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LATROBE CITY COUNCIL

MINUTES OF ORDINARY COUNCIL MEETING

HELD IN THE
NAMBUR WARIGA MEETING ROOM,
CORPORATE HEADQUARTERS, MORWELL
AT 7:00 PM ON 15 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 - Gonyah Ward
Cr Darrell White - Firmin Ward
Paul Buckley, Chief Executive Officer
Seona Conway, General Manager Organisational Excellence
Michael Edgar, General Manager Community Liveability
Katie Garlick, Council Operations Administration Officer
Tim Johnson, General Manager Governance
Allison Jones, General Manager Economic Sustainability
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

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NIL

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NIL

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NIL

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NIL

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CLOSED

1. Opening Prayer

The Opening Prayer was read by the Mayor.

Recognition of Traditional Landholders

The Recognition of Traditional Landholders was read by the Mayor.

2. Apologies for Absence

NIL

3. Declaration of Interests

The Chief Executive Officer noted that the General Manager Built and Natural Environment Sustainability declared an indirect interest under section 77B of the Local Government Act 1989 and the Manager City Planning and Development declared a direct and an indirect interest under sections 77 and 78 of the Local Government Act 1989.

4. Adoption of Minutes

Moved: Cr Lougheed

Seconded: Cr Gibson

That the Minutes of the Ordinary Council Meeting, relating to those items discussed in open Council, held on 1 June 2009 (CM 294) be adopted.

CARRIED UNANIMOUSLY

Moved: Cr Lougheed

Seconded: Cr Gibson

That the Minutes of the Special Council Meeting, relating to those items discussed in open Council, held on 9 June 2009 (SM 295) be adopted.

CARRIED UNANIMOUSLY

PUBLIC QUESTION TIME

5.1 PROVISION OF PUBLIC TOILETS IN MOE SHOPPING CENTRE

Ms Cherly Wragg, Secretary, Mow and District Residents Association Inc. asked the following question:

Question

- (a) Would Council allocate some of the significant budget to upgrade the Clifton Street car park to the provision of a toilet module in the Clifton Street car park as a matter of urgency?
- (b) Would Council assign a complaint number to this matter, and respond to our request in recognition of it being a public health issue of significant public interest to Moe community?

Answer

The Chief Executive Officer paraphrased the question and apologised that a response had not been provided and a letter will be sent tomorrow.

- (a) The masterplan for the Clifton Street Car Park redevelopment was adopted by Council on 2 March 2009 following a period of public consultation. The budget adopted for these works did not include a public toilet. All funding contained in Council's capital works budget is committed to delivering the Clifton Street precinct improvements and as such, there are no funds available for any purpose other than delivering the approved masterplan works Clifton Street funding required for the masterplan. Funding will not be allocated out of the budget for the Clifton Street car park.
- (b) Yes, a request number will be allocated to this issue and you will be provided with this number in a letter to be provided by the end of the week.

5.2 SOUTHERN TOWNS OUTDOOR RECREATION PLAN: WARREN TERRACE

Mr Robert Lewis asked the following question:

Question

- (a) Can Cr Vermeulen please explain who is the 'sector of the Hazelwood North Community' that has indicated 'a desire to develop Warren Terrace to a standard that will allow competitive sport to be played on the site in the near future'? page 60.
- (b) They are not specifically identified or referred to in the responses received on the draft Southern Towns Outdoor Recreation Plan to the Council as per the current agenda why is this?

Answer

The Chief Executive Officer paraphrased the question and responded as indicated on page 78 of the Council report there have been 82 community members sign a form letter. A list of those people will be included in the Minutes.

5.3 SOUTHERN TOWNS OUTDOOR RECREATION PLAN: WARREN TERRACE

Mr Robert Lewis asked the following question:

Question

Can Cr Vermeulen please explain how the 4th paragraph [below] fits with the spirit of the Southern Towns Recreation Plan re: Hazelwood North.

The development of a new or improved recreation and leisure facility in Hazelwood North at either of the nominated sites will require significant funding – somewhere in the order of \$0.74 –0.84M.

When considering the development issues, financial implications, site attributes, significant community feedback and then applying the policy and strategic context of Council's adopted Recreation & Leisure Strategy 2006, Church Road is nominally higher in terms of a future preferred recreation development site.

As detailed above, there is a need to undertake a level of due diligence on the Church Road site to ensure that it is the preferred recreation development site for the Hazelwood North community – and that development on this site is achievable.

A sector of the Hazelwood North community has also indicated a desire to develop Warren Terrace to a standard that will allow competitive sport to be played on the site in the very near future. Council has supported this view through an allocation of \$20,000 in the 2009/10 draft budget. (Summary extract page 59/60 CM296)

Answer

The Chief Executive Officer paraphrased the question and responded that the question will be taken on notice with the answers provided in writing and also included in the Minutes of this meeting (see below).

Copy of response to be inserted when finalised.

5.4 TRAFFIC CALMING DEVICES – GABY WAY

Ms Margaret Wojciechowski asked the following questions:

Questions

Why was option 4 (recommended) when Gabo Way has always been a school bus route? Only the newer end of Gabo Way has recently been made a new bus route, as they used to turn into Noonga Place and then right into Wingan Way. They only started to use this end in the latter months of last year.

Why not options 1 or 3 be considered before option 2? (The least favourable for the residents of Gabo Way due to the noise factor of these road cushions)

Is there an alternative route for the buses to take?

When will the devices be in the Council's budget? This matter has already taken 2 years, how much longer do we have to wait?

Answer

The Chief Executive Officer paraphrased the question and responded the proposal is to conduct further consultation to explore the options and explain how these types of projects are funded.

5.5 SOUTHERN TOWNS OUTDOOR RECREATION PLAN

Ms Leanne Honeychurch asked the following question:

Question

Who has included the single line in the 2009/2010 draft budget in page 56, Warren Terrace Hazelwood North – Oval development.

Total Value of Works - \$20,000

Cost to Rates - \$20,000

Answer

The Chief Executive Officer paraphrased the question and responded that Council has resolved to publish the draft budget – not an individual Councillor.

5.6 SOUTHERN TOWNS OUTDOOR RECREATION PLAN

Mr Robert Lewis asked the following question: Church Rd

Question

Which Councillor has included the single line in the 2009/2010 draft budget in page 56, Warren Terrace Hazelwood North – Oval development.

Total Value of Works - \$20,000

Cost to Rates - \$20,000

From what fund is this money being provided?

Answer

The Chief Executive Officer paraphrased the question and responded that Council has resolved to publish the draft budget – not an individual Councillor and it is proposed to be funded from rates revenue.

5.7 SOUTHERN TOWNS OUTDOOR RECREATION PLAN

Ms Kaye Wanke asked the following question:

Question

Is the Council going to allow the Warren Terrace site to be developed for sporting use without public amenities?

If yes, does this breach Health and Safety guidelines?

If no, where is the funding for such amenities in the 2009/2010 budget?

Answer

The Chief Executive Officer paraphrased the question and responded that the depending on adoption of the draft 2009/2010 budget, but there are lots of public open space and other recreation areas that have facilities developed over time.

5.8 SOUTHERN TOWNS OUTDOOR RECREATION PLAN

Mr Len Wanke asked the following question:

Question

Can Council explain how the Notice of Motion regarding Hazelwood North Recreation Facilities can be considered prior to the Council reviewing the recommendations of the community consultation for the Southern Towns Outdoor Recreation Plan?

Answer

The Chief Executive Officer paraphrased the question and responded that Local Law No.1 allows a Notice of Motion to be lodged by any Councillor.

5.9 SOUTHERN TOWNS OUTDOOR RECREATION PLAN

Ms Leanne Honeychurch asked the following question:

Question

Is the \$20,000 allocated in the draft 2009/2010 budget to complete the further investigation into the development of the Church Road site (page 63 of agenda) or to develop Warren Terrace to a standard that will allow competitive sport to be played on the site in the very near future (page 60 of agenda)?

Answer

The Chief Executive Officer paraphrased the question and responded that this amount is to develop basic facilities at Warren Terrace.

5.10 SOUTHERN TOWNS OUTDOOR RECREATION PLAN

Mr Robert Lewis asked the following question:

Question

Who is the sector of the Hazelwood North Community that has indicated a desire to develop Warren Terrace to a standard that will allow competitive sport to be played on the site in the near future? They are not specifically identified from the responses received on the draft Southern Towns Outdoor Recreation Plan to the Council as per the current agenda.

Answer

The Chief Executive Officer paraphrased the question and referred to the answer provided in question 5.2.

5.11 SOUTHERN TOWNS OUTDOOR RECREATION PLAN: WARREN TERRACE

Mr Robert Lewis asked the following question:

Question

- (a) Can Cr Vermeulen please explain where the \$20,000 was funded from to support his Warren Terrace Motion?
- (b) What development can be achieved on the Warren Terrace site for \$20,000 when cost of oval development on page 56 (of current agenda) states \$150,000 with amenities costing \$250,000?

Answer

The Chief Executive Officer paraphrased the question and responded that it is proposed to be funded from rates revenue for basic formation of the oval.

5.12 SOUTHERN TOWNS OUTDOOR RECREATION PLAN

Ms Leanne Honeychurch asked the following question:

Question

How can Council allocate \$20,000 to develop Warren Terrace when the summary of the Southern Towns Outdoor Recreation Plan included in the current agenda states that 'Church Road is nominally higher in terms of a future preferred recreational development site', 80% respondents favourable for Church Road option and 20% favourable for Warren terrace site, and that the recommended due diligence on the Church Road site needs to be undertaken?

Answer

The Chief Executive Officer paraphrased the question and responded that the draft 2009/2010 budget is under consideration and has not yet been adopted by Council.

5.13 SOUTHERN TOWNS OUTDOOR RECREATION PLAN

Mr Robert Lewis asked the following question:

Question

- (a) If Council allows a 'basic' sporting facility to be developed on Warren Terrace, Hazelwood North doesn't that in effect mean that Council have already decided that Warren Terrace is the preferred option for recreation facilities in Hazelwood North before the full due diligence and evaluation of the Church road site has been completed?
- (b) If no, aren't Council devaluing the potential sale proceeds that could be derived from Warren Terrace if the Church Road option is to be pursued or does this mean Hazelwood North will have 2 recreation facilities in 2 locations?

Answer

The Chief Executive Officer paraphrased the question and responded that:

- (a) the basic facilities provided, will be debated in the report tonight; and
- (b) before Council for discussion, not considering selling Warren Terrace.

5.14 SOUTHERN TOWNS OUTDOOR RECREATION PLAN

Mr Gary Honeychurch asked the following question:

Question

What has been the total cost to date of the Southern Towns Outdoor Recreation Plan – draft and June reports?

Answer

The Chief Executive Officer paraphrased the question and responded that the question will be taken on notice with the answers provided in writing and also included in the Minutes of this meeting (see below).

Copy of response to be inserted when finalised.

5.15 SOUTHERN TOWNS OUTDOOR RECREATION PLAN

Mr Gary Honeychurch asked the following question:

Question

The Council has invested a lot of rate payer funds in the development of the Southern Towns Outdoor Recreation plan.

It is clear from recommendations on pages 63 and 95 of this agenda that further investigation is to be conducted on the Church Road option.

Can the Councillors please explain why the Council would proceed with any vote on the motion put by Councillor Vermeulen when it is clearly inappropriate at this time and against the total intent of the recommendations of the Southern Towns Outdoor Recreation Plan report.

Answer

The Chief Executive Officer paraphrased the question and responded that this will be debated in the report tonight.

5.16 SOUTHERN TOWNS OUTDOOR RECREATION PLAN

Mr Gary Honeychurch asked the following question:

Question

With reference to the Summary for the Hazelwood North option in the Southern Towns Outdoor Recreation Plan, in the Agenda for this meeting, pages 59 and 60.

Summary:

Paragraph one:

The development of a new, or improved recreation and leisure facility in Hazelwood North at either of the nominated sites will require significant funding – somewhere in the order of \$0.74 – 0.84M.

Paragraph two:

When considering the development issues, financial implications, site attributes, significant community feedback and then applying the policy and strategic context of Council's nominally higher in terms of a future preferred recreation development site.

Paragraph three:

As detailed above there is a need to undertake a level of due diligence on the Church Road site to ensure that it is the preferred recreation development site for the Hazelwood North community – and that development on this site is achievable.

Paragraph four:

A sector of the Hazelwood North community has also indicated a desire to develop Warren Terrace to a standard that will allow competitive sport to be played on the site in the very near future. Council has supported this view through an allocation of \$20,000 in the 2009/10 draft budget.

The detail in paragraph 4 is clearly in opposition to the total context of the Southern towns report June 2009 and the recommendation of the report as detailed in this agenda.

A consultant has been employed by the Council to provide expertise in the area of development of community recreational facility at great expense to the rate payer.

The consultant's report clearly recommends that.

'That Council undertakes further investigation into the Church Road option to service the Hazelwood North community's recreation needs.'
– page 95 Agenda

And from Agenda page 63, Hazelwood North recommendations,

'Complete further investigation into the development of the Church Road site.'

In the spirit of the report I call on the Council to let the consultants report do the work it recommends.

Could the Council please explain to the residents of Hazelwood North how paragraph 4 fits in the context of Southern Towns Outdoor Recreation Plan.

Answer

The Chief Executive Officer paraphrased the question and responded that this will be debated in the report tonight.

Suspension of Standing Orders

Moved: Cr Lougheed

Seconded: Cr White

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 7.11 pm

Mr Michael Townsend, Mr Peter Allen, Ms Anne-Marie O'Keith, Ms Kathy Kearns, Ms Jo Nixon, Ms Phyllis Cranwell, Ms Lisa van Rooy, Mr Ian Drysdale, Mr Robert Lewis and Mr Bill Brown, addressed Council in relation to Item 7.5 - Southern Towns Outdoor Recreation Plan - results of community consultation.

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

Ms Helma Morison, addressed Council in relation to Item 10.1 - Petition regarding the proposed location of the Glengarry Skate Park.

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

Resumption of Standing Orders

Moved: Cr Lougheed

Seconded: Cr Gibson

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

Standing Orders were resumed at 8.06 pm

NOTICES OF MOTION

6.1 2009/08 - NOTICE OF MOTION - FORMATION OF A
MANAGEMENT COMMITTEE FOR THE FUTURE HAZELWOOD
NORTH RECREATION RESERVE

CR VERMEULEN

MOTION

1. That a public meeting be called to form a Management Committee for the future Hazelwood North Recreation Reserve to be developed on public land at Warren Terrace.
2. That a basic oval be constructed at the front of the property, from resources already allocated in the 2009/10 budget.
3. That the above be finalised within 12 months from the date of approval by Council.

Moved: Cr Vermeulen

Seconded: Cr Lougheed

That the Motion be withdrawn.

CARRIED UNANIMOUSLY

The Mayor sought Council's consent to bring forward Items 7.5 - Southern Towns Outdoor Recreation Plan - results of community consultation and 10.1 - Petition regarding the proposed location of the Glengarry Skate Park.

Moved: Cr Middlemiss

Seconded: Cr Kam

That Items 7.5 - Southern Towns Outdoor Recreation Plan - results of community consultation and 10.1 - Petition regarding the proposed location of the Glengarry Skate Park be brought forward for consideration.

CARRIED UNANIMOUSLY

7.5 SOUTHERN TOWNS OUTDOOR RECREATION PLAN - RESULTS OF COMMUNITY CONSULTATION

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

1. PURPOSE

The purpose of this report is to present the results of the community consultation process in relation to the draft Southern Towns Outdoor Recreation Plan and to seek Council's adoption of the plan.

2. DECLARATION OF INTERESTS

The General Manager Built and Natural Environment Sustainability declared an indirect interest under section 77B of the *Local Government Act* 1989.

The Manager City Planning and Development declared a direct and an indirect interest under sections 77 and 78 of the *Local Government Act* 1989.

3. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Liveability

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

Community Outcome - Recreational Liveability

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

Strategic Actions - Recreation Liveability

- Assess and evaluate future recreational opportunities to address community aspirations;
- Encourage greater participation in all recreation pursuits;
- Increase the accessibility of Latrobe City's recreation and sporting facilities;

- Develop and maintain high quality recreation facilities in partnership with the community; and
- Promote active living and participation in community life.

Recreation and Leisure Strategy 2006

Action - Prepare Township Sports Facility Plans.

The implementation plan adopted with the strategy outlined that Council would complete an outdoor recreation plan each year, for a different area within Latrobe City for the next 5 years.

4. BACKGROUND

The draft Southern Towns Outdoor Recreation Plan was presented to Council at the Ordinary Council Meeting held on 6 April 2009. Council resolved the following:

1. *That Council releases the draft Southern Towns Outdoor Recreation Plan for public comment in accordance with Council's Community Engagement Policy and Strategy.*
2. *That the draft Southern Towns Outdoor Recreation Plan be forwarded to all groups involved in the initial consultation and placed on the Latrobe City website.*
3. *That written submissions in relation to the Southern Towns Outdoor Recreation Plan be received until 8 May 2009.*
4. *That a further report be presented to Council by 15 June 2009 following the community engagement process regarding the draft Southern Towns Outdoor Recreation Plan.*

All groups involved in the initial consultation were contacted and advised that the draft plan was available on Council's website or were forwarded a copy of the draft plan.

The results of the consultation are presented for Council consideration, including recommended changes to the draft Southern Towns Outdoor Recreation Plan and the development of an implementation plan.

5. ISSUES

The consultation on the draft plan has resulted in 193 submissions and two petitions being received providing feedback on the opportunities identified.

A brief summary of priorities identified for each recreation facility is provided:

Boolarra Memorial Park

The opportunities identified in the draft plan for this reserve include the refurbishment of change facilities, upgrades to oval and hard court surfaces and the development of a regional equestrian centre.

Community feedback supports the improvement of existing change rooms, identifies the community benefit of developing regional equestrian facilities and the need for court improvements as a priority.

The implementation plan recommends development of detailed plans for the pavilion upgrade and renovation, improvements to the hard courts and commencing development of facilities to support the proposed regional equestrian centre.

Callignee Recreation Reserve

The redevelopment of the Callignee Recreation Reserve is being considered as a bushfire recovery project, which is being managed separately to the Southern Towns Outdoor Recreation Plan. As such, there are no recommendations made in respect to this facility as part of the Southern Towns Outdoor Recreation Plan.

Gaskin Park and Andrews Park West, Churchill

The opportunities identified in the draft plan for these reserves include further planning and investigation into creating Gaskin Park and Andrews Park West as a major sporting precinct in the southern areas of Latrobe City.

Community feedback during the community consultation process included a submission, a petition with 589 signatures and six letters of support were received supporting the development of a lawn bowls green in Churchill. The recently formed Churchill Bowls Club has investigated many potential locations suitable for the development of a bowls facility. The draft plan identifies the hockey ground at Gaskin Park as the preferred location for the development of a lawn bowls facility. With the recent announcement of funding towards the development of synthetic multi purpose surface at Monash University, the Churchill Hockey Club have acknowledged that once the new surface is completed, they will no longer require the Gaskin Park ground. While the hockey ground is considered to be a suitable location for the proposed bowls facility, the Southern Towns Outdoor Recreation Plan recommends that further investigations and master plans be completed to transform Gaskin Park into a major sporting precinct.

While there is clear community support identified through the petition and letters of support, the development of this facility needs to be considered in terms of the overall development of the site as a major sporting precinct.

The implementation plan recommends further master planning to be completed in conjunction with user groups and the community to develop Gaskin Park and Andrews Park West as a major sporting precinct.

Hazelwood South Reserve, Churchill

The opportunities identified in the draft plan for this reserve include improvements to ground lighting and upgrade entry and parking areas within the reserve.

Community feedback identified need for improvements to the entrance, parking, lighting, fencing and facilities at the reserve to support the increasing number of participants and users.

The implementation plan recommends development of competition lighting on pitch one (subject to additional funding from State Government), temporary improvements to the entrance to the reserve to address an immediate safety issue, further consultation with VicRoads regarding longer term entry improvements and safety fencing along Tramway Road.

Flynn Recreation Reserve

The opportunities identified in the draft plan for this reserve include tennis court resurfacing, amenity improvements, improved access to toilet facilities and addressing drainage issues around the hall.

No community feedback was received.

The implementation plan recommends addressing drainage issues surrounding the hall.

Church Road and Warren Terrace, Hazelwood North

The draft plan gives priority to the development of a full sized oval at Hazelwood North, provides two options for the site of this development (Church Road and Warren Terrace) and indicates a preference for the Warren Terrace site.

In addition to community support for the development at Warren Terrace, there is strong community support for the development to occur at the Church Road site in co-location with the Hazelwood North Primary School.

Development comparison

The broad development issues associated with each site are as follows:

Church Road

- Requires acquisition of adjoining privately owned land
- Development of an oval contiguous to the primary school would require engineering and hydrology feasibility studies to determine optimal location and overall site suitability
- Supporting infrastructure such as change rooms would need to be established
- Depending on location, pedestrian and vehicle access ways would be required

Warren Terrace

- Requires the construction of an oval on Council owned land
- Development of an oval on this site would require engineering feasibility studies and master planning to identify the optimal location for an oval and associated support facilities
- As the site is vacant land, all supporting infrastructure would be required

Financial comparison

The brief for development of the Southern Towns Outdoor Recreation Plan did not extend providing the level of detailed investigation and analysis of the development costs for either option at Hazelwood North. The following comparison of development costs is indicative only and is based on best available estimates given known site factors:

	Warren Tce	Church Road
Site acquisition (1)	0	120,000
Oval development	150,000	220,000
Tennis courts	160,000	0
Cricket nets	30,000	0
Change rooms / amenities	250,000	250,000
Site development (services / access)	200,000	100,000
General amenities (shade / shelter)	50,000	50,000
Estimated approx total \$	840,000	740,000

Site attributes

A range of other factors should be considered in addition to cost and development issues. These are represented in the following table:

Attribute	Warren Tce	Church Road
Road access to site	Very good	Very good
School access to site	Limited	Excellent
Proximity to population	Very good	Limited
Community outcome	New recreation facilities in single location	Facilities separated by road but well utilised by the school
Funding opportunities	Govt recreation funding programs Community contributions	Govt recreation funding programs Community contributions Potential sale of Warren Tce . Education Department funding programs
Delivery timeframe - oval	Immediate	Medium term
Delivery timeframe – full development	Longer term development due to number of new facilities.	Medium term

Policy context

The Latrobe City Council Recreation & Leisure Strategy 2006 (the strategy) provides the strategic and policy context for the provision of facilities across the municipality.

The strategy details a number of principles and objectives that apply to the provision of recreation and leisure facilities within Hazelwood North, including:

Principles	Implication for site selection at Hazelwood North
1. Council's role and responsibility in the development and provision of recreation and leisure opportunities shall be clearly defined.	Neutral impact
2. There shall be a diverse range of accessible recreation facilities and services, and open space areas available across the City.	Neutral impact

<i>Principles</i>	<i>Implication for site selection at Hazelwood North</i>
3. Priority shall be given to supporting the provision of recreation facilities and services that cater for both municipal and local level needs.	Neutral – both sites provide for a local level facility
4. The provision and allocation of recreation facilities and services shall be equitable according to age, gender, cultural background and ability.	Neutral
5. Generally, there shall be a focus on the consolidation of existing sporting facilities within the Region, and an emphasis on the provision of new (unstructured) recreational pursuits and open space use.	Existing facility at Church Road
6. There shall be a genuine attempt by Council to encourage the community into recreational activities for the health, well-being and social benefits they provide.	Neutral
7. Recreation and leisure facilities and settings shall provide safe and supportive environments for participants.	Facilities either side of Church Road creates an increased need for traffic management and safety mitigation measures
8. The provision of recreation and leisure facilities shall maximise shared usage and flexibility to meet changing community needs and aspirations.	Existing facilities at Church Road provide some advantage and further potential for shared use
9. A collaborative and partnership approach with community groups, government agencies and the private sector will drive the provision of recreation and sporting facilities and services, and the provision of open space.	Opportunities at Church Road for increased partnership with school

Objectives

Objectives	Implication for site selection at Hazelwood North
1. Provide a diversity of financially sustainable recreation and leisure facilities and opportunities.	Both sites require a significant financial commitment to develop Church Road may enable access to Education Dept funding
2. Provide well used and relevant recreation facilities and settings.	Both sites would facilitate increased community use Church Road will attract higher school use
3. Consolidate recreation and sports facility provision and use.	Full development of either site will achieve this
4. Encourage and support community involvement in sustainable facility management and development.	Development of either site will require significant community input
5. Maximise opportunities for economic development through recreation and leisure.	Neutral
6. Provide effective management, support and resources.	Neutral

Summary

The development of a new, or improved recreation and leisure facility in Hazelwood North at either of the nominated sites will require significant funding – somewhere in the order of \$0.74 – 0.84M.

When considering the development issues, financial implications, site attributes, significant community feedback and then applying the policy and strategic context of Council's adopted Recreation & Leisure Strategy 2006, Church Road is nominally higher in terms of a future preferred recreation development site.

As detailed above, there is a need to undertake a level of due diligence on the Church Road site to ensure that it is the preferred recreation development site for the Hazelwood North community – and that development on this site is achievable.

A sector of the Hazelwood North community has also indicated a desire to develop Warren Terrace to a standard that will allow competitive sport to be played on the site in the very near future. Council has supported this view through an allocation of \$20,000 in the 2009/10 draft budget.

Traralgon South Recreation Reserve

The opportunities identified in the draft plan for this reserve include extension of pavilion to provide change rooms, installing rebound flooring in badminton hall and numerous amenity improvements across the reserve.

Community feedback identified numerous improvements required to existing facilities and requested support for further investigation into the development of additional facilities on Council Land north of the existing reserve.

The implementation plan recommends seeking funding to undertake the detailed master planning of the future recreational needs of the Traralgon South community, including potential uses of the Council owned land to the north of the existing reserve to create an integrated community and recreational precinct, installation of appropriate surface on badminton floor and projects to address amenity issues at the reserve.

Yinnar Recreation Reserve

The opportunities identified in the draft plan for this reserve include development of a multi purpose pavilion to accommodate a number of users, services upgrades, hard court improvements, lighting upgrades and traffic management works.

Community feedback identifies the opportunity to develop a multi use community facility and requests urgent assistance to address netball court compliance.

The implementation plan recommends development of detailed plans for the pavilion upgrade, improvements to the hard courts and improvements to water supply to eastern oval.

The table below presents the proposed implementation of projects identified in the Southern Towns Outdoor Recreation Plan.

Actions	Community Response	Recommendation	2009/10	2010/11	Future years
Gaskin Park					
Development of detailed master plans for Gaskin Park and Andrews Park West to become a major sporting precinct.	Detailed submission from Churchill Bowls Club with petition (589 signatures) and letters of support. Churchill Football Netball Club strongly supports development of Gaskin Park as a major sports complex.	Develop detailed master plans for Gaskin Park and Andrews Park West to become a major sporting precinct.	\$20,000		\$2,000,000+
Sub Total			\$20,000	\$0	\$2,000,000

Flynn Recreation Reserve	Community Response	Recommendation	2009/10	2010/11	Future years
Block vehicular access to tennis courts	No response received	Consider as a future development opportunity.			\$3,000
Remove asphalt mound around hall and install spoon drain.	No response received	Remove mound and address drainage issues surrounding the hall.	\$10,000		
Resurface courts 3 & 4.	No response received	Consider as a future development opportunity.			\$30,000
Upgrade tennis court fencing and net posts.	No response received	Consider as a future development opportunity.			\$15,000
Consider upgrade to hall and public toilets to improve disability access for reserve users.	No response received	Consider as a future development opportunity.			\$20,000
Sub Total			\$10,000	\$0	\$68,000

Boolarra Memorial Park Community Response	Recommendation	2009/10	2010/11	Future years
Refurbish change rooms as a multi-use facility for football, netball, cricket and tennis.	Supported by Committee of Management (COM) as a priority.	\$15,000	\$170,000	
Demolish public toilets no longer required after redevelopment.	Not a priority of the committee as facilities are currently well maintained			\$10,000
Upgrade surface of main oval and improve drainage.	Supported by COM but not top priority.			\$50,000
Netball and tennis court improvements.	Identified as a high priority by the COM.		\$50,000	

Boolarra Memorial Park Community Response		Recommendation	2009/10	2010/11	Future years
Develop new pony club first aid / storage building (following the removal of existing building). Install water storage tank.	COM supports the development of improved equestrian facilities.	Development of the regional equestrian centre should remain short term priority subject to funding opportunities			\$100,000
Develop equestrian cross country course and holding pens	COM supports the development of improved equestrian facilities.	Development of the regional equestrian centre should remain short term priority subject to funding opportunities			\$100,000
Develop equestrian round yard.	COM supports the development of improved equestrian facilities.	Development of the regional equestrian centre should remain short term priority subject to funding opportunities	\$10,000		
Develop equestrian dressage arena	COM supports the development of improved equestrian facilities.	Development of the regional equestrian centre should remain short term priority subject to funding opportunities			\$15,000
Sub Total			\$25,000	\$220,000	\$260,000

Callignee Recreation Reserve	Community Response	Recommendation	2009/10	2010/11	Future years
Council is progressing plans for the development of the Callignee Community Centre	NA	NA			
Sub Total			\$0	\$0	\$0

Hazelwood South Reserve, Churchill	Community Response	Recommendation	2009/10	2010/11	Future years
Install competition standard lighting on pitch 1	Churchill soccer club have made significant contributions to improvements at the reserve. Further improvements lighting is the next major improvement identified.	Support the continual development of reserve through installation of competition standard lighting. Funded from Council 2009/10 allocation of \$50,000 and \$50,000 from state government subject to funding.	\$100,000		
Temporary seal entrance to reserve to improve safety prior to entrance upgrade	Club requests urgent action to temporary improve entrance to reserve.	Complete temporary seal of road fringe and entrance to prevent vehicles losing traction in gravel.	\$10,000		
Provide barrier along eastern boundary.	Club supports fencing reserve boundary rather than landscaping	Install agricultural fencing to road frontage.	\$10,000		

Hazelwood South Reserve, Churchill	Community Response	Recommendation	2009/10	2010/11	Future years
Improve entrance , parking, roadways and create paths into reserve	All users of reserve consider major improvements are required to entrance, roadways and parking areas	Design major redevelopment of the entrance to the reserve and seek VicRoads support and funding for the project.	\$0		\$150,000
Formalise open space within reserve. Develop playground and picnic facilities.	Supported by users but higher priorities need to be addressed	Consider as a future development option.			\$60,000
Consolidate social and change room facilities and remove shipping containers.	Supported by users but higher priorities need to be addressed	Consider as a future development option.			\$300,000
Sub Total			\$120,000	\$0	\$510,000

Hazelwood North	Community Response	Recommendation	2009/10	2010/11	Future years
Complete due diligence on development of Church Road.	Strong community support for Church Road to be developed.	Complete further investigation into the development of the Church Road site.	\$20,000		NA
Sub Total			\$20,000	\$0	\$0

Traralgon South Recreation Reserve	Community Response	Recommendation	2009/10	2010/11	Future years
Investigate potential development of additional recreation facilities north of existing reserve	Significant community desire to progress the planning for the development of additional recreation and open space facilities.	Seek community building or emergency relief funding to support the Traralgon South community to complete master plan for proposed developments	\$10,000		
Extend pavilion to include designated change facilities for cricket, badminton and other potential users.	Planning for development of additional facilities is priority for community association	To be considered in development of master plan and works priorities.			\$150,000
Increase capacity of septic system.	Planning for development of additional facilities is priority for community association	To be completed as part of a reserve improvement program in 2010/11.		\$20,000	
Install appropriate rebound surface on badminton courts.	Planning for development of additional facilities is priority for community association	To be completed as part of a reserve improvement program in 2010/11.		\$40,000	
Install water tank/s to recycle run-off from pavilion and irrigate turf wicket.	Planning for development of additional facilities is priority for community association	To be considered in development of master plan and works priorities.			\$10,000

Traralgon South Recreation Reserve	Community Response	Recommendation	2009/10	2010/11	Future years
Rectify drainage issue on oval (if required for future tenant).	Planning for development of additional facilities is priority for community association	To be considered in development of master plan and works priorities.			\$80,000
Address drainage issue between tennis courts and access road. Reconstruct retaining wall.	Planning for development of additional facilities is priority for community association	To be completed as part of a reserve improvement program in 2010/11.		\$20,000	
Provide additional spectator seating and shade around courts.	Planning for development of additional facilities is priority for community association	To be completed as part of a reserve improvement program in 2010/11.		\$15,000	
Replace tennis net winding handles and add netball line markings to two tennis courts.	Planning for development of additional facilities is priority for community association	To be completed as part of a reserve improvement program in 2010/11.		\$5,000	
Install tennis court lighting.	Planning for development of additional facilities is priority for community association	To be considered in development of master plan and works priorities.			\$50,000
Provide additional picnic facilities (at playground). Improve shade by planting mature trees.	Planning for development of additional facilities is priority for community association	To be considered in development of master plan and works priorities.			\$5,000
Sub Total			\$10,000	\$100,000	\$295,000

Yinnar Recreation Reserve	Community Response	Recommendation	2009/10	2010/11	Future years
Extend change rooms at eastern oval to accommodate judo, change rooms for existing sports and public toilets.	COM identifies opportunity to leverage existing funding from sale of Driffield hall to create a multi use community facility.	Design and complete development of multi use facility.	\$15,000	\$230,000	
Install water tanks to recycle run-off from clubrooms to irrigate the turf wicket.	Support the proposal	Consider as a future development opportunity.			\$10,000
Upgrade the septic / sewage system	Support the proposal	Consider as a future development opportunity.			\$50,000
Install dedicated drinking water supply (eastern oval).	Presents a risk and needs to be addressed.	Install dedicated drinking water supply.	\$10,000		
Install an automatic irrigation system on western oval.	High priority due to current labour intensive process.	No action unless a specific funding or opportunity arises.			\$50,000
Eastern oval: install lighting and provide additional public seating.	COM willing to provide two light towers towards lighting of eastern oval.	No action unless a specific funding or opportunity arises.			\$120,000

Yinnar Recreation Reserve	Community Response	Recommendation	2009/10	2010/11	Future years
Formalise parking on the southern side of the multi-use netball / tennis courts and northern perimeter of tennis courts.	Supported by the COM which suggest a partnership approach utilising spoil from road works can help address the issues.	Spoil from local road works to be delivered to recreation reserve and spread by volunteers.			\$20,000
Extend netball court run-off area to meet standards.	Urgent priority	Undertake works as a priority	\$30,000		
Allow clubs to construct a combined scoreboard / gatekeepers / timekeepers facility.	Long term project	Consider as a future development opportunity.			\$0
Consider the installation of lighting on tennis / multi-use courts.	Long term project	Consider as a future development opportunity.			\$30,000
Install lighting at reserve's main entrance.	Identified as a community priority through the community building initiative (CBI)	Investigate opportunity for funding through CBI program			\$15,000
Sub Total			\$55,000	\$230,000	\$345,000
TOTAL			\$260,000	\$550,000	\$4,618,000

6. **FINANCIAL AND RESOURCES IMPLICATIONS**

The Southern Towns Outdoor Recreation Plan identifies \$200,000 of works to be completed next financial year, subject to adoption of the 2009/10 budget by Council.

The Southern Towns Outdoor Recreation Plan identifies a further \$60,000 of works to be completed next financial year, subject to obtaining external funding.

These works are funded from various allocations made in the 2009/10 capital works program. The following table details funding sources for 2009/10 projects identified in the implementation plan.

	Latrobe City	External
Minor actions	\$100,000	
Detailed designs	\$50,000	
Soccer Facilities Plan	\$50,000	\$50,000
Traralgon South Master Plan		\$10,000
	\$200,000	\$60,000

All these funds (excluding external contributions) are contained in the draft 2009/10 budget currently advertised for public comment.

The plan identifies \$550,000 of expenditure on major projects in 2010/11 that will be considered in the preparation of the 2010/11 budget.

7. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Significant consultation process was undertaken during the development of the plan including public, one on one and onsite meetings. The draft plan was sent to all groups involved in the consultation for the development of the draft plan, a public notice was placed in the Latrobe Valley Express requesting comments and the draft plan was available on the Council website and at service centres.

Details of Community Consultation / Results of Engagement:

The following table represents a summary of the submissions received during the consultation process. Also included in this table are officer's recommendations in relation to incorporating suggestions brought forward into the plan now being presented to Council for adoption.

Church Road, Hazelwood North

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
257 community members	<p>Petition which reads:</p> <p><i>"We the undersigned wish to express our support for the development of recreation facilities at the Church Road site as proposed in the draft Southern Towns Outdoor Recreation Plan.</i></p> <p><i>We have reviewed the two options outlined in the Southern Towns Outdoor Recreation Plan and we strongly believe the development of recreation facilities would benefit the community and the school, if located at the Church Road site, beside the Hazelwood North School."</i></p>	✓		<ul style="list-style-type: none"> Complete further investigation into the development of the Church Road site
47 community members:	<p>Form letter which reads:</p> <p><i>"I support the development of a Recreation Facility on land adjacent to the Hazelwood North Primary School. This land is available for sale, subject to negotiations with owner Don Evenden, Latrobe City Council and the Hazelwood North Community."</i></p>	✓		<ul style="list-style-type: none"> Complete further investigation into the development of the Church Road site

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	Additional comments: <ul style="list-style-type: none"> • A skate park would be great too. • Great for school. No buses required. Also connects to Hazelwood Nth & cricket club. • Has possible flooding of the proposed site been taken into account? 			
37 community members: Donald Evenden (neighbouring land owner) Bronwyn Woodward Bruce Johnstone Damien Tripodi Esther Milzons Harry Alexander	Form letter which reads: <i>"I / we have reviewed the two options outlined in the Southern Towns Outdoor Recreation Plan – Draft Report and strongly believe the option for development of Multipurpose Recreation Facilities would benefit the entire Hazelwood North Community and the school, if it were located at the Church Road site, beside the Hazelwood North School. The greatest advantage of developing a Multipurpose Recreational Facility at the Church Road site, near the school is ..."</i> <ul style="list-style-type: none"> • That all facilities would be in the one location and this would benefit the entire community and the school. "I am prepared to negotiate for the sale of the land, as detailed in the Southern Towns Recreation Plan, with the Latrobe City Council". • Schools are the hub of a community. • Recreational facilities in the one location utilise all facilities with Hazelwood Nth Primary School. Children would have direct access to all facilities. Overall money saving to the Council could be utilised to improve facilities at the school. • That there is no waste of rate payers money in duplicating facilities like everything currently available at the Hazelwood North School. • That sporting clubs will be able to utilise existing school facilities, e.g. playground, cooking and canteen facilities. 	✓ ✓		<ul style="list-style-type: none"> • Complete further investigation into the development of the Church Road site. • Complete further investigation into the development of the Church Road site

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
Jeanette Alexander	<ul style="list-style-type: none"> That it meets the State Government policy of encouraging greater use of school and community facilities. This reduces the drain on the public purse. 	✓		
John & Robyn Kelly	<ul style="list-style-type: none"> For all the community to benefit, the obvious choice should be the sale of land at Warren Terrace and purchase of land bordering Hazelwood Nth School. Rural schools should be afforded the same facilities as city schools. Our school and community would benefit enormously. 	✓		
Joseph Barg	<ul style="list-style-type: none"> More convenient and safer for school children. Existing school infrastructure must be a financial benefit. Road speed restrictions already exist. 	✓		
Katherine Miljoms	<ul style="list-style-type: none"> These facilities would be of great benefit to the community and school. Accessing the outdoor facilities for the school pupils would only have to be a positive step forward. Having community based recreation facilities at Church Rd is definitely warranted. 	✓		
Kelly Alexander	<ul style="list-style-type: none"> School children will have direct access to after school sports without the need for parental transport to other venues, or perhaps miss out on their current tennis coaching at lunchtimes. All recreation facilities in Hazelwood North would be in one location creating a hub for the community and benefiting the whole community, school, church, playgroup, tennis club and cricket clubs. 	✓		<ul style="list-style-type: none"> Complete further investigation into the development of the Church Road site
Lisa Runge	<ul style="list-style-type: none"> The facilities will be better utilised by the community if located in a central area. The existing tennis courts and hall and school infrastructure (netball court, toilets, playground) would complement the proposed reserve. The school could make use of a full sized oval for sporting activities and programs such as Auskick would be possible. An oval on Warren Terrace would 	✓		

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
Maddie Alexander	<p>not be utilised by the school, due to the cost of bussing students to the facility. It would be several years before facilities such as tennis courts and hall would be developed at Warren Terrace whereas these facilities already exist at Church Rd. It makes much more sense to locate the reserve around existing facilities, and the school which is an important community hub already.</p> <ul style="list-style-type: none"> My children would be safe at the one location for school and after school sport. My son would love to join "Milo – Have a Go" but this is only possible at the school site as I am a working parent. I will not allow my son to cross two dangerous intersections to attend a sports facility that is very distant from the school. 	✓		
Maria Alexander	<ul style="list-style-type: none"> Easier access to much better facilities for the students. As a past student I know how annoying it was for the (school) oval to be on such a slope. We always wanted a new oval and to have it at Warren Terrace would be such an inconvenience to students. Please put the oval on the Church Rd site so that present and future students can have the same sporting opportunities as students from larger schools. 	✓		<ul style="list-style-type: none"> Complete further investigation into the development of the Church Road site
Mark Berryman	<ul style="list-style-type: none"> Students attending the school will have the advantage of having a large area to play football, cricket and other ball sports and this would enable the children to walk to sports instead of being bussed everywhere. It is simply common sense. 	✓		
Mark Trippit	<ul style="list-style-type: none"> The benefit to the school which would have access to extra / improved sporting facilities whilst the rest of Hazelwood North would have access to a facility where all groups (cricket, football, tennis) are all located together and could utilise common facilities (rooms, halls, ovals etc). I believe this would be the most economical and socially 	✓		

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
Max Cranwell	<p>responsible option. I would strongly object to the proposal to build a sporting facility at Warren Terrace and would resist this option vigorously.</p> <ul style="list-style-type: none"> • Would benefit the kids at the school and cut costs of construction by possible funding grant from the Education Department. 	✓		<ul style="list-style-type: none"> • Complete further investigation into the development of the Church Road site
Monica Chisholm	<ul style="list-style-type: none"> • All facilities in the one place. If the recreation reserve is developed in Warren Terrace and the school is not moving from Church Rd it would divide the community and inconvenience the people. 	✓		
Nicholas Berryman	<ul style="list-style-type: none"> • The site is reasonably level and wouldn't require the expense of Warren Terrace to construct a full size oval. The tennis courts, cricket nets, hall and car parking already exist on Church Rd. It would benefit the school having a sporting facility located next to it and the Hazelwood Nth community if all the facilities were in one central location. 	✓		
Peter Chisholm	<ul style="list-style-type: none"> • So all the school students and locals can get full use of the money spent by Council. 	✓		
Phyllis Cranwell	<ul style="list-style-type: none"> • All recreation facilities would be in the one location thus creating a greater hub for the community of Hazelwood Nth, directly benefiting the entire community and the school. 	✓		
Koch Family	<ul style="list-style-type: none"> • To have all facilities at the one location. No transport needed to bus the school children 4.5km away. To not have the community divided. There will be greater community involvement if all the facilities are in one place. The school uses the existing hall and tennis courts for little or no cost and no travelling involved. 	✓		
Reuban Miljoms	<ul style="list-style-type: none"> • It would allow the school facilities to be utilised by the community and sporting clubs. This will result in ease of access for the school and is a better use of ratepayer funds. 	✓		

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
Sharen Berryman	<ul style="list-style-type: none"> The best use of ratepayers monies. Will create a community hub around the school. Will mean that students' tennis lessons and sport activities will remain near the school and not require transport 4km+ away from the school. 	✓		
Uldis Miljons	<ul style="list-style-type: none"> The school would benefit from having these facilities close by. They would be able to run fitness and exercise programs for the school kids and interschool sports days. This would benefit the kids and would bring the wider community together which benefits everyone. I object strongly to it being built at Warren Terrace. 	✓		
Jacqui Grieve	<ul style="list-style-type: none"> Create a community hub in the one location. School children will have direct access to the facilities. Sports clubs will be able to use existing school facilities. It is better use of ratepayer dollars. 	✓		<ul style="list-style-type: none"> Complete further investigation into the development of the Church Road site
Darren Grieve	<ul style="list-style-type: none"> Having all of the community facilities available at the one site would be of major benefit. At this site the school facilities can be used, as opposed to building new facilities at another site and spending ratepayers' money unnecessarily. This option makes the most sense. I cannot believe the recreation facility would be built anywhere other than where the children are – the school. Finances from the sale of the Warren Terrace site would enable the expansion of existing facilities (tennis courts, car park, change rooms etc). An oval at the school would be of significantly greater value than a remote site. The need to pick children up from school and drive them to another site would be ridiculous. I struggle to see the benefits of the Warren Terrace site. 	✓		
Hazelwood North Primary School. Ian Drysdale, Principal	<ul style="list-style-type: none"> Support locating the proposed recreation facilities on land adjacent to Hazelwood North Primary School. 	✓		<ul style="list-style-type: none"> Complete further investigation into the development of the Church Road site

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<ul style="list-style-type: none"> • Current enrolment is 155 students, most of who live in the Hazelwood North area. The school, church, tennis court and cricket practice area forms the hub of Hazelwood North. The Church Road site, adjacent to the school is the best option for the following reasons: <ul style="list-style-type: none"> - Facility would be used every day by students for sporting activities. If located at Warren Terrace, the students and a significant part of the community would not use it at all during school time due to transport costs. - The community would have access to the new meeting room, classrooms and toilets. - Would open up the possibility of constructing a joint use facility partnership between the DEECD and Latrobe City. - The location of a full size oval would enable the school to better prepare for athletic sports and football and soccer competitions. - A significant number of families have indicated their preference and support for the location of the facility in Church Road. - Would foster and develop the strong community spirit already evident at Hazelwood North. 			
Leanne Honeychurch	<ul style="list-style-type: none"> • Funds should be directed to re-build or improve recreation facilities in the fire affected areas of Callignee and Boolarra. • Council's Recreation and Leisure Strategy 2006 states "there is likely to be adequate provision of football and cricket ovals in Latrobe City to accommodate any new demand for cricket or football", so why would Council consider building a new senior sized oval at Hazelwood North? • If Council proceeds with the development of recreation facilities, the preferred site would have to be in Church Road. 	✓	✓	<ul style="list-style-type: none"> • Complete further investigation into the development of the Church Road site

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<ul style="list-style-type: none"> Land around the school would require drainage but is significantly flatter than Warren Terrace which would require substantial earthworks. Report states that the oval would be “dislocated from existing school buildings” however this location is far closer than Warren Terrace (4.3km) and the school would need to transport children through the dangerous Hazelwood / Church Rd intersection Location at Church Road would enable Council to develop a partnership with the school, which supports “Principle 9 of the draft plan. This would also provide access to State Government funding. A partnership with the school would provide better value for ratepayer dollars with more facilities for less funding by accessing existing school infrastructure. Additional funding from the potential sale of Warren Terrace would also be secure funding for Church Rd. If Warren Terrace site is pursued, there would be no funding from the Education Department and the sale of Church Rd is only of value to the farmers that surround it. Decommissioning of the Church Rd site would also add to costs. The development of Warren Terrace would create two distinct areas in Hazelwood North, the school and the recreation reserve, which is not beneficial to the district. A community hub needs to be maintained and this should be where the existing facilities are currently located – Church Road. 	✓		
Gary Honeychurch	<p>Church Road Site:</p> <ul style="list-style-type: none"> Provides the community with the opportunity to create the Hazelwood North Community Hub. It would bring together community facilities in one place providing greater utilisation of all facilities and lower running and maintenance costs. 	✓		<ul style="list-style-type: none"> Complete further investigation into the development of the Church Road site

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<ul style="list-style-type: none"> • Provides an important practical and useful community evacuation and muster point in the event of any emergency. The site is in a cleared safe location with good access. • The land owner is prepared to negotiate sale of the 17 acre site. • The land is flatter and would incur less costs for earthworks that Warren Terrace site. • Water Hole Creek which starts on this property is a 'winter creek' flowing for approx. 3-4 months per year. There is an opportunity to divert the table drains (which feeds the creek) into a water storage and wetland area (on the north edge of the site) benefiting the playing surface, bordering residents, community and school students. Creating a wet land and water storage would give the creek an environmentally stable starting point. Storm water run-off from existing and proposed facilities could be channeled to top up the wetlands. The stored water could be used to water the playing surface. The wetlands would also provide students with an environmental study site, encourage wildlife to the area and present options for future walking tracks. • The area of land of minimal gradient at Church Road would easily accommodate a senior size oval (174m x 130m) and perimeter access road. • The existing 14.2 acres at Warren Terrace is in a prime residential location with an estimated sale value (without subdividing) of \$200,000 - \$300,000, which would adequately fund the purchase of Church Road and some of the oval development. • The relationship of the oval to the school could provide additional funding opportunities for initial oval development and ongoing improvements. Funding could also 			

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<p>be acquired from the State Government / Education Department. Funding for water recycling and wetlands is also likely to attract state and federal support.</p> <p>Warren Terrace Site:</p> <ul style="list-style-type: none"> This site is smaller and has a 12.5m fall. The site is in a residential area and construction would split the community and create two areas to maintain. The site will require approx. \$56,000 of earthworks to provide a flat surface large enough to accommodate an oval of 100m x 130m (with an access road) which is not a senior sized oval. Earthworks to relocate soil from one side of the oval to the other would be in the order of 13,500 cubic metres. No funding would be available from the State Government or the Education Department for joint school and community projects. The sale of the existing reserve in Church Road would not realize any additional funding. <p>Summary:</p> <ul style="list-style-type: none"> Not only are there more significant restraints for the Warren Terrace site, but it would be in breach of the Key Direction for the Draft Plan <i>"Continued and improved partnerships with schools will be pursued by Council to ensure the best use of existing resources"</i>. The Church Road site is more centrally located and accessible to all people in Hazelwood North and should continue to be the hub of our community. It is the only logical place to develop a recreational facility. 			
Tom Lawless	<p><i>"I do <u>not</u> support the development of a multi-purpose oval and facilities on public land at Warren Terrace, Hazelwood North"</i>.</p> <ul style="list-style-type: none"> If the Hazelwood Nth School was to close and a new school built in Warren Terrace, then I would support the total development of the 	✓		<ul style="list-style-type: none"> Complete further investigation into the development of the Church Road site

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<p>Warren Terrace site.</p> <ul style="list-style-type: none"> • People who choose to live in RRZ areas should not expect Council to provide extra new facilities close their homes when adequate facilities already exist a short drive away in neighbouring areas. 			
David & Michelle Hibbert	<ul style="list-style-type: none"> • The Hazelwood North Reserve and Primary School currently provide a community hub which should be further developed. The school currently uses the hall and tennis courts. Construction of a community oval would benefit the school, community sporting associations and other user groups. • Higher usage rates would be expected if the oval was located in the Church Road area. The school would not travel to Warren Terrace due to financial and time restraints. The greater number of users for the facility would in turn provide more personnel to share the load of maintaining and developing the site (as identified as a future issue in the draft report). • State and Federal Governments provide significant grant opportunities to schools wishing to enter into community partnerships (such as the Federal Building Education Revolution program). • The Warren Terrace site should be sold to fund this exciting venture. 	✓		<ul style="list-style-type: none"> • Complete further investigation into the development of the Church Road site
Stephen Lucas	<ul style="list-style-type: none"> • Find it incomprehensible that there are two options under consideration and strongly believes the Church Road site is the only viable option. • Apart from the obvious advantages that the area is flat, there are minimal nearby residents that would be inconvenienced with noise and extra traffic. It also has existing facilities in the area. • The proximity to the school will add to the schools ability to utilise the proposed facilities, which could leverage off one another further enhancing the area. 	✓		<ul style="list-style-type: none"> • Complete further investigation into the development of the Church Road site

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<ul style="list-style-type: none"> This area being clear of bush, but close to the community is also ideally located for a safe emergency evacuation area. In an emergency it will have the amenities that could easily cater for short term accommodation and support to the local community. It's time the community needs and wishes are heard by Council and sound, long term decisions are based on logic and community needs. 			
Fiona Lucas	<ul style="list-style-type: none"> The greatest advantage of developing a multipurpose recreation facility at the Church Road site is that the school can use the facilities without travel; there are already tennis courts which are frequently used by students; and the hall still being used. There are also a lack of residents in the immediate area that would be inconvenienced by extra traffic and noise – one of the main reasons we choose to live out of town. Believe that Church Road would be an ideal location for an evacuation area due to the lack of surrounding bush, flat ground, central location and existing facilities. (Only option for horses on Black Saturday was the Traralgon Livestock Exchange.) When Hazelwood North residents chose to live in this area, there were no facilities and the choice to live here was made with this in mind. Please listen to residents, especially those most affected by these decisions. The Warren Terrace proposal would affect the quiet, natural harmony that brought use to Hazelwood North in the first place. 	✓		<ul style="list-style-type: none"> Complete further investigation into the development of the Church Road site
Margaret J Roy	I would like to express in the strongest possible terms my opposition to the development of a multi-purpose oval and facilities on public land at Warren Terrace, Hazelwood North.	✓		<ul style="list-style-type: none"> Complete further investigation into the development of the Church Road site

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
Robert M Roy	I would like to express in the strongest possible terms my opposition to the development of a multi-purpose oval and facilities on public land at Warren Terrace, Hazelwood North.	✓		<ul style="list-style-type: none"> Complete further investigation into the development of the Church Road site
Alf Honeychurch	<ul style="list-style-type: none"> It is common knowledge that communities deliberately develop their community facilities all together, not separated many kilometres apart, therefore the sensible decision would be to develop the Church Road site. Some significant reasons include: <ul style="list-style-type: none"> There are existing facilities. Why waste dollars on costly new site works. Sell Warren Terrace site to provide money for Church Road development. Children have access to sports ground without having to be transported and not having to cross major roads. The site will form a community focal point or mustering site and a convenient location for community social events, which make a better community environment. Financial benefits arising from shared maintenance costs and some contribution from the Education Department may be achieved. 	✓		<ul style="list-style-type: none"> Complete further investigation into the development of the Church Road site

Warren Terrace, Hazelwood North

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
82 community members:	<p>Form letter which reads:</p> <p><i>"I would like to express my support for the development of a multipurpose oval and facilities on public land at Warren Terrace, Hazelwood North."</i></p> <p>Additional comments:</p> <ul style="list-style-type: none"> An excellent initiative and one that can further promote community involvement. Considering the population of Hazelwood North and its growth, I believe this project should be considered due to 	✓		<ul style="list-style-type: none"> After considering the submissions and all issues associated with both locations, Church Road is nominally higher in terms of a future preferred recreation development site.

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<p>the lack of facilities for our community. Our families, especially children would greatly appreciate and utilise the new facilities.</p> <ul style="list-style-type: none"> There are many families living in this area. A recreation facility such as this would be well used and much needed. 			
Arthur & Carol Smith	<ul style="list-style-type: none"> Hazelwood North is possibly the largest community within the City without a multipurpose oval and facilities and therefore deserves immediate decisions. The Warren Terrace site was reserved for this purpose in the original subdivision. The location of this site is central and accessible to the majority of this rapidly expanding community. Coal overlay does not cover this location. The proposed development plan covers foreseeable needs of local residents. Would have a safe refuge area in a central location with road access in all directions. 	✓		<ul style="list-style-type: none"> After considering the submissions and all issues associated with both locations, Church Road is nominally higher in terms of a future preferred recreation development site.

Hazelwood South Reserve, Churchill

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
The RAMS Churchill United Soccer Club	<ul style="list-style-type: none"> The Churchill United Soccer Club (CUSC) welcomes the recommendations in the draft plan. CUSC is the biggest soccer club in Gippsland with 238 players, which has increased by 34% since 2004. Irrigation Project Stage 1. Completed January '09. Cost \$11,200 funded by CUSC. Lighting Project Stage 1 (training lights on pitch 2, and upgrade power supply). Works to commence in June '09. Cost \$67,000. 		<ul style="list-style-type: none"> ✓ ✓ ✓ 	<ul style="list-style-type: none"> Noted. Noted. Noted. Plan states works are underway

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<ul style="list-style-type: none"> Given the club's significant growth and reduced access and suitability of the planned synthetic pitch at Monash, these projects should be completed as a priority. Any delays will create difficulty in managing the playing surface and scheduling training. Irrigation Project Stage 2. Works to commence in October '09 to complete 100% of the reserve. Cost \$2,800 fully funded by CUSC. Lighting Project Stage 2, including competition height poles, elements, cabling and installation. Cost estimate \$70,000 (funding requested from Latrobe City). Safe access to the reserve is a major issue and we welcome the recommendation for a turning lane on Tramway Rd and bitumen apron at the reserve entrance. An opportunity exists to also bitumen a small area next to the new pavilion which would be reserved parking for disabled patrons to access the facilities. We also support the recommendation to improve and widen existing parking areas. CUSC agree that a barrier is needed to stop balls going onto Tramway Rd, but feel it should be a net rather than high density shrubs. Shrubs could cause more problems as children retrieving balls would be out of view of supervision. 		<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ 	<ul style="list-style-type: none"> Implementation plan to determine priorities across all reserves. Noted. Installation of competition lighting on pitch 1 previously quoted at \$100,000. Noted. Master plan to include improved parking as part of entrance redesign. Master plan to include installation of a fence to ensure children's safety.
Churchill District Community Association (Margaret Guthrie, President)	<ul style="list-style-type: none"> CDCA values & supports the contribution to the Churchill United Soccer Club to community life, and acknowledges their role in engaging young people and adults in recreational and social 		<ul style="list-style-type: none"> ✓ 	<ul style="list-style-type: none"> Noted.

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<p>pursuits, performing community functions and developing a relationship with Monash University Gippsland Campus.</p> <ul style="list-style-type: none"> • CDCA would like to encourage Latrobe City Council to prioritise and seek funding for the upgrading of facilities at the Hazelwood South Reserve. The proposal for a Regional Hockey Facility at Monash University will limit CUSC's current and future use of Monash facilities. • The gravel entrance to the Hazelwood South Reserve from Tramway Road is in urgent need of upgrade and improved lighting. Likewise, the ground itself requires improved lighting for its proper use as a training facility, whilst better parking facilities would enable safer more convenient access. • By upgrading and consolidating facilities at Hazelwood South Reserve, the Club's ongoing success would be ensured and a higher level of community engagement and participation would result. 			<ul style="list-style-type: none"> • Noted support for improvements to reserve. • Master plan addresses improvements to reserve entrance, parking and ground lighting. • Noted.
<p>Monash University Alan Scarlett, Campus Manager / Executive Officer to the Pro Vice- Chancellor</p>	<ul style="list-style-type: none"> • Monash University values the relationship with Churchill United Soccer Club (CUSC) and has been happy to allow the CUSC to use the Monash pitch for club training. However there is no substitute for the club being able to consolidate the bulk of its activities at one venue, Hazelwood South Reserve. • The current level of club activity is placing pressure on the grounds and club facilities, which will become more intense if the Regional Hockey Centre is established at Monash, thus depriving CUSC of a much needed high quality turf pitch. Monash will support CUSC continuing as a registered user of the synthetic pitch to help the club manage its training 			<ul style="list-style-type: none"> • Noted. • Noted. The master plan aims to improve pitch condition and scheduling issues through the installation of irrigation systems and ground lighting.

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<p>requirements but the demand for all sports for this pitch may limit CUSC access. It is therefore essential for CUSC to have high quality facilities on their home ground so it is better able to cope with the anticipated higher level of demand.</p> <ul style="list-style-type: none"> We encourage Council to consider upgrading the Hazelwood South Reserve including lighting, parking and safer access. 			<ul style="list-style-type: none"> Master plan supports the improvements identified.
Susan Connor	<p>Problematic points for current proposal:</p> <ul style="list-style-type: none"> No reasonable amount of parking provided for Hall or gun club front entrances. Exit from current car park is dangerous as traffic into soccer ground takes precedent. Cars will still park on area half way down the reserve (soccer club and patrons). Bollards cut access to the north of current parking area. Unsure where the footpath comes from. Footpath across reserve has strong possibility of affecting community activities for the reserve. Increases possibility for vandalism occurrences to Hall and Gun Club from those affected by alcohol if access directly over reserve is encouraged. The reserve floods and stays wet during the wet season. Drain water run-off into a dam and use to water soccer grounds. 	✓		<ul style="list-style-type: none"> Master plan proposes a single entry into the reserve (for all users) which will provide better defined parking areas for hall and gun club patrons. Master plan to better illustrate this. Insufficient space within reserve for a dam (without affecting other intended uses. Master plan includes the need to address drainage.

Gaskin Park

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
Debbie Wells, Churchill Hockey Club President	<ul style="list-style-type: none"> The Churchill hockey playing surface has been an issue for many years and has become completely unplayable to a point that the club now trains and plays in Morwell Plans to turn the Gaskin Park area into a Major Sporting Precinct can only benefit the whole community, creating opportunity for everyone to access a high quality facility. The Churchill Hockey Club's future is subject to the development of a synthetic surface at Monash University. The installation of an all-weather facility has the potential of developing Hockey for the whole region as many players currently travel to Melbourne to play on a synthetic surface. 		<ul style="list-style-type: none"> ✓ ✓ ✓ 	<ul style="list-style-type: none"> Noted. As stated in draft report. Noted. The State Government has since announced their support with a \$300,000 contribution towards the project.
Linda Reid	<ul style="list-style-type: none"> The current ground is unplayable due to insufficient maintenance. Attempts to do some maintenance within the club resulted in a "slap across the wrist" and threats of penalties. The club has no change rooms. The only available facilities shared with the dog club. There are no hockey facilities of a sufficient standard in the Gippsland region. State Government funding has been applied for to enter into a partnership with Monash University. Funding the cost of the only regional facility in Gippsland is common sense and a multipurpose investment in a facility of excellence for Latrobe and Gippsland and should bring income into the region. 		<ul style="list-style-type: none"> ✓ ✓ ✓ 	<ul style="list-style-type: none"> Noted. Noted. The Dog Club no longer uses this facility. Noted. State Government funding has since been announced.
Churchill Football Netball Club	<ul style="list-style-type: none"> Support for development of Gaskin Park into major sporting precinct 		<ul style="list-style-type: none"> ✓ 	<ul style="list-style-type: none"> Noted

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<ul style="list-style-type: none"> Identifies issues to be considered in development of sporting precinct master plan <ul style="list-style-type: none"> Sewerage connection Upgraded football and netball lighting Netball change rooms Football change rooms Playground Duel, compliant netball courts Public toilets Score board Bowling green 		✓	<ul style="list-style-type: none"> Plan supports the further consideration of the development of these facilities in detailed master plan
Churchill Bowls Club William Brown, President	<ul style="list-style-type: none"> There is a misconception that lawn bowls is a game for the elderly and this couldn't be further from the truth with more young people playing than ever before. A bowls facility would offer a diverse choice of sporting activities to young and older generations in Churchill and include disabled and lower socio economic groups. Don't believe the project involved 'significant' consultation. Churchill Bowls Club input into the plan consisted of two meeting lasting approx. 10 minutes each. There needed to be more time allocated to the Churchill Bowls Club. The way the consultation is gathered and collated needs to be more transparent, as the club is unaware of any one being solicited for their views regarding the plan. It is very well to encourage people to participate in social and sporting activities, but in communities such as Churchill, there are large numbers of people of all age groups wanting to play lawn bowls and there are no facilities available to them (90 bowlers from town reluctantly travel out of town to play bowls each week). There are 3 bowling clubs in the southern towns, not 2 as stated. The 120 players quoted only 		<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ 	<ul style="list-style-type: none"> Noted. The project involved an analysis of participation trends and consultation with representatives from State and local Mid Gippsland Bowling Associations. A variety of consultation methods were employed to ensure people had sufficient opportunities to contribute. Noted. Noted. Master plan to better reference all 3 clubs. However it would

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<p>represent Yinnar and Boolarra. There are 90 bowlers from Churchill who compete in the greater Latrobe Valley every week because no facilities exist in Churchill (equates to 22 teams). If we take into account the potential 130-150 people who have indicated their interest in bowls from Churchill alone, there would be approximately 280 people available. If this is added to Boolarra and Yinnar's total you get 400 people, "hardly what you call stable" (as per 2006 Rec. & Leisure Strategy</p> <ul style="list-style-type: none"> • Believe the major reason why bowling numbers appear to be stable is due to a lack of bowls facilities in Churchill. The 2008 feasibility study (undertaken by the Churchill Bowls Club) indicated strong community support. We would conservatively estimate at least 130-150 people joining as soon as a facility was established. • Agree that the indoor hall / pavilion at Gaskin Park requires a considerable amount of work to bring it up to scratch, especially in the disabled amenities and toilet facilities. • The Churchill Bowls Club believes its future should not be dependent on the Churchill Hockey Clubs subsequent move to Monash University. It is now time for Council to make a decision about the Gaskin Park site. • The criteria that the Southern Towns Outdoor Recreation Plan is trying to achieve would be realized in the majority of 			<p>be problematic to add the "90 bowls players who travel from Churchill" to participation estimates as they are currently members at other clubs (i.e. Yinnar Bowls Club estimate that half their members come from Churchill). The Mid Gippsland Bowling Association reported membership to be stable.</p> <ul style="list-style-type: none"> • Noted. • Noted. • Noted. State Government support for the Regional Hockey Facility has been announced therefore hockey facilities will no longer be required at Gaskin Park. Further detailed planning is required to ensure Gaskin Park can adequately meet the needs of all current and future user groups, including the Churchill Bowls Club. • The draft plan does not refute the need for a lawn bowling facility in Churchill. The size and

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<p>cases by establishing a lawn bowls facility in Churchill, as indicated:</p> <ul style="list-style-type: none"> ○ It would offer sporting and social activities to children (15 years and over) ○ It offers a diverse choice of sporting activities for all the community. ○ It doesn't rely on brute strength and is open to all genders, most disabled people and to all cultures and creeds. ○ It offers a genuine social and recreational activity for the health and wellbeing for all the community. ○ Would offer up to 150 people initially the opportunity to play lawn bowls, would be introduced to local schools and increase indoor bowls which is currently running. ○ It is sustainable. Signed petition has indicated that there is a large human resource in Churchill who is willing to participate and support a lawn bowls facility. <ul style="list-style-type: none"> • The Churchill Bowls Club input has had little or no effect on the outcome. The only positive to come out of this plan for the Churchill Bowls Club is in the future where there "may" be a venue for lawn bowls down at the Gaskin Park sporting precinct. • Costing estimate for a synthetic lawn bowls green is provided with an estimated cost of \$262,000 (excluding \$22,100 in house costs). 			<p>location of Gaskin Park however requires that more detailed planning be undertaken to ensure that the needs of current and future user groups can be accommodated within the sporting precinct.</p> <ul style="list-style-type: none"> • Master plan to clearly acknowledge the future development of a lawn bowling facility in Churchill. • Noted.
589 community members	Petition which reads: <i>"Would you support a lawn bowling facility in Churchill?"</i>			<ul style="list-style-type: none"> • Petition received and acknowledged.
Rob Turpin	<ul style="list-style-type: none"> • Fully support the Churchill Bowls Club in their endeavour to have a bowls facility established in Churchill. 		✓	<ul style="list-style-type: none"> • Noted. The draft plan supports the development of lawn bowling facilities in Churchill, subject to more

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<ul style="list-style-type: none"> • There has never been any bowls facilities available to cater for the large number of lawn bowlers who reside in Churchill and its time this situation changed. • Many local business people and residents believe a town the size of Churchill should have its own bowls facility as part of its community wellbeing. • The club's objective of offering a sporting and social activity to the large number of disadvantaged Churchill residents is commendable and would address the lack of sporting facilities for older members of the community. 			detailed planning being undertaken into the development of Gaskin Park into a major sporting precinct.
E Semmler, Flexitray Gippsland Waterproofing	<ul style="list-style-type: none"> • Urge Council to support Churchill's objective of establishing a lawn bowls facility. • Many Churchill residents believe its time something was done to rectify the lack of facilities for the diverse groups in the town who want to be involved in a social activity. • Churchill Bowls Club's campaign is commendable and can only benefit all sections of the local and district community. 		✓	<ul style="list-style-type: none"> • Noted. As above.
Jim Blair	<ul style="list-style-type: none"> • There is a demand for bowls in Churchill and up until now players have had to travel to other towns to participate. This discourages those who are older from being active. • Churchill has a strong base upon which such a facility would be established with a nucleus of community members committed to the idea. 		✓	<ul style="list-style-type: none"> • Noted. As above.
Mary Willaton	<ul style="list-style-type: none"> • A bowls facility in Churchill will provide a major boost to the community. Such a facility would have the following 		✓	<ul style="list-style-type: none"> • Noted. As above.

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<p>benefits:</p> <ul style="list-style-type: none"> ○ Greater sense of belonging for those already members of the Churchill community ○ Ability for the disabled and able bodied to participate together. ○ Improved physical and mental health through improved activity and social interaction. ○ Strengthening community relationships through networking and communication. 			
Ross Ollquist	<ul style="list-style-type: none"> • Bowls is one of the largest participation sports in Victoria. It is popular because it is easy to learn, open to everyone and is inexpensive. Bowls is now a sport for all ages. • There are more than 60,000 registered bowlers in Victoria and hundreds of thousands of people of all ages play various forms of the game (i.e. barefoot, social, corporate bowls). It is through these formats that new bowlers are being introduced to the game. • The original cohort of young couples who settled the town in 1966 are now requiring a more sedate recreation and sporting facilities than have been provided to date. Bowls would provide an important social and recreational outlet in Churchill. 		✓	<ul style="list-style-type: none"> • Noted. As above.
S Burrows	<ul style="list-style-type: none"> • A bowls club would enhance the wellbeing of the Churchill community. • Bowls is suitable for all ages and can be played by people with disabilities. As bowls is played outdoors, players are receiving passive exercise in fresh air. • I currently play carpet bowls at Gaskin Park which is well patronized by Churchill residents. These are the people we are targeting to become members of lawn bowls. 		✓	<ul style="list-style-type: none"> • Noted. As above.

Boolarra Memorial Park

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
<p>Boolarra Memorial Park Committee of Management</p> <p>(Colin Brick, Secretary)</p>	<p>The Park Committee is in broad agreement with the master plan but has some concerns.</p> <ul style="list-style-type: none"> The Park Committee was not included in the original consultation process. The Plan makes reference to lawn bowls (re: Gaskin Park) but does not include Boolarra and Yinnar Bowls Clubs. There is a walking club (35 members) based at the park and there is also a lot of passive recreation undertaken at the reserve by the community and organised groups (playgroup, the Wool Group, the school, Auskick and Milo Cricket). The Park Committee is responsible for managing the reserve on behalf of the community and has been able to maintain the facilities to a high standard and undertake a significant range of improvements. However it should not be assumed that the Park does not need much due to the standard of existing facilities and it would be unfair if the Park was penalized for being self-sufficient. We support the concept of refurbishing the change rooms. Change facilities for female players and umpires are a priority, as is storage and disability access. 		<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ 	<ul style="list-style-type: none"> Noted. All user groups were invited to become involved. Both clubs are referenced in the "Participation" section (p9). Telephone interviews were conducted with representatives from the Churchill and Yinnar Bowls Clubs and Mid Gippsland Bowling Association, however despite several attempts the Boolarra Bowls Club could not be contacted. Passive use of all reserves was considered, however the draft plan primarily focuses on outdoor pursuits. Noted. Noted.

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<ul style="list-style-type: none"> We strongly oppose the concept of demolishing the Nissan Hut, which was built by the community in the 1970's and would cause a great deal of community resentment. There is no other sporting hall in town. Acknowledge that its condition is deteriorating, but our preference is for the Hut to be upgraded or replaced with an improved facility. We are unclear which toilets are proposed for demolition. Outside toilets near social rooms are in good condition (and maintained by the Committee) and there is no reason to remove them. In terms of refurbishment, the change rooms are acceptable however other attached rooms badly need improvements. Upgrade of the surface of the main oval and improvements to drainage are desirable, but not top priority. The biggest concern is currently the spread of paspalum. Extending the netball court run-off area is important. A 'work-around' solution has been developed and the Committee is in the process of upgrading court lighting and fencing. A high priority is the resurfacing of the netball / tennis courts, as they were last done 15 years ago. The tennis net winding handles are an odd item, but are happy to implement a safer practical solution. Redevelopment of the Pony Club storage / first aid shed is important in the context of potential development of the jumps course as a regional facility, which would be a tremendous asset for Boolarra. 	<ul style="list-style-type: none"> ✓ 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓ 	<ul style="list-style-type: none"> The Nissan Hut is in poor condition. If Nissan hut is to remain COM to accept responsibility for necessary improvements. Master plan to reflect Nissan hut to remain. Long term project to be implemented after the redevelopment of changerooms. Noted. Noted. Master plan to include resurfacing of courts. "Tennis Facilities Plan" (June 2008) found the net winding handles to be a risk management issue. Noted.

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<ul style="list-style-type: none"> The Park Committee is keen to complete the process of sealing the road around the oval, due to severe corrugations, potholes and ongoing maintenance requirements. Priorities (as determine by Park Committee) include refurbishment of change rooms and improvement to netball / tennis courts, followed by the development of the regional cross country course. The Committee is keen to understand what funding opportunities exist, the associated timeframes and possibility for community input. 		<ul style="list-style-type: none"> ✓ ✓ ✓ 	<ul style="list-style-type: none"> Sealing of access road would be cost prohibitive and is not supported. Noted. Noted.

Traralgon South Recreation Reserve

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
Traralgon South and District Association (Adam Lambert, President)	<ul style="list-style-type: none"> Disappointed with the consultation process. We were not approached to submit information or attend workshops hosted by Latrobe City. Disappointed that proposals for improved facilities for the Traralgon South District were not transferred to the Southern Towns Outdoor Recreation Plan. We totally reject the concept that the closest sporting link to our District is that of Churchill and we also reject the need for a new facility at Hazelwood North, without a clearly established need which has been built up through the formal process. Hazelwood North has 	<ul style="list-style-type: none"> ✓ ✓ ✓ 	<ul style="list-style-type: none"> ✓ ✓ ✓ 	<ul style="list-style-type: none"> A range of consultation methods were employed including a club / community forum (7 July), a public meeting (10 Sept.), individual site meetings for reserve / club / community representatives (10 & 11 Sept) The Consultants were made aware of the proposal to expand the reserve by a number of sources including Council, user groups, the primary school and TSDA. Master plan to be altered to reflect potential planning for additional facility development Noted. The Hazelwood North community has demonstrated significant community support towards development of recreation facilities.

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<p>not been included as part of the CBI (7 small towns) process and to suddenly take precedence over plans that have been drawn up and discussed as projects for many years seems out of sync.</p> <ul style="list-style-type: none"> • The Callignee Recreation Reserve Plan appears to have a lack of consultation with the Callignee community. The TSDA suggest that post bushfires, that Council adopt the consultant's final submission for the new Callignee Hub developed through consultation with its residents. • Both Koornalla and Le Roy residents have submitted their ideas and plans to TSDA for the Koornalla Farm Park Reserve development, the Le Roy Park Reserve and Yerang Park located at Le Roy to be redeveloped and upgraded as they have been left to deteriorate over the past decade. 			<ul style="list-style-type: none"> • Consultation process discussed above. Council is progressing plans for the development of a community hub as identified. • These sites were not included in the project brief

Yinnar Recreation Reserve

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
<p>Yinnar Recreation Reserve Committee of M'ment (Chris Long, Secretary)</p> <p>in conjunction with reserve user groups:</p> <ul style="list-style-type: none"> ○ Morwell Tigers Yinnar Cricket Club ○ Yinnar Tennis Club ○ Yinnar Football & Netball Club 	<ul style="list-style-type: none"> • The use of the reserve is growing. In addition to the normal use (for sporting teams and passive recreation use), the reserve has hosted a number of additional events. • Request that Council consider the following projects as priorities: <ul style="list-style-type: none"> ○ Minor Project – Address netball run-off distances that do not meet minimum requirements to ensure the safety of players and enable courts to host finals matches this year. (Works to be undertaken prior to August 2009). ○ Major Project – Develop a multi purpose facility 			<ul style="list-style-type: none"> • Noted. • Improvement to courts to met compliance supported as a priority • Support for the development of multi

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	<p>adjacent to the eastern oval to include change room facilities for the growing number of cricket and junior football players, public toilets and a facility for the homeless Yinnar & District Judo Club. It is understood that Council is holding some funds from the sale of the Driffield Hall that are to be utilized in providing the Judo Club with a new home, which provides an opportunity to combine a number of funding sources to deliver such a facility.</p> <p>Committee comments to recommendations within the draft report:</p>			purpose pavilion.
	<p>1. <i>Redevelop change rooms at the eastern oval...</i> Agree in principle, but suggest the intent of the committee's submission has been lost. There is a one off opportunity to extend the existing buildings to create a facility that comprises public toilets, change rooms, a base for the Yinnar & District Judo Club</p>	✓		<ul style="list-style-type: none"> Recommendation to be re-worded to better explain proposed facility; i.e. "Redevelop existing clubrooms at the eastern oval to include new change rooms, public toilets and accommodation for the judo club".
	<p>2. <i>Install water tanks ...</i> Agree.</p>		✓	<ul style="list-style-type: none"> Noted.
	<p>3. <i>Consider the relocation of the public toilets ..</i> See response to point 1.</p>		✓	<ul style="list-style-type: none"> Noted.
	<p>4. <i>Upgrade septic / sewage system ...</i> Agree.</p>		✓	<ul style="list-style-type: none"> Noted.
	<p>5. <i>Install dedicated drinking water supply ...</i> Agree.</p>		✓	<ul style="list-style-type: none"> Noted.
	<p>6. <i>Install automatic irrigation ...</i> Agree. High priority due to current labour intensive watering system and the need to make the most of the investment in the bore.</p>		✓	<ul style="list-style-type: none"> Noted.
	<p>7. <i>Investigate potential to capture water run-off ...</i> Agree. Long term project.</p>		✓	<ul style="list-style-type: none"> Noted

Submission/s From:	Submission Details	Changes to Plan?		Response
		Yes	No	
	8. <i>Eastern oval, install lighting ..</i> Agree. Committee can contribute 2 steel light towers.		✓	• Noted.
	9. <i>Traffic management ...</i> Agree. Suggest Committee & Council work together by Council depositing spoils from road works at reserve to be spread by volunteers equipment.		✓	• Noted.
	10. <i>Extend netball court run-off ..</i> Agree. Urgent priority (as discussed above).		✓	• Noted.
	11. <i>Allow clubs to construct scoreboard ...</i> Agree. Long term project.		✓	• Noted.
	12. <i>Consider tennis lighting ...</i> Agree, although current demand does not justify expenditure.		✓	• Noted.
	13. <i>Maintain flexible use of area between courts ...</i> Agree.		✓	• Noted.
	14. <i>Install lighting at reserve entrance.</i> Agree. Identified as a high priority for the Yinnar Township through the Community Building Initiative process.		✓	• Noted.

8. OPTIONS

There following options are available to Council:

1. Adopt the final report of the Southern Towns Outdoor Recreation Plan.
2. Amend and adopt the revised report of the Southern Towns Outdoor Recreation Plan.
3. Decline to adopt the final report of the Southern Towns Outdoor Recreation Plan.

9. CONCLUSION

The Southern Towns Outdoor Recreation Plan was developed in consultation with the community, clubs and reserve users and provides clear direction on the future development of outdoor recreational facilities within these townships.

10. RECOMMENDATION

1. That Council adopts the Southern Towns Outdoor Recreation Plan June 2009.
2. That Council agrees not to lay the petition in relation to development of recreation facilities in Church Road Hazelwood North on the table and deals with the petition at this Ordinary Council Meeting.
3. That Council undertakes further investigation into the Church Road option to service the Hazelwood North community's recreation needs.
4. That, as no head petitioner is identified, the Hazelwood North Primary School Principal be advised of Council's decision in relation to the petition to development of recreation facilities in Church Road Hazelwood North.
5. That Council agrees not to lay the petition in relation to development of a lawn bowls facility in Churchill on the table and to resolve the matters at this Ordinary Council Meeting.
6. That Council completes further master planning for the development of Andrews Park West and Gaskin Park Churchill into a major sporting precinct and the development of a bowls club at Gaskin Park Churchill be considered as part of this development.
7. That the head petitioner William Brown be advised of Council's decision in relation to the petition for the development of a lawn bowls green in Churchill.
8. That the minor and detailed design projects identified for implementation in 2009/10 at Gaskin Park, Churchill, Flynn Recreation Reserve, Hazelwood South Recreation Reserve, Churchill, Boolarra Memorial Park, Hazelwood North, Traralgon South Recreation Reserve and Yinnar Recreation Reserve be completed.
9. That the major projects identified for implementation at Boolarra Memorial Park, Traralgon South Recreation Reserve and Yinnar Recreation Reserve be referred to the 2010/11 budget.
10. That Council authorises the Chief Executive Officer to identify, apply and sign funding agreements for any of the projects identified in the Southern Towns Outdoor Recreation Plan.

Moved: Cr White

Seconded: Cr Vermeulen

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENTS**Attachment 1**

Please note that copies of submissions are available on CD upon request

Attachment 2**Southern Towns Outdoor Recreation Plan – June 2009**

10.1 **PETITION REGARDING THE PROPOSED LOCATION OF THE
GLENGARRY SKATE PARK**

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 opposing the location identified for the development of the Glengarry skate park.

It is recommended that the petition lay on the table until the 20 July 2009 Ordinary Council Meeting.

2. DECLARATION OF INTERESTS

No officer declared an interest, under the *Local Government Act 1989* in respect to this matter.

3. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Liveability

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

Community Outcome - Recreational Liveability

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

Strategic Actions - Recreation Liveability

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

Skate BMX Plan April 2009

Principle

The provision of skate parks and BMX tracks is a legitimate use of open space that satisfies a range of community needs.

Key Objective

Install local skate facilities where there is demonstrated significant community support, within the seven small towns.

4. BACKGROUND

A petition was received on 12 August 2008 containing approximately 400 signatures and 18 letters of support, requesting the development of a skate park in Glengarry. When considering the petition Council resolved;

1. *That Council agrees to not lay the petition on the table, relating to the development of a skate facility in Glengarry, and agrees to deal with the petition at this Ordinary Council Meeting.*
2. *That the petition requesting the development of a skate facility in Glengarry be considered through the development and adoption of the skate park and BMX track plan.*
3. *That the head petitioner be advised of Council's decision in relation to the petition requesting the development of a skate facility in Glengarry.*

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

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

The draft plan recommended:

That resources and support be provided to assist the Glengarry community in the development of a local level skate facility.

In response to this recommendation Council received nine submissions supporting the development of the skate park in Glengarry. Meetings were held onsite with the Glengarry Progress Association, Glengarry SK8 Ripper Crew and Gippsland Plains Rail Trail Committee with all groups supporting the development proposal and the identified location as being prominent, central, with easy access to shops and toilets. In adopting the Skate BMX Plan on 20 April 2009 in relation to the Glengarry Skate Park Council resolved:

That works commence on the 2008/2009 projects identified in the Skate BMX Plan April 2009 at Glengarry and on safety and amenity issues at the existing skate and BMX facilities.

As preparations were being made to commence works on the Glengarry skate park a petition with 61 signatures (attachment 1) has been received opposing the proposed location and the head petitioner requests works not commence until the matter can be considered further.

5. ISSUES

The head petitioner, in a letter accompanying the petition, identified the reasons for the objection included:

- No consultation with the community about the park and its location;
- Inappropriate location within proximity to the pub and the consumption of alcohol;
- Inappropriate location within proximity to heritage listed Glengarry Railway Station;
- Vandalism and inappropriate behaviour;
- Noise pollution to residence; and
- Inappropriate location within proximity to residence.

6. FINANCIAL AND RESOURCES IMPLICATIONS

An allocation of \$60,000 plus surplus steel ramps from the Churchill skate park has been allocated to the development of the Glengarry Skate Park from the 2008/09 capital works budget.

7. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

A summary of the consultation undertaken during the development of the Skate BMX Plan and the selection of the Glengarry site is detailed below.

On site meetings held at Glengarry with SK8 ripper crew, Glengarry Progress Association and Gippsland Plains Rail Trail Committee.

January 2008 - advertised meeting held on site at Glengarry BMX with consultant engaged to develop skate BMX track Plan.

August 2008 - Petition received with 400 signatures and 18 letters of support towards the development of a skate facility and identifying main street as a suitable location.

February 2009 - Draft Skate BMX plan released for community consultation. The draft Skate BMX plan was distributed via email notification, media release, public notice in the Express, copies were made available at service centres and the Latrobe City website.

17 March 2009 - Onsite meeting held with Glengarry Progress Association and SK8 Ripper crew to discuss proposed facility location and development.

March 2009 - Discussion with President of Recreation Reserve Committee regarding potential sites within the reserve. President indicated that committee did not consider there was a suitable site within the reserve due to lack of surveillance opportunities in unoccupied areas of the reserve and proximity to neighbouring residents.

26 March 2009 - Onsite meeting with Gippsland Plains Rail Trail (GPRT) Committee regarding proposed development and land tenure arrangements. GPRT support development of skate facility and provided use of land to Council through license agreement.

March 2009 - Nine submissions received supporting development of Glengarry Skate Park in Main Street from individuals, primary school, Glengarry Progress Association SK8 Ripper Crew, business owners and football club.

June 2009 - A meeting was held with the ward Councillor and the head petitioner.

Details of Community Consultation / Results of Engagement:

Nine submissions were received from the Glengarry community supporting the location and development of the Glengarry Skate Park; including from businesses in the main street. No objections were received against the proposed location of the Glengarry Skate Park.

8. OPTIONS

Council has the following options:

1. Lay the petition on the table and consider at a future meeting. This option will allow for further investigation and consultation to be conducted prior to the matter being considered by Council.
2. Consider the petition at this meeting.

9. CONCLUSION

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

10. RECOMMENDATION

1. **That Council agrees to lay the petition opposing the location of the Glengarry skate park, on the table until the Ordinary Council Meeting to be held on 20 July 2009.**
2. **That the head petitioner, Norm Eacott, be advised of Council's decision in relation to the petition opposing the location of the Glengarry skate park.**

Moved: Cr O'Callaghan

Seconded: Cr Gibson

That the Recommendation be adopted.

CARRIED

ATTACHMENT**Attention to: Ian Murphy,**

We the residence of Glengarry have started a petition against the location of the Glengarry Skate Park located opposite the pub and adjacent the old Glengarry railway station area. The community has various reasons for their objections, ranging from:

- No consultation with the community about the park and its location.
- Inappropriate location within proximity to the pub and the consumption of alcohol.
- Inappropriate location within proximity to Heritage listed Glengarry railway station
- Vandalism and inappropriate behavior
- Noise pollution to residence
- Inappropriate location within proximity to residence.

Speaking to the residence last night while obtaining these signatures majority of them where under the impression that the skate park was to be located at the Community sports ground.

The area were it is being constructed is currently used by the wider community for a staging area for community events, dog training area for individuals and a resting area for horse and riders and horse and carriage.

And further more the residence take pride in the streets and regularly pick up rubbish, broken beer bottles and other alcoholic beverages, empty cans to keep it neat and tidy as we take pride in our little community.

A further signiture list of residence will be forwarded to you by 12.30 pm Tuesday the 26/05/09. It is taking longer than anticipated to compile due to residence lack of knowledge of what is going on. At this stage only 4 residence out of the people that were home have not signed the petition against the location of the skate park.

Regards

Norm Eacott
39 Main Street Glengarry
51924933

Latrobe City	
25 MAY 2009	
Doc. No:	
Action Office:	
Disposal Code:	
Comments: HC issued to all Councillors + CEO	

9 June 2009

Attention: Cr Lisa Price

Regarding: Objection to the location of the Glengarry Skate Park.

Please find enclosed more signatures petitioning against the construction of the Skate Park Complex adjacent to the old Glengarry railway station area in the Main Street of Glengarry.

More Signatures will be collected and forwarded as time permits.

My personal reasons for the objection of the location are

Inappropriate location within proximity to residence

Noise pollution and inappropriate behavior

Devaluation to our property and others.

Regards

Norm Eacott

51924933

Latrobe City	
- 9 JUN 2009	
Doc. No:	
Action Officer:	CR PRICE
Disposal Code:	
Comments:	
CC: I MURPHY	
HCC: All Councillors	

We the Undersigned object to the Construction of the skate park complex adjacent to the Old Glengarry Railway Station Area.

Name	Address	Signature
KEVIN WHACK Michael Whack	73 MAIN ST GLENGARRY	K. Whack
Michelle Morrison	3/35 Main Street	Michelle Morrison
RODNEY HIGGINSON	1 MacDONALD CRT GLEN.	R. Higginson
DONNA O'NEVEEN	CAIRNBROOK RD, GLEN	D. O'Neveen
Bruce Young	Penlands GLEN	B. Young
JENNY JEFFS	25 KYNE ST, GLENGARRY	J. Jeffs
JASON PARSONS	18 MORRISON EDE	J. Parsons
CAROL M'BRIDE	Cambridge Glengarry	C. M'Bride
Ruth Stobale	2 Lehenam	R. Stobale
Giveta Tatchell	Maffra Rd GLENGARRY	G. Tatchell
Peta Hoppe	Maffra Rd GLENGARRY	P. Hoppe
PAUL LYNETT	58 TRARALGON MAFRA RD GLENGARRY	P. Lynett
Mark Bermingham	44 MAFFRA RD GLENGARRY	M. Bermingham
Jolanda I. Givene	40 Maffra Rd. Glengarry	J. Givene
Jodie Barras	36 Traralgon Maffra Rd Glengarry	J. Barras
BRETT KEWLEY	" "	B. Kewley
DENNIS MISSEN	32 Traralgon Maffra Rd Glengarry	D. Missen
HENRY HON.	26 MAFFRA RD GLENGARRY	H. Hon.
Don Duncan	22 Maffra Rd, Glengarry	D. Duncan
J. Little	22 MAFFERARD GLENGARRY	J. Little
Pat Little		P. Little

We the Undersigned object to the Construction of the skate park complex adjacent to the Old Glengarry Railway Station Area.

Name	Address	Signature
Clare Ridgwell *	15 Main Street Glengarry	Clare Ridgwell
H Ridgwell	"	H Ridgwell
Bill Cornach	Glengarry.	B Cornach
P. Mc beneck	"	P. Mc beneck
Jennifer Fogal	Glengarry.	Jennifer Fogal
Louisa A Holaj	Glengarry	Louisa Holaj
Rob Hoat	Glengarry	Rob Hoat
Alfred Hackett	Glengarry	Alfred Hackett
Kathlyn Holaj	Glengarry	Kathlyn Holaj
DORAN KEMP	Glengarry	DORAN KEMP
CHRIS TWOMEY	7 Macdonald Ct Glengarry	Chris Twomey
Trish Twomey	"	Trish Twomey
Lucy van Hooydonk	8 Macdonald Ct Glengarry	Lucy van Hooydonk
Paul Wynberg	9 Macdonalds cut	Paul Wynberg
JASON HERBERT	43 MAIN ST GLENGARRY	JASON HERBERT
Laura Morrison	" " " "	Laura Morrison
Katrina Strong	45 Main St "	Katrina Strong
MEISSA HARRISON	5 Glen Elwyn Ave	MEISSA HARRISON
Mick Harrison	"	Mick Harrison
Lorraine Delany	90 Maffra Rd Glengarry	Lorraine Delany
TRENT WILSON	110 Maffra Rd, Glengarry	TRENT WILSON
MIC ELLIS	120 MAFFRA RD GLENGARRY	MIC ELLIS
Leanne	120 Maffra Rd	Leanne

We the Undersigned object to the Construction of the skate park complex adjacent to the Old Glengarry Railway Station Area.

Name	Address	Signature
Norm Eacott	39 MAIN ST Glengarry	Norm Eacott
Jaime Eacott	39 main st Glengarry	Eacott
Rachael Higginson	1 MacDonnell Ct Glengarry	
Colleen Smith P.O. Smith	27 Cambridge Rd Glengarry 27 Cambridge Row Glengarry	Colleen Smith P.O. Smith
Bruce Gough	Glengarry	B. Gough
H. Anderson	Glengarry	H. Anderson
F. O'Donoghue	Glengarry	F. O'Donoghue
REX WRIGHT.	37. MAIN ST. GLEN.	Rex Wright
COL BROOKS	8 GLENGARRY	Col Brooks
12 MUSGRAVE	UNIT 2/35 Glen	Musgrave
Bellusgrave	Unit 2/35/9 Barry	Bellusgrave
K. Potter	18 Main St Glengarry	K. Potter
Brother	18 main st Glengarry	Brother
O. Ridgewell	15 Main St Glengarry	O. Ridgewell
R. Ridgewell	"	"

ITEMS REFERRED BY THE COUNCIL

**7.1 CRINIGAN BUSHLAND RESERVE 2009/2010 SUMMER SEASON
FIRE PREPARATION**

AUTHOR: General Manager Recreational and Cultural Liveability
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to inform Council of the outcomes of a meeting held at the Crinigan Bushland Reserve on 28 April 2009 which addressed preparations for the 2009/10 summer season.

2. DECLARATION OF INTERESTS

No officer declared an interest, under the *Local Government Act 1989* in the preparation of this report.

3. 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.

Strategic Action

Facilitate the maintenance and upgrading of parks and open spaces by friends and user groups.

4. BACKGROUND

A petition was received by Latrobe City Council on 27 February 2009, signed by 22 residents of Crinigan Road, Morwell. The petition requested that Latrobe City Council carry out works within Crinigan Bushland Reserve to remove a perceived fire danger.

The petition was presented to Council at the 6 April 2009 Ordinary Council Meeting and Council resolved:

1. *That Council resolves not to lay the petition regarding fire danger at Crinigan Bushland Reserve, on the table, and considers the petition at this Ordinary Council Meeting.*
2. *That Latrobe City Council officers in conjunction with the Crinigan Bushland Reserve Committee of Management, Morwell CFA and the Department of Sustainability and Environment carry out an inspection of the reserve in April 2009 in preparation for the 2009/2010 summer season.*
3. *That the head petitioner be advised of Council's decision in relation to the petition being that Latrobe City Council's Municipal Fire Prevention Officer does not consider the reserve to be a significant fire hazard and that an inspection will be carried out in April 2009 by Latrobe City Council officers with the reserve Committee of Management, Morwell CFA and the Department of Sustainability and Environment in preparation for the 2009/2010 summer season as per the requirements of the Crinigan Bushland Reserve Management Plan 1999, and that the results of the inspection be communicated to the Head Petitioner.*
4. *That a report be presented to Council regarding the outcome of the meeting with Latrobe City Officers. In conjunction with the Crinigan Bushland Reserve Committee of Management, Morwell CFA and the Department of Sustainability and Environment regarding what preparation will be done for the 2009/2010 summer season.*

As per recommendation four, this report provides Council with a comprehensive update in relation to this issue.

5. **ISSUES**

A meeting and inspection tour was conducted at the reserve on Tuesday, 28 April 2009 with representatives from Latrobe City Council, Crinigan Bushland Reserve Committee of Management, CFA and the DSE. During the inspection, officers discussed the potential preparatory works that could be undertaken in the reserve prior to the 2009/10 summer season.

Discussion focussed on selecting an area to conduct a cool burn by the CFA as well as investigating the continued removal of pockets of Burgan vegetation by the reserve Committee of Management. Burgan (*Kunzea ericoides*) is a tall shrub or tree which grows to 5m in height and is self propagating.

The Morwell CFA has recommended that a burn be carried out on the southern side of the reserve beside the Crinigan Road fire break. The burn would be conducted along the 530 metre southern edge of the reserve and proceed into the bushland for a distance of approximately 20 metres. The burn would be scheduled for completion between June and November 2009 and would be conducted by the CFA in consultation with DSE officers. A permit to burn would need to be obtained from Council's Municipal Fire Prevention Officer.

The head petitioner was consulted prior to the joint inspection to clarify the community concerns. As a result an inspection of the reserve was conducted on Monday 27 April 2009 with Latrobe City's Coordinator Recreation Liaison and the head petitioner.

The Reserve Committee of Management are currently collating information for a planning permit application to manage burgan vegetation in the reserve, in order to meet ecological vegetation class benchmarks from DSE. The committee are formulating a plan to remove native vegetation in a manner that allows for a balance between fire protection and environmental management which meets DSE management standards. The planning permit process is being overseen by DSE officers and will direct future native vegetation removal.

During 2009/10 financial year, Latrobe City Council officers and the Crinigan Bushland Reserve Committee of Management will undertake a review of the current Crinigan Bushland Reserve Management Plan (1999) to provide direction to the committee for the next 10 years. The review will focus on the overall management of the reserve including future fire protection and Burgan removal works to be carried out. The plan will provide the Committee with an annual schedule of works to be undertaken.

6. FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial implications for Latrobe City Council arising from this report.

The Committee of Management are allocated an annual maintenance grant of \$10,700 which will be utilised for the recommended actions.

7. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

An on-site meeting was carried out with the head petitioner and the Coordinator Recreation Liaison on 27 April 2009, to determine the areas of concern raised by the petition.

The head petitioner was also informed of the outcome of the joint meeting with the agencies and has indicated his satisfaction with the recommendation being presented to Council in this report.

8. OPTIONS

The options available to Council are:

1. Carry out the actions recommended by the CFA and DSE. This is the preferred option as it addresses the concerns of the local residents and also provides benefit to the native vegetation in the reserve.
2. Not to carry out actions recommended by the CFA and DSE. This is not the preferred option as it does not address the concerns of the local residents and could increase any potential fire hazard.

9. CONCLUSION

The Reserve Committee of Management is committed to managing the reserve as outlined in the Crinigan Bushland Reserve Management Plan (1999). The recommendations from the CFA and the DSE for the 2009/10 summer season preparation are achievable and should address the concerns of the local residents. It is proposed that preparations for the 2009/10 summer season will commence as recommended by the CFA and officers from the DSE.

The review of the Crinigan Bushland Reserve Management Plan (1999) will provide the committee with an up to date management tool and provide direction for future maintenance of the reserve.

10. RECOMMENDATION

- 1. That Council endorses the recommended actions regarding the Crinigan Bushland Reserve Committee of Management's intention to conduct a cool burn along the southern edge of the reserve bushland for approximately 530 metres in length and 20 metres deep by the Morwell CFA before November 2009.**
- 2. That the Crinigan Bushland Reserve Management Plan (1999) be reviewed to include a 10 year fire protection and Burgan removal works schedule.**
- 3. That the head petitioner, Mr Lance Hunt be formally advised of Council's decision in relation to the Crinigan Bushland Reserve 2009/2010 Summer Season fire preparation.**

Moved: Cr Middlemiss

Seconded: Cr Loughheed

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT



Proposed cool burn area measuring approximately 570 metres long and 20 metres deep

7.2 **PROPOSED ROAD DISCONTINUANCE - LODGE DRIVE,
TRARALGON**

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is for Council to consider submissions in relation to the proposed discontinuance and sale by private treaty of Lodge Drive, Traralgon.

2. DECLARATION OF INTERESTS

No officer declared an interest, under the *Local Government Act 1989* in the preparation of this report.

3. 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 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.

4. **BACKGROUND**

Council has received a request from Alamin Pty Ltd who owns the triangular parcel of land identified as Lot 2 on TP 832749K in Princes Street, Traralgon, to acquire Lodge Drive that adjoins their property.

Lodge Drive was originally created as land for easements of way, drainage and sewerage on LP 47922 and was acquired by the former Borough of Traralgon on 18 March 1963.

It is now identified as Lot 1 on TP 832709X, with an approximate area of 5000 square meters, and is contained in Certificate of Title Volume 8451 Folio 419.

The land was originally intended to form part of a bypass road between Princes Street and Old Melbourne Road/Kay Street that never eventuated and this is reflected on the original Certificate of Title.

The road was given its current name via a notice in the Victoria Government Gazette in 1981.

Lodge Drive remains unconstructed and is listed on Council's Road Register as a minor access road.

The property owned by Alamin Pty Ltd was the subject of a planning application (2007/215) for use and development of land for serviced apartments and a 29 lot subdivision that was refused by Council. Alamin Pty Ltd wish to acquire Lodge Drive and consolidate it with their property, effectively doubling the area, to allow for a revised development of the land.

Council originally considered this proposal at its meeting held on Monday, 20 April 2009 and resolved:

1. *That Council gives public notice of its intention to consider the proposed discontinuance and sale by private treaty of Lodge Drive, Traralgon, pursuant to Section 206 and Schedule 10 Clause 3 of the Local Government Act 1989.*
2. *That Council notify the individual property owners of 1 to 17 Kosciuszko Street, 1 to 21 Sunderland Circuit, of its intention to consider the proposed discontinuance and sale by private treaty of Lodge Drive, Traralgon, pursuant to Section 206 and Schedule 10 Clause 3 of the Local Government Act 1989.*
3. *That Council considers submissions received in relation to the discontinuance of Lodge Drive, Traralgon, at the Ordinary Council Meeting to be held on 15 June 2009.*

Public notices were subsequently placed in the Latrobe Valley Express and Traralgon Journal together with letters being sent to all adjoining property owners and service authorities inviting comment on the proposal.

Council has received seven submissions in response, from five adjoining property owners, the Latrobe Valley Masonic Centre and Gippsland Water, which are summarised below and also attached to this report.

Both the applicant's property, and Lodge Drive itself, are situated in a prominent location at the western entrance to Traralgon and the size of the parcel of land on which Lodge Drive is located reflects its intended use as a bypass road.

These parcels of land are not being used to their full advantage at the present time and the discontinuance of Lodge Drive would therefore enable the applicant, Alamin Pty Ltd, to explore potential development opportunities that could potentially improve the appearance of this area.

5. ISSUES

Of the five submissions received from residents, all of which are objecting to the proposed discontinuance of Lodge Drive, the key arguments are as follows:

- Loss of public access between Sunderland Circuit and Princes Street, Traralgon;
- Loss of access to rear of properties in Sunderland Circuit via Grambling Park;
- Potential problems with the future maintenance of Grambling Park;
- Concerns regarding access to water supply and sewerage assets owned by Gippsland Water;
- Concerns regarding access to the Latrobe Valley Masonic Centre;
- Objection to the land being sold by private treaty rather than via public auction.

It had previously been identified that the future maintenance of Grambling Park and access to the Latrobe Valley Masonic Centre were issues that would need to be addressed prior to discontinuing Lodge Drive.

As part of the consultation process the applicant, Alamin Pty Ltd, was invited to provide a suggestion as to how access to Grambling Park could be preserved. The applicant has not forwarded such a suggestion, but rather has expressed a desire to meet with objectors and Council officers to resolve concerns.

Lodge Drive currently has a width of thirty metres and Council could potentially resolve to discontinue part of the road and retain the balance for access to each of these parcels of land.

Given that the existing gravel road is located in the centre of the road reserve this would not appear to be feasible as it would require the road to be realigned within the land retained by Council.

Alternatively, should Lodge Drive be discontinued and sold to the applicant in its entirety, a ten metre wide carriageway easement could be created in favour of both Council and the Latrobe Valley Masonic Centre.

Council, as part of any subsequent planning process, would need to ensure that such an easement would be incorporated into any proposed design for the redevelopment of the land to preserve the required access in the future.

Another submission did object to the potential sale of the land by private treaty rather than by public auction, it is standard Council practice for a discontinued road to be sold to the adjoining property owner/s by private treaty. Recent examples of Council agreeing to discontinuing a road and selling the land by private treaty include the Burrage Street / Vale Street Lane in Moe and the Jill Street / Margaret Street Lane in Morwell.

The Latrobe Valley Masonic Centre have objected to the proposal on the basis that their current vehicular access is via Lodge Drive and the easement of carriageway at the rear of Motel Traralgon.

This easement appears to have been in existence since 1961 where it is shown as E-1, being land "set apart for easements of drainage, sewerage and way".

It has also been shown on each of the subsequent plans of subdivision in the area, most recently on PS 512589E where it is shown as E-3 being an easement for "drainage, sewerage and road purposes" in favour of the land owned by the Latrobe Valley Masonic Centre.

The Latrobe Valley Masonic Centre are also concerned that the alternate source of access from Oswald Street is in poor condition, is never used and would require substantial works to bring it up to an acceptable standard. There is also some concern that the removal of access to the Latrobe Valley Masonic Centre from Lodge Drive would have an adverse impact on the value of the property.

Gippsland Water have not objected to the proposed discontinuance however they have advised that there is a 150mm AC Water Main and a 300mm RC Sewer Main within the road that will need to be protected by easements in their favour.

An appropriate easement would also be required to protect the electricity supply assets that currently exist on the western side of Lodge Drive. This easement for electricity supply and other utility services (i.e. Gippsland Water Sewer main) located in the Lodge Road Reserve would be noted in the Road Discontinuance Order published in the Government Gazette and also be protected by the plans prepared for the consolidation of the two existing Certificate of Titles, being the road reserve and the applicant's property.

6. FINANCIAL AND RESOURCES IMPLICATIONS

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

Should Council proceed with the discontinuance and sale by private treaty of Lodge Drive, Traralgon, the applicant would be required to meet all survey and legal costs associated with the transfer of the land.

7. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Public notices inviting community comment concerning the proposed discontinuance of Lodge Drive, Traralgon, were published as follows:

- Latrobe Valley Express - 4 and 7 May 2009
- Traralgon Journal – 5 and 12 May 2009

Letters were also sent to the owners of 1 to 17 Kosciuszko Street, 1 to 21 Sunderland Circuit, Latrobe Valley Masonic Centre and Hurracain Developments Pty Ltd who own Motel Traralgon.

Council also wrote to the various service authorities seeking comment on the proposal.

In addition the applicant, Almin Pty Ltd was invited to comment on options relating to access to the adjoining Grambling Park.

Details of Community Consultation / Results of Engagement:

In response to the public notices and correspondence a number of telephone enquiries were received.

As considered in *section 5 - Issues* of this report, six formal submissions were received from interested property owners and a seventh submission was received from Gippsland Water.

At the time of preparing this report, responses had not been received from the applicant, Almin Pty Ltd or the other service authorities, e.g. Telstra etc.

8. OPTIONS

Council may now resolve to either:

1. Formally discontinue Lodge Drive, Traralgon, and sell the land by private treaty to Alamin Pty Ltd;
2. Formally discontinue part of Lodge Drive, Traralgon, and sell the land by private treaty to Alamin Pty Ltd;
3. Not to continue with the process to discontinue Lodge Drive, Traralgon, which will require no further action;
4. Undertake additional investigations into the issues associated with the discontinuance of Lodge Drive, Traralgon, for future consideration.

9. CONCLUSION

The proposed discontinuance of Lodge Drive, Traralgon, is a complex matter when attempting to balance the access requirements of the affected parties, community concerns and the need to encourage future development in the area.

Additional investigations are necessary to determine the best manner in which to proceed with the request to discontinue Lodge Drive. A further report will be presented to Council once this has been completed.

10. RECOMMENDATION

1. That Council, having considered submissions in accordance with Section 223 of the *Local Government Act* 1989, defers consideration of the proposed discontinuance of Lodge Drive, Traralgon, to a future meeting pending further investigation.
2. That Council consults with the applicant and all interested parties further with regard to the issues raised in relation to the proposed discontinuance of Lodge Drive, Traralgon.
3. That the applicant and those who have made a formal submission regarding the proposed discontinuance of Lodge Drive, Traralgon, be advised accordingly.

Moved: Cr Lougheed

Seconded: Cr Gibson

1. That Council not continue with the process to discontinue Lodge Drive, Traralgon, which will require no further action.
2. That the applicant and those who have made a formal submission regarding the proposed discontinuance of Lodge Drive, Traralgon, be advised accordingly.

CARRIED UNANIMOUSLY

ATTACHMENTS

Attachment One



Attachment Two

105 Trovatello Place
Tyers
Victoria 3844
(03) 5191 8401

skearney@wideband.net.au

**Submission to Latrobe City Council regarding Lodge Drive Traralgon
Ref.R511245/00**

To the Councillors of Latrobe City

We are the current owners of 9 Sunderland Circuit, Traralgon.

When purchasing the property some years ago, there were several appealing features which made it stand out from other prospective purchases.

These were:

- the Sunderland Circuit address
- the proximity to the Traralgon golf course
- the flexibility afforded by the access to the rear yard via Lodge Drive and
- easy access to the well maintained Grambling Park reserve at the rear of the property as well as the quiet amenity provided by this reserve.

We are currently selling the property and recognise that prospective purchasers will also be mindful of the unique blend of features afforded by the property including the ease of access to the rear yard via Lodge Drive and the benefits of Grambling Park.

We are concerned about the impact on Grambling Park that discontinuing Lodge Drive may have. The park is currently well maintained by Latrobe City Council as it is accessed with ease via Lodge Drive. Discontinuing this access will impact on the ease of maintenance and may result in the park being poorly maintained, reducing the amenity of the area.

We object to this proposal as the discontinuance and the sale of Lodge Drive will greatly reduce the amenity of our property and its surrounds.

Yours sincerely



Susan and Stephen Kearney

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

To Mayor Lisa Price and Councillors of Latrobe City Council.

Re – Application for discontinuance and sale by private treaty of Lodge Drive, Traralgon.

We are writing to lodge our objection to the proposed discontinuance and sale by private treaty of Lodge Drive Traralgon.

- Council having received an application from Alamin Pty Ltd who owns the triangular parcel of land indentified as Lot 2 TP832749K. This parcel of land was subject to a refusal of permit being granted for proposed development in 2008. The application was then taken to VCAT, hearing dated 28/03/08 where again the refusal of a permit was upheld. VCAT decision attached. All these applications were submitted under the name of Minster Constructions Pty Ltd. We feel this is yet another attempt to underhandedly acquire further land to accommodate the needs of the developer.

My question here is,

Who, actually owns the land adjacent to Lodge Drive?

- We would like to point out that any and all negotiations or intentions relating to point 4. Issues. In the minutes of council meeting on 20 April. from as far back as 1994 should now be null and void due to the time elapsed, growth and development of the community and no original parties currently involved in the matter at hand.
- This information should now be totally disregarded by council and not admitted or considered as reference in the attempt to acquire this land.

The applicant clearly has inside Council knowledge and influence, to be able to obtain information so easily, pertaining to a meeting held on the 5th July 1994, for the use of this information as an influence in his application for obtaining this piece of public land for his own financial and commercial gain.

Latrobe City	
21 MAY 2009	
Doc No.	
Action Officer	
Disposal Code	
Comments:	

We ask Council not to continue with the proposed closure or sale of Lodge Drive Traralgon in the interest of the surrounding community and ratepayers.

Regards

Michele & George Munro
1 Sunderland Circuit
Traralgon Vic 3844

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 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.

15 May 2009

To The Mayor, Lisa Price, Latrobe City Councillors,

My wife and I would like to make a submission in relation to the proposed discontinuance and sale by private treaty of Lodge Drive Traralgon.

We wish to strongly object to the council considering this application as it is to the detriment of the surrounding ratepayers and community at large.

The closure of this road would severely restrict access to all who use this road currently, not only for personal reasons, which is that we regularly use this road for our walks through to the main road and beyond, but also the access for all adjoining and adjacent properties and public that this will have a direct impact on.

If our council makes the decision to proceed further with this application, we will continue to fight further for this to be defeated in the interest of all effected by it.

Yours sincerely

Gary and Maree Lee
53 Sunderland Circuit
Traralgon Vic 3844

Latrobe City	
21 MAY 2009	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	

10/05/09

To Latrobe City Council,

This letter is to inform the council of our objection to the proposed closure of Lodge Drive Traralgon.

My husband and I use this road to take our leisurely walk which is required for our general health and exercise.

We are both in our mid 70s and are unable to venture too far for this purpose.

If this road was to be discontinued and sold, we would be limited to walking Sunderland circuit which consists of residents of mid to late years.

This area consisting of a Green Belt (Gambling Park) is a quiet and relaxing area where we are able to walk dogs and enjoy the local peaceful environment and bird life which we enjoy.

We ask that the Council please, to not consider the closure or sale of this road.

Yours sincerely

**George & Jean Marsh
63 Sunderland Circuit.**

Latrobe City	
22 MAY 2009	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	

18 May 2009

Mr. P. Schultz
Property and Statute Officer
Latrobe City Council
PO Box 264
Morwell Vic 3840

Mr. Derek Lowe
15 A Sunderland Circuit
Traralgon Vic 3844

Dear Mr. Schultz,

Re: Lodge Drive Traralgon – Objection to proposal:

As a ratepayer and resident of 15 A Sunderland Circuit, I hereby tender my objection to the council's proposal for the discontinuance of the nearby above named road and its sale by private treaty.

It is clear from the council officers report to council of 20 April, that Lodge Drive provides the only form of proper access to the water supply and sewerage assets of Gippsland Water and for the purposes of necessary on-going maintenance of Grambling Park. Additionally, the proper construction of this road would also greatly improve the general attractiveness and liveability of this locality.

For these reasons I oppose any moves by council to discontinue the road and sell the land by private treaty and I call upon council to abandon this proposal.

Yours sincerely,



Derek Lowe.

Latrobe City	
22 MAY 2009	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	

LATROBE VALLEY MASONIC CENTRE INC.



**NOTICE OF OBJECTION TO PROPOSED ROAD CLOSURE
OF
LODGE DRIVE, TRARALGON**

Mr. P. Buckley
The Chief Executive Officer
Latrobe City Council
P O Box 264
Morwell 3840

21 May 2009

Dear Sir,

Latrobe Valley Masonic Centre Pty Ltd of Lodge Drive Traralgon 3844 ("Latrobe") hereby makes formal objection to the closure of Lodge Drive, Traralgon ("Lodge Drive").

In support of the objection, Latrobe hereby supplies the following information and details of its objection.

A. DETAILS OF LAND AFFECTED ("Affected Property")

1. **Owner:**
Latrobe Valley Masonic Centre Pty Ltd
Lodge Drive Traralgon 3844
2. **Address**
Lodge Drive, Traralgon 3844
3. **Title Details**
Certificate of Title Volume 11019 Folio 333
Lot 1 on Plan of Subdivision 203434A
Copy Certificate of Title and Plan attached.

B. LEGAL RIGHT TO USE LODGE DRIVE, TRARALGON

The right of Latrobe to use Lodge Drive, Traralgon is derived from Plan of Subdivision 203434A which grants a right of carriageway over Lodge Drive to the Affected Land.

C. CURRENT USAGE OF THE AFFECTED LAND

1. The Affected Property is the site of a building known as the Latrobe Valley Masonic Centre ("Centre").
2. The Centre is primarily used for Masonic Purposes.
3. There are approximately 65 Masonic meetings per year with an average attendance of 20 persons.
4. The average age of persons attending Masonic meetings is greater than 65 years.

Latrobe City	
22 MAY 2009	
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Page 2

5. In addition to the usage of the Centre for Masonic purposes, it is used for a number of non Masonic purposes.
6. The non Masonic usage is in excess of 70 times per year.
7. The average number of persons attending the Centre for non Masonic purposes exceeds 30.

D. CURRENT ACCESS TO THE CENTRE

1. The primary vehicular access to the Affected Property is via Lodge Drive and then the East West extension thereof ("Extension").
2. It is noted that the proposal for closure does not include the Extension.
3. It should also be noted that the Affected Property has rights of carriageway over the Extension; these being shown on Plan of Subdivision 203434A.
4. There is a further vehicular access to the Affected Property (on its Southern boundary) via Oswald Street.
5. There is a car park for users of the Centre which is situated to the North of the Centre and is approximately level with the extended part of Lodge Drive.
6. There are a 2 internal roadways on the Affected Land leading to the Centre; 1 leading from the Extension with the other leading from Oswald Street.
7. The internal roadway leading from the Extension is a well maintained internal driveway.
8. This is the primary access to users of the Centre.
9. The internal roadway leading from Oswald Street to the Centre is in a poor condition and is rarely, if ever, used.

PAGE 3

E. DETRIMENT TO AFFECTED LAND IF LODGE DRIVE CLOSED

1. If Lodge Drive were closed then the only access to the Affected Land would be via Oswald Street.
2. The only internal access to the Centre would be via the current internal roadway from Oswald Street to the Centre.
3. In view of the age of most of the users of the Centre, and in view of the poor current state of repair of the internal roadway from Oswald Street, for them to have to travel to the Centre over this internal roadway would, at the very least, cause considerable discomfort to these users and may cause injury to the users and possible damage to their motor vehicles.
4. For the continued use of same, the internal roadway from Oswald Street would have to be considerably upgraded.
5. Latrobe has been informed that the cost of such upgrade would be in excess of \$15,000.
6. Latrobe has been informed that, currently, the value of the Affected Property is enhanced by having 2 street accesses and that, if 1 of these street accesses were removed that the value would be significantly diminished.
7. If Lodge Drive were closed, then the Affected Property would effectively lose its rights of carriageway over the Extension as it would have no access to the Princes Highway via Lodge Drive
8. If Lodge Drive were closed then the Affected Property would have to change its street address description with all the concomitant cost and inconvenience attaching to any such change.

Under all these circumstances, Latrobe hereby requests that the Council not approve of the closure of Lodge Drive.

Please note that Latrobe will be represented at the Council meeting on 15 June 2009. At this stage, it has not been decided who will represent Latrobe. You will be informed prior to that meeting of the name and status of the person so attending.

Yours faithfully,
J. F. Hood jp



President

Latrobe Valley Masonic Centre Pty Ltd

LODGE DRIVE
PO BOX 22
TRARALGON VIC. 3844

21 May 2009

Our reference:
Your reference

301246



Att: Peter Schulz
Property & Statute Officer
Latrobe City Council
P.O. Box 264
MORWELL VIC 3840

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

Dear Peter

PROPOSED DISCONTINUANCE OF LODGE DRIVE TRARALGON

YOUR REFERENCE: R511245/00
LOCATION: Lodge Drive Traralgon

We refer to your letter dated 1 May 2009 and advise that Gippsland Water has a 150mm AC Water Main which will now be located within the Road Reserve. This water main must remain in the road reserve created on Beveridge Williams Drawing Reference 10979. (Asset Map attached).

Gippsland Water also has a 300mm RC Sewer Main now traversing through the hatched plan on Beveridge Williams Drawing Reference 10979 which now requires an easement to be created for Pipeline or Ancillary Purposes in favour of Central Gippsland Region Water Corporation. (Asset Map attached).

For further details regarding our requirements please contact Jenny on 5177 4751 at our Traralgon office.

Yours faithfully,

Jenny Davidson
LAND DEVELOPMENT TEAM

Latrobe City	
22 MAY 2009	
Doc. No:	
Action Officer:	
Disposal Code:	
Comments:	

7.3 **REVIEW OF LOCAL LAW NO.1**

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to seek Council's adoption of Local Law No.1 (09 LLW-3).

2. DECLARATION OF INTERESTS

No officer declared an interest, under the *Local Government Act* 1989 in the preparation of this report.

3. 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 provide governance and leadership through a strong commitment and adherence to democratic processes and legislative requirements.

Strategic Action

Continually monitor and review local laws to ensure they reflect the community's aspirations.

Council Plan Action

Review Local Law No.1 and present to Council for consideration.

Legislative Requirements

Council must comply with Part 5 of the *Local Government Act* 1989 ("the Act"), in regards to the procedure for making a local law. Council's requirement to make a local law governing the conduct of Council meetings is detailed in section 91 of the Act.

When making or amending a local law, Council must comply with the following provisions of the Act:

s111. Power to make local laws

Section 111 of the *Local Government Act 1989* provides councils with the authority to make local laws. These local laws are designed to assist councils to balance the needs of the individual against the needs of the broader community. They are limited to areas which local councils have jurisdiction (except those things dealt with under the planning scheme) and cannot be inconsistent with any other laws (either state or federal).

s119. Procedure for making a local law

Before a Council makes a local law it must comply with the procedure contained within section 119. This procedure includes giving a notice in the Government Gazette and a public notice stating the purpose and general purport of the proposed local law, that a copy of the proposed local law can be obtained from the Council office, and that any person affected by the proposed local law may make a submission relating to the proposed local law under section 223.

After a local law has been made the Council must give a notice in the Government Gazette and a public notice specifying the title of the local law; and the purpose and general purport of the local law; and that a copy of the local law may be inspected at the Council office. In addition, Council must send a copy to the Minister.

s223. Right to make a submission

Section 223 of the *Local Government Act 1989* details that the submissions received must be heard by Council and that a person making a submission can specify in their submission that they (or representative) wish to appear before Council to be heard in support of the submission. In addition, Council must notify in writing, each person who has made a separate submission, and in the case of a submission made on behalf of a number of persons, one of those persons, of the decision and the reasons for that decision.

4. BACKGROUND

Pursuant to section 91 of the Act, Council must make a local law governing the conduct of Council Meetings. Except as provided for in the Act and in any local law, the conduct of meetings of a Council is at the Council's discretion.

Council adopted its current Local Law No.1 on 6 December 2004. A review of the Local Law commenced in 2007 as a result of perceived ambiguities within the current law. The Local Law No.1 explicitly provides for how Council will exercise its decision making power. Given that a new Council was being elected in 2008, it was appropriate for this review to be finalised following election of the new Councillors.

The review has taken place in accordance with the 2008/2009 Council Plan action: Review of Local Law No.1 and present to Council for consideration. The template for the draft Local Law No.1 was provided by solicitors for Council and is the template used by approximately fifteen to twenty per cent of local government bodies in Victoria.

At the Ordinary Council Meeting held on 4 May 2009 the following recommendation was adopted:

1. *That Council, pursuant to sections 119 and 223 of the Local Government Act 1989, gives notice in the Government Gazette and a public notice placed in the Latrobe Valley Express of its intention to consider amending Local Law No.1 (09 LLW-1) and invites written submissions in regards to the draft Local Law No.1 (09 LLW-1);*
2. *That Council, in accordance with section 223 of the Local Government Act 1989, considers any submissions received in relation to the draft Local Law No.1 (09 LLW-1) at a Special Council Meeting to be held on 9 June 2009 at 7.00pm.*
3. *That Council considers adoption of the draft Local Law No.1 at the Ordinary Council Meeting to be held on 15 June 2009.*

The draft Local Law No.1 was released for public exhibition on Thursday, 7 May 2009 and closed on Thursday, 4 June 2009.

At the Special Council Meeting held on 9 June 2009 the following recommendation was adopted:

1. *That Council considers the submission received in regards to the draft Local Law No.1 (09 LLW-1).*
2. *That Council writes to the submitter on the draft Local Law No.1 (09 LLW-1) thanking them for their contribution.*

5. ISSUES

Part 5 of the Act provides Councils with the authority to make local laws. It allows Councils to make local laws which incorporate any other codes, documents, standards, rules and specifications. It also allows/restricts a local law to impose a penalty or fee in certain circumstances.

Any reference to a code or standard is taken to be a reference to the code or standard applicable at the time the local law was made; a further resolution of Council is required if the referenced code or standard is amended and is to be applicable within Council's local law.

The Act also provides that Council's local law may delegate the power to a Council officer to sign, seal, issue, revoke or cancel a licence, and sign any document on behalf of the Council.

At all times, a local law of Council is subordinate to the laws of the State.

Council must ensure that all local laws are printed and available to the public.

Unless revoked sooner, a local law applies to the municipality for a period of 10 years at which time the sunset provisions within the Act declare that it will no longer be valid. Unless revoked, any amendments to a local law does not activate the 10 year time period; therefore revocation of a current local law is required for the full 10 year sunset period to take effect.

Upon review of the current Local Law No.1, it is proposed that the format of a newly adopted law would be altered to allow for greater flow to the content of the document.

The draft Local Law No.1 was reviewed by the solicitors for Council during the public exhibition period. They recommended the following changes to the draft Local Law No.1;

Clause	Recommended Amendment
General	Removal of the specific reference to Charter of Human Rights and Responsibilities. It is not required to be referenced. It should be noted that the Charter of Human Rights and Responsibilities has been considered in the preparation of the draft Local Law No.1.
General	Minor amendments to the draft Local Law No.1 including grammar and administrative changes.

Clause	Recommended Amendment
8. Method of Voting	Removal of the reference to secret ballot. All votes in the open meeting must be by show of hands as set out in s.90(1)(ca) of the Act.
12. Dates and Times of Meetings	Removal of what constitutes public notice. The minimum standard is now defined in the Act.
15. Emergency Meetings	It is not possible to have a meeting of Council which is not an Ordinary or Special Meeting. The ability to postpone a meeting of Council in the case of an emergency has been retained.
19. Inability to gain a Quorum	This was previously a section on emergency meetings. This has now been removed. Please note that clauses 19 onwards have been renumbered from the draft version that was placed on public exhibition.
20. Inability to maintain a Quorum	The term 'emergency' has been removed.
20. Inability to maintain a Quorum	New clause included at 20.2. Now includes a method of adjournment in the event that no councillors attend a Special or Ordinary Meeting.
21. Inability to achieve or maintain a Quorum due to Conflicts of Interests of Councillors	Removal of "administering the Act." from the end of the clause.
26. Urgent Business	Removal of 'If the agenda for an Ordinary Meeting makes provision for urgent business' from the beginning of the clause.
28. Notice of Motion	Slight amendment to the wording of cl.28.1. Please note that the Chief Executive Officer requires a Notice of Motion at a time that will allow him or her sufficient time to give each councillor 96 hours notice of that motion. From a practical point of view, all signed Notices of Motion should, where possible, be provided to the Chief Executive Officer prior to 5.00pm on the Tuesday before the next Council Meeting.
45. Debate must be relevant to the Motion	Slight amendment to the wording in cl.45.3 but no change to the intent. The final sentence has been included.
52. Notice of Recision	Inclusion of final sentence in the explanatory note.
56. When Not Required – Changes to Council Policy	This clause was amended slightly to accommodate the mechanism used to adopt the council policies. The terminology was changed to ensure that in the event a policy requires amendment within the first twelve months of it being adopted, Council is not required to rescind all adopted policies. The clause now allows the individual policy to be amended on its own.
63. Petitions and Joint Letters	Clause 63.1 now allows Council to make a resolution to not lay a petition or joint letter on the table. This is how petitions and joint letters are treated under the existing Local Law No.1.

Clause	Recommended Amendment
64. Request to speak before Council to be referred to Mayor	Please note the inclusion of a new clause 64.1.
77. Confirmation of Minutes	Clause 77.7.4 now includes the term "and officer" in regards to the disclosure of a conflict of interest.
DIVISION 14	Is now titled Miscellaneous and includes those items that were previously in Division 16 as well.
88. The Chair's Duties and Discretions and 89. Acting Chair	These clauses were previously contained in cl.89. They have now been separated into two individual clauses.

During the public exhibition period Council received one submission from the public. That submission is provided as an attachment to this report and is summarised in the table below:

Submission No.	Content	Recommendation
Submission 1	<p>The submission noted that greater clarity and overall improvement of Local Laws 1 & 2.</p> <p>The submission refers to <i>Clause 81- Recording of Meetings</i>. The submitter encourages Council to consider audio or video recording meetings and making them available on the internet.</p> <p><i>Clause 92.1 – Criticism of members of Council Staff</i>. The submitter recommends amending the words 'must allow' to 'may invite' in the first sentence of 92.1. The submitter felt the term 'must allow' means that control of a meeting can be whisked away from the chair at the whim of the Chief Executive Officer.</p>	<p>No change required.</p> <p>The clause requires no amendment. It does not preclude the recording of meetings.</p> <p>Suggested change not recommended. The wording of the template is designed to provide a level of protection to council staff against unfair and / or unfounded criticism.</p>

6. FINANCIAL AND RESOURCES IMPLICATIONS

There are minimal financial implications in the review of Local Law No.1.

Costs of approximately \$400 will be incurred for the placing of a notice in the Government Gazette Notice and public notices in the Latrobe Valley Express. These have been budgeted for in the 2008/2009 budget.

7. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

The review of Local Law No.1 was undertaken with input from various internal stakeholders.

The draft Local Law No.1 was released for public exhibition for 28 days from 7 May 2009 until 4 June 2009. All submissions have been treated in accordance with section 223 of the *Local Government Act 1989*.

A notice informing the community of the availability of the draft document and inviting written submissions was placed in the Victoria Government Gazette on 14 May 2009 and a public notice was placed in the Latrobe Valley Express on 7 and 12 May 2009.

Copies of the draft Local Law No.1 were made available on the website and hard copies were able to be viewed in all Citizen Service Centres.

Each member of the community who provided a written submission on draft Local Law No. 1 was contacted via telephone and invited to speak to their submission at the Special Council Meeting to be held on 9 June 2009 at 7.00pm.

Details of Community Consultation / Results of Engagement:

One submission was received from the public during the exhibition period. The details of that submission is provided in the issues section of this report.

8. OPTIONS

There are three options available to Council:

1. Adopt the Local Law No.1 (09 LLW-3).
2. Amend and adopt the Local Law No.1 (09 LLW-3).
3. Not adopt the Local Law No. 1 (09 LLW-3).

9. CONCLUSION

A review Local Law No.1 has been undertaken in accordance with the 2008/2009 Council Plan Action.

Through the review process some ambiguities and uncertainties within the current Local Law No.1 were identified. The purpose of the review and proposed new Local Law No.1 is to provide Councillors and the community with a clearer document, describing the way in which Council will administer its decision making powers.

The proposed document makes a number of suggested changes including a change to the overall format of the document. By providing clearer direction on the conduct of Council meetings, it is anticipated that both Councillors and the community will have a greater awareness and understanding of how Council's decision making powers are to be administered.

10. RECOMMENDATION

That Council adopts the Local Law No.1 (09 LLW-3).

Suspension of Standing Orders

Moved: Cr Lougheed

Seconded: Cr Vermeulen

That Standing Orders be suspended for 10 minutes to allow Councillors time to read the proposed alternative Motion.

CARRIED UNANIMOUSLY

Standing Orders were suspended at 8.27 pm

Resumption of Standing Orders

Moved: Cr Gibson

Seconded: Cr Vermeulen

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

Standing Orders were resumed at 8.37 pm

Moved: Cr Kam

Seconded: Cr Gibson

That Council adopts the Local Law No.1 (09 LLW-3), with the following amendments:

1. That each clause in Local Law No.1 that are requirements of the Local Government Act 1989 be noted in this document;
2. That clause 47 be removed;
3. That clause 14.4 read 'that the Chief Executive Officer must convene the Special Meeting as specified in the notice or resolution';
4. That clause 91 be removed;
5. That clause 16.1 be amended to read 'that a notice of meeting incorporating or accompanied by an agenda of the business to be dealt with, must be delivered to every Councillor for all Ordinary Meetings at least 96 hours before the meeting;
6. That clause 80 to read 'that Council allows audio taping of Council Meetings, but at certain times such consent may be revoked by the Council'.

The Motion was put and LOST

Cr Kam called for a Division

For the Motion

Councillors Gibson, Kam and Fitzgerald

Against the Motion

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

The Mayor confirmed that the Motion had been LOST

Moved: Cr Gibson

Seconded: Cr Fitzgerald

That Council adopts the Local Law No.1 (09 LLW-3), with the following amendments:

1. That each clause in Local Law No.1 that are requirements of the Local Government Act 1989 be noted in this document;
2. That clause 14.4 read 'that the Chief Executive Officer must convene the Special Meeting as specified in the notice or resolution';
3. That clause 91 be removed;
4. That clause 16.1 be amended to read 'that a notice of meeting incorporating or accompanied by an agenda of the business to be dealt with, must be delivered to every Councillor for all Ordinary Meetings at least 96 hours before the meeting.

The Motion was put and LOST

The Mayor confirmed that the Motion had been LOST

The original Recommendation became the Motion before the Chair.

Moved: Cr Middlemiss

Seconded: Cr Lougheed

That Council adopts the Local Law No.1 (09 LLW-3).

CARRIED

Cr Fitzgerald called for a Division

For the Motion

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

Against the Motion

Councillors Gibson, Kam and Fitzgerald

The Mayor confirmed that the Motion had been CARRIED

ATTACHMENT

Latrobe City Council Local Law No.1 – Meeting Procedure Local Law

7.4 REVIEW OF LOCAL LAW NO.2

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to seek Council's adoption of the Local Law No.2 (09 LLW-2).

2. DECLARATION OF INTERESTS

No officer declared an interest, under the *Local Government Act* 1989 in the preparation of this report.

3. 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 provide governance and leadership through a strong commitment and adherence to democratic processes and legislative requirements.

Strategic Action

Continually monitor and review local laws to ensure they reflect the community's aspirations.

Council Plan Action

Review Local Law No.2 and present to Council for consideration.

Legislative Requirements

The specific legislative requirements of the *Local Government Act* 1989 relating to Local Laws are detailed below:

s111. Power to make local laws

Section 111 of the *Local Government Act* 1989 provides councils with the authority to make local laws. These local laws are designed to assist councils to balance the needs of the individual against the needs of the broader community. They are limited to areas which local councils have jurisdiction (except those things dealt with under the planning scheme) and cannot be inconsistent with any other laws (either state or federal).

s119. Procedure for making a local law

Before a Council makes a local law it must comply with the procedure contained within section 119. This procedure includes giving a notice in the Government Gazette and a public notice stating the purpose and general purport of the proposed local law, that a copy of the proposed local law can be obtained from the Council office, and that any person affected by the proposed local law may make a submission relating to the proposed local law under section 223.

After a local law has been made the Council must give a notice in the Government Gazette and a public notice specifying the title of the local law; and the purpose and general purport of the local law; and that a copy of the local law may be inspected at the Council office. In addition, Council must send a copy to the Minister.

s223. Right to make a submission

Section 223 of the *Local Government Act* 1989 details that the submissions received must be heard by Council and that a person making a submission can specify in their submission that they (or representative) wish to appear before Council to be heard in support of the submission. In addition, Council must notify in writing, each person who has made a separate submission, and in the case of a submission made on behalf of a number of persons, one of those persons, of the decision and the reasons for that decision.

4. BACKGROUND

Council adopted the current Local Law No.2 on 1 October 2007. A review of Local Law No.2 commenced in February 2009 accordance with 2008/2009 Council Plan action: 'Review Local Law No.2 and present to Council for consideration'.

At the Ordinary Meeting held on 4 May 2009, the following recommendation was adopted:

1. *That Council, pursuant to Sections 119 and 223 of the Local Government Act 1989, gives notice in the Government Gazette and public notice of its intention to consider amending Local Law No.2 and invites written submissions in regards to the draft Local Law No.2;*
2. *That Council, in accordance with section 223 of the Local Government Act 1989, considers any submissions received in relation to the draft Local Law No.2 at a Special Council Meeting to be held on 9 June 2009 at 7:00pm.*

3. *That Council considers the adoption of the draft Local Law No.2 at the Ordinary Council Meeting to be held on 15 June 2009.*

The draft Local Law No.2 was released for public exhibition on Thursday, 7 May 2009 with an invitation to make submissions. The submission period closed 4 June 2009.

At the Special Council Meeting held on 9 June 2009 the following recommendation was adopted:

That Council notes no submissions were made in regards to the draft Local Law No.2.

5. **ISSUES**

As part of this review several sections of Local Law No.2 have been amended to reduce ambiguity, address contemporary issues and improve consistency across the document.

A summary of the more substantive changes are as follows:

1. Expansion and clarification of definitions, including linking the penalty unit amount to the Monetary Units Act 1994 (part 1 section 9);
2. Clarification of fence obstruction requirements (part 4 section 35);
3. Wheeled recreation devices to come under same requirements of 'Use of Toy Vehicle' (part 6 section 69);
4. Definition of clear access to property line for outdoor eating facilities (part 7 section 92);
5. Clarification of restrictions on parking and driving on Council land, including recreational vehicles (part 8 section 125);
6. Enhancing Council's ability to serve a Notice to Comply in regards to dangerous and unsightly land (part 9 section 130);
7. Inclusion of chimeneas in nuisance provisions (part 9 section 137);
8. Clarifying requirements over free flying pigeons (part 11 section 154);
9. Placing onus on person in charge of a dog to carry the means of excrement removal (part 11 section 157);
10. Enhancing provisions for asbestos removal (part 12 section 165);
11. Adding requirements for food safety plan compliance assessments (part 13 section 187);

12. Clarification grazing livestock on roads requirements (schedule 1 section 8);
13. Increasing requirements for applying and giving public notice for the discharge of fireworks (schedule 1 section 22).

During this review period several clauses were amended from the initial draft. The final proposed clauses are:

Clause 125: Parking/Driving on a Reserve, Reservations or Council Land:

125.3 Subject to any Act, a person without a Permit must not drive, ride or use a vehicle or recreational vehicle on any council land, reserve, public place, shared footway and/or municipal place.

Penalty: 2 Penalty Units.

125.4 Where any vehicle or recreational vehicle is used in contravention of this Division, an Authorised Officer may remove and impound the vehicle or recreational vehicle.

Clause 158 of the draft Local Law No. 2 has been made consistent with Clause 32 of the Latrobe Planning Scheme.

The final proposed change is:

158 Except as provided in Clause 155, no other property may keep more than five dogs and three cats without a permit.

In addition, during the review several references to legislation and definitions were amended. These amendments have not resulted in any significant change to the purpose or application of the local law.

6. FINANCIAL AND RESOURCES IMPLICATIONS

There were minimal financial implications in the review of Local Law No.2.

Costs of approximately \$400 were incurred for the placing of a notice in the Government Gazette Notice and public notices in the Latrobe Valley Express. Similar costs will be incurred if the law is adopted as according to the Act, after a local law has been made the Council must give a notice in the Government Gazette and a public notice specifying the title of the local law; and the purpose and general purport of the local law; and that a copy of the local law may be inspected at the Council office.

These costs have been budgeted for in the 2008/2009 budget.

By linking the penalty unit amount to *the Monetary Units Act 1994* the Local Law No.2 penalty unit will now be indexed annually rather than remaining at \$100 per penalty unit. The current value of a penalty unit is \$113.42. Applying this increase to an average number of infringements issued under Local Law No.2 would result in approximately \$1,300 increase in infringement income in 2009/2010.

7. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

The review of Local Law No.2 has been undertaken with input from various internal stakeholders.

The draft Local Law No.2 was released for public exhibition for 28 days from 7 May 2009 until 4 June 2009. All submissions were to be treated in accordance with section 223 of the *Local Government Act 1989*.

A notice informing the community of the availability of the draft document and inviting written submissions was placed in the Government Gazette on 14 May 2009 and a public notice was placed in the Latrobe Valley Express on 7 and 12 May 2009.

Copies of the draft Local Law No.2 were made available on the website and hard copies were able to be viewed at all Citizen Service Centres.

Details of Community Consultation / Results of Engagement:

No submissions were made in regards to the draft Local Law No.2.

8. OPTIONS

There are three options available to Council:

1. Adopt Local Law No.2 (09 LLW-2).
2. Amend and adopt the Local Law No.2 (09 LLW-2).
3. Not adopt the Local Law No.2 (09 LLW-2).

9. CONCLUSION

A review Local Law No.2 has been completed in accordance with the 2008/2009 Council Plan Action 'Review Local Law No.2 and present to Council for consideration' and Sections 119 and 223 of the *Local Government Act 1989*.

At the Special Council Meeting on 9 June 2009 Council noted that no submissions were received on the draft Local Law No.2 during the public exhibition period.

It is now timely to consider the adoption of Local Law No.2 (09 LLW-2).

10. RECOMMENDATION

That Council adopts Local Law No.2 (09 LLW-2).

Cr Gibson left the Council Chamber at 9.42 pm

Moved: Cr Lougheed

Seconded: Cr White

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

Latrobe City Council Local Law No.2

**7.5 SOUTHERN TOWNS OUTDOOR RECREATION PLAN - RESULTS
OF COMMUNITY CONSULTATION**

This item was considered earlier in the meeting.

7.6 WAIVING OF RATES BUSHFIRE AFFECTED AREAS

AUTHOR: General Manager Governance
(ATTACHMENT – NO)

1. PURPOSE

The purpose of this report is to provide Council with financial information in relation to the impact on Council if 2009/2010 rates were waived for ratepayers who have had a major or moderate impact from the recent bushfires, rather than a severe impact, as defined by the Gippsland Emergency Relief criteria.

2. DECLARATION OF INTERESTS

No officer declared an interest, under the *Local Government Act 1989* in the preparation of this report.

3. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective – Governance

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

Community Outcome – Democratic Governance

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

Community Outcome – Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Action – Democratic Governance

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

Strategic Action – Legislative Compliance

Continue to administer sound financial management practice.

Council Policy – Financial Hardship Policy 09 POL-01

Relevant Legislation

Valuation of Land Act 1960 Section 13DF

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

Local Government Act 1989: Section 171

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

4. BACKGROUND

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

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

Bushfire Recovery Assistance

In response to the impact of the fires, a range of measures have been put into place by Latrobe City Council to assist directly impacted residents. These measures were detailed in a report to Council on 20 April 2009.

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

Council subsequently resolved at the Ordinary Council Meeting held on 20 April 2009.

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

This report is in response to the above recommendation of the Ordinary Council Meeting dated 20 April 2009.

5. ISSUES

The recent bushfires have had a devastating impact on the residents of Latrobe City. Council has previously approved a range of assistance measures for residents severely impacted by bushfires. Assessments have been conducted on the residents that have experienced a major or moderate impact by the bushfires in terms of the financial impact on Council if rates and charges were waived for those properties in the 2009/10 financial year.

The Gippsland Emergency Relief Fund eligibility criteria has been utilised to assess the impact on individual properties as follows:

Eligibility Criteria

- Severe impact: Premises uninhabitable for extended period (more than 1 month); premises destroyed or major structural repairs required.

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

The table below represents the number of properties in each category in accordance with the Gippsland Emergency Relief Fund criteria.

<i>Impact Rating</i>	<i>Number Issued to date</i>
Severe	180
Major	3
Moderate	139
Minor	249

In terms of supplementary rate assessments this is currently undertaken on an individual property basis in accordance with the *Valuation of Land Act 1960*.

Council's Financial Hardship Policy 09 POL-1 provides a mechanism for ratepayers to apply for financial assistance based on their current financial circumstances. Ratepayers are encouraged to utilise this avenue if they believe they are experiencing financial hardship.

6. FINANCIAL AND RESOURCES IMPLICATIONS

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

As such a financial analysis is now possible, with the following financial impact being assessed based on estimated rates and charges for 2009/2010 financial year for properties that have a major or moderate impact.

<i>Impact Rating</i>	<i>2009/10 Rates & Charges</i>
Major	\$3,500
Moderate	\$202,000
Total	\$205,500

The draft 2009/2010 budget does not include any allowance for waiving of rates for the major and moderately impacted properties listed above.

7. INTERNAL/EXTERNAL CONSULTATION

Details of Consultation:

This report has been prepared based on extensive internal consultation with Council officers and advice from the Municipal Association of Victoria and other fire affected municipalities.

8. OPTIONS

Council has the following options available:

1. Authorise the waiving of general rates and municipal charge for the 2009/10 financial year for ratepayers whose properties had a major or moderate impact from the bushfires in the municipality “as defined by the Gippsland Emergency Relief Fund Eligibility Criteria”; or
2. Not waive general rates and municipal charges for the 2009/10 financial year for ratepayers identified in option 1 and encourage those ratepayers to utilise the provisions of Council’s Financial Hardship Policy 09 POL-01; or
3. Provide a modified financial rates and charges assistance package to those eligible ratepayers in option 1.

9. CONCLUSION

Council has previously approved a range of assistance measures for residents severely impacted by bushfires. Assessments have been conducted on the residents that have experienced a major or moderate impact by the bushfires in terms of the financial impact on Council if rates and charges were waived for those properties in the 2009/10 financial year.

10. RECOMMENDATION

- 1. That Council waive general rates and the municipal charge for the 2009/10 financial year for those property owners that have experienced a “major impact” by the bushfires in the municipality “as defined by the Gippsland Emergency Relief Fund eligibility criteria” where the principle place of residence has been impacted.**
- 2. That Council not waive general rates and the municipal charge for the 2009/10 financial year for those property owners that have experienced a “moderate impact” by the bushfires in the municipality “as defined by the Gippsland Emergency Relief Fund eligibility criteria” where the principle place of residence has been impacted.**
- 3. That Council encourage any resident that has had a “moderate impact” by the bushfires in the municipality “as defined by the Gippsland Emergency Relief Fund eligibility criteria” and is experiencing financial difficulty, to make application under Council Financial Hardship Policy for assessment of any eligible financial relief.**

Moved: Cr Vermeulen

Seconded: Cr White

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

Cr Gibson returned to the Council Chamber at 9.44 pm

PRESENTATION OF PETITIONS

**10.1 PETITION REGARDING THE PROPOSED LOCATION OF THE
GLENGARRY SKATE PARK**

This item was considered earlier in the meeting.

BUILT AND NATURAL ENVIRONMENT SUSTAINABILITY

**11.3.1 BRIDGE AND MAJOR CULVERT ASSET MANAGEMENT PLAN
2009 - 2013**

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

1. PURPOSE

The purpose of this report is to present to Council the Bridge and Major Culvert Asset Management Plan 2009 - 2013 for consideration and to seek Council's adoption.

2. DECLARATION OF INTERESTS

No officer declared an interest, under the Local Government Act 1989 in the preparation of this report.

3. 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.

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 including whole-of-life maintenance requirements.

Policy – Asset Management Policy 09 POL-3

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

4. **BACKGROUND**

Latrobe City Council is responsible for a large portfolio of bridge and culvert assets that enables the community to access and enjoy the services and facilities that the municipality has to offer and to support the economic and social development of the City.

Stewardship of these assets is a core council function and sound asset management is necessary to enable council to meet its responsibilities to provide services to current and future generations and maintain community infrastructure within Latrobe City.

The goal of asset management is to ensure that assets and infrastructure support services are appropriate, accessible, responsive and sustainable to the community.

The Asset Management Strategy adopted by Council on 2 April 2007 identified that asset management plans needed to be developed for the major asset classes that council owns and maintains as shown in this table.

Asset Management Plan	Status
Road Signs	Adopted 2007
Public Lighting	Adopted 2007
Footpaths	Adopted 2008
Bridges & Major Culverts	Scheduled 2008/09
Buildings	Draft Scheduled 2008/09
Roads	Adopted 2009
Trees	Scheduled 2009/10
Drainage	Scheduled 2009/10
Reserves, Sport Fields and Playgrounds	Scheduled 2010/11
Street Furniture	Scheduled 2010/11

A copy of the full plan, which includes more detailed background information, issues and financial/resource implications is attached.

5. **ISSUES**

This Asset Management Plan (AMP) sets out the inspection regimes and maintenance tasks that are to be undertaken over the life of the plan.

Since the introduction of the *Road Management Act 2004*, council officers have been inspecting bridges and major culverts from a risk reduction perspective. This AMP allows for the collection and modelling of asset condition data to allow a more accurate assessment of what the annual renewal expenditure on bridges and major culverts should be to maintain the network in a good condition.

6. FINANCIAL AND RESOURCES IMPLICATIONS

The Bridge and Major Culvert Asset Management Plan recommends a funding level over the life of the plan to maintain this asset class.

7. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

There has been no community consultation on the Bridge and Major Culvert Asset Management Plan in line with the other asset management plans adopted by Council. The Road Management Plan has a statutory requirement for seeking public submissions and a public consultation process was followed for that plan before being adopted by Council on 20 April 2009.

Details of Community Consultation / Results of Engagement:

N/A.

8. OPTIONS

Council has the following options available:

1. Adopt the Bridge and Major Culvert Asset Management Plan as presented.
2. Amend and adopt the Bridge and Major Culvert Asset Management Plan.
3. Decline to adopt the Bridge and Major Culvert Asset Management Plan.

9. CONCLUSION

The Asset Management Strategy identified that an Asset Management Plan was required for Bridges and Major Culverts. The Bridge and Major Culvert Asset Management Plan has now been prepared and is being presented for Council's consideration and to seek adoption.

Adoption of this plan will highlight future funding required to maintain this asset class at an acceptable level and will guide budget development in future years.

10. RECOMMENDATION

That Council adopts the Bridge and Major Culvert Asset Management Plan 2009 - 2013.

Moved: Cr White

Seconded: Cr Gibson

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

Bridge and Major Culvert Asset Management Plan 2009 - 2013

11.3.2 GABO WAY, MORWELL - PROPOSED TRAFFIC CALMING

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

1. PURPOSE

The purpose of this report is to provide Council with the findings of an investigation into traffic issues along Gabo Way, Morwell.

2. DECLARATION OF INTERESTS

No officer declared an interest, under the Local Government Act 1989 in the preparation of this report.

3. 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.

Policy No.

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*";
- Austroads "*Guide to Traffic Engineering Practice*"; and
- VicRoads "*Traffic Engineering Manual*".

4. BACKGROUND

The following table summarises the process that has been undertaken to investigate traffic issues along Gabo Way and Nindoo Drive, Morwell.

18 June 2007	<p>A petition signed by 81 residents representing 60 percent of the occupied properties along Gabo Way, requesting that works be carried out to reduce vehicle speeds along Gabo Way, was tabled. Council resolved at its Ordinary Meeting:</p> <p><i>1. That the petition requesting that works be carried out to reduce the speed at which vehicles travel along Gabo Way, Morwell, lay on the table until the Ordinary Council Meeting on 16 July, 2007.</i></p>
16 July 2007	<p>Following consideration of a report on this matter Council resolved at its Ordinary Meeting:</p> <p><i>1. That Council agree in principle for the need to install traffic calming devices along Gabo Way, Morwell to generally reduce traffic speeds along the street to an appropriate level.</i></p> <p><i>2. That consultation regarding the installation of traffic calming devices along Gabo Way be undertaken with all premises along the street.</i></p>
March - July 2008	<p>Consultants HDS investigate and suggest options for calming traffic along Gabo Way and recommend that works also be undertaken in Nindoo Drive.</p>

March 2009	Survey undertaken of residents along Gabo Way and Nindoo Drive and all courts off Gabo Way and Nindoo Drive to gauge support for a number of different traffic calming options. Results of survey are discussed in section 6 of this report.
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5. ISSUES

Gabo Way is classified as a Major Access Street under Council's road hierarchy. This means that the street should only provide for local residential access, that local amenity is more important than traffic function and that vehicle speeds and traffic volumes should be low.

Under Council's Design Guidelines the average vehicle speed along a major access street, should be no more than 40 km/h for the amenity of the street. Traffic counts revealed that the average vehicle speeds along Gabo Way were generally 5 to 7 km/h higher than desirable. The surveys also found that along some sections of Gabo Way over 40 percent of all vehicles were exceeding the 50 km/h speed limit.

To achieve an acceptable level of amenity in this type of street, guidelines state that Major Access Streets should have a road width of no more than 7.0 metres and street section lengths should no more than 100 to 140 metres. The current width of Gabo Way is 11.0 metres. Gabo Way is therefore wider, straighter and relatively more open than is considered appropriate for its classification and there are few vehicles parked on-street to deflect and slow the path of vehicle's moving along the street.

To address this issue, consultants HDS Australia were requested to investigate and develop options for reducing vehicle speeds along Gabo Way. Traffic calming options suggested by HDS Australia included the installation of road humps at eight locations, the installation of road cushions with kerb extensions at eight locations, and the installation of two lane angled slow points at eight locations. Other types of traffic calming devices were considered to be not appropriate for use along Gabo Way. For example, there is not sufficient area within the intersections along Gabo Way to install a roundabout without encroaching into the adjacent properties, and altered T-intersections and centre blister islands could not be installed without adversely affecting access to adjacent properties.

HDS Australia also suggested that the implications for Nindoo Drive of providing extra traffic control devices on Gabo Way must also be addressed. Nindoo Drive has a median opening at its western end, allowing drivers to undertake left and right turns out onto Bridle Road. Whilst Nindoo Drive does have existing traffic control devices (two road humps), they are not spaced appropriately and drivers can build up their speed between the devices and at each end of the street. To ensure Nindoo Drive will not be an attractive option for drivers wanting to speed, extra traffic control devices along Nindoo Drive are considered necessary. It was therefore proposed that a new road hump would be installed at each end of Nindoo Drive.

Concept plans of the suggested traffic calming options were then prepared for public consultation. Copies of plans of the options and explanatory notes are attachments to this report.

The installation of road humps combined with kerb extensions at eight locations along Gabo Way (Option 4) and the installation of two additional road humps along Nindoo Drive were nominated as Latrobe City Council's recommended traffic calming treatment for this area. This recommendation was made following consideration of effectiveness of the traffic calming treatments, the net resultant affect on the amenity of the area and previous experience from the use of these devices.

Prior to suggesting the installation of road humps or angled slow points along Gabo Way, HDS Australia were advised by the Department of Transport that Gabo Way was not part of a current bus route and unlikely to become part of any future bus route.

However during the consultation process, a number of residents advised that Gabo Way is currently being used by school buses with morning and afternoon stops at locations along the street. Further enquiry confirmed that school buses operated by Latrobe Valley Bus Lines under contract to the Department of Transport use Gabo Way as part of a regular school bus route. The Department has apologised for their earlier incorrect advice.

This has significant implications for Gabo Way because, as a general rule, buses must be able to negotiate all traffic calming devices located along the route of a regular bus service and on all bus access routes to schools. The agreement of the bus operator is required to the use of any proposed traffic calming devices along these routes. Modification of some devices such as angled slow points, to permit the passage of buses can significantly reduce the effect of the device preventing their use along a bus route.

Road humps are also not preferred by bus operators as the passage of a bus over a hump can cause unacceptable vertical accelerations for passengers, particularly those towards the rear of the bus. There have been incidents recorded in Melbourne of passengers being thrown up and hitting their heads on the bus roof when the bus has passed over a road hump too quickly.

The Department of Transport and the Latrobe Valley Bus Lines have advised that currently road cushions are the only acceptable traffic calming device for installation along a bus route. Wider vehicles such as buses are able to straddle the road cushion minimising the inconvenience and discomfort.

In view of the above, it is now suggested that option 2, the installation of road cushions with kerb extensions at eight locations, should be the recommended traffic calming treatment for Gabo Way.

6. FINANCIAL AND RESOURCES IMPLICATIONS

There are no funds specifically allocated for works in this area. If further works are determined to be required, such works shall need to be referred for consideration in future capital works programs.

7. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Correspondence.

Details of Community Consultation / Results of Engagement:

Letters and forms were sent in March 2009 to owners and occupiers of all properties along Gabo Way and Nindoo Drive and all properties located in the courts off Gabo Way and Nindoo Drive. Included were plans of the options and information explaining the effectiveness and other issues associated with each option and the process by which these options were developed. This information was also placed on Council's website and advertised in The Latrobe Valley Express with comment invited.

The letters also advised that the installation of road humps combined with kerb extensions at eight locations along Gabo Way (Option 4) and the installation of two additional road humps along Nindoo Drive were nominated as Latrobe City Council's recommended traffic calming treatment for this area.

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

A summary of the responses received is shown below. Note that a total of 88 responses were received. It is clear from the responses that a majority of the respondents agree with the recommended traffic calming works along Gabo Way and Nindoo Drive.

ALL STREETS	YES	Neutral/ Nil Response	NO	Total Responses	No. occupied properties	No Response	% responses
Option 1 –remove existing splitter islands and install road humps at eight locations along Gabo Way	28	34	26	88	300	222	26%
Option 2 – remove existing splitter islands and install road cushions with kerb extensions at eight locations along Gabo Way	7	41	40				
Option 3 – remove existing splitter islands and install two lane angled slow points at seven locations along Gabo Way	16	40	32				
Option 4 – (RECOMMENDED OPTION) remove existing splitter islands and install road humps with kerb extensions at eight locations along Gabo Way	50	19	19				
Install two additional road humps in Nindoo Drive (RECOMMENDED OPTION)	55	14	19				

Note that multiple responses were received from some properties

It is also important to note the response for option 2, the use of road cushions. Although many respondents did not record a response for this option, nearly half the total responses disagreed with the use of road cushions.

8. OPTIONS

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

1. Take no further action on this matter; or
2. Implement the recommendations to improve traffic safety in the area.

9. CONCLUSION

At the Ordinary Council Meeting held on 16 July 2007, Council agreed "in principle" that traffic calming works should be installed along Gabo Way to reduce vehicle speeds to an appropriate level.

Consultation with the residents of the area regarding the type of traffic calming treatments that should be installed was based upon advice that Gabo Way was not part of a bus route now and unlikely to be in the future. The recommended treatment along Gabo Way was also founded upon this advice.

It is noted that the use of road cushions rather than road humps, would minimise the inconvenience, discomfort and potential for injury for bus passengers. This is even more desirable on school bus routes where passengers are less likely to be restrained (such as by seat belts) than on town bus routes. It is suggested that in the interests of improving safety for all road users, the use of road cushions with kerb extensions should now be the preferred traffic calming treatment for Gabo Way.

Although there is support for the recommended traffic calming treatment of road humps with kerb extensions from the respondents to the survey, it is noted that no response was received from 74 percent of the residents (222 premises) in the area.

It is therefore recommended that Council should now undertake further consultation with the residents of the area. The change in the preferred treatment should be explained and an indication sought on whether the use of road cushions along Gabo Way would be supported.

10. RECOMMENDATION

- 1. That further consultation be undertaken with the owners and occupiers of all premises located along Gabo Way and Nindoo Drive, Morwell and all the courts located off Gabo Way and Nindoo Drive explaining the change in the preferred traffic calming treatment along Gabo Way and seeking an indication of support for the installation of road cushions with kerb extensions along Gabo Way and the installation of two additional road humps in Nindoo Drive.**
- 2. That a further report be presented to Council following the completion of consultation with the residents of the area regarding the type of traffic calming treatments to be installed along Gabo Way and Nindoo Drive.**
- 3. That Council advises the owners and occupiers of all properties along Gabo Way and Nindoo Drive and in all courts off Gabo Way and Nindoo Drive and also the Department of Transport and Latrobe Valley Bus Lines of Council's decision in relation to the construction of traffic calming works along Gabo Way and Nindoo Drive, Morwell.**

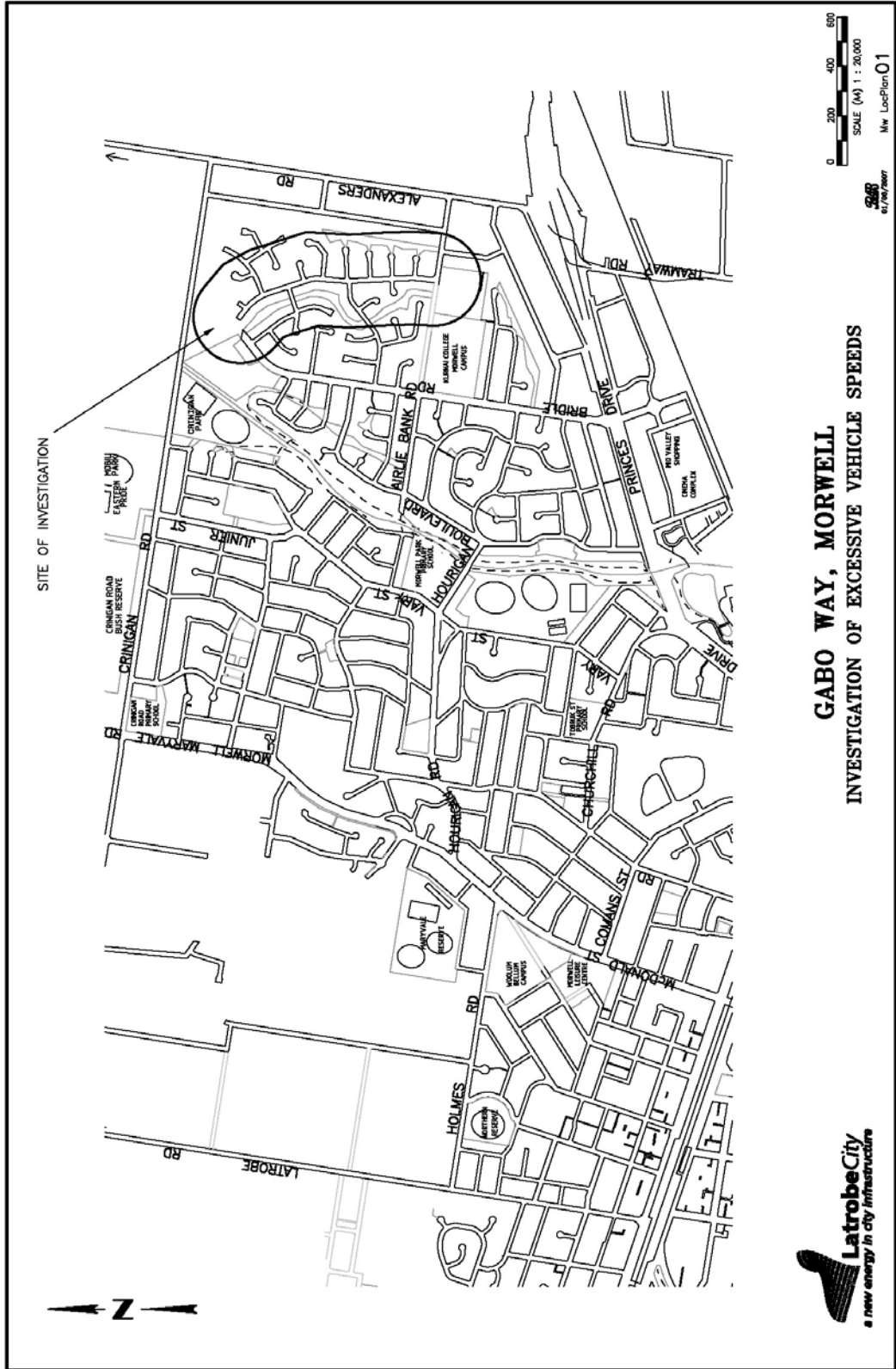
Moved: Cr Vermeulen

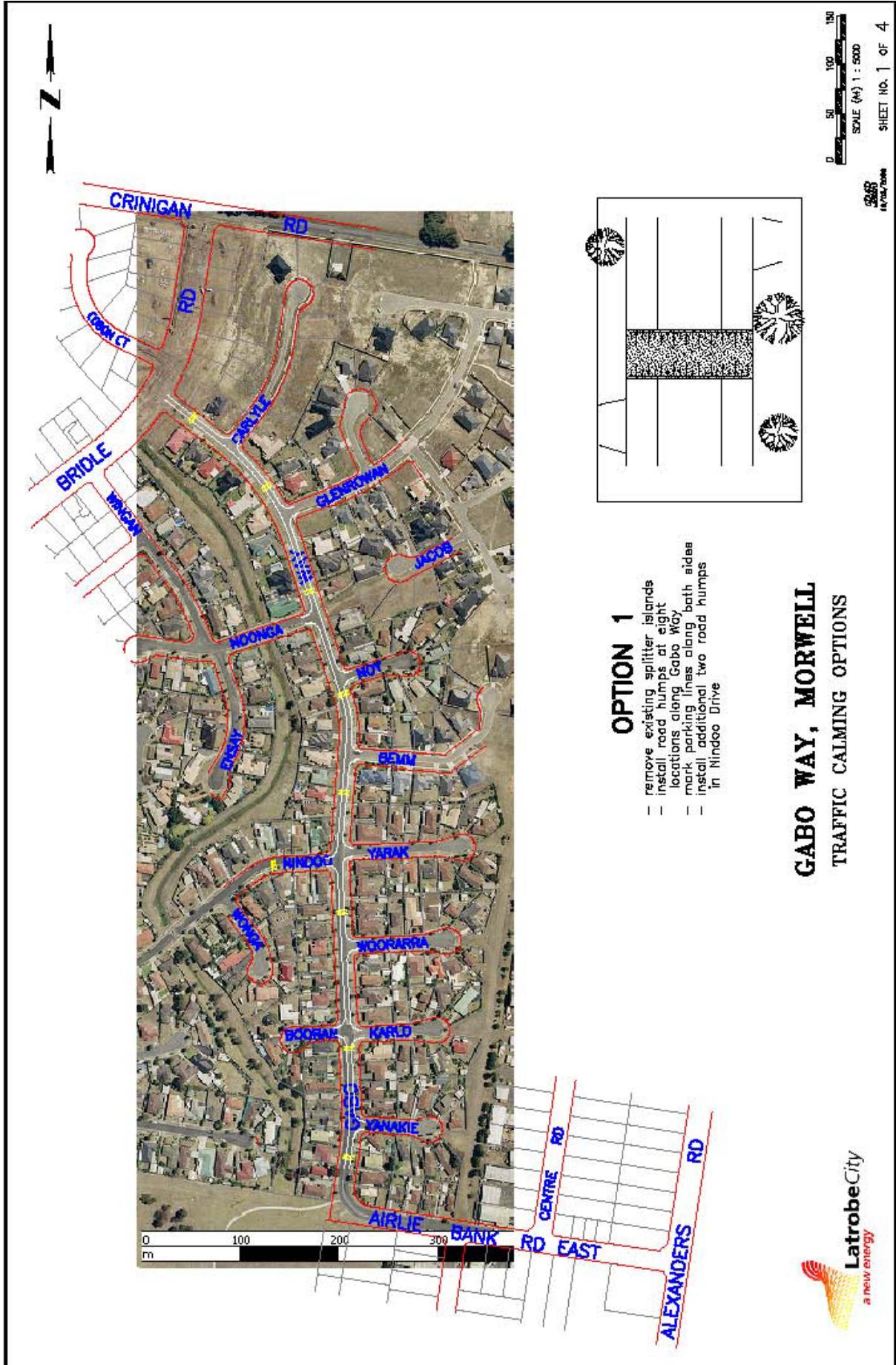
Seconded: Cr Lougheed

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENTS





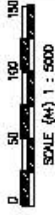
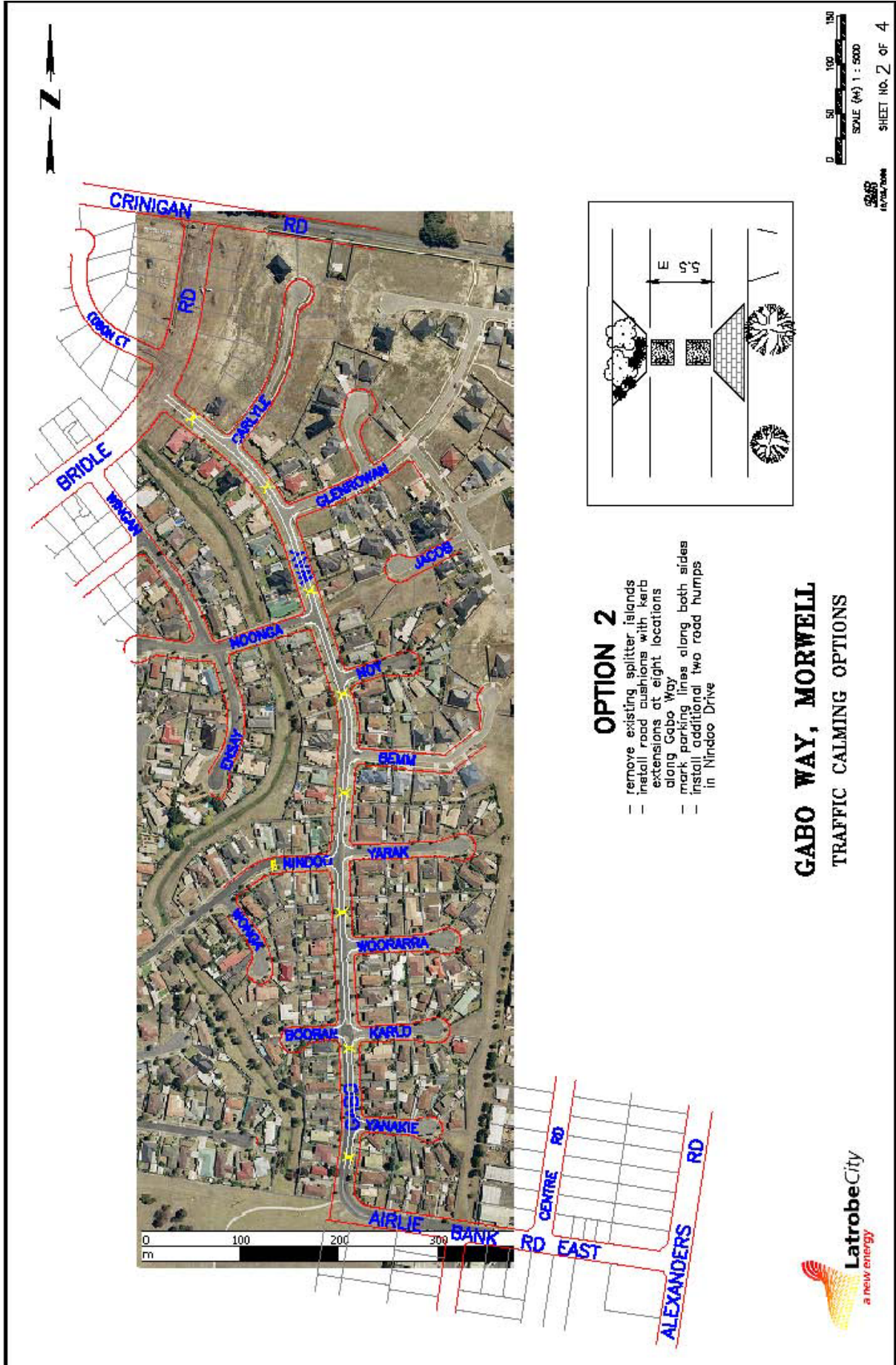
OPTION 1

- - remove existing splitter islands
- - install road humps at eight locations along Gabo Way
- - mark parking lines along both sides
- - install additional two road humps in Nindoo Drive

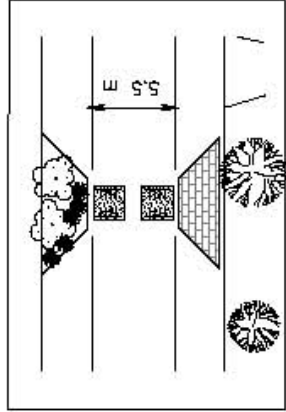
GABO WAY, MORWELL
TRAFFIC CALMING OPTIONS



SHEET NO. 1 OF 4



SHEET NO. 2 OF 4

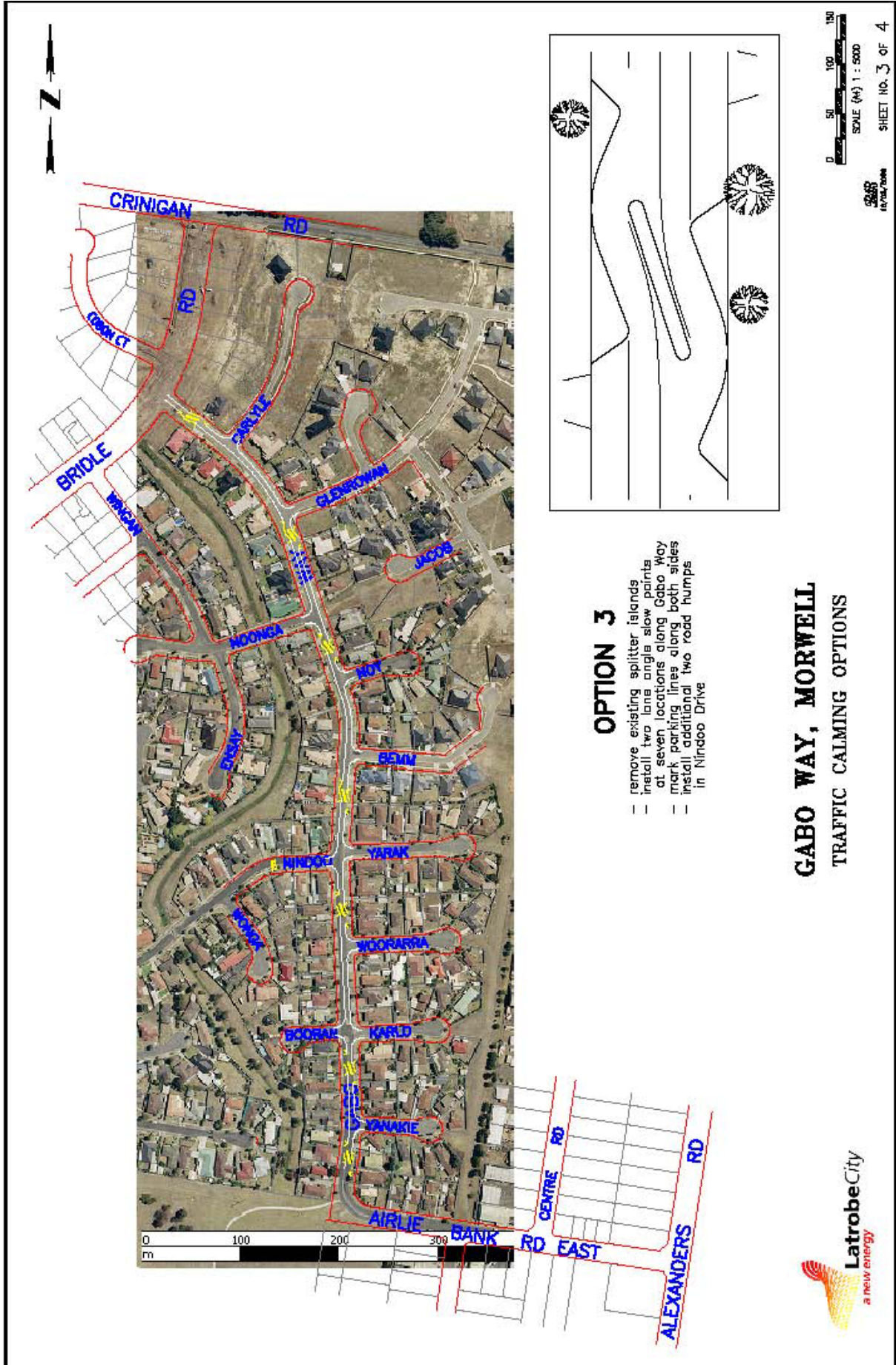


OPTION 2

- remove existing splitter islands
- install road cushions with kerb extensions at eight locations along Gabo Way
- mark parking lines along both sides
- install additional two road humps in Nimdoc Drive

**GABO WAY, MORWELL
TRAFFIC CALMING OPTIONS**





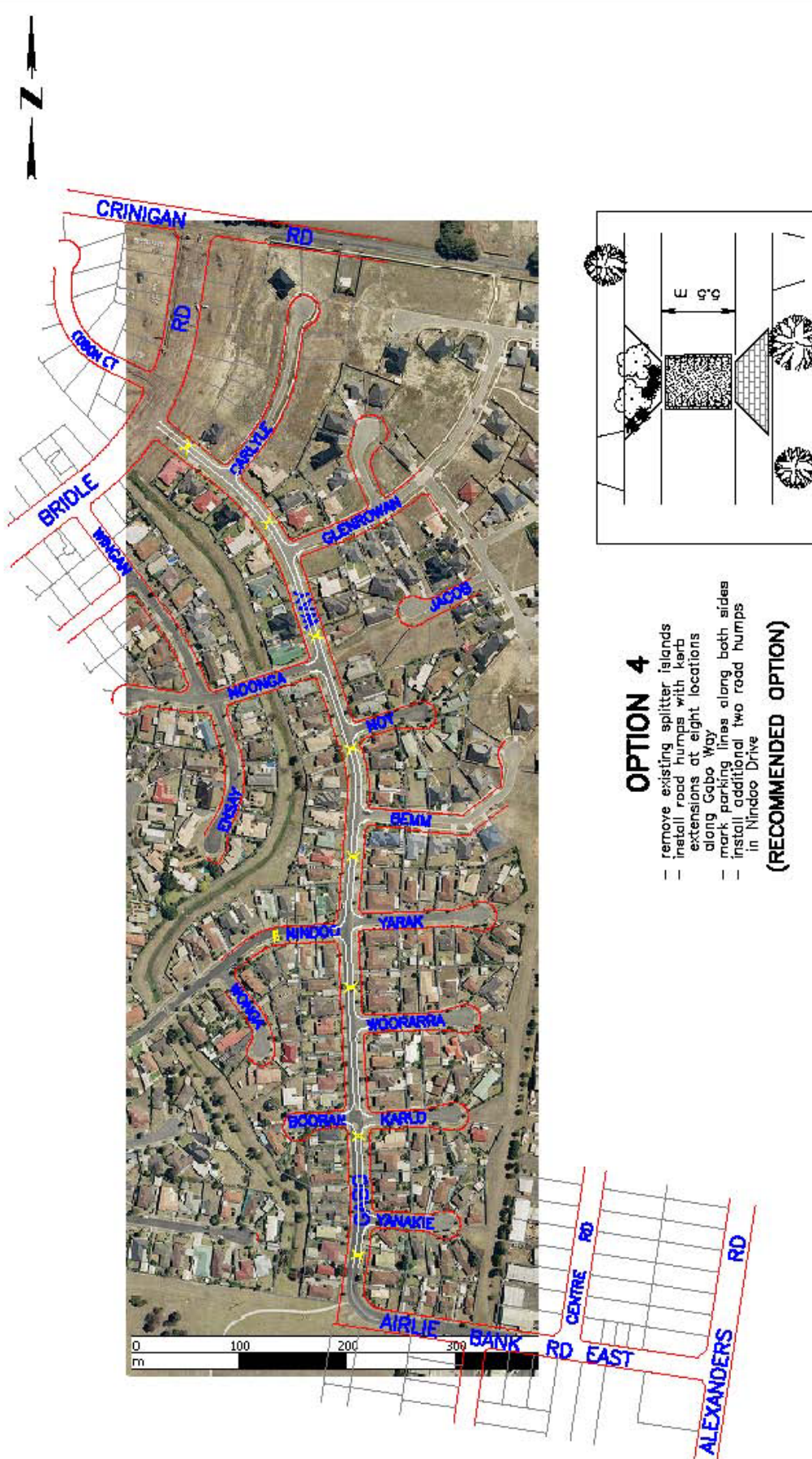
OPTION 3

- remove existing splitter islands
- install two lane angle slow points at seven locations along Gabo Way
- mark parking lines along both sides
- install additional two road humps in Nindoo Drive

GABO WAY, MORWELL
TRAFFIC CALMING OPTIONS



SCALE (M) 1 : 5000
SHEET NO. 3 OF 4



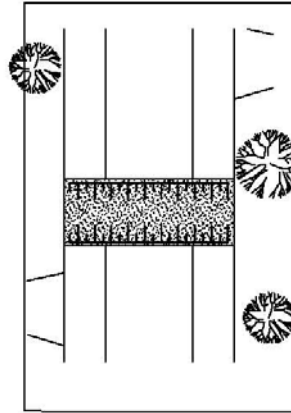
OPTION 4

- remove existing splitter islands
- install road humps with kerb extensions at eight locations along Gabo Way
- mark parking lines along both sides in Nimoo Drive

(RECOMMENDED OPTION)

GABO WAY, MORWELL
TRAFFIC CALMING OPTIONS





NINDOO DRIVE

— install additional two road humps

GABO WAY, MORWELL
TRAFFIC CALMING OPTIONS





GABO WAY & NINDOO DRIVE, MORWELL

TRAFFIC CALMING OPTION EXPLANATORY NOTES

A Brief History

A petition was received by Latrobe City Council with 81 signatures representing 44 of the then 73 occupied properties in Gabo Way, requesting the installation of speed humps and/or barriers along Gabo Way to slow down the speed of vehicles using the street.

Gabo Way is classified as a Major Access Street under Latrobe City's road hierarchy (planning). This means the street should only provide for local residential access and should not provide for any through traffic function. Under Latrobe City's Design Guidelines the **average** vehicle speed along a major access street should be approximately 40 km/h.

Traffic counts revealed that the average mid-block vehicle speeds along Gabo Way were generally 5 to 7 km/h higher than desirable. The surveys also found that in some sections of Gabo Way over 40 per cent of all vehicles were exceeding the 50 km/h speed limit.

Latrobe City Council at its ordinary meeting on 16 July 2007 resolved that there is a need to install traffic calming devices along Gabo Way to reduce vehicle speeds along the street to an appropriate level, improving safety and amenity in the area.

Constraints

To address this issue, a number of traffic calming options have been prepared which are discussed further below. The development of these options followed consideration of a range of factors and local constraints along Gabo Way:

- Use of the existing device – located at the intersection of Gabo Way with Booran and Karlo Courts, this device is a combination of two splitter islands and is a substandard variation on a slow point. It would need to be upgraded to ensure it provides appropriate speed reduction, including preventing drivers from driving straight through the device. The device is also not a Latrobe City Council standard device or one recommended by Austroads or VicRoads. Given the requirement for upgrade, and the inconsistent road environment that it would produce, retention of the existing device was not recommended.

- Speed design and the spacing of traffic calming devices is important in lowering vehicle speeds to an acceptable uniform level. Traffic calming devices are generally designed to safely deflect the path of vehicles through or over a device reducing vehicle speeds to about 20 km/h for most devices. For safety reasons, devices are designed so that the speed at which the device can be negotiated is no more than 20 km/h lower than the speeds at which vehicles approach the device. **Device spacing is therefore important to ensure that lower vehicle speeds are maintained along the street.** Less devices or longer spacing between devices can lead to faster vehicle speeds between the devices and drivers may confront the devices at speeds more than 20 km/h higher than the speed at which the device can be negotiated. It is therefore a general requirement that traffic management devices should not be used as one-off treatments or at spacings greater than recommended. To achieve the target vehicle speed along the whole length of Gabo Way, guidelines advise that proposed **20 km/h devices should be no more than 100 to 140 metres apart.**
- The location and spacing of existing intersections - Intersections along Gabo Way are generally spaced less than 100 metres apart or at more than the 150 metres apart. This does not meet the traffic calming device spacing requirements and the use of intersection treatments along Gabo Way was consequently not an option.
Some devices such as road humps, cushions, slow points and centre blisters are mid-block treatments and cannot be installed within intersections. This can occasionally create issues for locating mid-block devices along a road, resulting in unequal or inappropriate spacing of the devices.
- Maintaining property access - the layout and length of some devices is such that they are difficult to locate without unduly restricting access to adjacent property. Altered T-intersections could not be considered as access to those properties located opposite the intersections would be blocked or unduly restricted.
Similarly centre blisters require lengths of road of 25 metres or more that are clear of property vehicle crossings on both sides of the road. For the treatment to be effective, this must occur at the required spacings along the length of the road. In Gabo Way, a number of properties have dual crossings and the crossings for many properties are staggered from one side of the street to the other.
Appropriately sized clear lengths do not occur often enough and centre blisters are therefore not appropriate for Gabo Way.
- Bus routes – as a general rule buses must be able to negotiate all traffic calming devices located along the route of a regular bus service and on all bus access routes to schools. The agreement of the bus operator is required to the use of any proposed traffic calming devices along these routes. Modification of some devices such as angled slow points, to permit the passage of buses can significantly reduce the affect of the device preventing their use along a bus route.
Advice was received from the Department of Transport that Gabo Way is not part of a current bus route and unlikely to become part of any future bus route. Thus no allowance was necessary for the passage of buses when choosing the type of traffic calming devices to be used.

- Existing street widths – some devices require a minimum width of road pavement to be effective, for example to provide for adequate vehicle path deflection through the device. Other devices such as roundabouts require a minimum road area to provide for all vehicle turning movements. In many local areas, this road area is not available without encroaching significantly into adjacent properties.
Roundabouts at intersections along Gabo Way are therefore not an option.

Option 1 – Road Humps

This option proposes the removal of the two existing splitter islands, the installation of road humps at eight locations along Gabo Way and the marking of parking lines along both sides of Gabo Way, as shown on the attached plan.

Road humps are normally constructed of asphalt.

Effectiveness

When installed at the correct spacings road humps have a higher effectiveness rating for controlling vehicle speeds than the devices proposed in other options. Road humps are more effective at reducing speed as all wheels must transverse the road hump, which is not the case for road cushions.

This proposal generally achieves the device spacings required to reduce vehicle speeds to an appropriate level along Gabo Way.

If parking lanes are provided, the amount of on-street parking could increase, in turn reducing the perceived speed of the road by reducing the available width for vehicle movement.

Other effects

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

Road humps may also affect access by emergency vehicles.

The implications for Nindoo Drive of providing extra traffic control devices on Gabo Way must also be addressed. Nindoo Drive has a median opening at its western end, allowing drivers to undertake left and right turns out onto Bridle Road. Whilst Nindoo Drive does have existing traffic control devices (two road humps), they are not spaced appropriately and drivers can build up their speed between the devices and at each end of the street. To ensure Nindoo Drive will not be an attractive option for drivers wanting to speed, extra traffic control devices along Nindoo Drive are considered necessary. It is therefore proposed that a new road hump would be installed at each end of Nindoo Drive.

Option 2 – Road Cushions & Kerb Extensions

This option proposes the removal of the two existing splitter islands, the installation of road cushions at eight locations along Gabo Way and the marking of parking lines along both sides of Gabo Way, as shown on the attached plan.

The road cushions would be constructed with kerb extensions to reduce the road pavement width to 5.5 metres.

The road cushions are constructed of recycled rubber and fixed by mechanical means to the existing road pavement. Their shorter width allows buses and other larger vehicles to straddle the cushion.

The kerb extensions would be concrete kerbed and either concrete paved or landscape planted depending upon drainage conditions.

Effectiveness

Road cushions when combined with the narrower road pavement are effective at controlling the speeds of most vehicles. The design of the cushion width and the gaps between the cushions allows the passage of cyclists, buses and commercial vehicles without being unduly impeded. Buses and commercial vehicles (depending upon their tracking width) will be required to aim for the gaps but could maintain some increased speed through the cushions. Other vehicles (especially single occupant) may also place one set of wheels on the road cushion to provide the driver with a nicer ride and therefore be able to maintain some additional speed.

Road cushions are not effective at slowing motorcycles.

This proposal generally achieves the device spacings required to reduce vehicle speeds to an appropriate level along Gabo Way.

The kerb extensions and parking lanes will reduce the perceived speed of the road by reducing the available width for traffic movement along the street.

Other effects

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

Road cushions will cause a more uncomfortable ride than road humps when driven over at higher speeds. This could result in more noise, more complaints and maintenance issues. In addition, rubber road cushions can be vandalised more readily.

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

Road cushions may also affect access by emergency vehicles.

The implications for Nindoo Drive of providing extra traffic control devices on Gabo Way must also be addressed. Nindoo Drive has a median opening at its western end, allowing drivers to undertake left and right turns out onto Bridle Road. Whilst Nindoo Drive does have existing traffic control devices (two road humps), they are not spaced appropriately and drivers can build up their speed between the devices and at each end of the street. To ensure Nindoo Drive will not be an attractive option for drivers wanting to speed, extra traffic control devices along Nindoo Drive are considered necessary. It is therefore proposed that a new road hump would be installed at each end of Nindoo Drive.

Option 3 – Two Lane Angled Slow Points

This option proposes the removal of the two existing splitter islands, the installation of two lane angled slow points at seven locations along Gabo Way and the marking of parking lines along both sides of Gabo Way, as shown on the attached plan.

An angled slow point is a series of kerb extensions on both sides of the road which narrow and angle the roadway. Angled slow points are intended to reduce vehicle speeds by causing a change in the path of a vehicle along a road. The kerb extensions often incorporate some landscape planting.

Effectiveness

When installed at the correct spacings these devices provide effective vehicle speed control for most vehicles. However in this proposal, some of the distances between the devices had to be increased to ensure the devices were located clear of vehicle crossings to adjacent properties. This would reduce their effectiveness at maintaining lower vehicle speeds along Gabo Way.

The use of two lane slow points would provide a consistent environment for drivers. However they do not slow motorcyclists.

In addition, devices such as slow points that require horizontal movement through the device are generally not as effective at reducing vehicle speeds as are the devices that cause a vertical change in the path of a vehicle over the device, for example humps and cushions. As they become more familiar with these devices, experience has shown that some drivers will determine the 'fastest line' through the device resulting in less effective speed reduction. Additionally some 'hoon' drivers will see these devices as a challenge and will attempt to find out how fast they can drive through the devices. This results in higher speeds between the devices as well through them.

This contributes to slow points having a higher accident rate than vertical displacement devices such as humps and cushions.

Other effects

Angled slow points require that on-street parking is not permitted adjacent to the islands resulting in the loss of on-street parking for adjoining properties.

Access to or movement from the driveways to some adjacent properties may also be restricted by the installation of an angled slow point.

Slow points may also affect access by emergency vehicles.

The implications for Nindoo Drive of providing extra traffic control devices on Gabo Way must also be addressed. Nindoo Drive has a median opening at its western end, allowing drivers to undertake left and right turns out onto Bridle Road. Whilst Nindoo Drive does have existing traffic control devices (two road humps), they are not spaced appropriately and drivers can build up their speed between the devices and at each end of the street. To ensure Nindoo Drive will be not be an attractive option for drivers wanting to speed, extra traffic control devices along Nindoo Drive are considered necessary. It is therefore proposed that a new road hump would be installed at each end of Nindoo Drive.

Option 4 – Road Humps & Kerb Extensions (RECOMMENDED OPTION)

This option proposes the removal of the two existing splitter islands, the installation of road humps at eight locations along Gabo Way and the marking of parking lines along both sides of Gabo Way, as shown on the attached plan.

In this option the road humps would be constructed with kerb extensions to reduce the road pavement width to 5.5 metres.

Road humps are normally constructed of asphalt.

The kerb extensions would be concrete kerbed and either concrete paved or landscape planted depending upon drainage conditions.

Effectiveness

When installed at the correct spacings road humps have a higher effectiveness rating for controlling vehicle speeds than the devices proposed in other options. Road humps are more effective at reducing speed as all wheels must transverse the road hump, which is not the case for road cushions.

This proposal generally achieves the device spacings required to reduce vehicle speeds to an appropriate level along Gabo Way.

The kerb extensions and parking lanes will reduce the perceived speed of the road by reducing the available width for traffic movement along the street.

Other effects

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

Road humps may also affect access by emergency vehicles.

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

The implications for Nindoo Drive of providing extra traffic control devices on Gabo Way must also be addressed. Nindoo Drive has a median opening at its western end, allowing drivers to undertake left and right turns out onto Bridle Road. Whilst Nindoo Drive does have existing traffic control devices (two road humps), they are not spaced appropriately and drivers can build up their speed between the devices and at each end of the street. To ensure Nindoo Drive will not be an attractive option for drivers wanting to speed, extra traffic control devices along Nindoo Drive are considered necessary. It is therefore proposed that a new road hump would be installed at each end of Nindoo Drive.

RECREATIONAL AND CULTURAL LIVEABILITY

11.4.1 PROPOSED SISTER CITIES VISIT - SEPTEMBER 2009

AUTHOR: General Manager Recreational and Cultural Liveability
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to seek Council's approval for a delegation from Latrobe City to visit Japan and China in September 2009.

2. DECLARATION OF INTERESTS

No officer declared an interest, under the *Local Government Act 1989* in the preparation of this report.

3. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Sustainability

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

Community Outcome - Economic Sustainability

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

Strategic Action - Key Economic Development Actions

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

Economic Development Strategy

The Economic Development Strategy supports the ongoing delivery of economic sustainability outcomes for the municipality. The role of the Economic Development Division is to attract and retain environmentally sustainable economic development to Latrobe City by supporting existing business and facilitating investment opportunities.

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 - Cultural Liveability

Celebrate and raise awareness of Latrobe Valley's cultural diversity by developing innovative and inclusive projects, in cooperation with local cultural and heritage groups.

Council Plan 2008-2012 Action

Implement year two actions from the Latrobe City International Relations Plan

International Relations Plan 2007-2010

A key objective of the International Relations Plan 2007-2010 is 'to develop and further enhance our relationships with our sister cities; Takasago City, Japan and Taizhou City, China'.

Within this objective, the following key actions are relevant:

- Conduct an overseas / sister cities youth (12 – 25 years) exchange every 2 years (music, sport, education, cultural)
- Investigate the possibility of an arts innovation/project with our sister cities, incorporating:
 - travelling exhibition
 - artist in residency
 - art exchange
- Investigate the potential of establishing an iconic Latrobe City symbol in sister cities and vice versa

Council Plan 2009-2013 Action (Draft)

Undertake activities to recognise the ten year anniversary of the sister city relationships with Taizhou and Takasago.

4. BACKGROUND

Latrobe City has two sister cities, being Takasago in Japan and Taizhou in China.

Takasago and Latrobe City

The relationship with Takasago was born out of a multi million-dollar economic development project undertaken in Latrobe Valley by Japanese company, Kobe Steel, in the 1980s. Over 200 families from the Takasago area resided in Latrobe Valley during this time and had a significant economic impact on the region. At the request of Kobe Steel and Takasago City, Latrobe City Council commenced the process of establishing a relationship with Takasago City in the early 1990s. This ultimately led to Council entering into a formal relationship with Takasago City in October 2000. The agreement was signed by the then Mayor, Cr.Tony Hanning and Mr Kouichi Tamura, then Mayor of Takasago.

A summary of exchanges since 2000 shows the following:

Delegations from Takasago to Latrobe City	6
Delegations from Latrobe City to Takasago	5

These in-bound and out-bound delegations to Takasago have been as follows:

- April 2001 – 10 Latrobe City Students visited Takasago for one week.
- August 2002 – Ten Takasago students visited Latrobe City for four days.
- August 2002 – Members of the Latrobe Friendly Society (from Takasago) visited Latrobe City for one week.
- December 2002 – Members of Takasago Friendly Society (from Latrobe City) visited Takasago City.
- January 2004 – Latrobe City Youth Band Tour visit to Takasago.
- August 2004 – Ten Takasago students visited Latrobe City for one week.
- January 2006 - Twelve female junior basketball players and 14 junior male soccer players with seven accompanying adults visited Takasago City for five days.
- August 2006 - Ten Takasago students visit Latrobe City for one week.
- October 2007 – Members of the Latrobe Friendly Society (from Takasago) visited Latrobe City for one week and participated in Annual Japanese Day celebrations.

- January 2008 - Latrobe City Youth Band Tour to Takasago.
- August 2008 - Takasago Jazz Band visit Latrobe City 24 Band Members Played three Shows.

In addition to these delegations, the following key activities / exchanges have taken place:

- 2001 - The first Australian English Teacher (AET) assisted in teaching English at junior high schools in Takasago for 12 months. A total of six AET's have now undertaken exchanges under this program.
- August 2007 – Exchange teacher from Takasago visited Latrobe for a week and taught Japanese at primary schools.

Taizhou and Latrobe City

The sister city relationship with Taizhou developed from an initial interest, by Taizhou, in a region similar to itself. Following correspondence from Mr Cao Sumin, the then Director of the Foreign Affairs Office of the City of Taizhou, a business delegation from Taizhou City first visited (the then) La Trobe Shire on 8 May 1998. The five delegates were interested to seek "...business opportunities and build up friendly relations".

This initial visit commenced the sister city relationship. Since then, the relationship has been maintained through regular contact, reciprocal visits and a great deal of trust which has been nurtured over the years.

A Memorandum of Understanding was signed in April 1999. In the same year, a delegation of Latrobe City school principals visited Taizhou thereby commencing a successful program of sister school relationships involving Traralgon Secondary College, Lowanna College and Kurnai College.

In November 1999, La Trobe Shire Council resolved to establish a formal sister city relationship with Taizhou, and the Mayor of Taizhou was invited to visit Latrobe to sign the sister city agreement.

The Latrobe City – City of Taizhou sister city agreement was signed on Tuesday, 7 March 2000. Latrobe City Mayor, Councillor Lorraine Bartling and Mr Chen Baotian, Director, Standing Committee of Taizhou People's Congress, both signed the agreement that established an obligation on both cities to ensure regular contacts are maintained between the leaders and relevant departments of the two municipalities.

A summary of exchanges since 2000 shows the following:

Delegations from Taizhou to Latrobe City	11
Delegations from Latrobe City to Taizhou	4

These in-bound and out-bound delegations to Taizhou have been as follows:

- September 2000 – Taizhou delegation (6) visiting healthcare facilities in Latrobe City.
- August 2001 - Taizhou Children's Performing Arts Delegation. A ten day visit by 16 performers highly skilled in dancing, music and singing, who entertained over 1500 people in six scheduled performances.
- September 2002 – Taizhou delegation of five, visit to Latrobe City concentrating on healthcare, sporting facilities and tertiary education.
- October 2002 – Taizhou visiting Artist-in-Residence (3). A well known artist was hosted in Latrobe City for ten days during which time instruction and tutorials were given to local art groups and secondary and tertiary students.
- September 2003 – Taizhou delegation (6) visit Latrobe City focusing on healthcare and education.
- December 2003 – Taizhou delegation (5) visit Latrobe City with a specific focus on tertiary education.
- January 2004 – Latrobe City Youth Band Tour visit to Taizhou. This visit also provided an opportunity for the Latrobe City Council Economic Development Unit, who accompanied the band, to assess economic development opportunities with the City of Taizhou.
- September 2004 – Taizhou delegation (5) visit Latrobe City with a specific focus on education, healthcare and business.
- February 2005 – Taizhou delegation (7) visit Latrobe City with a focus on business and initiatives for future exchanges.
- May 2006 - Latrobe City junior mixed table tennis team visit Taizhou to compete in several table tennis matches and visit local schools.
- May 2007 - Twelve business representatives from Latrobe City visited respective business counterparts in Taizhou.
- August 2007 - Thirteen students and six teachers from Taizhou Middle School No.1 visited Latrobe City for a week.
- January 2008 - Latrobe City Youth Band Tour to Taizhou.

- December 2008 - TV Crew from Taizhou visit to capture material for production of ten year anniversary documentary to be shown on Taizhou television.
- May 2009 - Taizhou delegation (6) visit Latrobe City to celebrate ten year anniversary of relationship and invite Latrobe City to participate in International Gardens project.

In addition to these delegations, the following key exchange also took place:

- November 2004 to November 2005 – Medical research exchange with Monash Centre for Rural Health and Latrobe Regional Hospital, auspiced by Latrobe City.

5. ISSUES

It is now proposed that the Mayor lead a delegation to Japan and China to achieve the following objectives:

1. To progress significant international investment opportunities in both countries;
2. To attend the grand opening of the Taizhou International Gardens and explore opportunities for Latrobe City's involvement in this project;
3. To visit Takasago and discuss further exchange opportunities, including a proposed artist exchange.

Objective 1 – Major Investment Prospects

The level of interest in Latrobe City as an international investment location and exporter of product and education has continued to increase over the past 12 months. This interest, largely from Japanese and Chinese firms, is generally related to coal derivatives and energy projects and is expected to continue to build as the global community works to address the challenges of emission reduction imperatives.

Response to this sustained interest has been reactive to date, with Economic Sustainability officers responding to requests for information and, upon request, facilitating visits to the City by international business delegations. Recent examples of these delegations include representation from Idemitsu Kosan Ltd, Osaka Gas, Nippon Steel and JCoal from Japan and from China, Ningbo Power, Ningxia Hui Autonomous Region and Qianxian Guizhou Province (including representatives from China Coal Mining & Exploration Authority).

Advice from Invest Victoria is that the level of interest is significantly larger than indicated by current interest expressed to Council. For example, and as reported to Councillors in February this year, Invest Victoria representatives report that all of the approximately 20 major project opportunities held at that time by the Victorian Government Business Office (VGBO) in Tokyo related to Latrobe Valley brown coal and a more proactive approach, via a series of meetings within the country, would be of value in progressing these opportunities. The Shanghai VGBO is also dealing with a number of companies looking to invest in Latrobe City.

Opportunities exist to strengthen existing relationships between international companies already with a stake in the Latrobe City business community. These include Nippon Paper, the new owners of the Maryvale Paper Mill and Tokyo Electric Power Company (TEPCO) which has an interest in Loy Yang Power. Finally an opportunity exists to proactively promote Latrobe City's business diversity and industrial capability to these two important markets.

It is therefore proposed that a series of meetings with business and government representatives within Japan and China be undertaken to establish or reinforce relationships and progress major investment prospects. Included in the proposed visit would be visits to the VGBO's in Tokyo and Shanghai, the Australian Trade Commission (Austrade) offices in Beijing and potentially the Australia China Business Council Office (ACBC) in Shanghai. Subject to Council approval, a comprehensive agenda of meetings would be structured, in conjunction with these organisations. Preliminary discussions indicate the following schedule:

Japan

- Tokyo VGBO for a full day of meetings
- Visit or meeting with Nippon Paper
- Visit or meeting with TEPCO

China

- AusTrade Beijing office, series of meetings
- Shanghai VGBO and ACBC office for a full day of meetings

A detailed report, providing an analysis of meeting outcomes and status of investment opportunities, would be presented to Council following the visits.

Objective 2 – Taizhou International Gardens Project

On their visit to Latrobe City in May 2009, Taizhou officials briefed Council representatives on a project known as the Taizhou International Gardens. The City of Taizhou has allocated 105 hectares to develop a precinct which will include a convention and exhibition centre, five star accommodation venue and a variety of performance spaces and other civic facilities. The centrepiece of the development is the man made lake, islands and gardens. The total cost of this project is \$A135 million. Construction has commenced and the official opening is scheduled for 12 September 2009.

Apart from being officially invited to the opening of the gardens, Latrobe City has also been invited to contribute to the International Garden by designing and erecting a garden space reflective of our region.

It is not an expectation that this component of the garden will be ready for the opening in September, however it is intended that the visit to Taizhou at this time will provide an opportunity for Latrobe City to view the site to better understand the landscape in order to commence design of the Latrobe City component. The Taizhou delegation to Latrobe City in May 2009 indicated that it would be their hope that the Latrobe City component of the International Garden be opened in April 2010.

It is intended that the Latrobe City space within the garden would be a gift to the City of Taizhou to commemorate ten years of the sister city relationship. The City of Taizhou has indicated that they would like to reciprocate this gesture with the establishment of a Chinese garden at a location within Latrobe City in 2010.

Objective 3 – Artist Exchange in Takasago

As articulated in the Latrobe City International Relations Plan 2007-2010, Council should investigate the possibility of an arts innovation project with our sister cities, incorporating:

- Travelling exhibition
- Artist in residency
- Art exchange

In considering this action, it has been identified that an opportunity exists for an artist youth exchange to be facilitated with the City of Takasago. The purpose of this proposed visit to Takasago will be to talk with Council officials in respect to this project and to interact with the Takasago arts community to explore the potential for this project.

This proposal has been discussed with the City of Takasago, which is extremely anxious for it to be pursued further. Although in its preliminary phase, the concept of six to eight young artists being able to visit Takasago in 2010 is achievable. It is intended that the work that they produce through this exchange, as with Taizhou, will form the central component of our gift to the City of Takasago to commemorate ten years of the sister city relationship.

As with the Taizhou International Garden project, it is hoped that this exchange could come to fruition in April 2010.

In order to pursue such opportunities and to continue to develop relationships it is important that Council has semi regular visits to its sister cities. In entering into sister city agreements Council has given a commitment to pursue opportunities of common interest and increase understanding and awareness between the different countries and cultures.

The predominant purpose of the visit to Latrobe's sister cities is to pursue economic, educational, and cultural opportunities and to further develop the sister city relationships. Apart from the two distinct projects mentioned above, the milestone of the ten year relationship also provides an ideal opportunity to formally review the respective agreements and plan for the future accordingly.

6. FINANCIAL AND RESOURCES IMPLICATIONS

It is proposed that the Mayor to lead a delegation including the Chief Executive Officer, three other officers and any Councillors that choose to participate at their own cost.

Those officers proposed to attend and the roles they will undertake are:

- Economic Sustainability – a member of the business development team who will work primarily on facilitating the economic development and investment meetings. This officer will also be able to provide relevant expertise in respect to the landscaping elements of the Taizhou International Garden.
- Recreational and Cultural Liveability - as primary managers of the international relations program and sister city agreements, this officer will be the project manager for the Takasago Artist Exchange Program and Taizhou International Garden projects.
- International Relations Officer – interpreter and protocol officer.

Cost associated with the delegation will be limited to airfares and some accommodation (total of approximately \$4,000 per person). It has been normal practice for the host city to accommodate delegations.

All costs associated with the visit will be met within existing divisional budgets.

As has been past practice, those Councillors (other than the Mayor) wishing to attend are invited to join the delegation however will be required to personally fund their own airfares and accommodation expenses.

In respect to the Australian garden project in Taizhou, it is proposed that a final design and costing be presented to Council following the September 2009 delegation.

7. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used: Letters and meetings.

Details of Community Consultation / Results of Engagement:

The proposed visit has been discussed either directly or in correspondence with Council's sister cities.

Additional consultation prior to the visit will be undertaken with Council's International Relations Committee in order to maximise the opportunities that the visit presents.

8. OPTIONS

1. Council can resolve to approve the proposed delegation to China and Japan in September 2009.
2. Council can resolve not to approve the proposed delegation to China and Japan in September 2009.

9. CONCLUSION

There is currently demonstrated and sustained interest in Latrobe City as a potential investment location, from business and government agencies within Japan and China. The proposed sister city visits to these two countries offers a significant and timely opportunity to progress investment opportunities arising from this interest.

Council has committed itself to the development of its sister city relationships and the pursuit of opportunities that arise from such relationships. The proposed visit to Takasago and Taizhou will enable Council to pursue economic and cultural opportunities and to further develop the sister city relationships.

10. RECOMMENDATION

1. That Council approves a Mayoral led delegation to China and Japan in September 2009 to pursue the following objectives:
 - To progress significant international investment opportunities in both countries;
 - To attend the grand opening of the Taizhou International Gardens and explore opportunities for Latrobe City's involvement in this project;
 - To visit Takasago and discuss further exchange opportunities, including a proposed artist exchange.
2. That a report on the Latrobe City delegation to Japan and China in September 2009 be presented to Council in November 2009.

Moved: Cr Gibson

Seconded: Cr Kam

1. That Council approves a Mayoral led delegation including the Chief Executive Officer, the Manager Economic Development and the International Relations Officer to China and Japan in September 2009 to pursue the following objectives:
 - To progress significant international investment opportunities in both countries;
 - To attend the grand opening of the Taizhou International Gardens and explore opportunities for Latrobe City's involvement in this project;
 - To visit Takasago and discuss further exchange opportunities, including a proposed artist exchange.
2. That a report on the Latrobe City delegation to Japan and China in September 2009 be presented to Council in November 2009.

The Motion was put and LOST

Cr Kam called for a Division

For the Motion

Councillors Gibson, Kam, Fitzgerald and O'Callaghan

Against the Motion

Councillors White, Middlemiss, Vermeulen, Price and Lougheed

The Mayor confirmed that the Motion had been LOST

The original Recommendation became the Motion before the Chair.

Moved: Cr White

Seconded: Cr Lougheed

1. That Council approves a Mayoral led delegation to China and Japan in September 2009 to pursue the following objectives:
 - To progress significant international investment opportunities in both countries;
 - To attend the grand opening of the Taizhou International Gardens and explore opportunities for Latrobe City's involvement in this project;
 - To visit Takasago and discuss further exchange opportunities, including a proposed artist exchange.
2. That a report on the Latrobe City delegation to Japan and China in September 2009 be presented to Council in November 2009.

CARRIED

ATTACHMENT

泰州市人民政府

Taizhou Municipal People's Government

4 June 2009

Councillor Lisa Price
Mayor
Latrobe City Council
PO Box 264
Morwell 3840

Your Honourable Mayor Lisa Price

LATROBE DELEGATION VISIT – TAIZHOU CITY – SEPTEMBER 2009

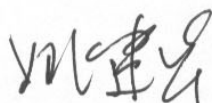
On behalf of Taizhou City, I wish to take this opportunity to officially invite you and your delegation from Latrobe City to visit Taizhou in September 2009.

It is the tenth year since the Memorandum of Understanding was signed in April 1999. We would like to invite you and your delegation to attend the Grand Opening of our Garden Expo Garden project in September 2009. To celebrate the 10-year anniversary, we would also like to explore the possibility of having an Australian indigenous garden within this project. It will be an outstanding iconic symbol to recognise our long lasting relationship.

I am sure that in the future, the links and bonds that have developed between our two cities will continue to grow even stronger.

If you have any further questions regarding this invitation, please do not hesitate to contact our Foreign Affairs Office. I look forward to meeting with you and your delegation here in Taizhou in September 2009.

Sincerely yours,



Yao Jianhua
Mayor

**11.4.2 TRARALGON COURT HOUSE CONSERVATION MANAGEMENT
PLAN**

AUTHOR: General Manager Recreational and Cultural Liveability
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present for Councils consideration, a Conservation Management Plan in respect of the Traralgon Court House. The report also outlines a process for moving forward with the preparation of a brief for the future development of the Traralgon Court House in line with the principles established in the conservation management plan.

2. DECLARATION OF INTERESTS

No officer declared an interest, under the *Local Government Act 1989* in the preparation of this report.

3. POLICY IMPLICATIONS

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

Latrobe 2021

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

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.

Strategic Actions

- 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.
- Protect the area's historical character and heritage features.
- Promote and support private and public sector investment in the development and maintenance of key asset infrastructure in the municipality.

Council Plan 2008-2012 Action

Undertake a heritage conservation study and plan for the Traralgon Court House

Latrobe City Planning Scheme

The Traralgon Court House (and Post Office) are included within the schedule to the heritage overlay which provides statutory protection to the use or development of the buildings.

Policy - Asset Management Policy 09 POL-3

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

4. **BACKGROUND**

At the Information and Discussion meeting held on Monday, 12 November 2007, Councillors were presented with a report by the General Manager City Services which provided information regarding restrictions placed on the future use of the Traralgon Court House as a result of its reservation for public purposes under the Crown Land (Reserves) Act of 1978.

The report was prepared following the receipt of a number of proposals from community groups and commercial interests regarding the future use of the Traralgon Court House and also provided information regarding guidelines affecting alterations and modifications to the Traralgon Court House as a consequence of the buildings listing on Victoria's Heritage Register.

Having considered the report Councillors requested that Latrobe City Council officers prepare a brief to engage a heritage consultant to develop a conservation management plan for the Traralgon Court House.

A brief was prepared and a consultant engaged to undertake the work. Heritage consultant Ivar Nelsen commenced working on the plan in December 2008. Public consultations were held in February 2009.

5. ISSUES

The Traralgon Court House and Post Office building is listed on Victoria's Heritage Register and is subject to a heritage overlay. As such any alterations or renovations to the building must be undertaken in accordance with guidelines issued by Heritage Victoria. The guidelines recommend that the owners or entities in control of such buildings prepare conservation management plans to guide their ongoing maintenance and development.

The Traralgon Court House is a significant building in a highly valuable location at the heart of the Traralgon central activity district. The building is under utilised at present. Interest exists in the community from people wishing to undertake activities in the Traralgon Court House.

The Traralgon Court House is owned by the Department of Sustainability and Environment. The former City of Traralgon was appointed as Committee of Management of the Traralgon Court House on 9 September 1992. Latrobe City Council became the successor and assumed responsibility for the Traralgon Court House at the time of amalgamation in December 1994. Latrobe City Council's halls and venues team has responsibility for the day to day management of the building including taking bookings, arranging for cleaning and minor maintenance.

The draft conservation management plan was prepared in consultation with the community in general; several key stakeholders were specifically targeted to attend workshops. These included the Traralgon Historical Society, the Traralgon Chamber of Commerce and the Traralgon City and Rural Community Development Association.

The plan provides an overview of the Traralgon Court House and Post Office complex's historical background, a detailed description of each room in the Court House including a condition report and an updated statement of cultural value. The plan also sets out a conservation policy for the Traralgon Court House and Post Office and details a set of conservation actions which includes a list of maintenance priorities. Additionally, the plan provides an indicative brief and concept for future use of the Traralgon Court House which is in keeping with the conservation policy and the views expressed by community members through the consultation process.

To date members of the public consulted during the preparation of the draft plan have not had an opportunity to view or comment on the draft plan. Council now has the opportunity to release the Traralgon Court House draft conservation management plan for public comment before considering it for adoption.

Following its release for public comment Council may wish to adopt the plan and seek expressions of interest from the public (both community and commercial organisations) in developing the Traralgon Court House.

Such expressions of interest would be required to detail the proposed development and in particular, explain how it would adhere to the conservation policy, respect the statement of cultural value and deliver the conservation actions contained in the conservation management plan.

Any action in respect to proposed developments will need to be presented to Council for consideration and will again require extensive community consultation prior to formal approval being granted.

6. FINANCIAL AND RESOURCES IMPLICATIONS

A range of urgent works have been identified in the Conservation Action - Maintenance Priorities section of the plan. Money has been allocated for maintenance at the Traralgon Court House in Council's draft 2009 – 2010 recurrent budget. It is planned to address these works within this allocation.

Further costs associated with the future development of the Traralgon Court House will be determined by the process Council adopts to move forward with developing the site, should Council decide to proceed down that path.

7. INTERNAL/EXTERNAL CONSULTATION

Details of Community Consultation / Results of Engagement:

Personal Briefings and Public Information Sessions were held at the Court House on Wednesday, 11 March 2009. These were attended by 20 people overall.

The sessions were advertised in the local print media and a media release resulted in an article being published in the Traralgon Journal and a radio interview being conducted by ABC Gippsland with the heritage consultant engaged to prepare the conservation management plan.

In respect to future consultation, it is now proposed that Council releases the draft Traralgon Court House Conservation Management Plan for community consultation.

It is also proposed that following the Expression of Interest process, Council commit to community consultation as prescribed in Council's Community Engagement Policy. This consultation should take place prior to any modification, alternate use or development of the Court House is approved by Council.

8. OPTIONS

The options available to Council include:

1. Release the Traralgon Court House draft Conservation Management Plan for community consultation in line with Council's Community Engagement Policy;
2. Amend and release the Traralgon Court House draft Conservation Management Plan for community consultation in line with Council's Community Engagement Policy;
3. Decline to release the Traralgon Court House draft Conservation Management Plan for community consultation; or
4. Adopt the Traralgon Court House draft Conservation Management Plan without community consultation.

9. CONCLUSION

The Traralgon Court House is an historically significant building located in a prime central Traralgon location. The building is reserved for 'public purposes' and is listed in Victoria's Heritage Register.

At the request of Councillors a heritage consultant was engaged to prepare conservation management plan in respect of the Traralgon Court House. Community consultation and engagement has been undertaken during the preparation of the plan.

Council now has the opportunity to release the plan for public comment before considering it for adoption.

10. RECOMMENDATION

1. That Council releases the Traralgon Court House draft Conservation Management Plan (13 April 2009 - Draft) for community consultation for a period of four weeks.
2. That the results of this consultation be included in a further report to be presented to Council at the Ordinary Council Meeting to be held on 17 August 2009.
3. That, subject to Council adopting the Traralgon Court House draft Conservation Management Plan on 17 August 2009, an Expression of Interest process be conducted to determine prospective future uses of the Traralgon Court House.
4. That further community consultation be undertaken following the receipt of Expressions of Interest to gauge the community's attitude towards the potential future use/s of the Traralgon Court House.
5. That a further report be presented to Council following the community consultation in relation to the Expressions of Interest received.

Moved: Cr Fitzgerald

Seconded: Cr Kam

1. That Council releases the Traralgon Court House draft Conservation Management Plan (13 April 2009 - Draft) for community consultation for a period of six weeks.
2. That the results of this consultation be included in a further report to be presented to Council at the Ordinary Council Meeting to be held on 7 September 2009.
3. That, subject to Council adopting the Traralgon Court House draft Conservation Management Plan on 7 September 2009, an Expression of Interest process be conducted to determine prospective future uses of the Traralgon Court House.
4. That further community consultation be undertaken following the receipt of Expressions of Interest to gauge the community's attitude towards the potential future use/s of the Traralgon Court House.
5. That a further report be presented to Council following the community consultation in relation to the Expressions of Interest received.

CARRIED UNANIMOUSLY

ATTACHMENT

**Traralgon Court House draft Conservation Management Plan
(13 April 2009 - Draft)**

GOVERNANCE

11.6.1 ASSET ACCOUNTING POLICY

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is for Council to elect to recognise land under roads as a non-current asset in accordance with the requirements of Australian Accounting Standards and to present a draft Asset Accounting Policy for Council's consideration.

2. DECLARATION OF INTERESTS

No officer declared an interest, under the *Local Government Act 1989* in the preparation of this report.

3. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Governance

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

Community Outcome - Legislative Governance

By ensuring adherence to legislative requirements.

Strategic Action

Ensure compliance with the Local Government Act.

Ensure compliance with other relevant legislation.

The Australian Accounting Standards Board requires Council to make an election prior to 30 June 2009 in relation to the accounting treatment of land under roads.

4. **BACKGROUND**

The Australian Accounting Standard Board (AASB) 1051 allows for an entity to recognise or not recognise land under roads before the end of the first reporting period on or after 31 December 2007 and requires disclosure in the Financial Statements. AASB 1051 also states that land Under Roads acquired after the first reporting period ending on or after 31 December 2007 is to be accounted for under the provisions of AASB 116 (Property, Plant and Equipment).

The implementation of the recognition of land under roads requirement had previously been deferred by the Accounting Standards Board as a result of the difficulty in reliably measuring the value of such an asset. The exemption period has now ceased and Council is required to make an election regarding the treatment of Land under Roads.

Council finance staff, in consultation with the Victorian Auditor General, has developed a preferred position of fully recognising land under roads. This requires Council to elect to recognise land under roads, held as at 30 June 2008, at fair value and to also recognise land under roads acquired from 1 July 2008 at fair value. Fair value is defined as being the amount for which an asset could be exchanged between a knowledgeable, willing buyer and a knowledgeable, willing seller in an arm's length transaction.

The accounting treatment of all classes of assets is set out each year in the audited financial statements that form part of Council's annual report. Given the accounting standards require Council to make a formal election in relation to land under roads, it is appropriate that the accounting treatment of all asset classes be formalised in an asset accounting policy.

5. **ISSUES**

The Australian Accounting Standards Board requires land under roads to be recognised. In order for Council to conform to Australian Accounting Standards, land under roads must be recognised at a minimum from 1 July 2008.

There has been much industry debate around the methodology to be used for the calculation of the fair value of land under roads. The Victorian Local Government Financial Professionals Group (FINPro) has recently released a proposed methodology agreed to by the Victorian Auditor General. Council finance staff in consultation with the Victorian

Auditor General, believe it is appropriate that Council elect to recognise Land Under Roads, held as at 30 June 2008, at fair value and to also recognise land under roads acquired from 1 July 2008 at fair value using the methodology proposed by FinPro.

Council's asset management system (AMS) will be used to determine the fair value of land under roads both pre and post 1 July 2008, in accordance with the agreed methodology.

The draft Asset Accounting Policy incorporates the proposed accounting treatment for land under roads as well as setting out the principles to be used in accounting for all of Council's non-current physical assets.

6. FINANCIAL AND RESOURCES IMPLICATIONS

The opening equity balance of Council will be adjusted to account for the increase in non current assets as at 30 June 2008, being the fair value of land under roads at that date. Any subsequent additions to land under roads will be accounted for each year at fair value.

7. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

The draft Asset Accounting Policy has been reviewed by the Auditor General as well as Council's Audit Committee.

8. OPTIONS

Council has the following options available:

1. Elect to recognise land under roads as at 30 June 2008 and adopt the draft Asset Accounting Policy without amendment,
2. Elect to not recognise land under roads as at 30 June 2008 and adopt the draft Asset Accounting Policy with amendment(s),
3. Not make an election on the recognition of land under roads and not adopt the draft Asset Accounting Policy.

9. CONCLUSION

There is a requirement by the Australian Accounting Standards Board for Council to make an election in relation to the accounting treatment for land under roads.

Having reviewed the options available to Council and in consultation with the Victorian Auditor General's office, it is recommended that the most appropriate action is for Council to elect to recognise the land under roads at fair value as at 30 June 2008 and that subsequent additions to land under roads be accounted for at fair value.

It is also appropriate that Council adopt an asset accounting policy that will guide the accounting treatment of all classes of non current assets held by Council.

10. RECOMMENDATION

1. That Council, in accordance with AASB 1051, elects to recognise, at fair value, land under roads as at 30 June 2008; and
2. That Council, in accordance with AASB 1051, continues to recognise additions to land under roads after 1 July 2008 at fair value; and
3. That Council adopts the Asset Accounting Policy 09 POL-1; and
4. That the Asset Accounting Policy 09 POL-1 be incorporated into the standing 2009-2012 Policy Manual; and
5. That 2009-2012 Council Policy Manual [09-POL-2] be produced and made available to the public.

Moved: Cr Fitzgerald

Seconded: Cr White

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

Asset Accounting Policy 09 POL-1

11.6.2 CHIEF EXECUTIVE OFFICER AUTHORISATION TO SIGN AND SEAL LOAN DOCUMENTATION

AUTHOR: General Manager Governance
(ATTACHMENT – NO)

1. PURPOSE

The purpose of this report is to seek Council's authorisation for the Chief Executive Officer to sign and seal and loan any financial documents relating to the proposed loan borrowings in the 2008/2009 budget.

2. DECLARATION OF INTERESTS

No officer declared an interest, under the *Local Government Act* 1989 in the preparation of this report.

3. POLICY IMPLICATIONS

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

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Governance

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

Community Outcome - Legislative Governance

By ensuring adherence to legislative requirements.

Strategic Action

Ensure compliance with the Local Government Act.

4. BACKGROUND

Each year as part of the budget approval process, a recommendation that Council authorises the Chief Executive Officer to sign and seal any loan and financial documents relating to the proposed borrowings included in the budget, forms part of the budget report and adopted recommendations.

The 2008/2009 budget was adopted by Council on 16 June 2008 and the recommendation for the Chief Executive Officer to sign and seal any loan and financial documents relating to the proposed borrowings included in the budget, inadvertently stated the loan amount as \$4,250,000 when it should have stated \$4,450,000.

All the documentation included in the budget papers and the statutory advertising and Loan Council borrowing approval, correctly stated the proposed 2008/2009 loan borrowings of \$4,450,000.

To ensure Council assigns the correct approval to the Chief Executive Officer it is appropriate that a recommendation is now made that gives authorisation to the Chief Executive Officer to sign and seal any loan and financial documents relating to the proposed loan borrowing amount of \$4,450,000.

5. ISSUES

Council will be taking up the 2008/2009 loan borrowings of \$4,450,000 prior to the end of June 2009. To expediate the processing of the loan and financial documents Council authorisation for the Chief Executive Officer to sign and seal such documents is required.

6. FINANCIAL AND RESOURCES IMPLICATIONS

The 2008/2009 budget has been adopted on the basis that the loan funds of \$4,450,000 will be drawn down in June 2009.

7. INTERNAL/EXTERNAL CONSULTATION

The 2008/2009 budget was subject to four weeks public consultation in May/June 2008.

8. OPTIONS

Council has the following options available:

1. To authorise the Chief Executive Officer to sign and seal any loan and financial documents relating to the proposed borrowings of \$4,450,000 in the 2008/2009 budget; or

2. Not authorise the Chief Executive Officer to sign and seal any loan and financial documents relating to the proposed borrowings of \$4,450,000 in the 2008/2009 budget.
This option would delay the draw down of loan funds as the loan documents would then require a resolution at a subsequent Council meeting for Council to authorise the Chief Executive Officer to sign and seal the documents.

9. CONCLUSION

In order for the signing and sealing of loan and financial documents relating to the proposed borrowings of \$4,450,000 in the 2008/2009 budget, Council authorisation for the Chief Executive Officer to do so is appropriate.

10. RECOMMENDATION

That Council authorises the Chief Executive Officer to sign and seal any loan and financial documents relating to the proposed borrowings of \$4,450,000 in the 2008/2009 budget.

Moved: Cr Vermeulen

Seconded: Cr White

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

11.6.3 DOCUMENTS PRESENTED FOR SIGNING AND SEALING**AUTHOR:** General Manager Governance**(ATTACHMENT - NO)****1. DECLARATION OF INTERESTS**

No officer declared an interest, under the *Local Government Act 1989* in the preparation of this report.

2. DOCUMENT/S

PP2007/389	<p>Section 173 Agreement pursuant to the Planning and Environment Act 1987 between Latrobe City Council and Robin Leslie Dean and Brenda Lorraine Kelm as the Owners of the land described in Certificate of Title Volume 3994 Folio 787 being CA122A Parish of Toongabbie South situated at 30 Wellington Road, Glengarry North providing:</p> <p>(a) that if a majority of landowners in Wellington Road, Glengarry North require the road to be formally constructed and sealed in the future, then the owners of Lots 1 & 2 on Plan of Subdivision PS 613348Q will be required to pay for the cost of construction of the portion of Wellington Road adjoining their property and that Council will not contribute to the owners' (of lots 1 & 2) costs regardless of any "Sealing of Unsealed Roads" Policy at the time; and</p> <p>(b) that the land will not be further subdivided so as to increase the number of lots;</p> <p>pursuant to Conditions 6 & 7 of Planning Permit No. 2007/389 for a 2-lot subdivision dated 29/04/08.</p>
PP2008/126	<p>Section 173 Agreement pursuant to the Planning and Environment Act 1987 between Latrobe City Council and Alan James Frederick McFarlane as the Owner of the land described in Certificate of Title Volume 8814 Folio 369 being Lot 1 on Title Plan 827502B situated at 260 Nadenbouschs Road, Hazelwood providing that the land will not be further subdivided so as to increase the number of lots pursuant to Condition 2 of Planning Permit No. 2008/126 for a 2-lot subdivision dated 7/07/08.</p>

1017/2009-CR	Section 173 Agreement pursuant to the Planning and Environment Act 1987 between Latrobe City Council and Paul Joseph Gerard Drenen and Sharyn Lea Drenen as the Owners of the land described in Certificate of Title Volume 10909 Folio 254 being Lot 14 on PS 527838B situated at 22 Hedges Avenue, Traralgon providing that notwithstanding the granting of report and consent of Council 1017/2009-CR to construct a spa deck over the easement on the land, the council may enter the easement and carry out whatever works may be necessary to maintain the drain which is in the easement.
	Deed Poll (Undertaking) made by Latrobe City Council in favour of the Commonwealth of Australia (as represented by the Department of Infrastructure, Transport, Regional Development and Local Government), and by necessity executed under seal on 5 June 2009, in order to facilitate the final funding agreement for the \$3.5M Community Infrastructure Program funding for Ted Summerton Reserve.

3. RECOMMENDATION

1. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement between Latrobe City Council and Robin Leslie Dean and Brenda Lorraine Kelm over the land described in Certificate of Title Volume 3994 Folio 787 situated at 30 Wellington Road, Glengarry North providing pursuant to Conditions 6 & 7 of Planning Permit No. 2007/389.
2. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement between Latrobe City Council and Alan James Frederick McFarlane over the land contained in Certificate of Title Volume 8814 Folio 369 situated at 260 Nadenbouschs Road, Hazelwood pursuant to Condition 2 of Planning Permit No. 2008/126.
3. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement between Latrobe City Council and Paul Joseph Gerard Drenen and Sharyn Lea Drenen over the land contained in described in Certificate of Title Volume 10909 Folio 254 situated at 22 Hedges Avenue, Traralgon pursuant to the grant of report and consent of Council 1017/2009-CR.

4. That Council ratifies the affixing of the Common Seal to the Deed Poll (Undertaking) made by Latrobe City Council in favour of the Commonwealth of Australia (as represented by the Department of Infrastructure, Transport, Regional Development and Local Government) by the Chief Executive Officer on 5 June 2009, in order to facilitate the final funding agreement for the \$3.5M Community Infrastructure Program funding for Ted Summerton Reserve.

Moved: Cr Lougheed
Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

11.6.4 MOE CUP PUBLIC HOLIDAY REQUEST 2009**AUTHOR:** General Manager Governance**(ATTACHMENT – YES)****1. PURPOSE**

The purpose of this report is to consider Moe Racing Club's request to Council to declare a half-day Public Holiday for the 2009 Moe Cup Race Day on Thursday, 15 October 2009.

2. DECLARATION OF INTERESTS

No officer declared an interest, under the *Local Government Act* 1989 in the preparation of this report.

3. 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 – Cultural Liveability

By supporting the arts, major events, community festivals and cultural opportunities that contribute to the vibrancy and diversity of community life.

Strategic Action

Attract and promote significant regional, national and international events to enhance the liveability and sustainability of the municipality

Strategic Objective – Governance

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

Community Outcome – Legislative Governance

By ensuring adherence to legislative requirements.

Strategic Action

Ensure compliance with relevant legislation.

Policy – Public Holiday Policy 09 POL-3

The purpose of this policy is to ensure consistency when deciding whether to support an application to the relevant Minister for the declaration of an additional local or a substituted public holiday for the whole and/or part of the municipality.

Public Holidays Act 1993 (the Act)

The purpose of this Act is to appoint public holidays and define the parameters and requirements for additional or substitute holidays.

4. BACKGROUND

Latrobe City Council has previously declared public holidays for race meetings as follows:

1998	Moe Cup – full-day public holiday,
1999	Moe Cup – half-day public holiday,
2000	Moe Cup – half-day public holiday,
2000	Traralgon Cup – half-day public holiday,
2001	Moe Cup – half-day public holiday,
2001	Traralgon Cup – half-day public holiday,
2002	Moe Cup – half-day public holiday,
2002	Traralgon Cup – half-day public holiday,
2003	Moe Cup – half-day public holiday,
2003	Traralgon Dual Code Meeting – half-day public holiday,
2004	Moe Cup – half-day public holiday,
2005	Moe Cup – half-day public holiday,
2006	Moe Cup – half-day public holiday,
2007	Moe Cup – half-day public holiday,
2008	Moe Cup – half day public holiday.

The previous half-day public holidays for the Moe Cup were declared for the towns and rural districts of Moe, Newborough, Yallourn, Moe South, Hernes Oak, Tanjil South and Yallourn North. The Yallourn district included the Yallourn Works area, being the Power Station and Yallourn Open Cut west of Morwell River.

In August 2007 the Minister for Small Business wrote to Latrobe City Council to advise of upcoming changes to the *Public Holidays Act 1993* (the Act). The letter:

- Encouraged non-metropolitan municipalities to observe Melbourne Cup Day or Gazette another day (or two half days) in their region, either on Melbourne Cup Day or another day; and
- Informed municipalities of the Minister's intention to bring to Parliament legislation that would enable Melbourne Cup Day to be observed as a public holiday across Victoria, other than where non-metropolitan municipal districts put in place an alternative local public holiday on a weekday (or 2 half weekdays).

Further to this correspondence, amendments to the Act were adopted on 24 September 2008.

As a result of the changes to the Act, non-metropolitan Councils no longer have the ability to self-declare a full or half day public holiday for all or a specified part of a municipal district by publishing a notice in the Government Gazette.

The changes to the Act do allow a non-metropolitan Council to request a substitute day for Melbourne Cup Day to the Minister for Small Business, 90 days before Melbourne Cup Day. The substitute day may only be made for the whole of the municipal district. The Act does not allow the Minister to appoint 2 half-days.

Council's Public Holiday Policy states that 'Any application to the relevant Minister for an alternative to the Melbourne Cup Public Holiday must be for a full public holiday and apply across the whole of the municipality'. In addition, the policy defines consultation requirements in regards to requests for additional or alternative public holidays: 'Council will consult with the community, employee and employer groups in accordance with Section 223 of the *Local Government Act 1989* for any requests regarding substitute or additional public holidays that have not been previously declared or if there are significant amendments to legislation affecting public holidays within the municipality. The Council will consider the merit of supporting the declaration of a public holiday once the consultation concludes and submissions are considered and only then, if required, apply to the relevant Minister'.

5. ISSUES

Moe Racing Club has written and requested Council to declare an afternoon half-day public holiday for the 2009 GPG Mobil Moe Cup Race Meeting on Thursday, 15 October 2009 (attached). A letter of support from the Committee for Moe is also attached.

The changes made to the *Public Holidays Act* 1993 do not allow Council to declare this holiday. Instead, the Act now presents Council with two options:

- Allow Melbourne Cup to be the declared public holiday throughout the whole municipality in 2009; or
- Apply to the Minister for approval to declare an alternative day, such as the Moe Cup as a substitute for Melbourne Cup Day throughout the whole municipality

As per the Public Holiday Policy, it is timely to seek public comment on the requested Moe Cup Day 2009 public holiday. The policy commits Council to consulting with the community, employee and employer groups in accordance with Section 223 of the *Local Government Act* 1989. This will effectively require a public notice to be made inviting submissions for a period of 28 days. As a request to declare an alternative Day to Melbourne Cup Day must be received by the Minister no later than 90 days before the day of the Melbourne Cup it would be timely to commence the process now.

Without presupposing the results of the consultation process, there are several benefits and disadvantages that can be provided as initial background to this issue.

The benefit of observing Melbourne Cup Day as the sole public holiday would be a standardisation of the holiday across the municipality and much of the state. The disadvantage of declaring Melbourne Cup Day as the sole public holiday would be the impact on the Moe Cup and the local economy as the annual race day draws both locals and the wider community into the area. The public holiday has a large effect on the local businesses who supply goods and services to the Race Club and patrons and co-host special sales events. In addition, people who have traditionally celebrated Moe Cup Day may be unhappy with the loss of this holiday.

The benefit of observing Moe Cup Day as the sole public holiday would be the continuing support of the local Racing Club and the local economy. Declaring Moe Cup Day as a full public holiday as a substitute for Melbourne Cup Day would also standardise the holiday across the municipality. The disadvantages are the lack of standardisation of the holiday across the state. Declaring a full day will also increase the financial burden on businesses in the Moe area that have historically traded on the morning of Moe Cup Day without having to pay penalty rates. In addition, the balance of the municipality may not prefer a full Moe Cup Holiday and be unhappy with this day being substituted for Melbourne Cup Day.

Latrobe City is not the only Council affected by the changes in the Act. The City of Greater Bendigo and Colac Otway Shire have already gazetted alternative days to Melbourne Cup Day. Macedon Ranges Shire resolved to write to the Minister seeking approval to maintain the status quo of previous years that existed in their shire (that is for part of the municipality to be a public holiday on the local race day and Melbourne Cup Day to be the public holiday for the balance of the municipality).

6. FINANCIAL AND RESOURCES IMPLICATIONS

The direct cost to Council associated with consulting the community on a proposal for a substitute public holiday for Melbourne Cup Day 2009 is minimal, being the cost of placing public notices in the local papers and writing to stakeholders inviting comments.

7. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

In accordance with the Public Holiday Policy, Council will consult with the community, employee and employer groups in accordance with Section 223 of the *Local Government Act* 1989. In effect, this will mean publishing a public notice inviting written submissions in regards to the proposed holidays in the municipality and writing to specific stakeholders seeking comment. The submission period is 28 days.

Details of Community Consultation / Results of Engagement:

Results of the consultation will be considered at a future meeting date of Council.

8. OPTIONS

Council has the following option:

In accordance with the Public Holiday Policy consult with the community in accordance with Section 223 of the *Local Government Act 1989* on:

- whether to apply to the Minister for Small Business to declare a full day public holiday on 15 October 2009 for Moe Cup Day, as a substitute for Melbourne Cup Day throughout the whole municipality; or
- to accept Melbourne Cup Day on 3 November 2009 to be the declared public holiday throughout the whole municipality in 2009.

9. CONCLUSION

The request by Moe Racing Club to Council to declare an afternoon half-day public holiday for the 2009 GPG Mobil Moe Cup Race Meeting on Thursday, 15 October 2009 has been complicated as a result of the changes in the *Public Holidays Act 1993*. Non-metropolitan Councils no longer have the ability to self-declare a full or half day public holiday for all or a specified part of a municipal district.

In accordance with Council's Public Holiday Policy it is now timely to seek public comment on the requested Moe Cup Day 2009 public holiday. As request to declare an alternative day to Melbourne Cup Day must be received by the Minister for small Business no later than 90 days before the day of the Melbourne Cup it would be timely to commence the process without delay.

10. RECOMMENDATION

1. **That Council, in accordance with the Public Holiday Policy, consults with the community in accordance with Section 223 of the *Local Government Act 1989* on whether to apply to the Minister for Small Business to declare a full day public holiday on 15 October 2009 for Moe Cup Day, as a substitute for Melbourne Cup Day 2009 throughout the whole municipality or to accept Melbourne Cup Day, 3 November 2009, to be the declared public holiday throughout the whole municipality in 2009.**

2. That Council considers at the Ordinary Council Meeting to be held on 20 July 2009 any submissions made on the proposed substitution of a full day public holiday on 15 October 2009 for Moe Cup Day, as a substitute for Melbourne Cup Day 2009, 3 November 2009, throughout the whole municipality or to accept Melbourne Cup Day, 3 November 2009, to be the declared public holiday throughout the whole municipality in 2009.

Moved: Cr Lougheed

Seconded: Cr Vermeulen

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

ATTACHMENT

MOE RACING CLUB & TURFSIDE TABARET
 P.O. Box 5
 Moe, Vic., 3825
 Telephone: (03) 5120-1333
 Facsimile: (03) 5120-1355

1st February 2009

Mr Henry Morrison
 Manager Property & Legal Services
 Latrobe City
 PO Box 264
 MORWELL 3840

Dear Henry

RE:- GPG Mobil Moe Cup Day – Thursday 15th October 2009

The Moe Racing Club would once again seek a half day public holiday for the Moe Cup on 15th October 2009.

I have attached a letter of support from the Committee for Moe for the holiday.

As you would be aware, after solid campaigns by the Moe Development Group, Moe Racing Club and Latrobe City focussed on the creation of an event on the day, the entire business community of Moe has whole heartedly embraced the half day holiday. To this effect the many associated activities, including the traditional 3 Hour Cup Day Sale are now firmly entrenched in the community calendar, and the day continues to be the number one retail event for the town.

I would be delighted if you could make arrangements to ratify the half day holiday for this year.

Please feel free to contact me should you have any further queries.

Yours truly,

David Mckinnon
 Chief Executive Officer

Latrobe City	
15 Feb 2009	
Doc No:	
Author:	

COMMITTEE FOR MOE

29th January, 2009

Mr David McKinnon,
General Manager,
Moe Racing Club Incorporated
PO Box 5
MOE 3825

Dear David,

As the premier sporting event in Gippsland, the Committee for Moe fully supports the efforts of the Moe Race Club in trying to secure a local public holiday for the 2009 Moe Cup.

Yours truly,
Tony Flynn



President
Committee for Moe

13. TEA BREAK

Adjournment of Meeting

The Mayor adjourned the Meeting at 10.22 pm for a tea break.

Resumption of Meeting

The Mayor resumed the Meeting at 10.34 pm.

Meeting Closed to the Public

The Meeting closed to the public at 10.34 pm.