.

Planning Scheme Amendments

At the Ordinary Council Meeting on 7 July 2008, Council resolved to seek the Minister for Planning's Authorisation to prepare and exhibit the proposed Amendment C51.

The Minister for Planning, in accordance with section 8A(3) of the Act, authorised Council to prepare the proposed Amendment C51 on 24 September 2008.

Amendment C51 was placed on public exhibition during the period 13 November 2008 to 15 December 2008.

4. ISSUES

Section 6 of this report provides a summary of the seven written submissions received by Latrobe City Council to Amendment C51. Copies of these submissions are provided in Attachments 4-10.

Six of the submissions were in support of the proposed amendment and planning permit application. The seventh submission received (comprised of parts A, B, C & D) objected to the proposed amendment and raised concerns with the amendment.

These concerns (see Attachment 10A) centred around the issues of;

- (i) drainage, in particular the existing problem of run-off from the subject site causing flooding of adjacent houses in a reasonable storm event and the possibility that this could be compounded by the proposed development.
- (ii) traffic management, the flow and speed of traffic in the area and the possibility of this being aggravated with the introduction of pedestrians and cyclists.
- (iii) noise associated with the siting of a performing arts building at the front of the development.

In particular, the concerns raised highlighted a need for further information on issues (i) and (ii) above so that the effects of the proposal on the immediate area could be assessed.

Further information was requested from the applicant to address the concerns raised by the objectors. In particular a request was made for more detailed concept plans to be submitted to address drainage and traffic management. More detailed drainage and traffic concept plans were submitted to Council officers on 12 February 2009.

The issue of noise has been addressed by the inclusion of permit conditions restricting the hours and days of use as an education centre at the site. The applicant's response to address noise includes compliance with requirements of the Environmental Protection Authority and the Building Code of Australia, this will ensure off site acoustic impacts from activities within buildings will be minimal and will not impact on the amenity of the surrounding area. In addition, the planned setbacks for buildings are greater than the minimum setbacks required. More detail is outlined in the further information letter from SM Urban of 10 October 2008, see Attachment 11.

A draft planning permit with conditions and the plans proposed to be endorsed as part of the planning permit are provided in Attachments 12 and 13.

Under section 96J of the Act, Council can only issue the planning permit if the Minister for Planning directs Council to issue the permit.

A further meeting was held with the objectors, the proponent and Council officers to present these more detailed Plans. Initially the objectors seemed satisfied to withdraw their objection (see Attachment 10B) around the issues of noise, drainage and traffic based on the further information provided, however subsequent advice from the objectors indicated that they were not prepared to withdraw their objection (see Attachment 10C).

Their objection remained on the grounds that the Council proposed traffic management works for the intersection at Craighburn Place and Stuart Street, identified at the Council Meeting of 17 September 2007, had not been implemented.

At the 17 September 2007 Council Meeting the following recommendations amongst others were adopted.

Recommendation 2. That Council agrees to undertake improvement works at the intersections of Liddiard Road and Furlonger Street, Liddiard Road and Miles Street, and Stuart Street and Craighburn Place, to improve traffic safety at these intersections.

Recommendation 4. That funding for the staged construction of traffic calming and intersection improvement works in the Traralgon East area of Traralgon be referred for consideration in future capital works programs and that priority be given for works in the following order:

Recommendation 4 c). The construction of road humps along Stuart Street, construction of Stuart Street and Craighburn Place intersection safety improvements and the construction of road.

There was no commitment from Council to fund these works prior to, or concurrently with, the issuing of the planning permit and subsequent development works for the education facility.

The capital works at the intersection and associated funding of \$25,000, were identified in the proposed 2010/2011 capital works program as the following project:

Traralgon East Neighbourhood renewal area – Traffic calming and intersection improvement works, Stuart Street and Craighburn Place, Traralgon Stage 3B.

This timeframe would however be subsequent to the commencement of the Flinders College development works for the education facility, following Amendment C51 adoption and approval. Council has now proposed funding of these works in the draft 2009/2010 capital works budget.

As a result of Council proposing to bring forward the allocation of funds to these works, the objectors, have now withdrawn their objection, see Attachment 10D.

5. FINANCIAL AND RESOURCES IMPLICATIONS

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

Statutory fees associated with this proposed amendment will be met by the proponent, SMEC Urban, on behalf of Flinders Christian Community College.

6. INTERNAL/EXTERNAL CONSULTATION

The amendment is subject to the prescribed process in accordance with the public notice and consultation requirements of section 19 of the Act.

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

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

Amendment C51 was placed on public exhibition during the period 13 November 2008 to 15 December 2008.

Public Submissions

Following public exhibition, seven written submissions were received by Latrobe City Council in response to Amendment C51. Section 22 of the Act requires a planning authority consider all submissions to an amendment.

A summary of key issues and comments raised in submissions that have been received by Council in response to Amendment C51 have been provided below.

SUB NO.	NAME /ADDRESS	SUPPORT /OBJECT	DATE RECEIVED	ISSUES RAISED	OFFICER COMMENT
1.	EPA Victoria	Support	7/11/08	None	
2.	WGCMA	Support	27/11/08	Advice regarding consideration of Clause 56 and meeting predevelopment flows for water runoff	Addressed in conditions of planning permit
3.	Australian Pipeline Ltd	Support	12/12/08	None	N/A
4.	Gippsland Water	Support	15/12/08	Advice Notes were received from Gippsland Water regarding Water and Sewer for inclusion in Planning Permit	Advice Notes were included in Planning Permit
5.	Vic Roads	Support	17/12/08	None	N/A
6.	DSE	Support	26/02/09	Consideration of compliance with the Native Vegetation Framework	Addressed through Clause 52.17 of the planning scheme
7A 7B 7C 7D	Max & Margaret Gibbons 37 Stuart St, Traralgon	Objection	26/11/08 13/03/09 30/03/09	-Noise -Drainage -Traffic Management	Addressed through further information provided by applicant and additional planning permit conditions. Funding allocation for Council traffic management works has now been reallocated to the 2009/2010 financial year. The objection has now been withdrawn

7. OPTIONS

The options available to Council are as follows:

1. That Council, after considering all written submissions received for Amendment C51, resolve to adopt, and submit for approval to the Minister for Planning, Amendment C51; or
2. That Council, after considering all written submissions received for Amendment C51, resolve to abandon the exhibited planning scheme amendment C51 and inform the Minister for Planning.

8. CONCLUSION

The current zoning of the land as Farming Zone is an inappropriate zone for the proposed use of the land as an education facility. The proposed planning scheme amendment seeks to rezone the subject land at Craighburn Place, Traralgon, from Farming Zone to Residential 1 Zone. The Residential 1 Zone is deemed the most appropriate zone for the site given its proposed use and development.

This amendment presents Council with the opportunity to realise a recommendation of the Latrobe Structure Plans 2007, that is, the land subject to this application be utilised for the purposes of a school.

All issues raised in submissions have now been addressed so that Amendment C51 can now progress to the next stage.

9. RECOMMENDATION

1. That Council, having considered all written submissions received to Amendment C51, adopts Amendment C51 as exhibited in accordance with section 29 of the *Planning and Environment Act 1987*.
2. That Council submits Amendment C51 once adopted to the Minister for Planning for approval, in accordance with section 35A of the *Planning and Environment Act 1987*.
3. That Council submits the draft planning permit with conditions and draft plans (see attachments 12 and 13) as part of the adopted C51 documents to the Minister for Planning.

Moved: Cr Fitzgerald
Seconded: Cr O'Callaghan

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENTS

.

11.3.2 TED SUMMERTON RESERVE MOE MASTERPLAN

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

1. PURPOSE

The purpose of this report is to present to Council the Ted Summerton Reserve Moe Masterplan for consideration and to seek adoption.

2. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Sustainability

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

Community Outcome - Built Environment Sustainability

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

Strategic Action

Infrastructure Maintenance and Infrastructure Development.

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

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

Utilise place management principles for local areas in the municipality.

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

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

Ensure public infrastructure is maintained to meet community aspirations.

Strategic Objective - Liveability

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

Community Outcome - Recreational Liveability

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

Strategic Actions - Recreational Liveability

Assess and evaluate future recreational opportunities to address the community aspirations.

Align open space requirements of the community with useable public open space.

Promote and maximise the utilisation of recreation, aquatic and leisure facilities and services and discourage duplication of facilities and services and ensure they meet the needs of residents.

Encourage greater participation in all recreation pursuits.

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

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

Community Outcome - Community Liveability

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

Strategic Actions - Community Liveability

Develop and foster relationships with the education and employment providers to enhance the learning and development outcomes of the community.

Moe Newborough Outdoor Recreation Plan - Adopted by Council 5 November 2007.

Latrobe City Childcare Strategy - adopted by Council December 2006.

3. **BACKGROUND**

At its 6 October 2008 Ordinary Meeting, Council adopted the following resolutions:

1. *That Council adopts the Ted Summerton Reserve site as the preferred location of the Moe Early Learning Centre Redevelopment Project.*
2. *That Council gives written notification to all people who made a submission that it has adopted the Ted Summerton Reserve the preferred site for the Moe Early Learning Centre Redevelopment Project.*
3. *That further action to implement the Moe Early Learning Centre Redevelopment Project is undertaken including site assessment, tender for design, concept development, with input from stakeholders and the community*
4. *That a revised Master Plan for the Ted Summerton Reserve, incorporating the Moe Early Learning Centre Redevelopment Project, be completed.*

In accordance with Council resolution number 4, a revised Masterplan (attachment 1) has now been completed which incorporates the Moe Early Learning Centre, as well as other improvement opportunities as identified during the consultation process with stakeholders and the community.

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

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

South Street Primary School, which borders the eastern boundary of Ted Summerton Reserve, have strongly supported the development of the Moe Early Learning Centre at Ted Summerton Reserve and will continue to explore opportunities for closer integration of services and/or facilities between the school and the proposed Moe Early Learning Centre.

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

4. ISSUES

The Moe Newborough Outdoor Recreation Plan was completed in October 2007, and outlined a Masterplan for the Ted Summerton Reserve. The inclusion of the Moe Early Learning Centre within the Reserve has now created a requirement for this Masterplan to be reviewed and updated to reflect the changed circumstances. The updated Masterplan is prescriptive and provides a vision for the entire reserve and encourages a vibrant recreation and education community precinct. While the plan is primarily for the Ted Summerton Reserve, consideration has been given to surrounding land uses, connectivity to both the town centre and surrounding residential areas and overall integration of the facility into the broader township.

In creating a Masterplan for Ted Summerton Reserve, the key objectives were to develop a Masterplan for the reserve that clearly identified:

- the most appropriate location of the Moe Early Learning Centre and the possible integration of the reserve with South Street Primary School as well as consideration of the possibility of resource sharing e.g. indoor sports hall incorporating a gymnasium, meeting rooms and community facilities. In selecting the location of the Moe Early Learning Centre, consideration was given to allow for further development opportunities, should the need arise;
- the current and future functional requirements of Ted Summerton Recreation Reserve;
- the appropriate location for parking and vehicle and pedestrian access, ensuring clear access ways and linkages with surrounding uses and including traffic management within the reserve and at the entrances;
- landscaping opportunities;
- physical, visual, cultural and social connections to the wider Moe community which establishes Ted Summerton Reserve as an iconic community precinct;

- Water Sensitive Urban Design opportunities including water harvesting and reuse, and other relevant environmentally sustainable design features;
- urban design guidelines for the entire site.

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

During the stakeholder and community consultation process, a large number of issues were identified that the community believed needed to be addressed during the masterplanning process. The issues identified included:

- Lack of public accessibility due to fencing and trees
- Lack of picnic facilities and shelter for public park
- Underutilised space and lack of integration of buildings and facilities around oval
- Poor quality of facilities for sporting clubs
- Unresolved vehicular access and car parking for existing and proposed facilities
- Undefined pedestrian access, particularly around South Street Primary School and the proposed Moe Early Learning Centre
- Perceived unsafe areas due to trees and lack of lighting
- Inefficient existing irrigation system for oval
- Need for second netball court
- Need for more spectator shelter around oval and netball courts
- Location of cricket nets relative to their facilities
- Poor integration between senior and junior football clubs due to having to play at different locations

The attached Masterplan illustrates how Ted Summerton Reserve will be developed from a facility used only for organised sport, to a vibrant education, and recreation community precinct for Moe. It delivers a significant upgrade to the sporting infrastructure, which includes incorporating full disabled access to the reserve and multipurpose room, which currently does not have disabled access. It also incorporates a community playground and BBQ area for the Moe community that will assist in creating a strong link between the primary school, Moe Early Learning Centre and the recreation reserve. The consolidation of all parking, creation of pedestrian linkages, formalised traffic flow and access, and upgrading the school oval to cater for junior football and senior training will also build on this link.

The Masterplan also has a strong focus on Water Sensitive Urban Design (WSUD) opportunities, with the installation of large tanks to harvest storm water from the reserve and surrounding streets, as well as an upgrade to a considerably more efficient irrigation system. The harvested storm water will be used on the junior and senior ovals, as well as the new parkland.

The Masterplan creates pedestrian friendly spaces within the reserve, which separates vehicular and pedestrian movements. The path network is clearly identified and well lit, which addresses the safety concerns identified during the consultation process.

Ted Summerton Reserve offers unique topography that creates a natural amphitheatre within the reserve, with multiple viewing levels for spectators. The Masterplan formalises the spectator viewing, adds significantly more shelter, seating and shade, without impacting on the local character and outlook of the reserve.

The Masterplan will create a visual connection from outside the reserve by replacing the large screening vegetation with more appropriate native trees. This will assist in integrating the reserve with the surrounding neighbourhood.

5. FINANCIAL AND RESOURCES IMPLICATIONS

In its 2008/2009 capital works budget, Council has allocated \$340,000 to the Ted Summerton Reserve upgrade project for pavilion upgrade works.

During the masterplanning process, a quantity survey provided an estimate of the funds required to complete all of the actions stated in the Masterplan. Completing all actions of the Masterplan would require funding of approximately \$3,490,000.

Under the Regional and Local Community Infrastructure Program – Strategic Projects the Federal Government has made up to \$550 million available to local government to stimulate additional growth and economic activity across Australia as a part of the Federal Government's contribution to addressing the global financial crisis.

At its 02 March 2009 Ordinary meeting, Council adopted the following resolution:

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

On 8 May 2009, the Hon Anthony Byrne MP, Parliamentary Secretary to the Prime Minister announced that Latrobe City Council had been successful in obtaining \$3.15 million in funding to contribute to the redevelopment of Ted Summerton Reserve.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

There has been significant community and stakeholder consultation during the preparation of the draft Masterplan, including:

- Issues identification workshops held with the users of Ted Summerton Reserve, staff and parents of South Street Primary School, Council staff who reside in Moe and also the wider Moe community
- Follow up concept development workshop held with key stakeholders
- Publication of a project newsletter, which was available on Councils website, the Moe Service Centre and also mailed directly to Moe residents in the vicinity of the reserve
- Publication of a survey on Councils website and also made available at all consultation sessions which gave the community an opportunity to express their needs, concerns and views on this project
- A community day was held at Ted Summerton Reserve during a football match which gave users of the facility an opportunity to view and make comment on the draft Masterplan
- Advertisements placed in the Moe News and Latrobe Valley Express advertising the draft Masterplan, and offering the community an opportunity to make comment on the draft Masterplan

One further submission was received from the Moe Football and Netball club (attachment 3). The comments from the club related particularly to the proposed netball facilities in the Masterplan, and have been summarised below:

Submission From	Summary of Submission	Response
Moe Football and Netball Club	1. Separate team areas on each court	1. Will be incorporated in detailed design
	2. Lockable facilities	2. Will be incorporated in detailed design
	3. Issues with trees at the end of the court	3. Noted
	4. Tiered seating for spectators	4. Realignment of the courts will not allow tiered spectator viewing from proposed area, however there will be ample spectator viewing areas adjacent the courts
	5. Question on lighting	5. Lighting will be sufficient for competition netball
	6. Question relating to the water tanks and vehicular access to courts	6. Water tanks are above ground, but will not impact on vehicular access

7. OPTIONS

Council has the following three options available:

1. Adopt the Ted Summerton Reserve Masterplan as presented.
2. Not adopt the Ted Summerton Reserve Masterplan.
3. Amend and adopt the Ted Summerton Reserve Masterplan.

8. CONCLUSION

The Ted Summerton Reserve Masterplan addresses all of the issues and concerns raised by the stakeholders and the community during the consultation process. Delivering all the actions from the Masterplan will create a vibrant education, recreation and community precinct for Moe, which will be of great benefit to the Moe community and dramatically improve the quality of the City's built environment.

9. RECOMMENDATION

1. That Council adopts the Masterplan for Ted Summerton Reserve.
2. That Council gives written notification to all who made a submission as part of the community engagement process in preparing the Masterplan for Ted Summerton Reserve, and thank them for their contribution to the project.

Moved: Cr Lougheed

Seconded: Cr White

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENTS

GOVERNANCE

11.6.1 GENERAL VALUATION 2010

AUTHOR: General Manager Governance
(ATTACHMENT – NO)

1. PURPOSE

The purpose of this report is to provide information to Council in relation to the legislative requirements under the *Valuation of Land Act* 1960 regarding the revaluation process for the 2010 revaluation, including the need for Council to formally resolve that a general valuation be made.

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

Continue to administer sound financial management practices.

3. BACKGROUND

All Victorian Councils are required to undertake biennial revaluations of all rateable land within the municipal district at a common date.

The next revaluation is due to be returned to Council by 30 June 2010. These valuations will reflect a base date of 1 January 2010.

Council is required to ensure that this revaluation is carried out in accordance with the Valuations Best Practice 2010 guidelines established by the Valuer General.

4. **ISSUES**

Council is required by section 13DC(3) of the *Valuation of Land Act* 1960 to make a valuation as at 1 January 2010 that is to be returned to Council by 30 June 2010.

Section 6(1) of the *Valuation of Land Act* 1960 requires Council to resolve to make a general revaluation of all rateable property within its municipal district, and to give notice of such resolution to the Office of the Valuer General and to every other rating authority interested in the valuation of land in its area, within one month of the resolution.

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

The cost of the revaluation for 2010 is estimated to be \$290,000. The State Revenue Office purchases Council valuations, and therefore approximately 50% of the valuation cost is recoverable.

6. **INTERNAL/EXTERNAL CONSULTATION**

The revaluation of rateable land is mandatory under current legislation and therefore no public consultation is required. There is a process for ratepayers to object to the valuation of their property following the issue of rate notices each year.

A notice informing the public of Council's decision in relation to the general valuation, will be placed in the Latrobe Valley Express.

7. **OPTIONS**

Council needs to instigate the general valuation as it is a legislative requirement.

8. **CONCLUSION**

Council is required to resolve to make a general valuation of all rateable properties within its municipal district in accordance with the requirements of the *Valuations of Land Act* 1960 and the Valuation Best Practice principles.

9. **RECOMMENDATION**

That Council causes a general valuation to be made of all rateable property within the municipal district in accordance with Valuation Best Practice 2010 guidelines, and as required by section 6(1) of the *Valuation of Land Act* 1960, and that such valuation be returned to Council by 30 June 2010.

Moved: Cr White

Seconded: Cr Vermeulen

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

.

11.6.2 **PROPOSED ROAD DISCONTINUANCE - PART ANDERSON AVENUE, YALLOURN NORTH**

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to seek Council's approval to commence the statutory process to discontinue a section of road reserve adjoining 1 Anderson Avenue, Yallourn North.

2. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Governance

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

Community Outcome - Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Action

Ensure compliance with the Local Government Act.

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

Legislation

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

"A Council may, in addition to any power given to it by sections 43 and 44 of the *Planning and Environment Act 1987* –

- i. discontinue a road, or part of a road, by a notice published in the Victoria Government Gazette: and
- ii. sell the land from that road (if it is not Crown Land), transfer the land to the Crown or itself or retain the land."

This power is subject to section 223 of *the Local Government Act 1989* which requires Council “publish a public notice stating that submissions in respect of the matter specified in the public notice will be considered in accordance with this section”.

Council must then consider any written submissions that have been received and any person who has made a submission and requested they be heard are entitled to appear before a meeting of Council.

It is proposed that Council would consider submissions at the Ordinary Council Meeting to be held Monday, 20 July 2009.

3. **BACKGROUND**

At the time of Council amalgamations, Latrobe City Council acquired from the former Shire of Narracan the property at 1 Anderson Avenue, Yallourn North. The Shire of Narracan in association with the Director of Housing had constructed three older person residential units on the land in September 1993.

This small residential unit development is managed on behalf of Council by a Section 86 Committee of Management, *the ‘Yallourn North Community Housing Committee’*. This committee funded and built a fourth residential unit in 2002.

The Committee of Management has accumulated sufficient funds to construct a fifth and final unit at 1 Anderson Avenue, Yallourn North.

4. **ISSUES**

The Committee of Management believes there is demand for another older persons residential unit in the Yallourn North township and plan to construct a fifth unit on the balance of the Council land. The floor plan, shape and size for the proposed fifth unit will be identical to the other residential units.

The potential building envelope for the fifth dwelling is restricted by the existence of a Sewerage Easement at the rear of the property. To acquire sufficient land to position the one bedroom dwelling and carport it is necessary to construct part of the dwelling and carport over a section of the adjoining unused road reserve, estimated to be 38.5 square metres in area.

A planning application for the development has been assessed and processed and found to comply with the Planning Scheme. Notice of the Application was given to adjoining landowners and no objections were received. Council's Project Services Team has addressed all infrastructure including underground services.

It is noted that the section of road reserve proposed to be discontinued is a flat grassed area that has an existing stormwater pit and pipe underground which may need to be relocated. The required section of road reserve adjoining 1 Anderson Avenue, Yallourn North is small in area, being unconstructed and considered surplus to Council's road network. The area of road reserve proposed to be discontinued is estimated to be 38.5 square metres.

Attached is a locality plan and site drawing.

5. FINANCIAL AND RESOURCES IMPLICATIONS

Costs associated with this statutory process are minimal, being the cost of a public notice inviting submissions and an order published in the Victoria Government Gazette.

It is normal practice to charge the cost of infrastructure works (in this case the potential relocation of a section of the stormwater infrastructure) to the developer, that being in this case the Yallourn North Community Housing Committee.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Public notices to be placed in the Latrobe Valley Express.

Details of Community Consultation / Results of Engagement:

In accordance with section 223 of the *Local Government Act* 1989 any submissions that are received regarding this matter will be referred for consideration at a future meeting of Council.

7. OPTIONS

Council may now resolve to either:

1. Commence the statutory process to discontinue part of Anderson Avenue Yallourn North, by giving public notice of its intention to consider the discontinuance and seek public comment.
2. Not to continue with this process and notify *The Yallourn North Community Housing Committee* of the Council decision.

8. CONCLUSION

It is recommended that Council commences the statutory process to discontinue and remove the road reservation from the small area of land to enable the construction of a fifth and final persons unit at 1 Anderson Avenue, Yallourn North.

The construction of the fifth elderly persons dwelling and carport at 1 Anderson Avenue, Yallourn North is not expected to have a detrimental affect on the immediate area and will be good utilisation of the balance of Council property.

9. RECOMMENDATION

1. **That Council gives public notice pursuant to section 206 and Schedule 10 Clause 3 of the *Local Government Act 1989* of its intention to consider the proposed discontinuance of part of the Anderson Avenue Road Reserve adjoining 1 Anderson Avenue, Yallourn North.**
2. **That Council considers any submissions received in relation to the discontinuance of part of the road reserve adjoining 1 Anderson Avenue, Yallourn North at the Ordinary Council Meeting to be held on Monday, 20 July 2009.**

Cr Lougheed declared an indirect interest in this item and left the Council Chamber at 8.42 pm.

Moved: Cr Middlemiss

Seconded: Cr Gibson

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

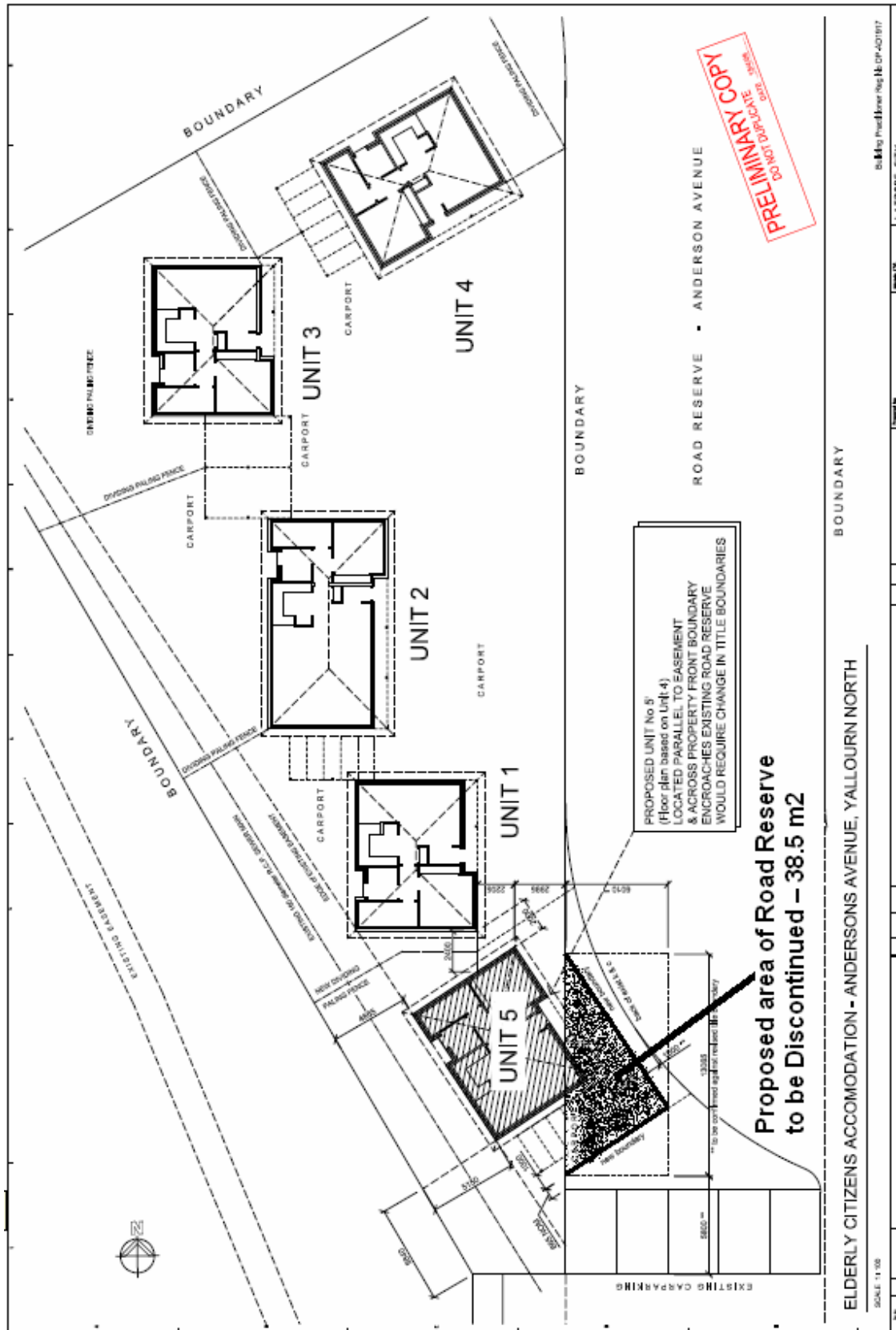
Cr Lougheed returned to the Council Chamber at 8.43 pm.

ATTACHMENTS

Locality Plan



Site Drawing



13. TEA BREAK

Adjournment of Meeting

The Mayor adjourned the Meeting at 8.45 pm for a tea break.

Resumption of Meeting

The Mayor resumed the Meeting at 9.00 pm.

Meeting Closed to the Public

The Meeting closed to the public at 9.00 pm.